# REUBEN, JUNIUS & ROSE, LLP

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March 26, 2021

#### **Delivered Via E-Mail** (bos.legislation@sfgov.org)

President Shamann Walton and Supervisors San Francisco Board of Supervisors 1 Dr. Carlton B. Goodlett Place City Hall, Room 244 San Francisco, CA 94102

Re: 476 Lombard Street | Opposition to Appeal of Categorical Exemption

Planning Dept. Case No.: 2018-017283ENV

**BOS Hearing Date: April 13, 2021** 

**BOS File No.: 210235** Our File No.: 11829.01

Dear President Walton and Supervisors:

Our office represents Renee and Steven Tannenbaum, owners and sponsors (the "Tannenbaums") of the project at 476 Lombard Street (the "Property"). The Property is improved with a 3-story single-family home. The Tannenbaums propose renovation of the Property to increase the bedroom count, add a personal elevator for mobility-challenged family members, and a horizontal and vertical expansion to update the home to the needs of a modern family with multiple generations living under one roof full-time (the "Project").

This appeal is brought following the Planning Commission's approval of the Project, with no changes, at a discretionary review hearing requested by the present appellants on January 28, 2021.<sup>2</sup> In approving the Project, the Planning Commission approved a Class 1 Categorical Exemption ("CatEx") under the California Environmental Quality Act ("CEQA") for the Project.<sup>3</sup> The appellants now bring the present appeal of the CatEx approval.

The appeal must be denied because it does not meet two of CEQA's fundamental historic resource legal standards. The appellants fail to (1) show that the Project will cause a substantial adverse change to the significance of the historic resource and (2) present any substantial evidence that shows a reasonable possibility of adverse environmental impact. Abundant past precedent makes it clear that the use of the CatEx under these circumstances is proper. The appeal is without merit and should be dismissed.

One Bush Street, Suite 600, San Francisco, CA 94104

Oakland Office

<sup>&</sup>lt;sup>1</sup> Project renderings are attached as **Exhibit A**.

<sup>&</sup>lt;sup>2</sup> The Planning Commission Approval is attached as **Exhibit B**; Commission Staff Report is attached as **Exhibit C**.

<sup>&</sup>lt;sup>3</sup> The CatEx is attached as **Exhibit D**.

#### A. PROJECT DESCRIPTION AND PROJECT BENEFITS

The Property is on the northern side of Lombard Street between Stockton Street and Grant Avenue in the North Beach neighborhood and the Telegraph Hill – North Beach Residential Special Use District. The Property slopes both front to back and side to side. This block of Lombard Street has 3- to 4-story buildings fronting the street and include a mix of architectural styles and forms.

Mr. Tannenbaum is disabled and is mobility-challenged. The Tannenbaums have two daughters and a son, and three grandchildren. The Tannenbaums purchased the Property about a decade ago. They moved back into their home this past January after being away for work for a few years with the intention to retire in San Francisco. The Tannenbaums will be living at the Property with their youngest daughter, who previously lived in the home. Ms. Tannenbaum's elderly mother receives care from them and also will live with the Tannenbaums in the home. In addition, the Tannenbaums' eldest daughter, who is married with three children, and their son and daughter-in-law visit and on occasion spend weeks at a time with the Tannenbaums. Considering that, the Tannenbaums seek to renovate the existing 3-story, 3-bedroom home with one bathroom and garage adding a bedroom, bathrooms, and a personal elevator to allow the Tannenbaums and their family to age in place.

The Project calls for a horizontal expansion of the first floor, extending that floor back 4'-4", to convert an existing storage area into a bedroom with en suite bathroom for Ms. Tannenbaum's mother, and vertical and horizontal expansion of the existing third-floor into a living and dining space to allow for three bedrooms and two bathrooms on the second floor to accommodate the Tannenbaums, their daughter full-time, and on occasion their other children and partners and their three grandchildren who visit for extended periods of time.

Over the past two (2) years, the Tannenbaums have worked to refine and improve the Project, based on feedback from Planning Department staff. While the subject Property is individually eligible for listing in the California Register, it is neither listed by the California Register nor designated as a historic landmark building by the City under Article 10. (November 4, 2019, Historic Resource Evaluation Response, Part 1 attached as **Exhibit E**.) Planning Department staff found the existing home has some historic elements, though much of the home lacks character-defining features. The home's character defining features are:

- "Two-story massing at front of lot;
- Symmetrical front façade;
- Ground floor brick veneer and recessed entries;
- Wood sash opalescent/colored windows; and
- Tripartite parapet and clay tile roof." (*Id.*)

Accordingly, the Project preserves the front façade and respectfully maintains all character defining features of the home. Planning Department staff prepared a Historic Resource Evaluation Response, Part 2 and found "The project will not alter any character-defining features previously identified in the Historic Resource Evaluation (HRER) Part 1 issued on November 4, 2019." (July 15, 2020, Historic Resource Evaluation Response, Part 2 attached as <u>Exhibit F</u>, emphasis added.)

The Project has the following benefits to the neighborhood and community:

- The Project does not seek to alter any character-defining feature of the home. The rear and western façades of the home do not have any character-defining features that could be impacted by the Project's alterations such as to cause a substantial adverse change in the significance of the historic resource. The home's design fits naturally into the neighborhood and surrounding properties.
- The major design principles of proportion, height, mass, setbacks, and landscaping are appropriate and consistent with neighboring properties. The Planning Department's Design Review Team supported the Project, finding it conforms to the Planning Code, and the Planning Commission found the Project conforms to the Residential Design Guidelines.
- The Project will modernize a near century-old home, adapting it for another century with today's advanced technologies, including double pane windows, high insulation values, and a personal elevator for its mobility-challenged residents to age in place.

#### B. LEGAL STANDARD

Under San Francisco Administrative Code Section 31.16, the Board of Supervisors is required to affirm the exemption determination if it finds that the project conforms to the requirements for exemptions set forth in CEQA.

The California Legislature has established classes of similar projects that the Secretary of the Natural Resources Agency has found to "have been determined not to have a significant effect on the environment and which shall, therefore, be exempt from the provisions of CEQA." (CEQA Guidelines, Section 15300.) A Class 1 Categorical Exemption is defined to include projects seeking "minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion . . . more than . . . 10,000 square feet." (CEQA Guidelines, Section 15301, (e).)

In this case, when analyzing whether the CatEx was appropriately issued, the Board of Supervisors must determine whether the Planning Department's action was supported by "substantial evidence [] even if substantial evidence in the record also shows that a contrary conclusion would be equally, or even more, reasonable," and not as Appellants seem to contend whether "any facts, fact-based assumptions or expert opinion in the administrative record support

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arguments that the exception may apply, regardless of any contrary evidence." (*Berkeley Hillside Preservation v. City of Berkeley* ("*Berkeley Hillside*") (2018) 60 Cal.4<sup>th</sup> 1086, 1110, emphasis in original.)

As held in *Berkeley Hillside*, a reviewing body "after resolving all evidentiary conflicts in the agency's favor and indulging in all legitimate and reasonable inferences to uphold the agency's finding, must affirm that finding if there is any substantial evidence, contradicted or uncontradicted, to support it." (*Id.* at 1114 (citing *Western States Petroleum Assn. v. Superior Court* (1995) 9 Cal.4<sup>th</sup> 559, 571).) Anything otherwise would defeat the Legislature's intent in having categorical exemptions for certain classes of projects.

In addition to the foregoing, a "project with an effect that may cause a *substantial adverse change* in the significance of an historic resource is a project that may have a significant effect on the environment." (CEQA Guidelines Section 15064.5(b), emphasis added.) When evaluating whether a project may cause a substantial adverse change in the significance of an historical resource, the fair argument standard apples. (*Valley Advocates v. City of Fresno* (2005) 160 Cal.App.4<sup>th</sup> 1039, 1072-74.) "The fair argument standard is met when there is substantial evidence in the record supporting a fair argument on the matter in controversy." (*Id.* at 1067-68.)

CEQA Guidelines expressly defines substantial evidence as follows: "Argument, speculation, unsubstantiated opinion or narrative, or evidence that is clearly inaccurate or erroneous, or evidence that is not credible, shall not constitute substantial evidence. Substantial evidence shall include facts, reasonable assumptions predicated upon facts, and expert opinion supported by facts." (CEQA Guidelines, Section 15064(f)(5).)

When it comes to the adequacy of the environmental analysis itself, the question is whether the determination is supported by substantial evidence in light of the whole record.<sup>4</sup> Substantial evidence means "enough relevant information and reasonable inferences from this information that a fair argument can be made to support a conclusion, even though other conclusions might also be reached." (CEQA Guidelines, Section 15384(a).) CEQA does not require technical perfection, scientific certainty, or an exhaustive analysis of all potential issues or all information that is available on an issue. (Association of Irritated Residents v. County of Madera (2003) 107 Cal.App.4th 1383, 1397; Dry Creek Citizens Coalition v. County of Tulare (1999) 70 Cal.App.4th 20, 26.)

<sup>&</sup>lt;sup>4</sup> "Any action or proceeding to attack, review, set aside, void or annul a determination, finding, or decision of a public agency, made as a result of a proceeding in which by law a hearing is required to be given, evidence is required to be taken and discretion in the determination of facts is vested in a public agency, on the grounds of noncompliance with the provisions of this division shall be in accordance with the provisions of Section 1094.5 of the Code of Civil Procedure. In any such action, the court shall not exercise its independent judgment on the evidence but shall only determine whether the act or decision is supported by substantial evidence in the light of the whole record." (Public Resources Code, Section 21168.)

### C. NO CEQA VIOLATION EXISTS – CATEGORICAL EXEMPTION APPROPRIATE

Appellants claim that the historic resource exception to use of a categorical exemption applies. However, appellants' claim does not meet the legal standard for application of the exception and issuance of the CatEx was proper. *Valley Advocates* holds that the project opponent "has the burden of producing substantial evidence showing a reasonable possibility of adverse environmental impact sufficient to remove the project from the categorically exempt class. (citations omitted)." (*Valley Advocates*, 160 Cal.App.4<sup>th</sup> at 1074.) In this case, appellants have not produced substantial evidence that the Project will cause a substantial adverse change in the significance of the historic resource.

# 1. Project Does Not Cause A Substantial Adverse Change in Significance of Historic Resource – All Character-Defining Features Retained

The CEQA Guidelines hold that in evaluating the significance of the environmental effect of a project, the direct physical changes caused by the project and reasonably foreseeable indirect physical changes caused by the project are to be evaluated. (CEQA Guidelines, Section 15064(c).) Under CEQA, a "[s]ubstantial adverse change in the significance of an historical resource means physical demolition, destruction, relocation, or alteration of the resource or its immediate surroundings such that the significance of an historic resource would be materially impaired." (CEQA Guidelines, Section 15064.5(b)(1).) The significance of a historical resource is materially impaired when a project "demolishes or materially alters in an adverse manner those physical characteristics of an historical resource that convey its historical significance and that justify or account for its inclusion in, or eligibility for inclusion in a local register of historical resources pursuant to local ordinance or resolution." (CEQA Guidelines, Section 15064.5(b)(2)(A).)

In this case, the Project does not call for the demolition or alteration of the home such that the significance of the home will be materially impaired. (**Exhibit F** [HRER, Part 2], p. 2.; *Citizens for the Restoration of L Street v. City of Fresno* (2014) 229 Cal.App.4th 340, 364 ("demolition of a building is a physical change that will cause (not just might cause) a significant and adverse impact to that building").) Rather, the Project retains each and every character-defining feature. While the Project calls for in-fill of two lightwells on the west façade, the west façade has no character-defining features, as determined by Page & Turnbull:

The west façade cannot be said to have character-defining features that contribute to the Classical Revival architecture style with Mission and Spanish Colonial Revival influences, or to the architectural significance of the building. The features along the west façade are pervasive, functional architectural features lacking distinctive design or detailing. They do not contribute to the property's eligibility for listing in the California Register. (Page & Turnbull Letter, p. 8 attached as **Exhibit G**, emphasis added.)

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Contrary to appellant's assertions, a project may cause a change in a historic resource but still not have a significant adverse effect on the environment as defined by CEQA as long as the impact of the change on the historic resource is determined to be less-than significant, negligible, neutral, or even beneficial. In this case, the Planning Department conclusively determined that the Project's scope of work is consistent with the Secretary of Interior's Standards for Rehabilitation and would not result in a substantial adverse change in the significance of the home. (Exhibit F [HRER, Part 2], p. 2.)

The CEQA Guidelines are clear that "a project that follows the Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings or the Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings (1995), Weeks and Grimmer, shall be considered as mitigated to a level of less than a significant impact on the historical resource." (CEQA Guidelines, Section 15064.5(b)(3).)

The Standards for Rehabilitation recognize that alterations and/or additions can be performed while retaining a building's historic character and significance. In this instance, the Planning Department acknowledged the "infill[ing] of two western light wells" and found "Id]ue to the scope of work and consistency with the Secretary of the Interior's Standards for Rehabilitation, the project will not result in a significant adverse impact to the historic resource." (Exhibit F [HRER, Part 2], p. 2.) Further, Page & Turnbull have held that "[a]s the proposed project complies with all of the Standards for Rehabilitation, the project would not cause a substantial adverse change in the significance of the resource as defined by CEQA, and can be considered categorically exempt." (Exhibit G [Page & Turnbull Letter], p. 11, emphasis in original.) Accordingly, no substantial adverse change in the significance of the home results from the Project and the appeal should be denied.

### 2. No Substantial Evidence of a Fair Argument Presented by Appellants

Appellants have not established substantial evidence of a fair argument that the Project will cause a substantial adverse change to the significance of the historic resource. Appellants' letter from Katherine Petrin, is merely opinion. "Argument, speculation, unsubstantiated *opinion* or narrative, or evidence that is clearly inaccurate or erroneous, or evidence that is not credible, *shall not constitute substantial evidence*." (CEQA Guidelines, Section 15064(f)(5), emphasis added.) While Ms. Petrin claims that the Project's alteration of the western façade will "creat[e] a severe monolithic wall without any of the articulation that currently exists" that is not the case. (February 23, 2021, Katherine T. Petrin Letter, p. 4.) The Project's third floor expansion calls for setbacks both from the front façade and portions of the west façade, retaining articulation at the upper level of the home. Moreover, Ms. Petrin's opinion is incorrect. The Planning Department and Page & Turnbull have both shown conclusively that the west façade has no character-defining features.

The CEQA Guidelines hold that in "determining whether an effect will be adverse or beneficial, the lead agency shall consider the views held by members of the public in all areas affected as expressed in the whole record before the lead agency." (CEQA Guidelines, Section

15064(c).) In this case, the record indicates that views of members of the public within the neighborhood do not believe the Project adversely changes the significance of the home. (cf. Protect Niles v. City of Fremont (2018) 25 Cal.App.5<sup>th</sup> 1129, 1139-40 ["personal observations of area residents on nontechnical subjects may qualify as substantial evidence for a fair argument"].) Four neighbors in direct proximity have opined and submitted letters of support to that effect<sup>5</sup>:

- **364 Lombard St.** "I applaud the owners for doing such a thoughtful job to upgrade their home to better fit 21<sup>st</sup> century lifestyles and make it accessible to those with disabilities while preserving its unique historical façade."
- **454 Lombard St. Unit 2** "We believe that the scope of the project is consistent with what are typical for a building at that age and we see nothing that any neighbor would have concerns."
- 1593 North Point St. "I find their project refreshing and fitting with the neighborhood."
- 454 Lombard St. "I believe their beautification of their house would be a great benefit to our neighborhood."

(Exhibit C [DR Hearing Packet], pp. 74-77.)



(Exhibit A.)

Appellants fail, as required by the plain terms of the claimed CEQA exception, to establish substantial evidence of a fair argument that the Project will cause a substantial adverse change in the significance of the historic resource. As such, the present appeal should be denied.

<sup>&</sup>lt;sup>5</sup> While five (5) letters of opposition were submitted to the Planning Commission, they all appear to be from family members of the appellants, including: (1) Jim Sturla; (2) John Sturla; (3) Vanessa Sturla Irizarry; (4) Savannah Sturla; (5) Teri Sturla Rousseau. (Exhibit C [DR Hearing Packet], pp. 53-59; https://www.linkedin.com/in/terimmc.) The possibility of adverse impacts on a few people does not amount to substantial evidence of a reasonable possibility of an adverse impact to the home. (cf. Protect Niles, 25 Cal.App.5<sup>th</sup> at 1139-40.)

#### D. CONCLUSION

Under CEQA, the CatEx is an appropriate level of environmental review, when, as here, there is not a substantial adverse change in a historic resource's significance. (CEQA Guidelines Section 15300.2(f).) No substantial evidence of such an impact to the home by the Project has been provided, because none exists. Based on the above, and on the thorough and extensive record before you, we respectfully request that you deny the appeal and uphold the Categorical Exemption.

Very truly yours,

REUBEN, JUNIUS & ROSE, LLP

Justin A. Zucker

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#### **Enclosures:**

Exhibit A – Project Renderings

Exhibit B — Planning Commission Approval

Exhibit C – Discretionary Review Hearing Packet

Exhibit D – Project Categorical Exemption

Exhibit E – Historic Resource Evaluation Response, Part 1 Exhibit F – Historic Resource Evaluation Response, Part 2

Exhibit G – Page & Turnbull Letter

cc: Supervisor Connie Chan

Supervisor Catherine Stefani

Supervisor Aaron Peskin

Supervisor Gordon Mar

Supervisor Dean Preston

Supervisor Matt Haney

Supervisor Myrna Melgar

Supervisor Rafael Mandelman

Supervisor Hillary Ronen

Supervisor Ahsha Safai

Angela Calvillo, Clerk of the Board

Lisa Gibson, Environmental Planner

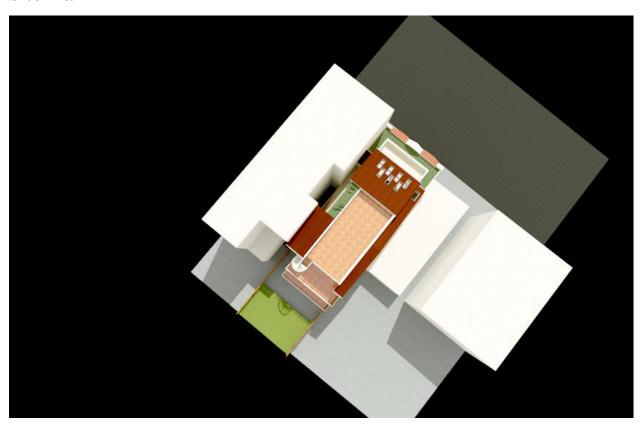


# **Existing Conditions**





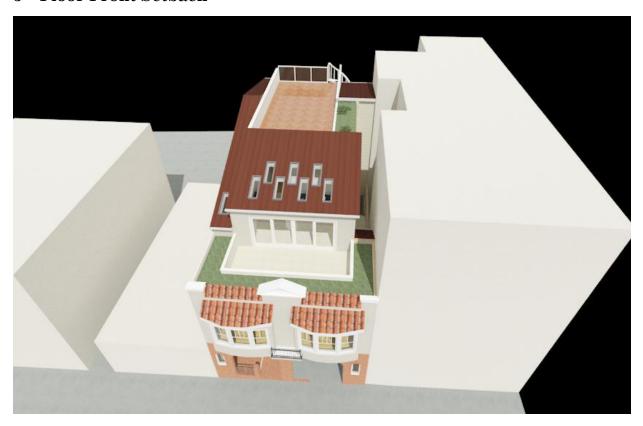
### Site Plan



Front & Western Façade



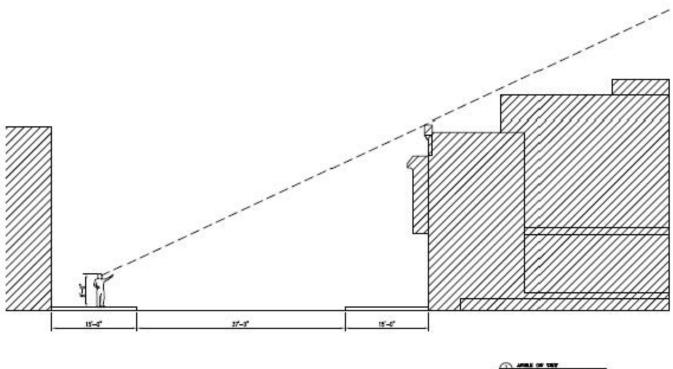
# 3<sup>rd</sup> Floor Front Setback



# Rear Setback



# Site Line Study









# DISCRETIONARY REVIEW ACTION DRA-734

**HEARING DATE: JANUARY 28, 2021** 

Record No.: 2018-017283DRP Project Address: **476 Lombard Street Building Permit:** 2018.1019.3722

Zoning: RH-3 [Residential House, Three-Family]

Telegraph Hill -NB Residential District

40-X Height and Bulk District

Block/Lot: 0062 / 017A Project Sponsor: Shaum Mehra 442 Grove St.

San Francisco, CA 94102

Shelley Bradford-Bell on behalf of Arrigo and Barbara Sturla DR Requestor:

468 Lombard Street

San Francisco, CA 94133

Staff Contact: David Winslow - (628) 652-7335

David.Winslow@sfgov.org

ADOPTING FINDINGS RELATED TO NOT TAKING DISCRETIONARY REVIEW OF RECORD NO. 2018-017283DRP AND THE APPROVAL OF BUILDING PERMIT APPLICATION NO. 2018.1019.3722 PROPOSING CONSTRUCTION OF A HORIZONTAL ADDITION, A NEW ELEVATOR, ROOF DECKS AND TWO OFF-STREET PARKING SPACES TO A TWO-STORY OVER BASEMENT, SINGLE-FAMILY DWELLING WITHIN THE RH-3 (RESIDENTIAL HOUSE, THREE-FAMILY) ZONING DISTRICT AND A 40-X HEIGHT AND BULK DISTRICT.

#### **Preamble**

On October 19, 2018, Shaum Mehra filed for Building Permit Application No. 2018.1019.3722 proposing construction of a horizontal addition, a new elevator, roof decks and two off-street parking spaces to a singlefamily dwelling within the RH-3 (Residential, House, Three-Family) District and a 40-X Height and Bulk District.

On October 28, 2020 Shelley Bradford- Bell on behalf of Arrigo and Barbara Sturla (hereinafter "Discretionary Review (DR) Requestor") filed an application with the Planning Department (hereinafter "Department") for Discretionary Review (2018-017283DRP) of Building Permit Application No. 2018.1019.3722.

The Department has determined that the proposed project is exempt/excluded from environmental review, pursuant to CEQA Guideline Section 15301 (Class One - Minor Alteration of Existing Facility, (e) Additions to existing structures provided that the addition will not result in an increase of more than 10,000 square feet).

On January 28, 2021, the San Francisco Planning Commission (hereinafter "Commission") conducted a duly noticed public hearing at a regularly scheduled meeting on Discretionary Review Application 2018-017283DRP.

The Commission has heard and considered the testimony presented to it at the public hearing and has further considered written materials and oral testimony presented on behalf of the applicant, Department staff, and other interested parties.

#### **Action**

The Commission hereby does not take Discretionary Review requested in Record No. 2018-017283DRP and approves Building Permit Application 2018.1019.3722.

The reasons that the Commission took the action described above include:

- 1. There are no extraordinary or exceptional circumstances in the case. The proposal complies with the Planning Code, the General Plan, and conforms with the Residential Design Guidelines.
- 2. The Commission determined that no modifications to the project were necessary and they instructed staff to approve the Project per plans dated February 26, 2020, on file with the Planning Department.



APPEAL AN2D EFFECTIVE DATE OF ACTION: Any aggrieved person may appeal this Building Permit Application to the Board of Appeals only after the Department of Building Inspection (DBI) takes action (issuing or disapproving) the permit. Such appeal must be made within fifteen (15) days of DBI's action on the permit. For further information, please contact the Board of Appeals at (628) 652-1150, 49 South Van Ness Ave, Suite 1475, San Francisco, CA 94103.

Protest of Fee or Exaction: You may protest any fee or exaction subject to Government Code Section 66000 that is imposed as a condition of approval by following the procedures set forth in Government Code Section 66020. The protest must satisfy the requirements of Government Code Section 66020(a) and must be filed within 90 days of the date of the first approval or conditional approval of the development referencing the challenged fee or exaction. For purposes of Government Code Section 66020, the date of imposition of the fee shall be the date of the earliest discretionary approval by the City of the subject development.

If the City has not previously given Notice of an earlier discretionary approval of the project, the Planning Commission's adoption of this Motion, Resolution, Discretionary Review Action or the Zoning Administrator's Variance Decision Letter constitutes the approval or conditional approval of the development and the City hereby gives NOTICE that the 90-day protest period under Government Code Section 66020 has begun. If the City has already given Notice that the 90-day approval period has begun for the subject development, then this document does not re-commence the 90-day approval period.

I hereby certify that the Planning Commission did not take Discretionary Review and approved the building permit as reference in this action memo on January 28, 2021.

Jonas P. Ionin Commission Secretary

AYES: Chan, Diamond, Fung, Koppel

NOES: Imperial, Moore, Tanner

ABSENT: None

ADOPTED: January 28, 2021







# **DISCRETIONARY REVIEW ANALYSIS**

**HEARING DATE: January 28, 2021** 

**Continued from January 14, 2021** 

**Continued from January 7, 2021** 

Record No.: 2018-017283DRP **Project Address: 476 Lombard Street** Permit Applications: 2018.1019.3722

Zoning: RH-3 [Residential House, Three-Family]

Telegraph Hill -NB Residential District

40-X Height and Bulk District

Block/Lot: 0062 / 017A **Project Sponsor:** Shaum Mehra

442 Grove St.

San Francisco, CA 94102

**Staff Contact:** David Winslow - (628) 652-7335

david.winslow@sfgov.org

**Recommendation:** Do Not Take DR and Approve

# **Project Description**

The project proposes to construct a horizontal addition to the existing three-story, (2-story at the street) 3,192square-foot single-family residence. With the proposed improvements the single-family residence would be three stories and 5,258 square feet in size. The project would include a new elevator and roof deck and two off-street parking spaces.

## **Site Description and Present Use**

The site is a 27'-6" wide x 100' deep lateral and up sloping lot with an existing 3-story home built in 1926 and is categorized as a 'A' - Historic Resource present.

# **Surrounding Properties and Neighborhood**

This block of Lombard Street has 3- to 4-story buildings fronting the street front and present a mix of architectural eras and forms ranging from contemporary to early 20th century traditional. The neighboring 3- and 4-story

buildings to the east (including the DR requestor) extend further toward the rear to define a moderately consistent mid-block open space. The adjacent property to the west is a one-story residential garage.

## **Building Permit Notification**

Type	Required Period	Notification Dates	DR File Date	DR Hearing Date	Filing to Hearing Date
311 Notice	30 days	September 28, 2020 – October	10.28. 2020	1.28. 2021 Continued from 1.7.	92 days
		28, 2020		2021	

### **Hearing Notification**

Туре	Required Period	Required Notice Date	Actual Notice Date	Actual Period
Posted Notice	20 days	August 7, 2020	August 7, 2020	20 days
Mailed Notice	20 days	August 7, 2020	August 7, 2020	20 days
Online Notice	20 days	August 7, 2020	August 7, 2020	20 days

### **Public Comment**

	Support	Opposed	No Position
Adjacent neighbor(s)	0	0	0
Other neighbors on the block or directly across the street	4	7	0
Neighborhood groups	0	0	0

#### **Environmental Review**

The Department has determined that the proposed project is exempt/excluded from environmental review, pursuant to CEQA Guideline Section 15301 (Class One - Minor Alteration of Existing Facility, (e) Additions to existing structures provided that the addition will not result in an increase of more than 10,000 square feet).

## **DR Requestor**

Shelley Bradford Bell on behalf of Arrigo and Barbara Sturla of 468 Lombard Street, residents of the property to the east of the proposed project.



### **DR Requestor's Concerns and Proposed Alternatives**

Is concerned that the proposed project:

- 1. Does not comply with the Retained Elements Guidelines and detracts from and is out of character with the historic building.
- 2. Is not articulated to minimize impacts on light air and privacy to the adjacent neighbors;
- 3. The roof deck and spiral stair accessing it presents a significant loss of light and privacy.

#### Proposed alternatives:

- 1. Reduce the footprint of the third story addition by increasing the setbacks from the front and sides and;
- 2. Remove the roof deck.

See attached Discretionary Review Application, dated October 28, 2020, and January 7, 2021

### **Project Sponsor's Response to DR Application**

The design complies with the Planning Code and the Residential Design Guidelines. The project will not alter any character defining features and retains and respects historic elements of the existing building. The DR requestors have not identified any exceptional or extraordinary circumstances.

See attached Response to Discretionary Review, dated November 16, 2020

## **Department Review**

The Department's Design Review Team (DRT) review of this confirmed that this conforms to the Planning Code and meets the Residential Design Guidelines related to scale at the steet, preservation of light and air, and minimizes impact to the historical resource.

#### Specifically:

- 1. The third story addition is set back 12'-10" from the building front to be minimally visible from the street to preserve the integrity of the historic resource.
- 2. The third story addition is set back 3' from the neighboring building to the east to reciprocate with their lightwell.
- 3. The Department's preservation staff reviewed this proposal and determined that the setback in combination with the height of the existing front parapet adequately maintains minimal visibility of the addition to preserve the resource. It is important to clarify that the Retained Elements Guidelines are guidelines that seek to preserve some existing features of buildings that are proposed to be demolished.



This project is not a demolition by any definition of the Plannng Code.

4. The roof deck with solid parapets that are guardrail height, is set back 5' from the adjacent neighbors and over 30' from the front building wall. The setback of the deck and solid parapets effectively screens the deck from the adjacent building and ameliorates privacy impacts while reasonably minimizing imapcts to light.

Staff deems theere are no exceptional or extraordinary circumstances as the building has been designed to respect the historic resource and the adjacent neighbors within the context of the Residential Design Guidelines.

**Recommendation:** Do Not Take DR and Approve

#### **Attachments:**

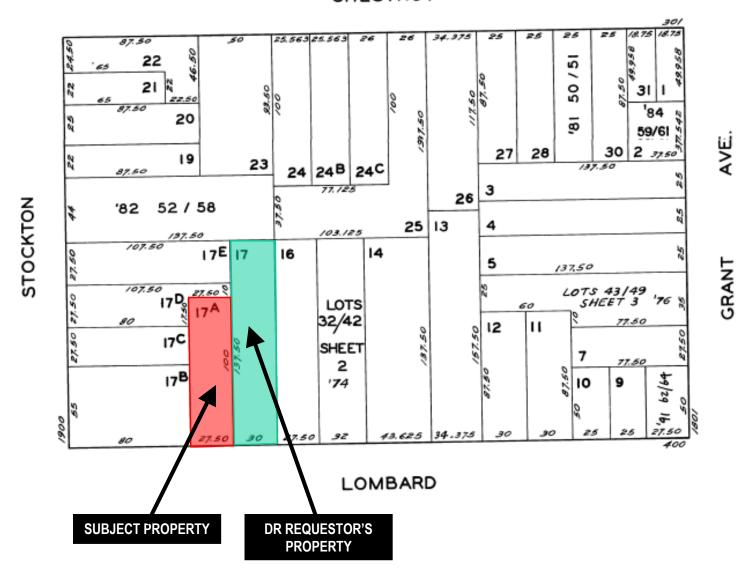
Block Book Map
Sanborn Map
Zoning Map
Aerial Photographs
Context Photographs
Section 311 Notice
CEQA Determination
DR Applications
Letters
Response to DR Application, dated November 16, 2020, & January 7, 2021
Reduced 311 Plans dated 2.26.20
Shadow studies



# **Exhibits**

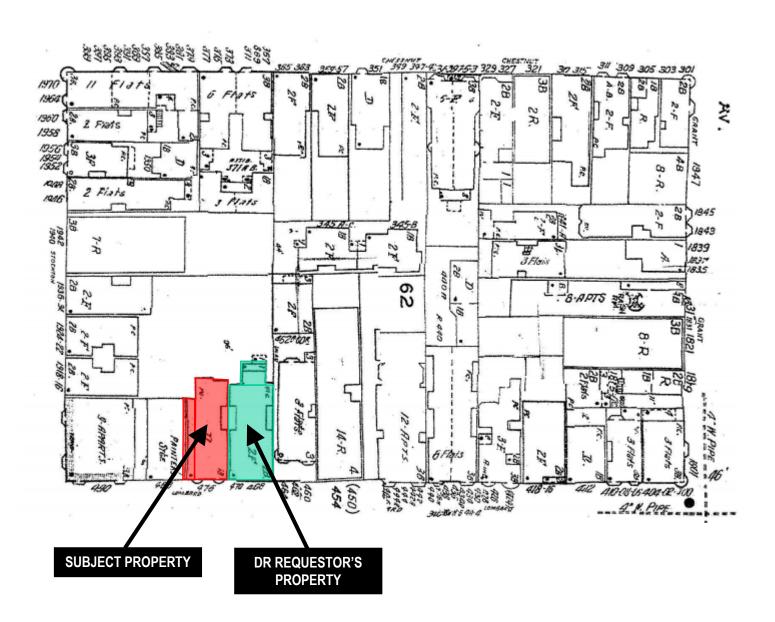
# **Parcel Map**

### CHESTNUT

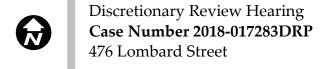




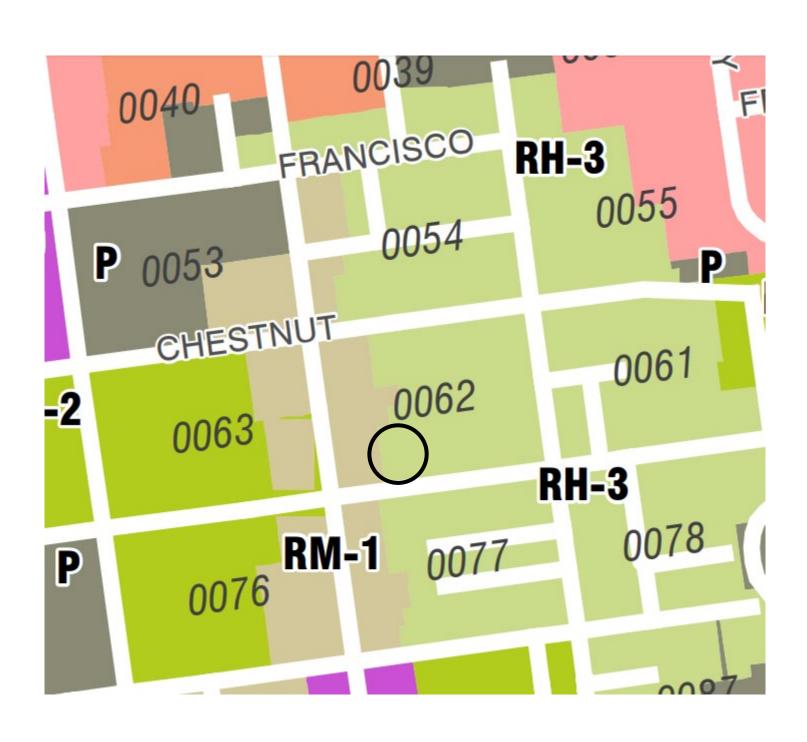
# Sanborn Map\*



<sup>\*</sup>The Sanborn Maps in San Francisco have not been updated since 1998, and this map may not accurately reflect existing conditions.



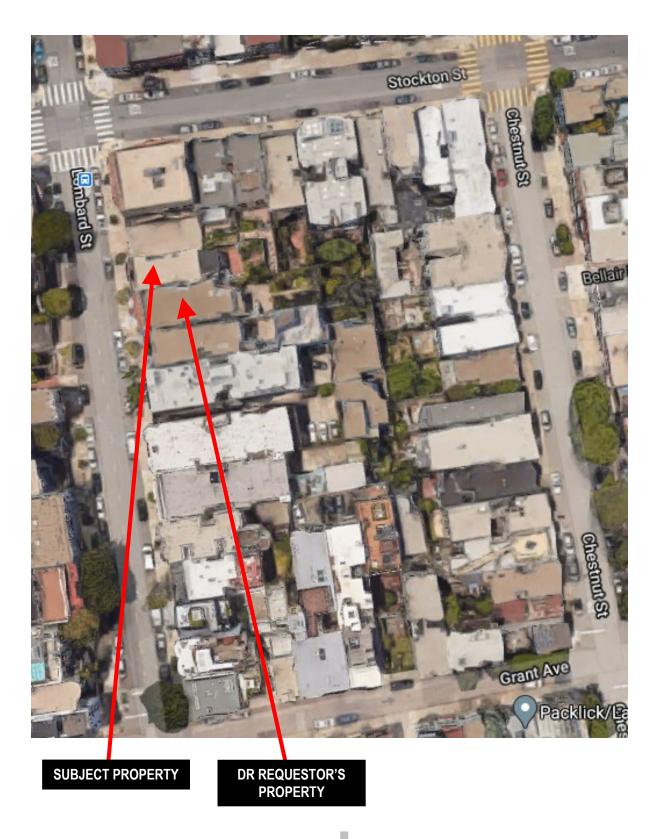
# **Zoning Map**



















DR REQUESTOR'S PROPERTY

SUBJECT PROPERTY



# **Site Photo**





# NOTICE OF BUILDING PERMIT APPLICATION (SECTION 311)

On October 19, 2018, Building Permit Application No. 2018.10.19.3722 was filed for work at the Project Address below.

Notice Date: 9/28/20 Expiration Date: 10/28/20

#### **PROJECT INFORMATION**

Project Address: 476 LOMBARD ST

Cross Streets: Stockton St and Grant Ave

 $\begin{array}{ll} Block \, / \, Lot \, No.: & 0062 \, / \, 017A \\ Zoning \, District(s): & RH-3 \, / \, 40-X \end{array}$ 

Record No.: **2018-017283PRJ** 

#### **APPLICANT INFORMATION**

Applicant: Shaum Mehra Address: 1143 Shrader St.

City, State: San Francisco, CA 94117

Telephone: 415-323-0729

Email: shaumx@hotmail.com

You are receiving this notice as an owner or occupant of property within 150 feet of the proposed project. **You are not required to take any action.** For more information about the proposed project, or to express concerns about the project, please contact the Applicant listed above or the Planner named below as soon as possible. If you believe that there are exceptional or extraordinary circumstances associated with the project, you may request that the Planning Commission review this application at a public hearing for Discretionary Review. Requests for a Discretionary Review hearing must be filed during the 30-day review period, prior to the close of business on the Expiration Date shown above, or the next business day if that date is on a week-end or a legal holiday. If no Requests for Discretionary Review are filed, this project will be approved by the Planning Department after the Expiration Date.

Members of the public are not required to provide personal identifying information when they communicate with the Commission or the Department. All written or oral communications, including submitted personal contact information, may be made available to the public for inspection and copying upon request and may appear on the Department's website or in other public documents.

PROJECT SCOPE	PROJECT FEATURES	Existing	Proposed
☐ Demolition	Building Use:	Residential	No Change
☐ Change of Use	Front Setback:	None	No Change
☐ Rear Addition	Side Setbacks:	None	No Change
☐ New Construction	Building Depth:	68 feet 1 inch	72 feet 7 inches
☐ Façade Alteration(s)	Rear Yard:	32 feet	27 feet 6 inches
☐ Side Addition	Building Height:	31 feet 8 inches	38 feet 2 inches
☐ Alteration	Number of Stories:	2	3
☐ Front Addition	Number of Dwelling Units	1	No Change
☐ Vertical Addition	Number of Parking Spaces	2	2

#### **PROJECT DESCRIPTION**

The project includes a horizontal and vertical addition to an existing single family dwelling. The addition will include the infill of two western light wells, increase of building depth at rear, a third-floor vertical addition, rear yard decks at the second and third floors, and new rooftop deck with wood parapet walls to match existing siding located at the rear half of the building.

The issuance of the building permit by the Department of Building Inspection or the Planning Commission project approval at a discretionary review hearing would constitute as the Approval Action for the project for the purposes of CEQA, pursuant to Section 31.04(h) of the San Francisco Administrative Code.

To view plans or related documents, visit <a href="mailto:sfplanning.org/notices">sfplanning.org/notices</a> and search the Project Address listed above.

For more information, please contact Planning Department staff:

Planner: Claudine Asbagh Telephone: 628-652-7329 Email: Claudine.Asbagh@sfgov.org



49 South Van Ness Avenue, Suite 1400 San Francisco, CA 94103 628.652.7600 www.sfplanning.org

Reduced copies of the proposed project plans have been included in this mailing for your information. If you have questions about the plans, please contact the project Applicant listed on the front of this notice. You may wish to discuss the plans with your neighbors or neighborhood association, as they may already be aware of the project. If you have specific questions about the proposed project, you should contact the planner listed on the front of this notice. If you have general questions about the Planning Department's review process, contact the Planning counter at the Permit Center via email at <a href="mailto:pic@sfgov.org">pic@sfgov.org</a>.

If you believe that the impact on you from the proposed project is significant and you wish to seek to change the project, there are several procedures you may use. We strongly urge that steps 1 and 2 be taken.

- 1. Contact the project Applicant to get more information and to discuss the project's impact on you.
- Contact the nonprofit organization Community Boards at (415) 920-3820, or online at <u>www.communityboards.org</u> for a facilitated. Community Boards acts as a neutral third party and has, on many occasions, helped reach mutually agreeable solutions.
- 3. Where you have attempted, through the use of the above steps or other means, to address potential problems without success, please contact the planner listed on the front of this notice to discuss your concerns.

If, after exhausting the procedures outlined above, you still believe that exceptional and extraordinary circumstances exist, you have the option to request that the Planning Commission exercise its discretionary powers to review the project. These powers are reserved for use in exceptional and extraordinary circumstances for projects that conflict with the City's General Plan and the Priority Policies of the Planning Code; therefore the Commission exercises its discretion with utmost restraint. This procedure is called Discretionary Review ("DR"). If you believe the project warrants Discretionary Review by the Planning Commission, you must file a DR Application prior to the Expiration Date shown on the front of this notice.

To file a DR Application, you must:

- 1. Create an account or be an existing registered user through our Public Portal (<a href="https://aca-ccsf.accela.com/ccsf/Default.aspx">https://aca-ccsf.accela.com/ccsf/Default.aspx</a>).
- 2. Complete the Discretionary Review PDF application (<a href="https://sfplanning.org/resource/drp-application">https://sfplanning.org/resource/drp-application</a>) and email the completed PDF application to <a href="mailto:CPC.Intake@sfgov.org">CPC.Intake@sfgov.org</a>. You will receive follow-up instructions via email on how to post payment for the DR Application through our Public Portal.

To determine the fee for a Discretionary Review, please refer to the Planning Department Fee Schedule available at <a href="https://www.sfplanning.org">www.sfplanning.org</a>. If the project includes multiple building permits, i.e. demolition and new construction, a separate request for Discretionary Review must be submitted, with all required materials and fee, for each permit that you feel will have an impact on you. Incomplete applications will not be accepted.

If no Discretionary Review Applications have been filed within the Notification Period, the Planning Department will approve the application and forward it to the Department of Building Inspection for its review.

#### **Board of Appeals**

An appeal of the Planning Commission's decision on a Discretionary Review case may be made to the **Board of Appeals within 15** calendar days after the building permit is issued (or denied) by the Department of Building Inspection. The Board of Appeals is accepting appeals via e-mail. For further information about appeals to the Board of Appeals, including current fees, contact the Board of Appeals at (628) 652-1150.

#### **Environmental Review**

This project has undergone preliminary review pursuant to California Environmental Quality Act (CEQA). If, as part of this process, the Department's Environmental Review Officer has deemed this project to be exempt from further environmental review, an exemption determination has been prepared and can be obtained through the Exemption Map at <a href="https://www.sfplanning.org">www.sfplanning.org</a>. An appeal of the decision to exempt the proposed project from CEQA may be made to the Board of Supervisors within 30 calendar days after the project approval action identified on the determination. The procedures for filing an appeal of an exemption determination are available from the Board of Supervisors at bos.legislation@sfgov.org, or by calling (415) 554-5184.

Under CEQA, in a later court challenge, a litigant may be limited to raising only those issues previously raised at a hearing on the project or in written correspondence delivered to the Board of Supervisors, Planning Commission, Planning Department or other City board, commission or department at, or prior to, such hearing, or as part of the appeal hearing process on the CEQA decision.

# **CEQA Categorical Exemption Determination**

### PROPERTY INFORMATION/PROJECT DESCRIPTION

Project Address			Block/Lot(s)	
476 LOMBARD ST			0062017A	
Case No.			Permit No.	
2018-017283ENV			201810193722	
Add	dition/	Demolition (requires HRE for	New	
Alte	eration	Category B Building)	Construction	
Projec	ct description for	Planning Department approval.		
The project involves a remodel and horizontal addition to the existing three-story, 3,192-square-foot single-family residence. With the proposed improvements the single-family residence would be three stories and 5,258 square feet in size. The project includes a new elevator and roof deck.				
STEF	P 1: EXEMPTIC	ON CLASS		
	The project has been determined to be categorically exempt under the California Environmental Quality Act (CEQA).			
		g Facilities. Interior and exterior alterations; addit	ions under 10,000 sq. ft.	
		onstruction. Up to three new single-family resider rcial/office structures; utility extensions; change of	nces or six dwelling units in one	
	building; commer permitted or with Class 32 - In-Fil	onstruction. Up to three new single-family resider rcial/office structures; utility extensions; change of a CU.  I Development. New Construction of seven or more	nces or six dwelling units in one use under 10,000 sq. ft. if principally	
	building; commer permitted or with Class 32 - In-Fil 10,000 sq. ft. and (a) The project is	onstruction. Up to three new single-family resider rcial/office structures; utility extensions; change of a CU.  I Development. New Construction of seven or mode meets the conditions described below: seconsistent with the applicable general plan designation.	nces or six dwelling units in one use under 10,000 sq. ft. if principally re units or additions greater than nation and all applicable general plan	
	building; commer permitted or with Class 32 - In-Fil 10,000 sq. ft. and (a) The project is policies as well a	onstruction. Up to three new single-family resider rcial/office structures; utility extensions; change of a CU.  I Development. New Construction of seven or mode meets the conditions described below:	nces or six dwelling units in one use under 10,000 sq. ft. if principally re units or additions greater than nation and all applicable general planons.	
	building; comme permitted or with Class 32 - In-Fil 10,000 sq. ft. an (a) The project is policies as well a (b) The proposes substantially sur	onstruction. Up to three new single-family resider recial/office structures; utility extensions; change of a CU.  I Development. New Construction of seven or mode meets the conditions described below: se consistent with the applicable general plan designs with applicable zoning designation and regulation development occurs within city limits on a project rounded by urban uses.	nces or six dwelling units in one use under 10,000 sq. ft. if principally re units or additions greater than nation and all applicable general planons.	
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	building; comme permitted or with Class 32 - In-Fil 10,000 sq. ft. and (a) The project is policies as well as (b) The proposed substantially sun (c) The project s (d) Approval of the water quality.	onstruction. Up to three new single-family resider recial/office structures; utility extensions; change of a CU.  I Development. New Construction of seven or mode meets the conditions described below: a consistent with the applicable general plan designes with applicable zoning designation and regulation development occurs within city limits on a project rounded by urban uses. ite has no value as habitat for endangered rare or the project would not result in any significant effects.	nces or six dwelling units in one use under 10,000 sq. ft. if principally re units or additions greater than nation and all applicable general plan ons. t site of no more than 5 acres threatened species. s relating to traffic, noise, air quality, or	
	building; comme permitted or with Class 32 - In-Fil 10,000 sq. ft. and (a) The project is policies as well at (b) The proposed substantially sun (c) The project s (d) Approval of the water quality. (e) The site can	onstruction. Up to three new single-family resider reial/office structures; utility extensions; change of a CU.  I Development. New Construction of seven or mode meets the conditions described below: a consistent with the applicable general plan designs with applicable zoning designation and regulation development occurs within city limits on a project rounded by urban uses. ite has no value as habitat for endangered rare or the project would not result in any significant effects be adequately served by all required utilities and project.	nces or six dwelling units in one use under 10,000 sq. ft. if principally re units or additions greater than nation and all applicable general plan ons. t site of no more than 5 acres threatened species. s relating to traffic, noise, air quality, or	
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	building; comme permitted or with Class 32 - In-Fil 10,000 sq. ft. and (a) The project is policies as well as (b) The proposed substantially sun (c) The project s (d) Approval of the water quality.  (e) The site can FOR ENVIRONM	onstruction. Up to three new single-family resider reial/office structures; utility extensions; change of a CU.  I Development. New Construction of seven or mode meets the conditions described below: a consistent with the applicable general plan designs with applicable zoning designation and regulation development occurs within city limits on a project rounded by urban uses. ite has no value as habitat for endangered rare or the project would not result in any significant effects be adequately served by all required utilities and project.	nces or six dwelling units in one use under 10,000 sq. ft. if principally re units or additions greater than nation and all applicable general plan ons. t site of no more than 5 acres threatened species. s relating to traffic, noise, air quality, or	

#### **STEP 2: CEQA IMPACTS**

### TO BE COMPLETED BY PROJECT PLANNER

	<b>Air Quality:</b> Would the project add new sensitive receptors (specifically, schools, day care facilities, hospitals, residential dwellings, and senior-care facilities within an Air Pollution Exposure Zone? Does the project have the potential to emit substantial pollutant concentrations (e.g., backup diesel generators, heavy industry, diesel trucks, etc.)? (refer to EP_ArcMap > CEQA Catex Determination Layers > Air Pollution Exposure Zone)		
	Hazardous Materials: If the project site is located on the Maher map or is suspected of containing hazardous materials (based on a previous use such as gas station, auto repair, dry cleaners, or heavy manufacturing, or a site with underground storage tanks): Would the project involve 50 cubic yards or more of soil disturbance - or a change of use from industrial to residential?  Note that a categorical exemption shall not be issued for a project located on the Cortese List if the applicant presents documentation of enrollment in the San Francisco Department of Public Health (DPH) Maher program, a DPH waiver from the Maher program, or other documentation from Environmental Planning staff that hazardous material effects would be less than significant (refer to EP_ArcMap > Maher layer).		
	<b>Transportation:</b> Does the project involve a child care facility or school with 30 or more students, or a location 1,500 sq. ft. or greater? Does the project have the potential to adversely affect transit, pedestrian and/or bicycle safety (hazards) or the adequacy of nearby transit, pedestrian and/or bicycle facilities?		
	Archeological Resources: Would the project result in soil disturbance/modification greater than two (2) feet below grade in an archeological sensitive area or eight (8) feet in a non-archeological sensitive area? If yes, archeo review is required (refer to EP_ArcMap > CEQA Catex Determination Layers > Archeological Sensitive Area)		
	Subdivision/Lot Line Adjustment: Does the project site involve a subdivision or lot line adjustment on a lot with a slope average of 20% or more? (refer to EP_ArcMap > CEQA Catex Determination Layers > Topography). If yes, Environmental Planning must issue the exemption.		
	Slope = or > 25%: Does the project involve any of the following: (1) square footage expansion greater than 500 sq. ft. outside of the existing building footprint, (2) excavation of 50 cubic yards or more of soil, (3) new construction? (refer to EP_ArcMap > CEQA Catex Determination Layers > Topography) If box is checked, a geotechnical report is required and Environmental Planning must issue the exemption.		
	Seismic: Landslide Zone: Does the project involve any of the following: (1) square footage expansion greater than 500 sq. ft. outside of the existing building footprint, (2) excavation of 50 cubic yards or more of soil, (3) new construction? (refer to EP_ArcMap > CEQA Catex Determination Layers > Seismic Hazard Zones) If box is checked, a geotechnical report is required and Environmental Planning must issue the exemption.		
	Seismic: Liquefaction Zone: Does the project involve any of the following: (1) square footage expansion greater than 500 sq. ft. outside of the existing building footprint, (2) excavation of 50 cubic yards or more of soil, (3) new construction? (refer to EP_ArcMap > CEQA Catex Determination Layers > Seismic Hazard Zones) If box is checked, a geotechnical report will likely be required and Environmental Planning must issue the exemption.		
Comments and Planner Signature (optional): Don Lewis			

# STEP 3: PROPERTY STATUS - HISTORIC RESOURCE TO BE COMPLETED BY PROJECT PLANNER PROPERTY IS ONE OF THE FOLLOWING: (refer to Property Information Map) Category A: Known Historical Resource. GO TO STEP 5. Category B: Potential Historical Resource (over 45 years of age). GO TO STEP 4. Category C: Not a Historical Resource or Not Age Eligible (under 45 years of age). GO TO STEP 6. STEP 4: PROPOSED WORK CHECKLIST TO BE COMPLETED BY PROJECT PLANNER Check all that apply to the project. 1. Change of use and new construction. Tenant improvements not included. 2. Regular maintenance or repair to correct or repair deterioration, decay, or damage to building. 3. Window replacement that meets the Department's Window Replacement Standards. Does not include storefront window alterations. 4. Garage work. A new opening that meets the Guidelines for Adding Garages and Curb Cuts, and/or replacement of a garage door in an existing opening that meets the Residential Design Guidelines. 5. Deck, terrace construction, or fences not visible from any immediately adjacent public right-of-way. 6. Mechanical equipment installation that is not visible from any immediately adjacent public right-of-way. 7. Dormer installation that meets the requirements for exemption from public notification under Zoning Administrator Bulletin No. 3: Dormer Windows. 8. Addition(s) that are not visible from any immediately adjacent public right-of-way for 150 feet in each direction; does not extend vertically beyond the floor level of the top story of the structure or is only a single story in height; does not have a footprint that is more than 50% larger than that of the original building; and does not cause the removal of architectural significant roofing features. Note: Project Planner must check box below before proceeding. Project is not listed. GO TO STEP 5. Project does not conform to the scopes of work. GO TO STEP 5. Project involves four or more work descriptions. GO TO STEP 5. Project involves less than four work descriptions. GO TO STEP 6. STEP 5: CEQA IMPACTS - ADVANCED HISTORICAL REVIEW TO BE COMPLETED BY PROJECT PLANNER Check all that apply to the project. 1. Project involves a known historical resource (CEQA Category A) as determined by Step 3 and conforms entirely to proposed work checklist in Step 4. 2. Interior alterations to publicly accessible spaces. 3. Window replacement of original/historic windows that are not "in-kind" but are consistent with existing historic character. 4. Façade/storefront alterations that do not remove, alter, or obscure character-defining features.

5. Raising the building in a manner that does not remove, alter, or obscure character-defining

6. Restoration based upon documented evidence of a building's historic condition, such as historic

中文詢問請電: 415.575.9010

SAN FRANCISCO PLANNING DEPARTMENT

photographs, plans, physical evidence, or similar buildings.

features.

	7. <b>Addition(s)</b> , including mechanical equipment that are minimally visible from a public right-of-way and meet the <i>Secretary of the Interior's Standards for Rehabilitation</i> .			
	8. Other work consistent with the Secretary of the Interior Standards for the Treatment of Historic Properties (specify or add comments):			
	Three-story horizontal and vertical addition consistent with the Secretary of the outlined in HRER part 2 review signed 7/15/2020	nterior's Standards and		
	9. Other work that would not materially impair a historic district (specify or add or	comments):		
	(Requires approval by Senior Preservation Planner/Preservation Coordinator)			
	10. <b>Reclassification of property status</b> . (Requires approval by Senior Preserva Planner/Preservation	ation		
	Reclassify to Category A	classify to Category C		
	a. Per HRER or PTR dated 11/04/2019 (attach	HRER or PTR)		
	b. Other (specify): Reclassify per PTR form signed 11/4/2019.			
!	Note: If ANY box in STEP 5 above is checked, a Preservation Planne	r MUST sign below.		
	Project can proceed with categorical exemption review. The project has been reviewed by the Preservation Planner and can proceed with categorical exemption review. GO TO STEP 6.			
Comments (optional):				
Preservation Planner Signature: Charles Enchill				
STEP 6: CATEGORICAL EXEMPTION DETERMINATION TO BE COMPLETED BY PROJECT PLANNER				
	No further environmental review is required. The project is categorically exempt under CEQA.  There are no unusual circumstances that would result in a reasonable possibility of a significant offset			

No further environmental review is required. The project is categorically exempt under CEQA.  There are no unusual circumstances that would result in a reasonable possibility of a significant effect.		
Project Approval Action:	Signature:	
Building Permit	Charles Enchill	
If Discretionary Review before the Planning Commission is requested, the Discretionary Review hearing is the Approval Action for the project.	07/15/2020	
Once signed or stamped and dated, this document constitutes a categorical exemption pursuant to CEQA Guidelines and 31of the Administrative Code.  In accordance with Chapter 31 of the San Francisco Administrative Code, an appeal of an exemption determination can of filed within 30 days of the project receiving the approval action.  Please note that other approval actions may be required for the project. Please contact the assigned planner for these approval actions.		

#### STEP 7: MODIFICATION OF A CEQA EXEMPT PROJECT

#### TO BE COMPLETED BY PROJECT PLANNER

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

#### **MODIFIED PROJECT DESCRIPTION**

Modified Project Description:					
DETERMINATION IF PROJECT CONSTITUTES SUBSTANTIAL MODIFICATION					
Compared to the approved project, would the modified project:					
	Result in expansion of the building envelope, as defined in the Planning Code;				
	Result in the change of use that would require public notice under Planning Code Sections 311 or 312;				
	Result in demolition as defined under Planning Code Section 317 or 19005(f)?				
	Is any information being presented that was not known and could not have been known				
	at the time of the original determination, that shows the originally approved project may no longer qualify for the exemption?				
If at least one of the above boxes is checked, further environmental review is required.					
DETERMINATION OF NO SUBSTANTIAL MODIFICATION					
	The proposed modification would not result in any of the above changes.				
	If this box is checked, the proposed modifications are categorically exempt under CEQA, in accordance with prior project approval and no additional environmental review is required. This determination shall be posted on the Planning Department				
website	e and office and mailed to the applicant	City approving entities, and anyone requesting written notice. In accordance			
with Chapter 31, Sec 31.08j of the San Francisco Administrative Code, an appeal of this determination can be filed within 10 days of posting of this determination.					
Plani	ner Name:	Date:			



# TONARY REVIEW PUBLIC (DRP)

APPLICATION

Discretionary Review Requestor's Informa	ation
--	-------

Name:

Shelley Bradford Bell

775 Post Street #109, San Francisco, CA 94109

Email Address: shelley@shelleybradfordbell.com

Address:

Telephone: 415-749-1083 Direct 415-724-0136 cell

### Information on the Owner of the Property Being Developed

Arrigo and Barbara Sturla

Company/Organization:

468 Lombard Street, SF CA

Email Address: BSturla@aol.com

Address:

Telephone: 925-389-0179

### **Property Information and Related Applications**

Project Address: 476 Lombard Street

Block/Lot(s): 0062/017A

Building Permit Application No(s): 2018.10.19.3722, 2018-017283PRJ

**ACTIONS PRIOR TO A DISCRETIONARY REVIEW REQUEST** 

PRIOR ACTION	YES	NO
Have you discussed this project with the permit applicant?		
Did you discuss the project with the Planning Department permit review planner?		
Did you participate in outside mediation on this case? (including Community Boards)		

Changes Made to the Project as a Result of Mediation.

If you have discussed the project with the applicant, planning staff or gone through mediation, please summarize the result, including any changes that were made to the proposed project.

We have asked the Planner to facilitate a meeting between all parties and she has generously agreed. We are also reaching out to Community Boards, but with COVID19 and the recent receipt of the 311, we are filing this DR with the hope of coming to a compromise satisfactory to all parties before it needs to be heard by the Planning Commission.

#### **DISCRETIONARY REVIEW REQUEST**

In the space below and on seperate paper, if necessary, please present facts sufficient to answer each question.

1. What are the reasons for requesting Discretionary Review? The project meets the standards of the Planning Code and the Residential Design Guidelines. What are the exceptional and extraordinary circumstances

that justify Discretionary Review of the project? How does the project conflict with the Čity's General Plan or the Planning Code's Priority Policies or Residential Design Guidelines? Please be specific and site specific sections of the Residential Design Guidelines.

RESPONSE PROVIDED IN ATTACHED SEPARATE DOCUMENT.

2. The Residential Design Guidelines assume some impacts to be reasonable and expected as part of construction. Please explain how this project would cause unreasonable impacts. If you believe your property, the property of others or the neighborhood would be unreasonably affected, please state who would be affected, and how.

RESPONSE PROVIDED IN ATTACHED SEPARATE DOCUMENT.

3. What alternatives or changes to the proposed project, beyond the changes (if any) already made would respond to the exceptional and extraordinary circumstances and reduce the adverse effects noted above in question #1?

RESPONSE PROVIDED IN ATTACHED SEPARATE DOCUMENT.

# **DISCRETIONARY REVIEW REQUESTOR'S AFFIDAVIT**

a) The undersigned is the DR requestor or their authorized representation.

Shelley Bradford Bell

Name (Printed)

Consultant/Representative 415-749-1083 Shelley@shelleybradfordbell.com

Email

Relationship to Requestor (i.e. Attorney, Architect, etc.)

Phone

For Department Use Only
Application received by Planning Department:

By: \_\_\_\_\_\_ Date: \_\_\_\_\_\_

## **DR Application Responses:**

1. What are the reasons for requesting Discretionary Review? The project meets the standards of the Planning Code and the Residential Design Guidelines. What are the exceptional and extraordinary circumstances that justify Discretionary Review of the project? How does the project conflict with the City's General Plan or the Planning Code's Priority Policies or Residential Design Guidelines? Please be specific and site-specific sections of the Residential Design Guidelines.

While the project meets Planning Code and Residential Design Guidelines to a degree, it does not meet the Retained Elements Special Topic Design Guidelines (STDG) which were adopted in December 2019 after the RDG review process. The STDG states that: "Should application of respective guidelines conflict, these Special Topic Design Guidelines supersede the UDGs." We are requesting that this project be reviewed by the guidelines set in the STDG.

While the project meets the broad standards of the Planning Code it does not fit within the Urban Design Guidelines (UDG) for historic buildings as reviewed and adopted by Planning and Historic Resources Commission in a joint meeting held in December 5 2019, and outlined in the Related Elements: Special Topic Design Guidelines (STDG) published by the Planning Department. These guidelines apply to sites that retain part of an existing structure and construct additions to historic properties. These guidelines work in concert with the Urban Design guidelines and supersede the UDG. This project at 476 Lombard built in 1926, was designed by Louis Mastropasqua, who designed at least 54 buildings in the North Beach neighborhood including Article 10 Landmark No 121 – Julius' Castle. It was found

#### DR APPLICATION RESPONSES TO QUESTION 1-3

October 26, 2020

by preservation staff to be eligible for the California Register as property that made significant contribution. While it was not with the 1982 and 2009 survey area of North Beach a revised North Beach Historic Context Statement was submitted to the Department in 2019 but with the priority of addressing COVID19, it has not yet progressed to final draft or adoption. While this property does not appear on a 2009 survey, it is possible it will be included on the 2019 survey which is in progress. This possibility rises the project to an exceptional and extraordinary level as it could irreparably damage and destroy historic elements the new survey will being adopted to protect. The extensive Historic Preservation Review and required staff changes were occurring at the same time the Historic Planning Commission and the Planning Commission were reviewing and adopting the Special Topic Design Guidelines.

The STDG adopted by Historic Preservation Commission and Planning Commission in December 2019 indicate that the break between retained elements and new massing should harmonize with the neighborhood patterns. The third-floor addition should be further set back at the front to ensure the new build does not detract from the architectural elements of the 1926 building. It is out of character with the existing historic structures in the neighborhood. The rooftop deck and modern addition from the rear and the modern metal spiral staircase disrupt the exterior historic elements and overwhelm the retained historic façade. The project calls for the demolition of external wall surfaces which are part of the 1926 original architecture. According to the STDG these surfaces should be restored and/or retained due to their significance and character to the building. The original rear façade is significantly defaced and altered by the addition of Balconies and an ultra-modern metal spiral staircase which clashes with rather than harmonize the existing historical façade. These additions should be eliminated so as not to negatively impact the rear yard pattern of historic architecture.

#### DR APPLICATION RESPONSES TO QUESTION 1-3

2. The Residential Design Guidelines assume some impacts to be reasonable and expected as part of construction. Please explain how this project would cause unreasonable impacts. If you believe your property, the property of others or the neighborhood would be unreasonably affected, please state who would be affected, and how.

To determine the buildable area of the project the building lot to the West would have been used had the building been the primary building and not the garage for a property on Stockton Street. Had the garage belonged to the corner property then the building area would have been based on the corner building and likely resulted in a less volumetric build area. Because the garage belongs to the second property on Stockton and not the corner property, Planning calculated the buildable area by the neighboring home to the East (the DR Requestors home). With Lombard Street going uphill toward Coit Tower, and allows the Project to build out to a matching height throws the DR requestor's home into a dark tunnel, deteriorating light and air to all units facing the new addition, rather than creating a uphill step as with the remaining homes on the street. The new addition while consistent with Residential Design Guidelines, appears to violate the Special Topic Design Guidelines for setback of vertical additions, and compatibility of the new addition with existing historic elements.

3. What alternatives or changes to the proposed project, beyond the changes (if any) already made would respond to the exceptional and extraordinary circumstances and reduce the adverse effects noted above in question #1?

A reduction in the size of the Third-Floor addition and elimination of the Rooftop Deck. By pushing the third floor back further from the Lombard Street and reducing its width and length, it will allow more light and air to the DR requestor's property to the East side. The design calls for an over-abundance of decks and terrace which can be reduced. The Third floor has a front deck at 8 feet by 20'11" feet and a rear deck of 18 feet by 4'6". It should also be noted the there is a patio that will be accessible from the downstair apartment (indicated as a bedroom), as well as from the garage. By combining these outdoor spaces on the third floor and pushing the addition back the rooftop deck can be removed. With the removal of the rooftop deck, the elevator and spiral stairs can be removed, and the design can be shifted to the East side of the property again offering light and air to the DR requestor's property. Elimination of the balcony being added to master bedroom on the second floor of the property would also improve light and air to the neighbors and retain the historic façade.

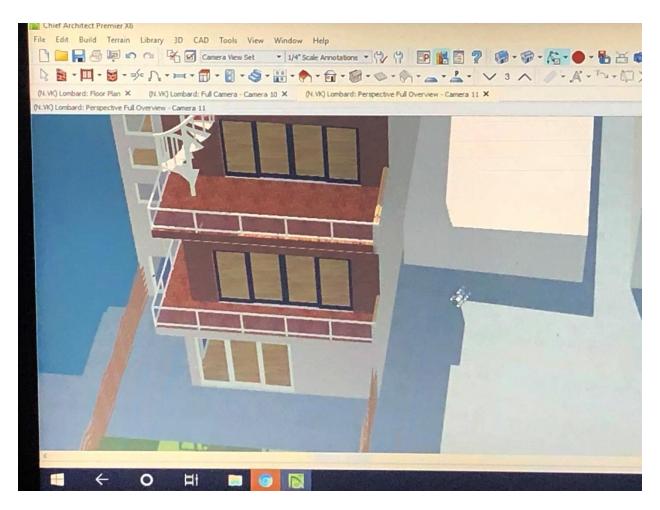
The exterior demolition of walls from the original 1926 build **should not be allowed** as outlined in the Special Topic Design Guidelines.

## Subject Property at 476 Lombard. DR Requestor adjoining property

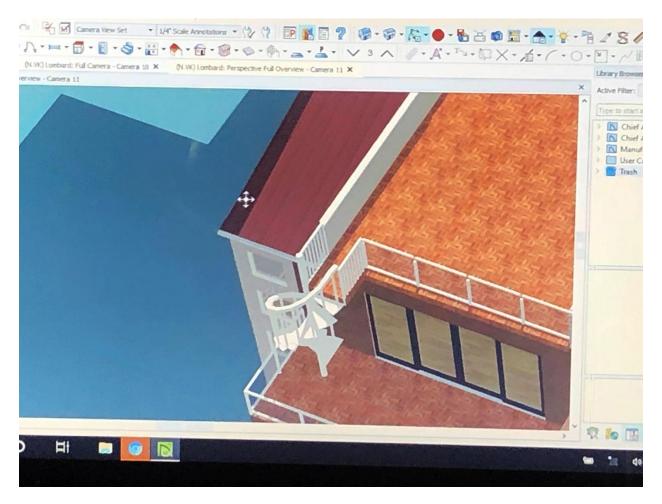


### Subject Property 476 Lombard DR Requestor 468 Lombard

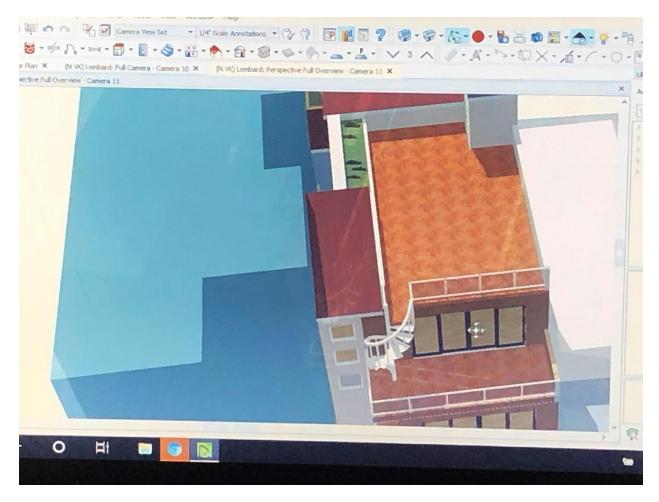




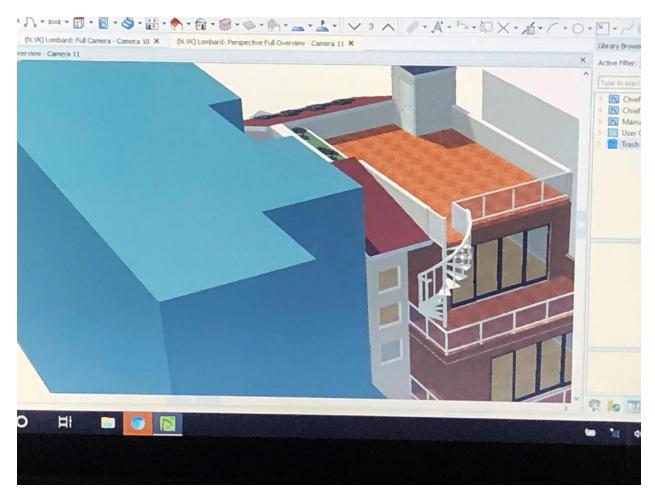
Architects CAD renderings of Rear Yard and spiral staircase



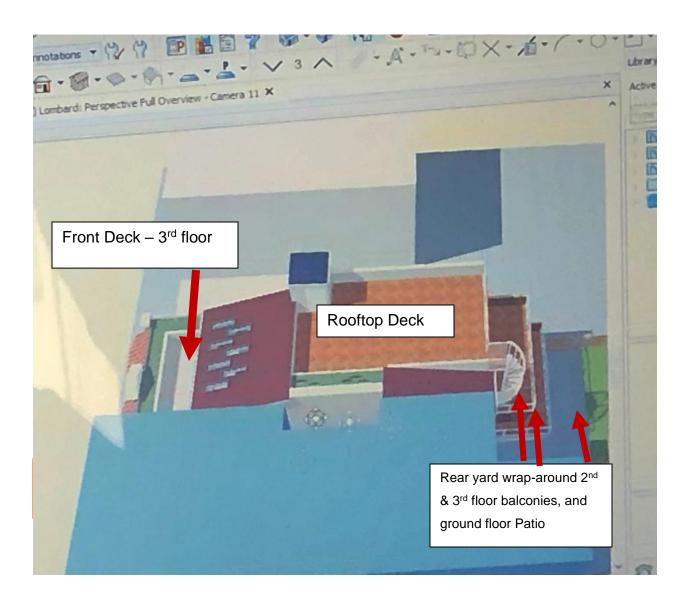
Architects CAD drawings showing slanted roof adjacent to DR Requestors property with Spiral Staircase coming down from rooftop deck.



Architect's CAD drawings show new addition and lack of matching lightwell to apartment windows on the West side of DR Requestors property



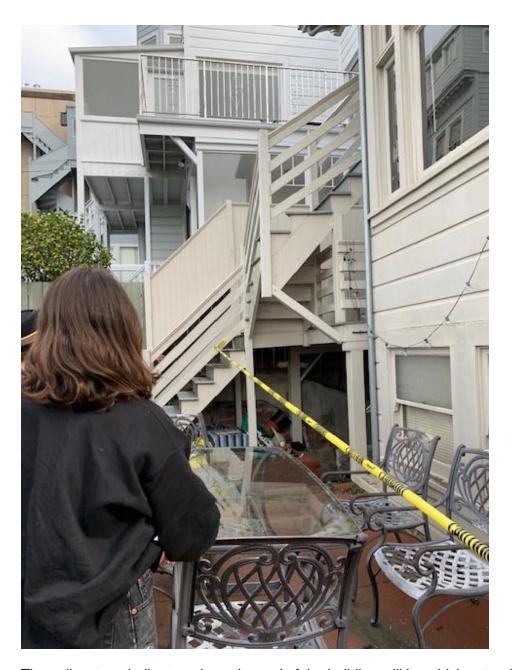
Shows Rooftop deck with slanted rooftops and elevator shaft to be removed per planning.



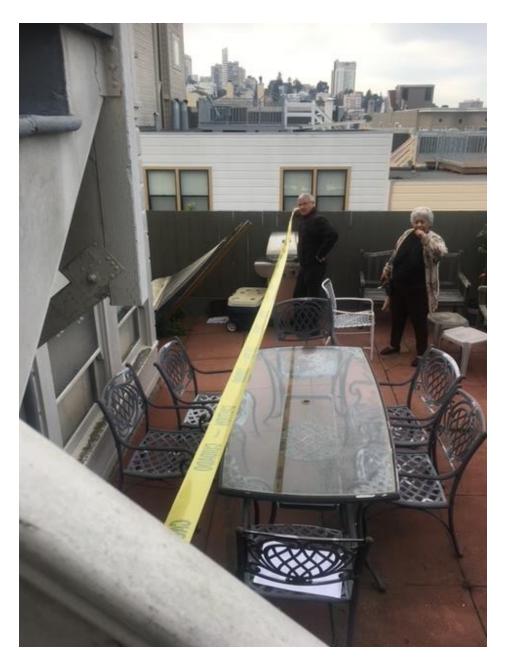
Aerial view from Architect's renderings show the proximity of subject property to DR Requestor and the numerous balconies, slanted roofs and rooftop deck that throw DR Requestor's property into shadow, diminishing light to all units on the West side of the property.



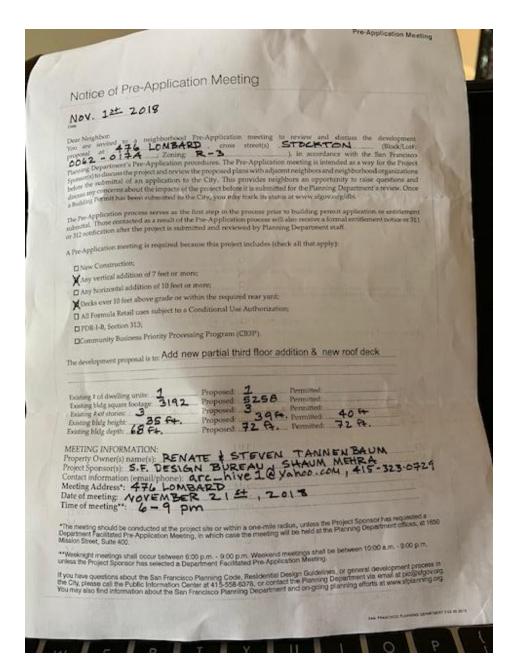
Closeup showing how the lower unit will be completely closed in by the 3 story construction, allowing no light into that unit from the west.



The yellow tape indicates where the end of the building will be which extends beyond the circular staircase. It will totally block the upper and lower windows of 468 creating a dark corridor.



This photo show how much of the rear yard the new addition/expansion of the ground floor unit will use, additionally blocking light and air. Also the area in front of the tape (table and chairs) will be part of a renovated patio, adding to the excessive amount of outdoor spaces for the property.



The original pre-application meeting was scheduled for 6pm on the Wednesday night before Thanksgiving. It was not well attended because of the holiday.

After much communication with Project Sponsor a 2<sup>nd</sup> meeting was only scheduled after reaching out the District Supervisor. The following flyer was sent to neighbors and neighborhood groups who said they never received the notice for a 2<sup>nd</sup> meeting.

**Photos for DR Application** 

Project address: 476 Lombard Building Permit Number 2018.10.19.3722 Planning Record Number 2018-017283PRJ Submitted by: Shelley Bradford Bell On Behalf of Arrigo & Barbara Sturla 468 Lombard Street

# NOTICE OF 2ND PRE-APPLICATION MEETING

# 476 LOMBARD STREET

PLANNED 3RD FLOOR EXPANSION, ROOFTOP DECK, AND REAR YARD MODERN OUTDOOR SPIRAL STAIRCASE

# SUNDAY, JANUARY 13, 2019 1 PM TO 3PM

Please plan to attend this VERY Important Meeting. The first meeting was held the night before Thankgiving when most neighbors were away or dealing with the holiday. Many neighbors expressed frustration at the meeting being scheduled for the night before the holiday, but thanks to pressure by concerned neighbors, the Project Sponsor has reluctantly scheduled a second pre-application meeting.

# Why you should attend:

- Concerns the planned rear exterior spiral staircase negatively impacts the historic elements of this 1926 building. The architect stated it could be interior.
- Extension of existing Third floor excessively large for the proposed design and disrupts existing set backs.
- Concerns by some neighbors that the property is being renovated for short-term rentals.
- Other concerns have been raised. Your review and input is vital.



For more information Lombardstreetproject@sonic.net

Photos for DR Application

Project address: 476 Lombard Building Permit Number 2018.10.19.3722 Planning Record Number 2018-017283PRJ

Submitted by: Shelley Bradford Bell On Behalf of Arrigo & Barbara Sturla 468 Lombard Street

#### **AUTHORIZATION OF OWNER**

Claudine Asbagh, Planner San Francisco Planning Department 49 South Van Ness Suite 1400 San Francisco, CA 94103

Dear Ms Asbagh,

This Letter authorizes Shelley Bradford Bell to represent me relative to a Discretionary Review against the project at 476 Lombard.

I hereby certify that Shelley Bradford Bell has authorization serve as our representative in relation any discussions, meetings and filing of Discretionary Review on the proposed project 2018-017283PRJ at 476 Lombard Street.

Shelley Bradford Bell has our authorization to contact planning staff, coordinate meetings with the project sponsor, and file the Discretionary Review in the event a neighbor-agreement cannot be reached.

Please do not hesitate to let me know if there is any additional information you require from me. Thank you

468 Lombard St. SF

### Introduction – 476 Lombard Project - 201810193722

On Wednesday, November 21, 2018 from 6pm to 8pm, the owners of 476 Lombard and their architect held a pre-application meeting to renovate this 1926 property. This included the expansion of the 3<sup>rd</sup> floor; Renovation and expansion of the ground floor including major demolition, extensive renovation to the second floor and a rooftop deck on the 3<sup>rd</sup> floor expansion.

Unsurprisingly, while many neighbors had expressed concern about the size of expansion and the addition of a steel and glass spiral staircase, they were unable to attend because the date selected was the night before Thanksgiving. Many were either out of town or home preparing for, or hosting guests. Only three or four community members showed up and the project sponsor promised to hold a second PRE-APPLICATION meeting on a better day so that more neighbors could attend.

After much pressure from the adjacent neighbor a second meeting was scheduled for Sunday, January 13, 2019, amid playoffs. It was later discovered that the Neighborhood Associations who are listed with the Planning Department as interested parties to receive these notices, had not been informed. Considering the many issues that have surfaced around this project, it is not a huge leap to believe the dates were deliberate strategies to circumvent neighbor input.

As disconcerting as these tactics are for neighbors, even more so is the amount inaccurate information provided during these two meetings. Had it not been for some neighbors at the 2<sup>nd</sup> meeting with the expertise to read and understand architectural drawings, the project sponsor would have continued to misrepresent the project.

The information that follows, was prepared by a few of the neighbors who attended the 2<sup>nd</sup> meeting. Concerned the input provided would not be conveyed to the Planning Department by the project sponsor, neighbors have compiled a list of concerns for the consideration on this project.

#### **Interior / Exterior Concerns**

#### FIRST FLOOR

Substantial changes to the first floor are planned to create a bedroom at the rear of the property where there is now a storage room. During review of the design at the November 21<sup>st</sup> meeting, the architects took attendees to the rear of the property to layout where this new construction/renovation would extend into the rear yard and towards the neighbor's property. Because if was extremely dark it was difficult to understand. The project sponsor said she could not turn on the outside lights because the tenants were not home.

During the daylight meeting on January 13<sup>th</sup>, this question was again raised, and the neighbor had yellow caution tape to help visualize the depth and length of the new construction. Photos (provided) where taken. However, later another neighbor reviewing the drawings found the initial measurement appeared to be wrong. When it was remeasured, it showed the new addition was approximately 2.5 to 3 feet closer to the neighbor than represented by the architect. Without proper measurements of feet and inches it is difficult to tell how accurate the plans are and to trust the measurements provided by the architects.

This brought into question the distance the renovation would encroach into the back yard. The measurement appeared to be about 1 to 1.5 feet further than represented by the architect – however this was never fully substantiated. If this additional depth is in fact accurate it would reduce the rear yard to less than the required 25 feet, as the architect claims it is right at the required depth in its design.

The rear exterior staircase is expected to be demolished and the rear access to/from the garage will become part of the expanded first floor. It will go from a storage room to a bedroom with wet bar, en-suite and separation from the rest of the home, raising concerns and questions from neighbors, that this home is being renovated to accommodate vacation rentals.

It should be noted that when this was brought up by a neighbor at the January 13<sup>th</sup> meeting, the project sponsors became emotional and angry stating they own 4 properties

around the United States, and they do not rent out <u>any</u> of them. This left many to wonder if they had forgotten they admitted to having tenants during the November 21<sup>st</sup> meeting or if they lied at the November meeting to prevent a fair and accurate assessment of the renovation plan. Additionally, it is known to neighbors that the owner lived in the home for approximately one year after purchasing in 2010 and have rented in out for 6-7 of the 8 years they have owned the property. While information received from Spokeo and White Pages sites has not been verified, it does show the owners as previous residents and list 5 others as current residents, in keeping with neighbor's understanding of current occupancy.

#### SECOND FLOOR

The second floor, currently the main floor of the home with Kitchen, bedrooms, living room, and dining room, will be gutted and renovated into bedrooms, an office, master suite and laundry room.

The architect's drawings show a variety of staircases and decks, not mentioned during the presentation. It is unclear how this space is being reconfigured and neighbors wish to get a better grasp of the changes to be made. It is hard to tell but it appears, that a side deck will be added.

The first level, as previously discussed appears to extend approximately 2.5 to 3 feet closer to the neighboring property. Above this extension, is a new deck to the 2<sup>nd</sup> floor which extends beyond the wall of the first floor and wraps from the rear to the side adjacent to the neighbor. With the additional footage appearing to move everything closer to the neighbor, there is great concern that the deck on the 2<sup>nd</sup> floor will be too close to the neighbor. Unfortunately, the drawings and schematics provided by the architect do not appear to be accurate and make this impossible to visualize and understand. The measurements for these floors need to be verified to help give a clear understanding of distance. However, the drawings indicate the balcony will be 4 feet wide and 19.7 feet across the rear of the building, with a 7.11 feet section to the side adjacent to the neighbor. It would seem with a nearly 20-foot-long deck, the 7.11-foot side can be eliminated.

#### THIRD FLOOR AND ROOFTOP

The third-floor small roof structure at the rear of the property will be demolished and a full 3<sup>rd</sup> floor with Kitchen, Living room and Dining Room added. This extension will be visible from the street. It's modern exterior will contrast with the exterior of the 1926 Historic building. In addition, a massive steel and glass spiral staircase is planned to go from a 3<sup>rd</sup> floor rear deck to the rooftop. While the architect's have labeled this a 2<sup>nd</sup> means of egress from the roof, it is clearly an entertain element, to take people from the 3<sup>rd</sup> floor living room and adjoining deck to the roof.

The third floor needs to be significantly set back to mitigate visibility of the modern addition from the street. The architect says it is set back 15 feet, but the drawings seem to contradict this fact.

The drawings show that from the rear wall of the 3<sup>rd</sup> Floor kitchen to the front property edge is 12' ft 10.5 inches; making it less than 13 feet. There is an 8' 7" wide deck that reduces the setback (including the deck) to approximately 4 feet. The architect claimed this was a 15-foot set back. There is also on this 3<sup>rd</sup> floor, an 8-foot deck to the rear which has the ultra-modern steel and glass spiral staircase to the roof.

The architect says the staircase is a required fire exit from the roof. If this is true, in the case of a fire occupants on the roof would come down the spiral stairs then be required to enter the third floor to access the staircase near the kitchen to exit the building. Statistics show that the top four areas where fires start are #1 Kitchens, #2 Bedrooms, #3 Chimneys, and #4 Living Room. In any of these scenarios anyone on the rooftop deck would be trapped with the kitchen and living room on the floor directly beneath them and the bedrooms on the next level down. There would be no way once taking the spiral stairs to re-enter the building and get down safely from the 3<sup>rd</sup> floor. This seems to render the staircase useless in an emergency, and supports their existence as a purely decorate element for moving guests between the living room and rooftop spaces.

It would seem a more reasonable, safe and acceptable setback would be to eliminate the rooftop deck and the rear 3<sup>rd</sup> floor deck, combine these space (as architecturally possible), AND reduce the 33-foot living room by 8 feet. This would allow for a 25-foot deck on the

third floor with a setback of 25-29 feet, eliminating the visibility of the addition from the street, and eliminating the need of the spiral staircase which is out of character with the 1926 building and the neighborhood character. This would also allow for a reconfiguration of the placement of the elevator further to the rear of the building, preventing it from being seen from the street.

#### **CEQA Concerns**

Because the Historical Resource Status is unknown and the building is age appropriate as having historical significance, we hope a CEQA review will be done.

Additionally, with nearly 60% of the overall building (40% exterior) to be demolished an asbestos, lead and structure analysis should be conducted. The project plans to demo the stone masonry at the base of the building. It should be determined if this has historic significance and therefore must remain, OR if it has any environmental issues such as lead or asbestos that will need to be mitigate prior to demolition.

The increase in the size of the 3<sup>rd</sup> floor should be set back, and a shadow study of its impact on the rear yard pattern should also be conducted. The location of this building is in a place where there is a significant amount of rear yard open space.

#### Conclusion

Neighbors at the January 13<sup>th</sup> meeting attended with the hope of hearing about the project, getting questions answered and perhaps negotiating a win-win for the neighborhood. But the project sponsors, were angry, aggressive, and non-responsive, telling one man it was none of his business what their plans were. There is great apprehension surrounding this and other projects in the area because of the potential for vacation rentals, due to the areas proximity to many of San Francisco's most treasured and visited tourist attraction. Four years ago, a property across the street was planning to do a very similar remodel. A tenant was displaced and fought to remain in her one-bedroom apartment unsuccessfully. The owners it was learned also owned a nearby Inn

and was using the two-bedroom as a rental for the hotel. It was clear from their design and aggressive efforts to displace the tenant that plans were to use the full space as a satellite of the Inn. But City Planning uncovered the use of this home as a hotel and immediately stopped the project. North Beach in general is a draw for tourists, and it is not surprising or unusual that owners are finding ways to benefit. The position of this property is steps from the activity of North Beach, and on the route to Coit Tower.

This reality is the underlying fear of the neighbors when looking at the project sponsors design. Knowing they are currently renting and have rented for many years, yet have denied the fact, only heightens the distrust by neighbors of their real intent.

More important however, is the design and how if fits into the fabric of the community. So many elements of this design can and should be eliminated or reduced and it can still create a wonderful upgrade to the property without being offensive or oppositional to neighbor character.

### **Neighbor Comments**

#### **COMMENTS PROVIDED BY NEIGHBORS**

- 1. There were many claims made by the owner and architect team about the lack of visual impact of the massive third floor and roof deck. However, there were many contradictory claims and inconsistencies when we queried further. Moreover, it turns out there is a front patio deck as well, which they kept changing the subject on when I asked about it. They also kept changing their explanation about the distance each story will protrude into the back yard, and the exact size and protrusion of the out-of-neighborhood-character spiral staircase.
- 2. Someone brought up the option of putting up "story poles" to accurately show in space the dimensions of the new build. I totally agree and would strongly advocate for this. It would be both reassuring and reveal the true problem areas. Having said that, the elevator shaft clearly protrudes well above any setback and is very out of character for the neighborhood.
- 3. I am quite concerned about the intended purpose of the massive expansion. In addition to it being out-of-scale for the neighborhood, the design clearly indicates that its main purpose is multiple occupancy units. There are lots of things that don't make sense for a single-family house such as the access routes and the layout on the first floor.
- 4. The owners currently have somewhere between 4-6 (maybe more) individual tenants in the building. They currently have a 5-car garage. They said lots of things at the meeting referring to tenants in between remarks about how they were going to live here full time, and then other remarks about their three other houses. It seems likely that this new massive build will house even more tenants, and the garage parking has been reduced to 2 spaces!! The other possibility is that they will use the property for short-term rental and that would be equally bad and have a very negative effect on the character of the neighborhood.

- 5. The massive size and roof deck will dominate the neighborhood in all directions and is out of character. They can accomplish their stated goals by combining the third flood and deck into one.
- 6. I witnessed some atrocious behavior of the owners in discussion with several of the neighbors. The owners were defensive, unwilling to directly answer questions, made contradictory statements and when that was pointed out to them, they became verbally rude and downright aggressive. Based on what I observed, I hope that the city will keep a very close watch on this project because these owners do not seem to respect the planning process established by our city.
- 7. The third-floor frontage has not been adequately set back to minimize the impact as seen at street level, and the enormous elevator shaft makes this pointless, it sticks out like a sore thumb, totally changing the character of this part of the street.
- 8. The fourth bedroom with en-suite and "wet bar", has no access from the house, only the garage. Therefore, the intended use is suspect, and felt by many it must be a separate rentable unit.
- 9. The spiral staircase is totally out of character with the area.
- 10. The 5-car garage will be reduced to a 2-car garage. The number of bedrooms is increased from 3 to 4, therefore more occupants must be anticipated, with 3 less parking spaces. This must have an impact on the street parking and therefore the character of the neighborhood.
- 11. The owners stated that they don't rent out any of their 4 houses, yet for the past several years they have rented the subject house. This argument is further supported by the answer given to a question about propane tanks. He stated that he would not allow his tenants to have a propane tank on the roof, he'd install gas lines. This comment after saying they intend to live there and not rent it out.
- 12. The construction involves massive excavation and extensive rebuilding that will impact the area for a considerable period.



# NOTICE OF BUILDING PERMIT APPLICATION (SECTION 311)

On October 19, 2018, Building Permit Application No. 2018.10.19.3722 was filed for work at the Project Address below.

Notice Date: 9/28/20 Expiration Date: 10/28/20

#### **PROJECT INFORMATION**

Project Address: 476 LOMBARD ST

Cross Streets: Stockton St and Grant Ave

 $\begin{array}{ll} Block \, / \, Lot \, No.: & 0062 \, / \, 017A \\ Zoning \, District(s): & RH-3 \, / \, 40-X \end{array}$ 

Record No.: **2018-017283PRJ** 

#### **APPLICANT INFORMATION**

Applicant: Shaum Mehra Address: 1143 Shrader St.

City, State: San Francisco, CA 94117

Telephone: 415-323-0729

Email: shaumx@hotmail.com

You are receiving this notice as an owner or occupant of property within 150 feet of the proposed project. **You are not required to take any action.** For more information about the proposed project, or to express concerns about the project, please contact the Applicant listed above or the Planner named below as soon as possible. If you believe that there are exceptional or extraordinary circumstances associated with the project, you may request that the Planning Commission review this application at a public hearing for Discretionary Review. Requests for a Discretionary Review hearing must be filed during the 30-day review period, prior to the close of business on the Expiration Date shown above, or the next business day if that date is on a week-end or a legal holiday. If no Requests for Discretionary Review are filed, this project will be approved by the Planning Department after the Expiration Date.

Members of the public are not required to provide personal identifying information when they communicate with the Commission or the Department. All written or oral communications, including submitted personal contact information, may be made available to the public for inspection and copying upon request and may appear on the Department's website or in other public documents.

PROJECT SCOPE	PROJECT FEATURES	Existing	Proposed
☐ Demolition	Building Use:	Residential	No Change
☐ Change of Use	Front Setback:	None	No Change
☐ Rear Addition	Side Setbacks:	None	No Change
☐ New Construction	Building Depth:	68 feet 1 inch	72 feet 7 inches
☐ Façade Alteration(s)	Rear Yard:	32 feet	27 feet 6 inches
☐ Side Addition	Building Height:	31 feet 8 inches	38 feet 2 inches
☐ Alteration	Number of Stories:	2	3
☐ Front Addition	Number of Dwelling Units	1	No Change
☐ Vertical Addition	Number of Parking Spaces	2	2

#### **PROJECT DESCRIPTION**

The project includes a horizontal and vertical addition to an existing single family dwelling. The addition will include the infill of two western light wells, increase of building depth at rear, a third-floor vertical addition, rear yard decks at the second and third floors, and new rooftop deck with wood parapet walls to match existing siding located at the rear half of the building.

The issuance of the building permit by the Department of Building Inspection or the Planning Commission project approval at a discretionary review hearing would constitute as the Approval Action for the project for the purposes of CEQA, pursuant to Section 31.04(h) of the San Francisco Administrative Code.

To view plans or related documents, visit <a href="mailto:sfplanning.org/notices">sfplanning.org/notices</a> and search the Project Address listed above.

For more information, please contact Planning Department staff:

Planner: Claudine Asbagh Telephone: 628-652-7329 Email: Claudine.Asbagh@sfgov.org



49 South Van Ness Avenue, Suite 1400 San Francisco, CA 94103 628.652.7600 www.sfplanning.org

Reduced copies of the proposed project plans have been included in this mailing for your information. If you have questions about the plans, please contact the project Applicant listed on the front of this notice. You may wish to discuss the plans with your neighbors or neighborhood association, as they may already be aware of the project. If you have specific questions about the proposed project, you should contact the planner listed on the front of this notice. If you have general questions about the Planning Department's review process, contact the Planning counter at the Permit Center via email at <a href="mailto:pic@sfgov.org">pic@sfgov.org</a>.

If you believe that the impact on you from the proposed project is significant and you wish to seek to change the project, there are several procedures you may use. We strongly urge that steps 1 and 2 be taken.

- 1. Contact the project Applicant to get more information and to discuss the project's impact on you.
- Contact the nonprofit organization Community Boards at (415) 920-3820, or online at <u>www.communityboards.org</u> for a facilitated. Community Boards acts as a neutral third party and has, on many occasions, helped reach mutually agreeable solutions.
- 3. Where you have attempted, through the use of the above steps or other means, to address potential problems without success, please contact the planner listed on the front of this notice to discuss your concerns.

If, after exhausting the procedures outlined above, you still believe that exceptional and extraordinary circumstances exist, you have the option to request that the Planning Commission exercise its discretionary powers to review the project. These powers are reserved for use in exceptional and extraordinary circumstances for projects that conflict with the City's General Plan and the Priority Policies of the Planning Code; therefore the Commission exercises its discretion with utmost restraint. This procedure is called Discretionary Review ("DR"). If you believe the project warrants Discretionary Review by the Planning Commission, you must file a DR Application prior to the Expiration Date shown on the front of this notice.

To file a DR Application, you must:

- 1. Create an account or be an existing registered user through our Public Portal (<a href="https://aca-ccsf.accela.com/ccsf/Default.aspx">https://aca-ccsf.accela.com/ccsf/Default.aspx</a>).
- 2. Complete the Discretionary Review PDF application (<a href="https://sfplanning.org/resource/drp-application">https://sfplanning.org/resource/drp-application</a>) and email the completed PDF application to <a href="mailto:CPC.Intake@sfgov.org">CPC.Intake@sfgov.org</a>. You will receive follow-up instructions via email on how to post payment for the DR Application through our Public Portal.

To determine the fee for a Discretionary Review, please refer to the Planning Department Fee Schedule available at <a href="https://www.sfplanning.org">www.sfplanning.org</a>. If the project includes multiple building permits, i.e. demolition and new construction, a separate request for Discretionary Review must be submitted, with all required materials and fee, for each permit that you feel will have an impact on you. Incomplete applications will not be accepted.

If no Discretionary Review Applications have been filed within the Notification Period, the Planning Department will approve the application and forward it to the Department of Building Inspection for its review.

#### **Board of Appeals**

An appeal of the Planning Commission's decision on a Discretionary Review case may be made to the **Board of Appeals within 15** calendar days after the building permit is issued (or denied) by the Department of Building Inspection. The Board of Appeals is accepting appeals via e-mail. For further information about appeals to the Board of Appeals, including current fees, contact the Board of Appeals at (628) 652-1150.

#### **Environmental Review**

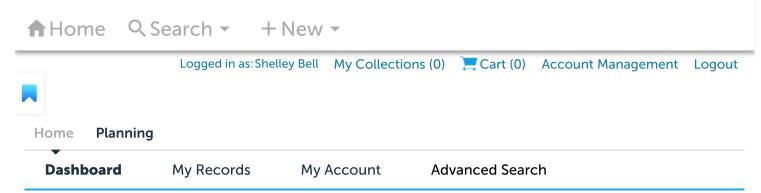
This project has undergone preliminary review pursuant to California Environmental Quality Act (CEQA). If, as part of this process, the Department's Environmental Review Officer has deemed this project to be exempt from further environmental review, an exemption determination has been prepared and can be obtained through the Exemption Map at <a href="https://www.sfplanning.org">www.sfplanning.org</a>. An appeal of the decision to exempt the proposed project from CEQA may be made to the Board of Supervisors within 30 calendar days after the project approval action identified on the determination. The procedures for filing an appeal of an exemption determination are available from the Board of Supervisors at bos.legislation@sfgov.org, or by calling (415) 554-5184.

Under CEQA, in a later court challenge, a litigant may be limited to raising only those issues previously raised at a hearing on the project or in written correspondence delivered to the Board of Supervisors, Planning Commission, Planning Department or other City board, commission or department at, or prior to, such hearing, or as part of the appeal hearing process on the CEQA decision.

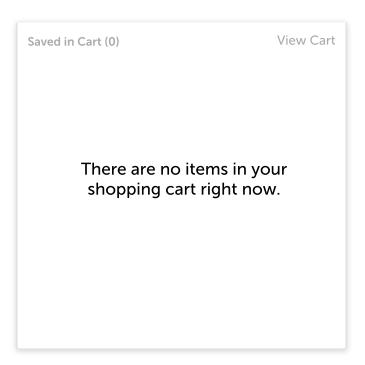
10/27/2020 Accela Citizen Access



# SF Planning Public Portal



## Hello, Shelley Bell



You do not have any collections right now.

From: <u>Jim Sturla</u>

To: Koppel, Joel (CPC); Peskin, Aaron (BOS); Ionin, Jonas (CPC); Moore, Kathrin (CPC); Chan, Deland (CPC);

Diamond, Susan (CPC); Fung, Frank (CPC); Imperial, Theresa (CPC); Tanner, Rachael (CPC); Winslow, David

(CPC), Hillis, Rich (CPC)

Cc: shelley@shelleybradfordbell.com; Hepner, Lee (BOS); Hyland, Aaron (CPC); Matsuda, Diane (CPC); Black, Kate

(CPC); Foley, Chris (CPC); Johns, Richard (CPC); Pearlman, Jonathan (CPC); So, Lydia (CPC)

**Subject:** Deny or modify the request for ( 2018-017283DRP),476 LOMBARD STREET

**Date:** Friday, January 15, 2021 4:41:47 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

#### To Planning commission:

The Sturla's have lived in North Beach since the late 1800's and at 468 Lombard Street since 1923. This is not a rental property. This has been a multigenerational family home for almost 100 years! The DR requestor was born in the home in 1934. Children, Grandchildren, Aunts, and Uncles have all occupied the apartments. Once they transitioned, the apartments have been rented out to the long-term tenants that are there.

- 1. This is a historic block of North Beach the proposed structure at 476 Lombard is too large and out of character for the neighborhood. It is not conforming to San Francisco's initiative to preserve the historic architecture. A more modest addition should be considered. The huge 3<sup>rd</sup> floor, rooftop deck, with spiral staircase, as well as the 2<sup>nd</sup> floor deck should be eliminated from the plans. The bay windows in the rear of the property should be preserved, and the project should be approved only to square-off these floors and expand them into the rear yard. By reducing the overall size of the very large rooms, the 4–5-foot expansion into the rear-yard and the decks can be eliminated and not reduce light and air to the DR requestors property.
- 2. The rooftop deck is unnecessary, considering the rear yard is large enough to accommodate large gatherings.
- 3. The plan includes a large excavation of the rear part of the building and yard that includes the demolition and removal of original 1926 stones.
- 4. The North Beach Context Statement was submitted to the Historic Preservation Commission in August 2020, with a revised copy dated October 8, 2020. The report specifically highlights 476 Lombard St as a historically significant building within the Survey Area. The CEQA states that this fact adds to the historic significance of the building.
- 5. At a joint meeting of the Planning and Historic Preservation Commissions, the Retained Elements Guidelines were adopted. The Planner has stated these guidelines were not applied. The Commission should direct the staff to apply these guidelines.
- 6. The architectural drawings are incomplete. The sizes of many large rooms are not marked on the drawings, as requested by staff. Where planning staff required the Project Sponsor to make changes to the project, such as reducing the 3<sup>rd</sup> floor size, setting it further back, and angling the roof line to complement the front façade, the current plans do not reflect these changes.

After all of these considerations, the plans are flawed and project should be denied.

Please do not approve this project, it would be a disservice to North Beach and the city of San Francisco.

Thank You

Jim Sturla

Sent from Mail for Windows 10

From: johnsturla medallion1.com

To: Koppel, Joel (CPC); Peskin, Aaron (BOS); Ionin, Jonas (CPC); shelley@shelleybradfordbell.com; Moore, Kathrin

(CPC); Chan, Deland (CPC); Diamond, Susan (CPC); Fung, Frank (CPC); Imperial, Theresa (CPC); Tanner,

Rachael (CPC); Winslow, David (CPC)

**Subject:** Deny or modify the request for (2018-017283DRP), 476 Lombard

**Date:** Tuesday, January 19, 2021 8:18:24 AM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Planning Commission,

I am writing to you regarding the proposed project at 476 Lombard project.

I was born in our family home on 468 Lombard, where 4 generations of Sturlas were born and raised since 1923.

We are active members of the North Beach community supporting the Salesians Boys and Girls Club and the Italian Athletic Club and many other San Francisco organizations.

The proposed project to tearing down a historic 1926 Louis Mastropasqua home for a huge home that is out of character for the area and is threatens the historical significance of our family home and units as well as the neighborhood.

- 1. The huge 3-story proposed building is digging 4'-6' down into the shared ground without the proper environmental studies and effects on implications to its neighbors.
- 2. The gigantic 3<sup>rd</sup> floor, roof top with a spiral staircase as well as the 2<sup>nd</sup> floor deck plans should be eliminated as it is completely out of scope with the neighborhood.
- 3. The large building extensions if built will reduce valuable light, air, darken the apartments along the lower levels and impact the privacy of its neighbors.
- 4. A credible shadow study would show the issues with this large project and we request one to be done. The prior one done was completely inadequate as it was done on 3:30pm on June 21.
- 5. Significant reductions to the 1<sup>st</sup> floor guest apartment 2<sup>nd</sup> floors would allow the project without blocking light and air to the DR Requestors.
- 6. By reducing the overall size of the very large rooms, the 4-5 foot expansions into the rear-yard and the decks can be eliminated and not deteriorate light and air the DR Requestors property.
- 7. Significant reductions to the first-floor guest apartment, and the 2<sup>nd</sup> floor bedrooms, bathrooms, and laundry room, would allow the project without blocking light and air to the DR Requestors.
- 8. There are significant discrepancies with the current architectural plans. The dimensions of many large rooms are not represented on the drawings. The Project Sponsor is required to provide this to City planning staff. Additionally, the planning staff required the Project Sponsor to make changes to the project such as re-aligning the roof line to complement front façade and reducing and setting back the 3<sup>rd</sup> floor. Given these issues, the current plan

should be denied.

Thank you, John Sturla From: <u>Vanessa Sturla</u>

To: Joel.Koppel@sfgov.or; Peskin, Aaron (BOS); Ionin, Jonas (CPC); shelley@shelleybradfordbell.com; Moore, Kathrin

(CPC); Chan, Deland (CPC); Diamond, Susan (CPC); Fung, Frank (CPC); Imperial, Theresa (CPC); Tanner,

Rachael (CPC); Winslow, David (CPC)

Subject: Design Review: 476 Lombard (2018-017283DRP)

Date: Wednesday, January 20, 2021 3:40:12 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources

President Koppel and Supervisor Peskin:

I am writing to you to express my strong concern and opposition to the proposed plans at 476 Lombard Street.

This building is determined to be a contributor to a National and California Register Historic District in 2019 by qualified architectural historians. Many elements in the project plan will be destructive to this historic landmark. The Retained Element Guidelines should be reviewed by the Planning Commission to evaluate the necessary protections for this historic building which was designed by Louis Mastropasqua.

This project negatively impacts this iconic area within the North Beach neighborhood. The rear additions in the project disrupt the rear yard pattern of the other properties on Stockton and Lombard. The third floor addition is an intrusion of the roof lines for the neighborhood and impedes natural light. A credible shadow study needs to be done. Additionally, many of the spaces are simply overbuilt to utilize every square foot allowable by planning and creates an imposing structure that is completely out of character for the neighborhood.

Based on these issues, this project should not be approved.

Thank you, Vanessa Irizarry From: Savannah Sturla

To: Koppel, Joel (CPC); Peskin, Aaron (BOS); Ionin, Jonas (CPC); Moore, Kathrin (CPC); Chan, Deland (CPC);

Diamond, Susan (CPC); Fung, Frank (CPC); Imperial, Theresa (CPC); Tanner, Rachael (CPC); Winslow, David

(CPC); Hillis, Rich (CPC)

Cc: shelley@shelleybradfordbell.com; Hepner, Lee (BOS); Hyland, Aaron (CPC); Matsuda, Diane (CPC); Black, Kate

(CPC); Foley, Chris (CPC); Johns, Richard (CPC); Pearlman, Jonathan (CPC); So, Lydia (CPC)

**Subject:** Please support the Design Review to modify the 476 Lombard Street (2018-017283DRP) project

**Date:** Saturday, January 16, 2021 12:00:26 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources

Dear Planning Commissioners,

Please consider denying or significantly reducing the project plans for 476 Lombard Street (2018-017283DRP). Several reasons for the project to be modified or denied are listed as follows. The architectural drawings are incomplete, with rooms' dimensions not marked on the drawings, although requested by staff. Planning staff required the Project Sponsor to make changes to the project which are still not shown in the current plans, for example, reducing the 3rd floor size, setting it further back, and angling the roof life to complement the front façade.

The building should be at minimum an addition that is respectful of the neighborhood's historic character and should not intrude on the privacy, light and air of its neighbors. By reducing the overall size of the large rooms, the 4–5-foot expansion into the rear-yard and decks can be eliminated, so that light and air to the DR requestors property is not degraded and to avoid disrupting the rear-yard pattern for the surrounding homes on Lombard and Stockton Street.

Additionally, the Shadow Study was done on 3:30 pm on June 21<sup>st</sup>, during the summer solstice, when the sun is at its maximum tilt. The shadow study shows a significant amount of added shadow on the property, even at this strategically selected time. On all other days, the shadows added will be significantly larger, and block needed light to the apartments in adjacent buildings.

With the demolition and removal of original 1926 stones, there should be an asbestos and lead abatement plan for the surrounding neighbors who will experience additional air quality issues. Lastly, this is not a rental property and has been a family home with historical significance for almost 100 years. Thank you for your time and consideration.

All the best, Savannah Sturla

Savannah Sturla she/her/hers

B.S. Environmental Sciences, B.S. Molecular Toxicology Minor | Class of 2021 University of California, Berkeley <a href="mailto:ssturla@berkeley.edu">ssturla@berkeley.edu</a> | (925) 594-9440

From: <u>Teri Rousseau</u>

To: Koppel, Joel (CPC); Peskin, Aaron (BOS); Ionin, Jonas (CPC); Moore, Kathrin (CPC); Chan, Deland (CPC);

Diamond, Susan (CPC); Fung, Frank (CPC); Imperial, Theresa (CPC); Tanner, Rachael (CPC); Winslow, David (CPC); Hillis, Rich (CPC); Koppel, Joel (CPC); Peskin, Aaron (BOS); Ionin, Jonas (CPC); Moore, Kathrin (CPC); Chan, Deland (CPC); Diamond, Susan (CPC); Fung, Frank (CPC); Imperial, Theresa (CPC); Tanner, Rachael

(CPC); Winslow, David (CPC); Hillis, Rich (CPC)

Cc: shelley@shelleybradfordbell.com; Hepner, Lee (BOS); Hyland, Aaron (CPC); Matsuda, Diane (CPC); Black, Kate

(CPC); Foley, Chris (CPC); Johns, Richard (CPC); Pearlman, Jonathan (CPC); So, Lydia (CPC)

Subject: Re Item 14, 2018-017283DRP for 476 LOMBARD STREET on your January 14, 2021

**Date:** Tuesday, January 12, 2021 2:34:13 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Supervisor Peskin – I am writing regarding my opposition to allowing the expansion of this historic building.

The proposal presented seems in direct conflict with San Franciscos' initiative to preserve the historic architecture so unique to our beloved city and most especially North Beach.

Built in 1926, this building is **one of the few remaining today that was passionately designed by the acclaimed Louis Mastropasqua,** architect of the Juluis' Castle.

The project **proposes a massive and gross expansion** of the building including the addition of a roof deck, exterior spiral staircase and large back of building extension. It is completely out of scope of the neighborhood and if built, reduces valuable light, air and privacy of its neighbors.

As a representative entrusted with preserving the historic character of San Francisco, I am sure you will agree, that this would undeniably have a severe negative impact on North Beach, one of San Franciscos' most treasured areas. Additionally, if approved, it opens the **door** for other such projects throughout our beloved city.

I am resident of the Bay Area, with deep roots in North Beach, and spend significant time in San Francisco, proudly hosting friends and family at various establishments in this iconic neighborhood.

Please do not approve this project it would be a disservice to our community.

Thank you, Teri Rousseau



# **RESPONSE TO DISCRETIONARY REVIEW**

Property Address: 476 Lombard	Zip Code: 94133
Building Permit Application(s): #2018.1019.3722	
Record Number: 2018-017283PRJ	Discretionary Review Coordinator: David Winslow
Project Sponsor	
Name: Shaum Mehra	Phone: 415-323-0729
Email: shaum@obliquecity.com	
Required Questions	
Given the concerns of the DR requester and ot be approved? (If you are not aware of the issues)	her concerned parties, why do you feel your proposed project should
to reviewing the attached DR application.)	s of concern to the DR requester, please meet the DR requester in addition
to reviewing the attached DR application.)	has been determined to not be a historic resource.
to reviewing the attached DR application.)  The project meets all planning guidelines and I  2. What alternatives or changes to the proposed prorequester and other concerned parties? If you ha	
to reviewing the attached DR application.)  The project meets all planning guidelines and I  2. What alternatives or changes to the proposed prorequester and other concerned parties? If you ha	has been determined to not be a historic resource.  Dject are you willing to make in order to address the concerns of the DR are already changed the project to meet neighborhood concerns, please

personal requirements that prevent you from making the changes requested by the DR requester.

This project is not blocking any protected views nor is it impacting the character of the neighborhood. The proposed project is also smaller in scale than the surrounding existing proerties. The project complies with all the planning guidlines even though the nighboring poperties have a number of existing non-compyling decks

and expansions.

# **Project Features**

Please provide the following information about the project for both the existing and proposed features. **Please attach an additional sheet with project features that are not included in this table.** 

	EXISTING	PROPOSED
Dwelling Units (only one kitchen per unit - additional kitchens count as additional units)	1	1
Occupied Stories (all levels with habitable rooms)	2	3
Basement Levels (may include garage or windowless storage rooms)	1	1
Parking Spaces (Off-Street)	2	2
Bedrooms	2	3
Height	34'-8"	39'-6"
Building Depth	68'-0"	72'-4"
Rental Value (monthly)		
Property Value		

I attest that the above information is true to the best of my knowledge.

Signature:	Date: 11-16-20
Printed Name: Shaum Mehra	☐ Property Owner ☐ Authorized Agent

If you have any additional information that is not covered by this application, please feel free to attach additional sheets to this form.

#### Addenda:

# The building depth is:

• Ground floor:

Existing: 68'-0"Proposed: 72'-4"

• Second floor:

Existing: 68'-0"Proposed: 68'-0"

• Third floor:

Existing: 66'-0"Proposed: 61'-0"

We have not increased the building's overall depth, except by 4.5' at the ground level, and have taken great care to account for the existing views from the neighboring home.

# REUBEN, JUNIUS & ROSE, LLP

Justin A. Zucker

jzucker@reubenlaw.com

January 21, 2021

### **Delivered Via Email**

President Joel Koppel San Francisco Planning Commission 49 South Van Ness Avenue, Suite 1400 San Francisco, CA 94103 c/o David Winslow (david.winslow@sfgov.org)

Re: 476 Lombard Street – Building Permit Application No. 2018.10.19.3722

Planning Dept. Case No.: 2018-017283DRP

**Hearing Date: January 28, 2021** 

Our File No.: 11829.01

Dear President Koppel and Commissioners:

Our office represents Renee and Steven Tannenbaum, owners and sponsor (the "Tannenbaums") of the project at 476 Lombard Street, Assessor's Block 0062, Lot 017A (the "Property"). The Tannenbaums propose renovation of the Property to increase the bedroom count, add an elevator for mobility challenged family members, and modest horizontal and vertical expansion to update the home to the needs of a modern family with multiple generations living under one roof full time (the "Project").

We submit that no exceptional or extraordinary circumstances have been established that would justify not approving this Project as proposed. The Project is compatible with the surrounding neighborhood's pattern. To supplement our prior letter brief dated January 7, 2021, and in support that no exceptional and extraordinary circumstances result from the Project, please find shadow studies for the solstices and equinoxes attached as **Exhibit A**.

We respectfully request the Planning Commission not take Discretionary Review of the Project. Thank you for your consideration. We look forward to presenting this Project to you on January 14, 2021.

Very truly yours,

REUBEN, JUNIUS & ROSE, LLP

Justin A. Zucker

Oakland Office

492 9th Street, Suite 200, Oakland, CA 94607

tel: 510-527-5589

President Joel Koppel San Francisco Planning Commission January 21, 2021 Page 2 of 2

Enclosures: Exhibit A – Shadow Studies

cc:

Kathrin Moore, Vice President
Deland Chan, Commissioner
Sue Diamond, Commissioner
Frank S. Fung, Commissioner
Theresa Imperial, Commissioner
Rachael Tanner, Commissioner
Renee & Steven Tannenbaum (via email only)
Shaum Mehra (via email only)





SHADOW STUDY - EXISTING CONDTITION JUNE 21ST - 6:30PM



SHADOW STUDY - PROPOSED CONDTITION JUNE 21ST - 6:30PM



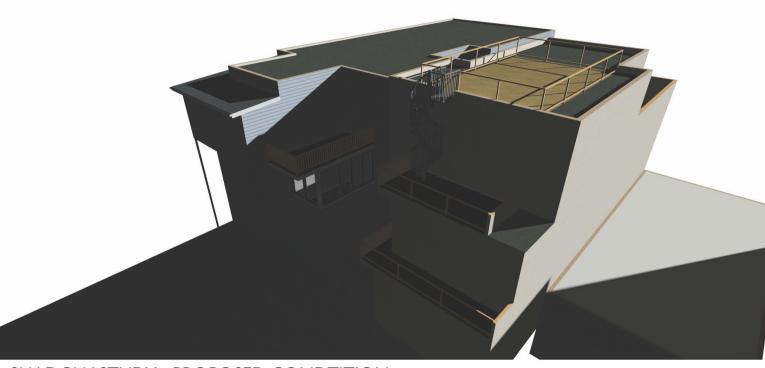
SHADOW STUDY - EXISTING CONDTITION SEPTEMBER 21ST - 5:00PM



SHADOW STUDY - PROPOSED CONDTITION SEPTEMBER 21ST - 5:00PM



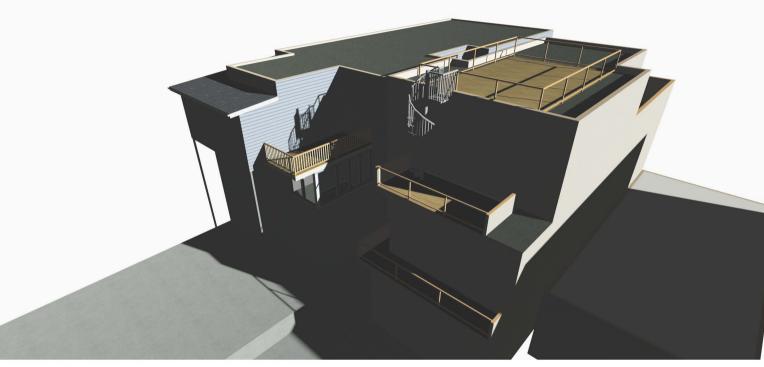
SHADOW STUDY - EXISTING CONDTITION DECEMBER 21ST - 3:30PM



SHADOW STUDY - PROPOSED CONDTITION DECEMBER 21ST - 3:30PM



SHADOW STUDY - EXISTING CONDTITION MARCH 21ST - 5:30PM



SHADOW STUDY - PROPOSED CONDTITION MARCH 21ST - 5:30PM

To whom it may concern,

I am writing to voice my strong support of the plans to renovate 476 Lombard Street. I was born in San Francisco and have lived at 364 Lombard St. on Telegraph Hill since 2005. I love my neighborhood and am keen to support the preservation, unique character and quality upgrading of our precious corner of San Francisco.

476 Lombard is a gem of a house with unique, historical brick, tile and stained-glass exterior. I attended the neighborhood open house in January 2019 and was delighted to hear that the owners are preserving the original façade of the house. Moreover, as a woman living with multiple sclerosis, I was extremely happy to learn that the owners are planning to install an elevator and make the interior accessible to people with mobility challenges as part of the renovation. There is a paucity of single-family homes on Telegraph Hill, and even fewer that are accessible to the mobility challenged. It took me two years to find my current home; we desperately need more homes in our neighborhood that are accessible to the disabled and allow residents to age at home.

I have not attended many neighborhood meetings regarding house renovation, but I was quite surprised that I was met on the sidewalk before ever entering the house by a woman who lobbied me to harass and interrogate the owners on their plans. I was shocked by this hostile approach, as I thought the purpose of the open house was to learn about the plans and engage in respectful Q&A.

I applaud the owners for doing such a thoughtful job to upgrade their home to better fit 21<sup>st</sup> century lifestyles and make it accessible to those with disabilities while preserving its unique historical façade. I hope you will provide swift approval of this project.

Sincerely,

Gail Maderis
364 Lombard St.

Hart of Mahi

415-218-1558

# Justin A. Zucker

From: Jacky Chow <jacky@jackyhome.com>
Sent: Monday, December 28, 2020 1:00 PM

To: Justin A. Zucker
Cc: Renee Tannenbaum

**Subject:** 476 Lombard

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender.

Hi Justin, How are you?

As a homeowner of 454 Lombard, Unit 2 (three buildings up from 476 Lombard), we have received the information about the project that Renee Tannenbaum plans to work on the house at 476 Lombard.

We believe that the scope of the project is consistent with what are typical for a building at that age and we see nothing that any neighbor would have concerns.

Since the project is going through the City of San Francisco planning and permits process, we fully support the project.

Regards, Jacky Chow and Kathy Ausano. 650-714-7628 Date: January 19, 2021

To: San Francisco Planning

From: Lance Fulford 1593 North Point

San Francisco, CA 94123

Re: Project at 476 Lombard

As a long time resident of San Francisco, I'm writing to notify your body of my support for the project. Our City needs more families like the Tannenbaum family who are not only investing their money but their time and livelihood as they create a home for what has always been the San Francisco ideal: a multi-generational household. These households more than most diversify our City with children, parents and grandparents lending character and care to our neighborhoods and our greater community.

I've known their family for many years and can't think of better neighbors for any of our City's neighborhoods. The sensitivity of having a disabled family member only increases our need to embrace them and the needs of their family to include them in our community.

I find their project refreshing and fitting with the neighborhood while providing their family what they need to support their family members. I vote 'YES' in all its aspects!

From: Renee Tannenbaum
To: Justin A. Zucker
Subject: Fwd: Need your help

**Date:** Sunday, January 17, 2021 10:23:35 AM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender.

----- Forwarded message -----

From: **Kathy Smith** <<u>shortcakegm@yahoo.com</u>>

Date: Sun, Jan 17, 2021 at 10:21 AM

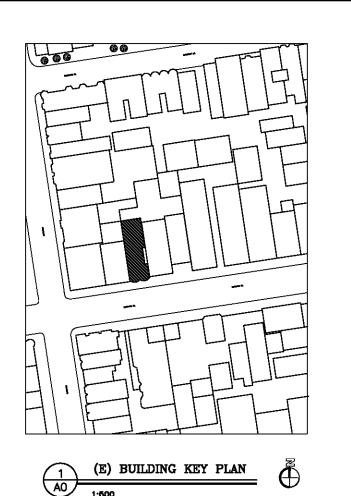
Subject: Re: Need your help

To: Renee Tannenbaum < reneetbaum@gmail.com >

### To Whom It May Concern

I have known the Tannenbaum family for 12 years. I have known them to be an outstanding family that I am proud to call my neighbor and friend. I believe their beautification of their house would be a great benefit to our neighborhood.

Sincerely, Kathy Ausano 454 Lombard



isk of lot depthlexcept of reductions based upon average of adjacent "building; if average, last 10 ft, is limited to height of 30ft, and a minimum of 28% of lot

( AS MEASURED FROM AVERAGE CURS ELEVATION) WITH PARAPETS UP TO AMAXIMUM HEIGHT OF 4' ABOVE BUILDING HEIGHT LIMIT, (SEC 260 (b)(2)(A)).

PLANNING CODE SUMMARY

ONE OFF-STREET PARKING SPACE PER UNIT. (SEC.151)

ONE CLASS 1 DICYCLE PARKING SPACE PER UNIT. (SEC.156.1(b)(1)).

2500 SF. (SEC.121)

ZONNE DISTRICT:

MINIMUM LOT AREA:

-SIDE YARD SETBACK:

-FRONT YARD SETBACK:

-REAR YARD SETBACK:

-CAR PARKING REO'TS

MAX.HEIGHT LIMIT

-BICYCLE PARKING

-OPEN SPACE:

# PROJECT DIRECTORY

**BUILDING OWNER:** 

RENATE & STEVEN TANNENBAUM

476 LOMBARD ST., SAN FRANCISCO, CA 94133

(860) 233-1047

SAN FRANCISCO DESIGN BUREAU

2915 TARAVAL ST. #3 SAN FRANCISCO, CA, 94116

(415)-240-2904

**DESIGNER:** 

**GOVERNMENT AGENCIES:** 

CITY AND COUNTY OF SAN FRANCISCO

PLANNING DEPARTMENT

1650 MISSION ST. #400 SAN FRANCISCO, CA 94103

(415) 558-6378

# PROJECT DESCRIPTION

THE PROPOSED PROJECT GENERALLY CONSISTS OF THE REMODEL, ALTERATION, AND ADDITION TO AN EXISTING 3 STORY SINGLE-FAMILY RESIDENCE. PROPOSED SCOPE OF WORK INCLUDES HORIZONTAL ADDITIONS TO FLOORS 1,2 AND 3, AND ADDITION OF A NEW ROOF DECK.

THE SUBJECT PROPERTY MAY BE ELIGIBLE FOR INDIVIDUAL LISTING IN THE CALIFORNIA REGISTER OF HISTORIC PLACES UNDER CRITERIA 3 (ARCHITECTURE). THE PROPOSED SCOPE OF WORK SHALL CONFORM WITH THE PROVISIONS OF SF PLANNING CODE ARTICLE 10: PRESERVATION OF HISTORICAL ARCHITECTURAL AND AESTHETIC LANDMARKS.

# CODES & STANDARDS

2016 CALIFORNIA ADMINISTRATIVE CODE, PART 1, TITLE 24, CALIFORNIA CODE OF REGULATIONS (CCR)
 2016 CALIFORNIA BUILDING CODE (CBC), PART 2, TITLE 24, CCR (2006 IBC AND 2007 CALIFORNIA AMENDMENTS)

2016 CALFORNIA ELECTRICAL CODE (CEC), PART 3, TITLE 24, CCR

(2005 NEC AND 2007 CALIFORNIA AMENDMENTS)
2016 CALIFORNIA MECHANICAL CODE (CMC), PART 4, TITLE 24, CCR

(2008 UMC AND 2007 CALIFORNIA AMENDMENTS)

2016 CALIFORNIA PLUMBING CODE (CPC), PART 5, TITLE 24, CCR (2006 UPC AND 2007 CALIFORNIA AMENDMENTS)

- 2016 CALIFORNIA ENERGY CODE, PART 6, TITLE 24, CCR

- 2018 CALIFORNIA FIRE CODE (CFC), PART 9, TITLE 24, CCR

PART 11 - 2016 CALIFORNIA REFERENCE STANDARDS CODE, PART 11, TITLE 24, CCR

# RESIDENTIAL REMODEL & ADDITION

476 LOMBARD ST SAN FRANCISCO, CA, 94133 OWNER: RENATE & STEVEN TANNENBAUM (860) 233-1047

# SCOPE OF WORK:

ADDITION TO (E) THIRD FLOOR
RECONFIGURE (E) SECOND FLOOR
RELOCATE (E) KITCHEN & BATH
TO (N) THIRD FLOOR ADDITION
ADD (N) POWDER ROOM, (N) STAIRCASE,
(N) ROOF DECK & (N) THIRD FLOOR BALCONY
ADD (N) ELEVATOR

# BUILDING DATA

2016 CBC WITH SAN FRANCISCO COUNTY AMENDMENTS

(E) TYPE OF CONSTRUCTION	TYPE V-B
(E) GROSS UNIT AREA	3192 S.F.
-THIRD FLOOR (STORAGE )	163 S.F.
-SECOND FLOOR	1637 S.F.
-FIRST FLOOR	1392 S.F.
-ENTRY	106 S.F.
-GARAGE & STORAGE	1286 S.F.
(N) GROSS UNIT AREA	5258 S.F.
-THIRD FLOOR	1409 S.F.
-SECOND FLOOR	1889 S.F.
-FIRST FLOOR	1469 S.F.
-ENTRY	163 S.F.
-LIVING	451 S.F.
-GARAGE & STORAGE	855 S.F.

(E) NUMBER OF STORIES (N) NUMBER OF STORIES (PROJECT AREA)

(E) SPRINKLER SYSTEM (N) SPRINKLER SYSTEM

-ROOF DECK

(E) NUMBER OF DWELLING UNITS (N) NUMBER OF DWELLING UNITS

BLOCK NUMBER LOT NUMBER

**BUILDING USE** OCCUPANCY TYPE **EXITS REQUIRED** EXITS PROVIDED

A22 A23 A24

24 25

(N) WEST ELEVATION
(N) BUILDING SECTION
(N) BUILDING SECTION

APPLICABLE CODE

THREE THREE NO YES 0062 017A RESIDENTIAL GROUP R3/U 2 EXITS

448 S.F.

2 EXITS

ABBREVIATIONS	SYMBOLS			SHEET INDEX
# AND D.F. DRINKING FOUNTAIN HT. HEIGHT PTIN. PARTITION AT DIA. DIAMETER I.A.W. IN ACCORDANCE WITH REF. REFERENCE NUMBER OR POUND DIM. DIMENSION I.D. INSIDE DIAMETER REINFORCE OR ED PAISTING DIN. DOWN MISUL INSULIATION REPFORCING	ENTRY DOOM NAME & MUNDED	PHILIPPING SECTION	SHT. DWG. NO. NO.	SHEET TITLE
O AT DIAL DIAMETER I.A.W. IN ACCORDANCE WITH REF. REFERENCE RESIDENCE OR DIAL DIAMETER I.A.W. IN ACCORDANCE WITH REF. REFERENCE OR DIAL DIAMETER RENFORCE OR DIAL DOWN MISUL INSULATION RENFORCE OR PUTURE D.O. DOOR OPENING K.P. KICKPLATE BILL ROOM (V) NEW (PROVIDE & INSTALL) DR. DOOR LAB. LABORATORY R.O. ROUGH OPENING (R) REINSTALLE) D.S. DOWNSPOUT LT. LIGHT SCHED. SCHEDULE	ENTRY ROOM NAME & NUMBER	BUILDING SECTION	1 A0 A1	TITLE SHEET / KEY PLAN NEIGHBORHOOD VICINITY PLAN
(R) REINSTALLED D.S. DOWNSPOUT LT. LIGHT SCHED. SCHEDULE A.B. ANCHOR BOLT DHG. DRAWING MAT. MATERIAL SECT. SECTION A/C AIR CONDITIONING EA. EACH MAX. MAXIMUM SH. SHEEF	(0) DOOR NUMBER	ELEVATION TARGET	3 A2 4 A3	DEMOLITION DIAGRAM/CALCULATIONS EGRESS CALCULATIONS / DIAGRAMS
A.C.T. ACOUNTICAL CEILING ELEV. ELEVATION MECH. MECHANICAL SHIG. SHEATING	B WINDOW TYPE	•	5 A4 6 A5	(E) FIRST FLOOR PLAN (E) SECOND FLOOR PLAN
ADJ. ADJUSTABLE EN. EIDONAU. MFR. MANUFACTURER S.M. SHEET METAL AGGR. AGGREGATE EQ. EQUAL MIN. MINMOUN OR MINUTE S.M.S. SHEET METAL SCREW ALLIM. ALIMMUM E.S. EXPANSION SHELD MIN. MINMOUN OR MINUTE S.M.S. SHEET METAL SCREW ALLIM. ALTERNATE DEP. EXPANSION M.S. MACHINE SCREW SQ. SQLJARE ANDO. ANDOLZED EXT. EXPERIENCE M.T. MOLOVATED SST. STANKESS STEEL		WALL SECTION	7 A6 8 A7	(E) THIRD FLOOR PLAN (E) ROOF PLAN (E) ROOF PLAN
ADDOMY ADDOMYMATE FIN. FINISH UT UETAIL OTS STANKAGE	SHEET NOTE	DETAIL TARGET	9 A8 10 A9 11 A10	(E) SOUTH ELEVATION (E) EAST ELEVATION (E) NORTH ELEVATION
ARCHI ARCHITECTURAL FL. FLOOR N.LC. MOT IN CONTRACT STRUCT. STRUCT. STRUCTURAL BACK OF, OR BOTTOM OF F.D. FLOOR DRAIN NO. NUMBER STRUCT. STRUCTURAL BLDON STRUCT. STRUCTURAL STRUCT. S			12 A11 13 A12	(E) WEST ELEVATION (E) BUILDING SECTION
BM. BEAM F.O.S. FACE OF STUDS 0/ OVER TEL TELEPHONE B.O.J. BOTTON OF JOISTS FT. FOOT OR FEET ORS. OBSCURE THK. THICK	4 (A3) 2 ROOM ELEVATIONS	(E) ITEM TO BE REMOVED	14 A13	(E) BUILDING SECTION NEIGHBORHOOD VIGINITY PLAN
BOT. BOTTOM FOR FORMS C.C. ON CENTER T.B.R. TO BE REMOVED BULR. BULT-UP ROOFING FURS. FURSING C.D. OUTSIDE DIAMETER T.N. TO BALL CEM. CEMENT CAN. CAUSE OFF. OFFICE T.P. TOLLET PAPER HOLDER	3	(E) ITEM TO REMAIN	16 A15	(N) FIRST FLOOR PLAN (N) SECOND FLOOR PLAN
	G GRID REFERENCE		18 A17 19 A18	(N) THIRD FLOOR PLAN (N) ROOF DECK PLAN
COLD JOINT GRADE. PARA PARAGRAPH U.O.N. UNLESS OTHERWISE NOTED CLG. CEILING G.S.M. GALVANIZED SHEET METAL. P.D.F. POWDER DRIVEN FASTENER V.C.T. VINYL COMPOSTION TILE		(R) (E) ITEM TO BE RELOCATED	20 A19 21 A20	(N) SOUTH ELEVATION (N) EAST ELEVATION
CONCR. CONCRETE HG. HARDER PLAST LAMINATE V.N.C. VIN'L MALL COVERING CONSTRUCTION HDR. HEADER PLASTER W/O WITHOUT CONSTRUCTION HDW. HARDER PLASTER W/O WITHOUT ME. MARDWARE PLASTER WOOD MO. WATERPROOF	PROJECT NORTH	(N) ITEM	22 A21 23 A22	(N) NORTH ELEVATION (N) WEST ELEVATION
CONTR. CONTRACTOR H.M. HOLLOW METAL P.O.C. POINT OF CONNECTION WS. WEATHERSTRIPPING		\(\(\sigma\) \(\sigma\)	24 A23	IN BUILDING SECTION



DATE BY

BUREAU S. Patte DESIGN |





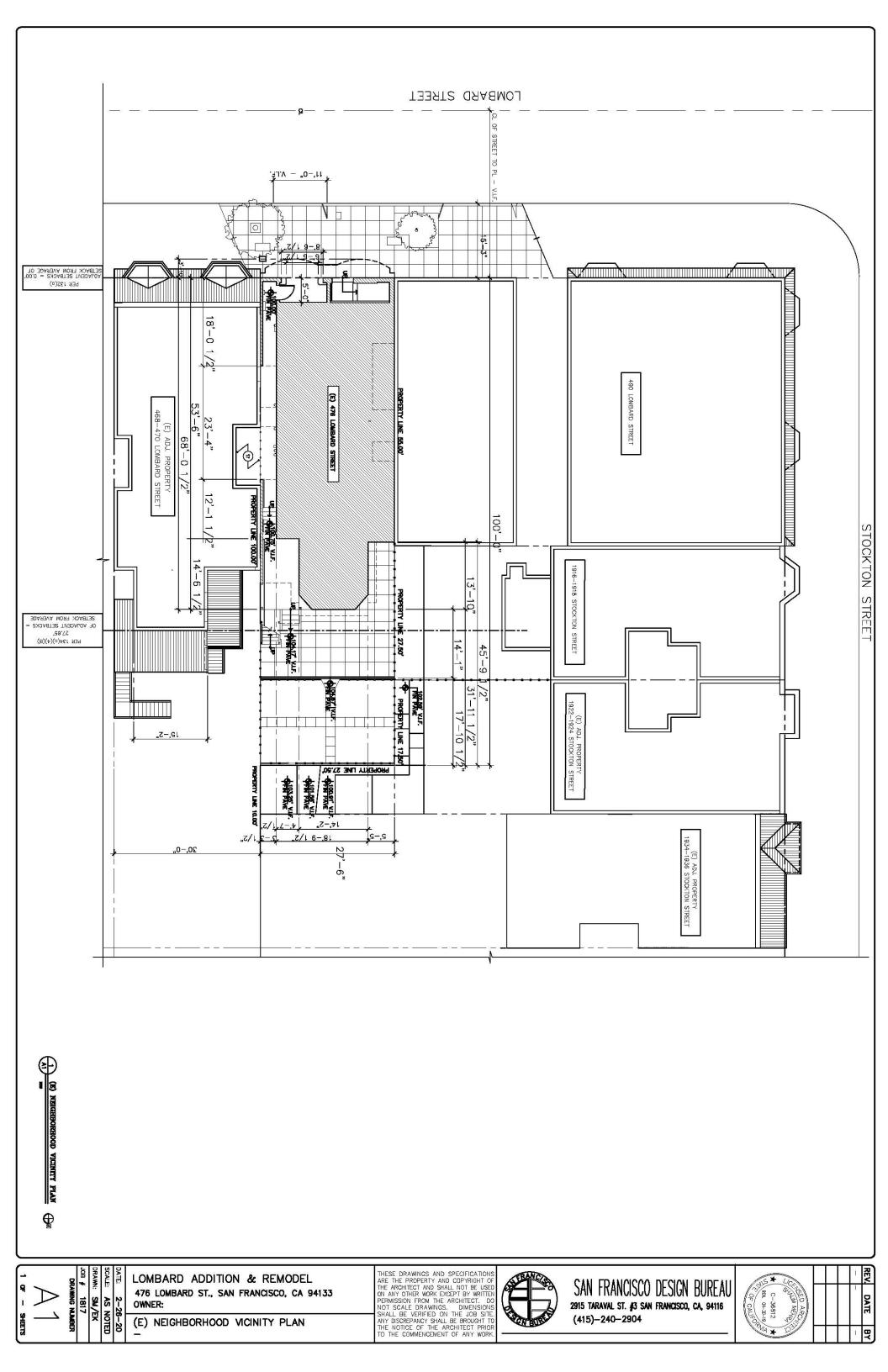
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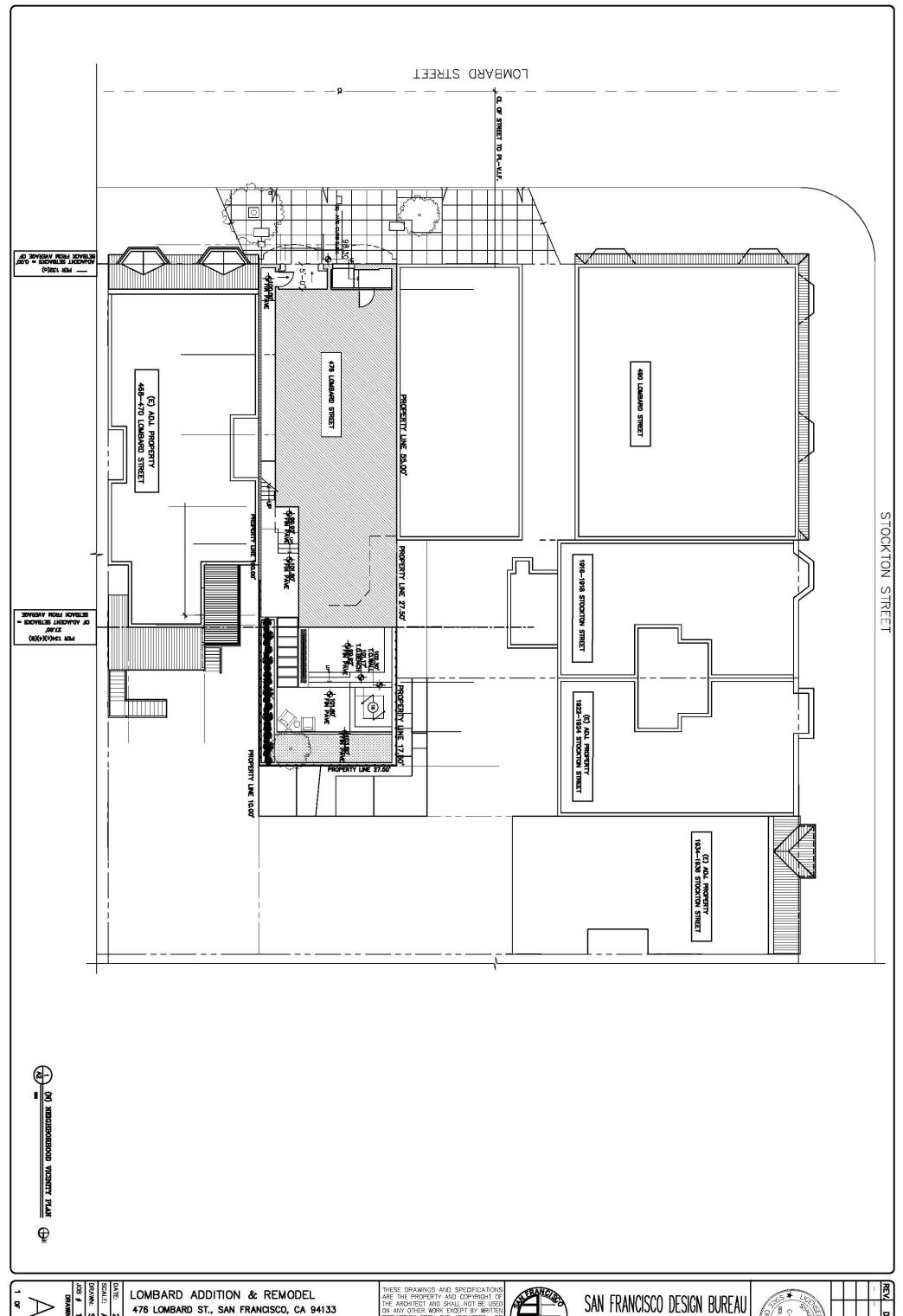
ADDITION & T., SAN FRANCISCO RESIDENTIAL AC 476 LOMBARD ST., S RENATE & STEVEN 1

02-26-20 SCALE: AS NOTED DRAWN: SM/EK JOB # 1817

DRAWING NUMBER

OF - SHEETS





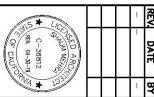
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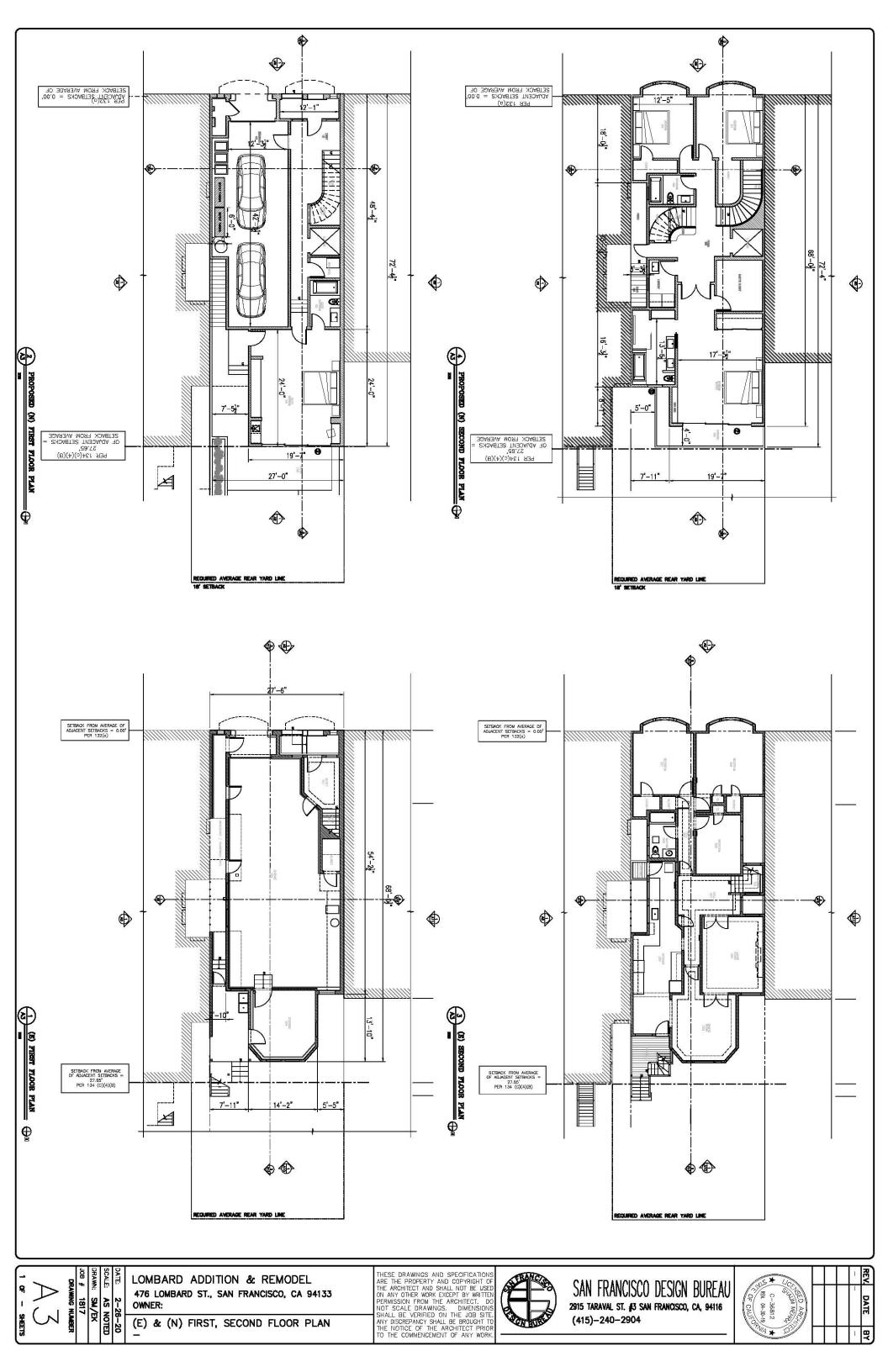
LOMBARD ADDITION & REMODEL
476 LOMBARD ST., SAN FRANCISCO, CA 94133
OWNER:
(N) NEIGHBORHOOD VICINITY PLAN

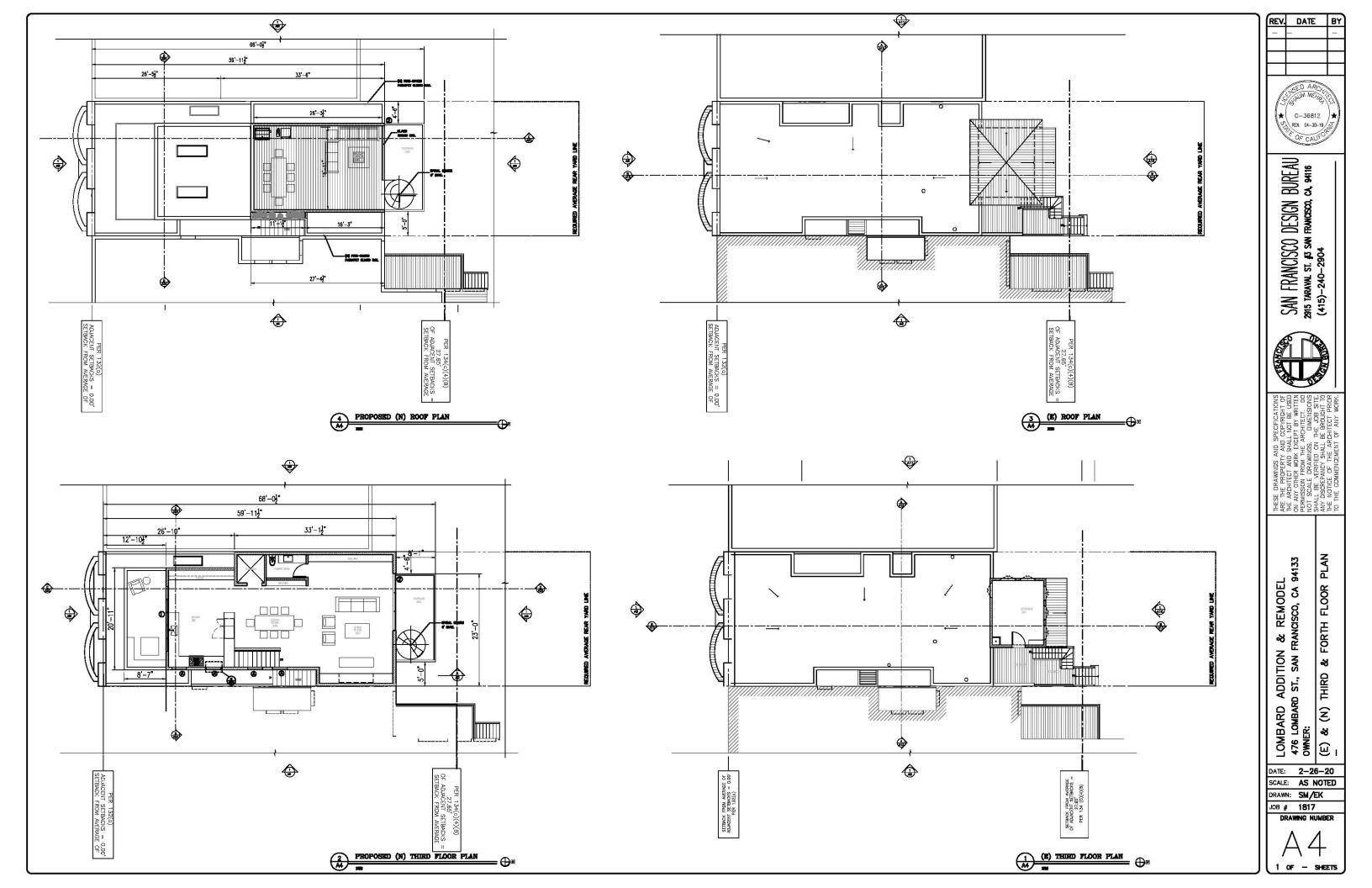
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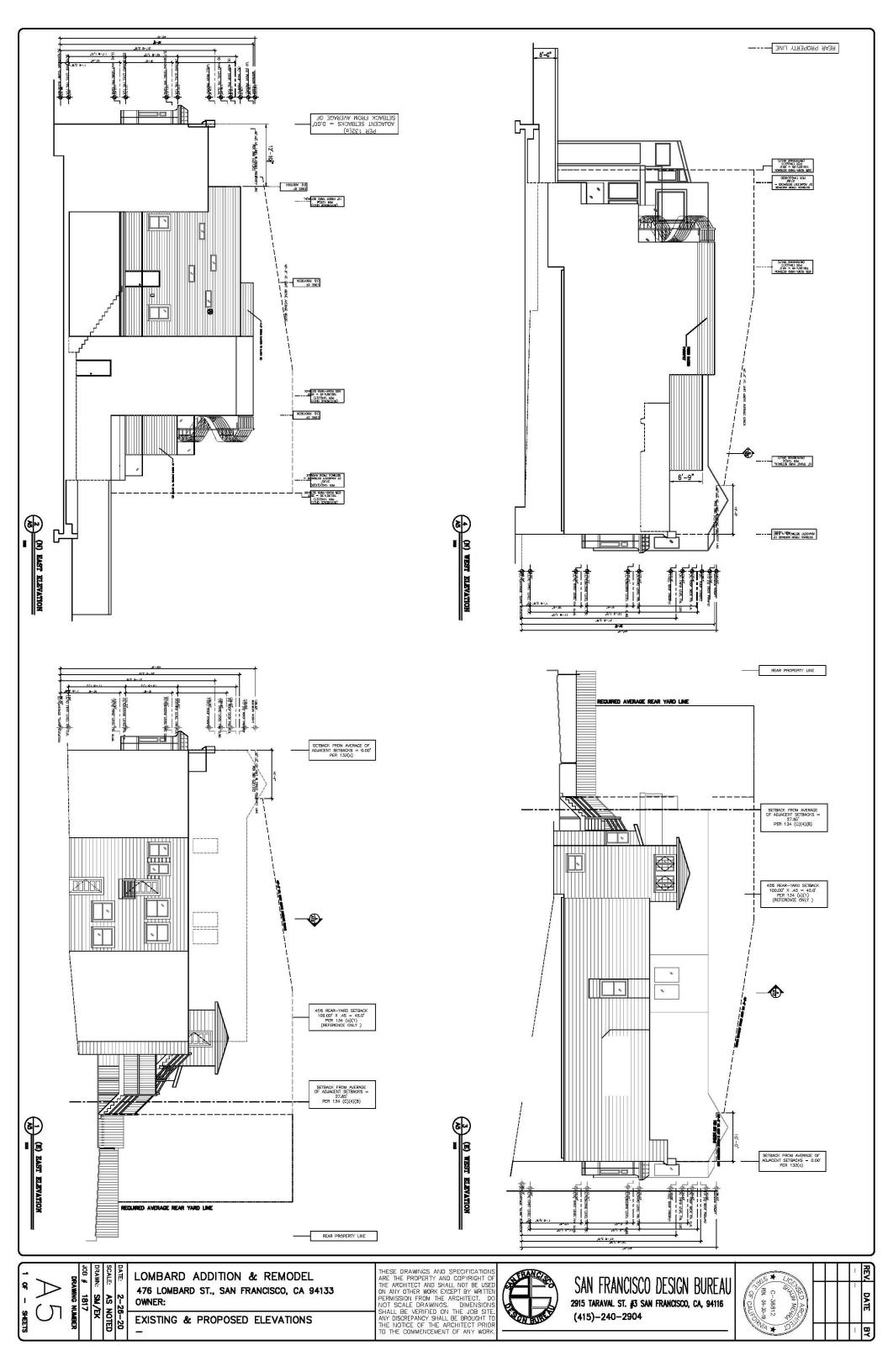


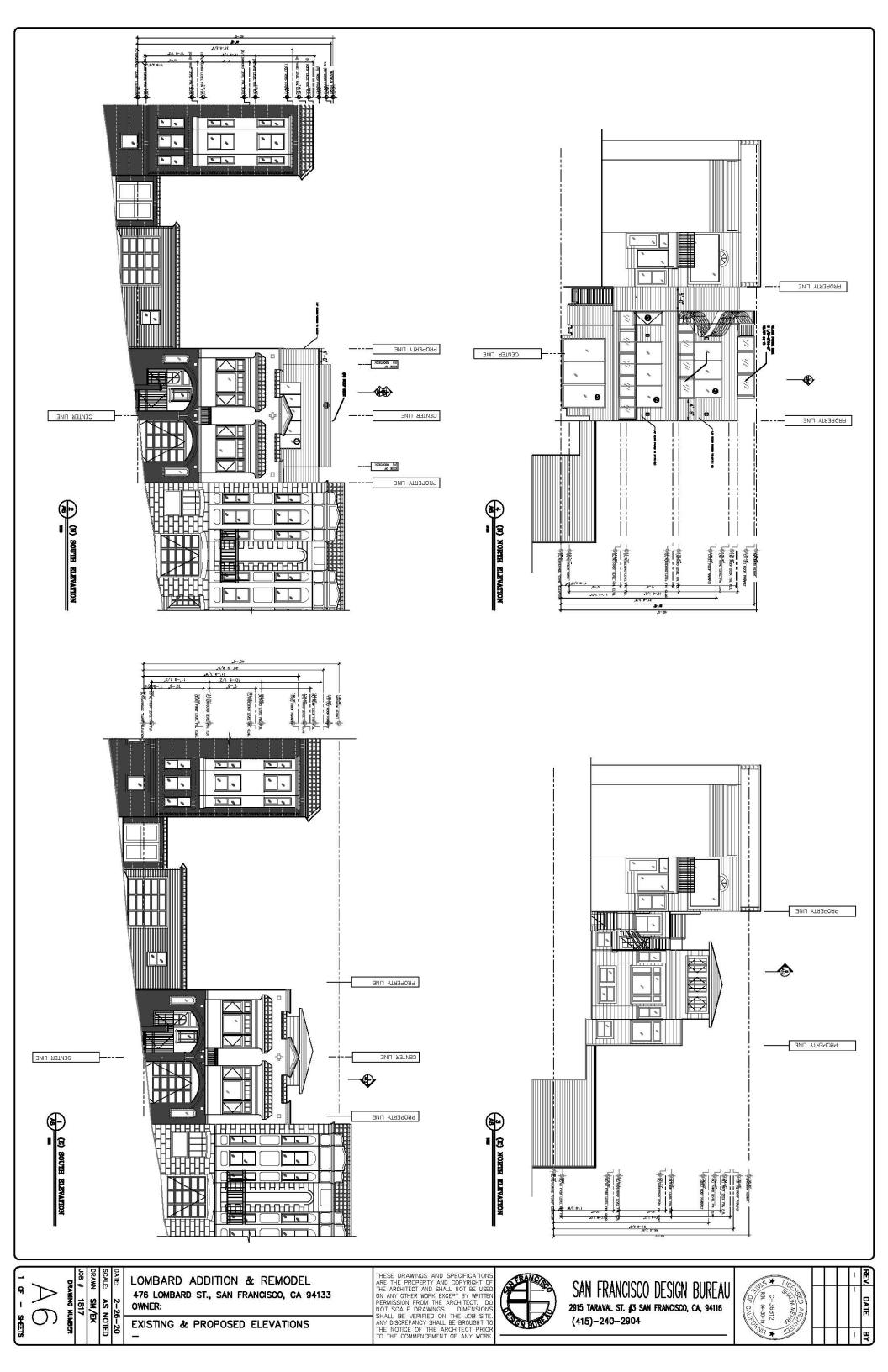
SAN FRANCISCU DESIGN BUREAU 2915 TARAVAL ST. #3 SAN FRANCISCO, CA, 94116 (415)—240—2904











# REUBEN, JUNIUS & ROSE, LLP

Justin A. Zucker

jzucker@reubenlaw.com

January 7, 2021

#### **Delivered Via Email**

President Joel Koppel San Francisco Planning Commission 49 South Van Ness Avenue, Suite 1400 San Francisco, CA 94103 c/o David Winslow (david.winslow@sfgov.org)

Re: 476 Lombard Street – Building Permit Application No. 2018.10.19.3722

Planning Dept. Case No.: 2018-017283DRP

**Hearing Date: January 14, 2021** 

Our File No.: 11829.01

Dear President Koppel and Commissioners:

Our office represents Renee and Steven Tannenbaum, owners and sponsor (the "Tannenbaums") of the project at 476 Lombard Street, Assessor's Block 0062, Lot 017A (the "Property"). The Property is improved with a 3-story single-family home in an RH-3 (Residential-House, Three Family) Zoning District. The Tannenbaums propose renovation of the Property to increase the bedroom count, add an elevator for mobility challenged family members, and slight horizontal and vertical expansion to update the home to the needs of a modern family with multiple generations living under one roof full time (the "Project"). Project plans are enclosed as <u>Exhibit</u> A. We respectfully request the Planning Commission not take Discretionary Review of the Project.

The Discretionary Review ("DR") requester owns the property immediately to the east of the Property ("DR Requester"). The DR Requester's opposition to the Project is based on claims of design review issues with the Retained Elements Special Topic Design Guidelines, the historic elements of the existing home, the number of permitted car parking spaces, and fears pertaining to loss of light and air and vacation rentals. The Tannenbaums have been open to engage with the neighborhood, hosting two pre-application meetings to ensure people in the neighborhood had an opportunity to understand the Project given there was a significant amount of misinformation circulated about the project, e.g., the historicity of the home and vacation rentals. The believed design and code issues have been clarified and the fears have been addressed by the Project Sponsor at a Planning Department staff facilitated mediation. Notwithstanding their position that DR Requester's claims are not exceptional or extraordinary, the Tannenbaums constructively worked to resolve this matter outside of the Planning Commission but reasonable offers in compromise were rejected.

President Joel Koppel San Francisco Planning Commission January 7, 2021 Page **2** of **6** 

The Project as proposed has been reviewed by Planning Department staff and found to be code compliant. Staff recommends not taking DR and approving the Project. For these reasons, we submit that no exceptional or extraordinary circumstances have been established that would justify not approving this Project as proposed.

#### A. PROJECT SITE AND PROJECT BACKGROUND

The Property is an approximate 2,750 square foot mid-block lot on the northern side of Lombard Street between Stockton Street and Grant Avenue in the North Beach neighborhood and the Telegraph Hill – North Beach Residential Special Use District. The Property slopes both front to back and side to side.

Mr. Tannenbaum is disabled and is mobility challenged. The Tannenbaums have three children – two daughters and a son – and three grandchildren. The Tannenbaums moved back into their home yesterday and will be living at the Property with their youngest daughter, whom previously lived in the home. Ms. Tannenbaum's elderly mother receives care from and also will live with the Tannenbaums in the home. In addition, the Tannenbaums' eldest daughter, who is married with three children, and their son and daughter-in-law visit and on occasion spend weeks at a time with the Tannenbaums. Considering that, the Tannenbaums seek to renovate the existing 3-story, 3-bedroom home with one bathroom and garage into a 3-story, 4-bedroom home with three-and-half bathrooms and garage and addition of a personal elevator to allow the Tannenbaums and their family to age in place.

The Project calls for a horizontal expansion of the first floor, extending that floor back 4'-4", to convert an existing storage area into a bedroom with en suite bathroom for Ms. Tannenbaum's mother, and vertical and horizontal expansion of the existing third-floor into a living and dining space to allow for three bedrooms and two bathrooms on the second floor to accommodate the Tannenbaums, their daughter full time, and on occasion their other children and partners and their three grandchildren.

The Project as proposed is an attractive, appropriate, and neighborhood-compatible renovation of the existing single-family home and has gained the support of two neighbors in proximity to the Property.

#### B. RESPONSES TO DR REQUESTERS' CONCERNS

The DR Requesters have raised five concerns about the Project. Those five concerns are addressed below:

# 1. The Retained Elements Special Topic Design Guidelines Only Apply to Demolition Projects, Which this is Not

The DR Requester claims that the Project does not meet the Retained Elements Special Topic Design Guidelines. The DR Requester's reference to the Retained Elements Special Topic

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Design Guidelines is misplaced because they apply to demolition projects "where visible parts of existing buildings are incorporated into new development." (Retained Elements Special Topic Design Guidelines, p. 5.) The Project does not call for demolition of the existing home, rather it respectfully retains all the character defining features of the existing home.

The DR Requester's assertion to apply of the Retained Elements Special Topic Design Guidelines is quizzical given their concerns for the Project respecting the historic elements of the existing home due to the fact that "application of these guidelines will not achieve conformance with the Secretary of the Interior's Standards for the Treatment of Historic Properties." (*Id.*)

# 2. The Home's Historic Elements are Respected and Retained

While the subject Property is individually eligible for listing in the California Register, it is neither listed by the California Register nor designated as a historic landmark building by the City under Article 10. (November 4, 2019, Historic Resource Evaluation Response, Part 1 attached as **Exhibit B**.) Planning Department staff, however, has found the existing home has some historic elements – not the entire home. The existing home's character defining features are:

- "Two-story massing at front of lot;
- Symmetrical front façade;
- Ground floor brick veneer and recessed entries;
- Wood sash opalescent/colored windows; and
- Tripartite parapet and clay tile roof." (*Id.*)

The Project calls for the preservation of the front façade and respectfully maintains all of the character defining features of the home. Consequently, Planning Department staff prepared a Historic Resource Evaluation Response, Part 2 and found:

The project will not alter any character-defining features previously identified in the Historic Resource Evaluation (HRER) Part 1 issued on November 4, 2019. Street-visible exterior alterations consist of the infill of two western light wells for additional floor area, a third floor vertical addition set back 12'-10" from the existing front (south) façade wall, and parapet walls for a new rooftop deck located at the rear half of the building. The addition will maintain the building's secondary elevation material of horizontal lap siding and contain painted aluminum-clad windows for all fenestration. Due to the scope of work and consistency with the Secretary of the Interior's Standards for Rehabilitation, the project will not result in a significant adverse impact to the historic resource.

(July 15, 2020, Historic Resource Evaluation Response, Part 2 attached as **Exhibit C**, emphasis added.)

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The rear façade of the home does not have any character defining features that could be impacted by the Project's alterations. While the Project calls for terraces at the rear of the second and third floors, they already exist. (See Exhibit A Sheets A5 and A6.) Further, as discussed below in section B.3, the new terraces at the rear of the home will be setback from the shared property line with the DR Requester when they currently go to the property line.

The Project appropriately redesigns the existing rear terraces with addition of a spiral staircase on the third-floor terrace to access the roof deck while not giving a false sense of history. The Preservation Review Team has determined that the rear façade of the existing home does not have historic elements and alteration of the existing terraces and spiral staircase addition will not adversely impact any historic elements of the home. (See Exhibits B-C.)

The Residential Design Guidelines state if "a new floor is being added to an existing building, it may be necessary to modify the building height or depth to maintain the existing scale at the street." (Residential Design Guidelines, p. 24.) While not adding a new floor, respecting the spirit of the guidelines and the two-story massing at the front of lot character defining feature, the proposed third floor is pulled back from the front façade 12'-10.5" and does not extend deeper than already exists. (See Exhibit A Sheets A17.) The significant setback maintains the existing two-story scale of the proposed building from the public right of way and the third-floor cannot be seen from the public right-of-way. (See Exhibit A Sheets A25.)

There are no exceptional or extraordinary circumstances with respect to the massing of the third-floor expansion.

## 3. No Exceptional or Extraordinary Impacts to Light and Air

The Tannenbaums have strived to design a Project respecting the historic elements at the front façade of the existing building and the existing surrounding buildings. The DR Requester's claim that the Project will significantly adversely impact light and air is not accurate. The Residential Design Guidelines acknowledge that "some reduction of light to neighboring buildings can be expected with a building expansion." (Residential Design Guidelines, p. 16.) While admittedly there will be some new impacts, the Project calls for removal of elements that go to the Property line and currently impact the DR Requester's property. As such, the Project will have a corresponding offsetting of existing impacts and will not result in exceptional or extraordinary circumstances.

The DR Requester claims that the Project will impact light and air to the rear unit on the first floor that has floor-to-ceiling glass sliding doors on their western façade. The Project will not adversely impact light and air to that unit. The existing home has two terraces at the rear at the second and third floor that extend to the eastern Property line and go as far back as the DR Requester's building. (See **Exhibit A** Sheets A5 - A6.) The Project calls for adjustment of those two rear terraces to provide a 5' setback from the eastern Property line allowing significant light

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and air to reach down to the DR Requester's building that previously could never reach there due to the existing rear terraces.

The DR Requester also claims that the Project will impact light and air received from their property's western lightwell, i.e., on the Property's eastern property line. That is not wholly accurate. The proposed Project provides a lightwell on the eastern side of the Property that both matches the existing lightwell on the western side of the DR Requester's property but also extends to the front on the second floor and the entire front portion of the third floor is setback 3' to provide light and air to the DR Requester's property-line windows even though they that are not protected. (See Exhibit A Sheets A16 - A17.)

In an urban environment, there are no impacts to light and air present that are exceptional or extraordinary warranting the Planning Commission to take DR.

# 4. First Floor Bedroom with En Suite is for Elderly Mother; not for Vacation Rentals

The DR Requester claims that the conversion of the first-floor storage space in the rear of the existing building into a bedroom with en suite bathroom is for vacation rentals. That is not accurate. The proposed first floor bedroom with access to the rear yard is for Ms. Tannenbaum's mother who lives with and receives care from Ms. Tannenbaum. Ms. Tannenbaum's mother is elderly and traversing long distance to use a bathroom is burdensome. While a personal elevator is proposed and accesses all floors of the proposed Project (see **Exhibit A** Sheets A15 – A17), it is only accessed from the first-floor bedroom by way of a small stairway. Thus, it is not reasonably practical for an elderly woman to traverse up stairs and take an elevator ride to access a bathroom on the second or third floor, especially in the middle of the night.

# 5. Existing Garage is Grandfathered and Two Parking Spaces Permitted

The DR Requester has raised concerns regarding the permissibility of the Projects garage with two off-street parking spaces. The Project calls for maintaining the existing garage and proposes two off-street parking spaces. (See Exhibit A Sheet A4 and A15.) While the Property is within the Telegraph Hill – North Beach Residential Special Use District ("SUD"), the controls of the SUD only prevent the addition of off-site parking and "limit the installation of garages." (Planning Code, Section 249.49.) The SUD does not restrict the maintenance of existing garages. While there are no minimum parking requirements in the RH-3 Zoning District, two parking spaces for the dwelling unit are principally permitted. (Planning Code, Sections 151 and 153(a)(5).)

#### C. CONCLUSION

We submit that no exceptional or extraordinary circumstances have been identified by the DR Requester justifying the Planning Commission's denial of this Project. The Project is compatible with the surrounding neighborhood's pattern. The Tannenbaums propose a Project that revamps a single-family home to suit the programmatic needs of a multi-generational family with

President Joel Koppel San Francisco Planning Commission January 7, 2021 Page **6** of **6** 

mobility-challenged individuals while preserving all character defining features of the home. The Project renovates the existing home with desirable floor area and increase in bedroom count to permit the Tannenbaum's, Ms. Tannenbaum's mother, and the Tannenbaum's youngest daughter to reside full time under one roof with access to outdoor space and with an extra bedroom for their other children and grandchildren to visit and comfortably spend weeks at a time. For these reasons, we respectfully request the Planning Commission to not take DR and approve the Project as proposed. Thank you for your consideration. We look forward to presenting this Project to you on January 14, 2021.

Very truly yours,

REUBEN, JUNIUS & ROSE, LLP

Justin A. Zucker

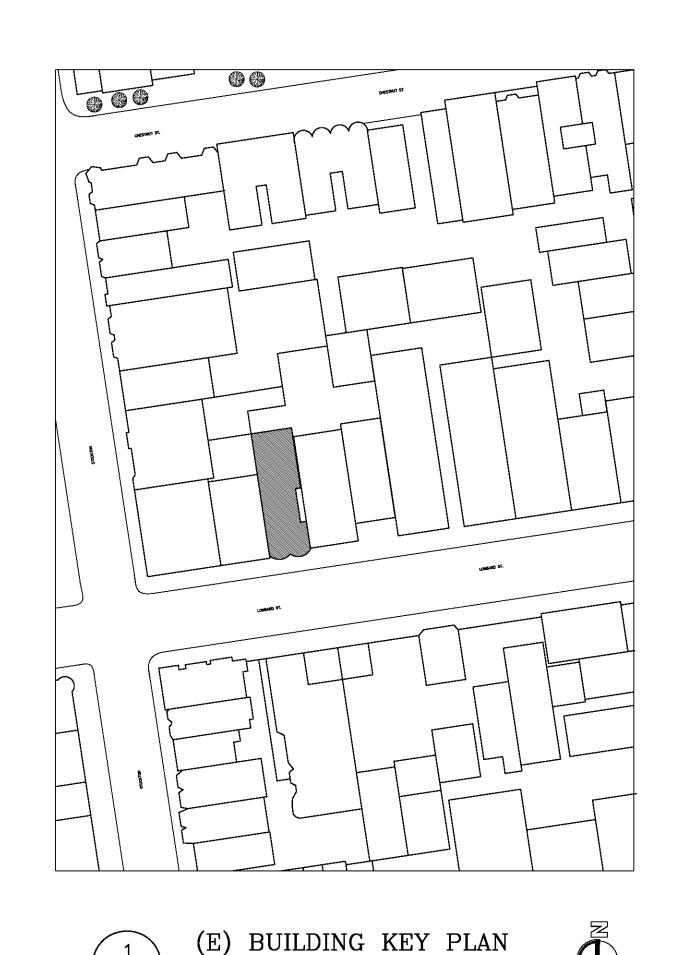
Enclosures: Exhibit A – Plans

Exhibit B – November 4, 2019, Historic Resource Evaluation Response, Part 1 Exhibit C – July 15, 2020, Historic Resource Evaluation Response, Part 2

cc:

Kathrin Moore, Vice President
Deland Chan, Commissioner
Sue Diamond, Commissioner
Frank S. Fung, Commissioner
Theresa Imperial, Commissioner
Rachael Tanner, Commissioner
Renee & Steven Tannenbaum (via email only)
Shaum Mehra (via email only)





# PROJECT DIRECTORY

## BUILDING OWNER:

RENATE & STEVEN TANNENBAUM

476 LOMBARD ST., SAN FRANCISCO, CA 94133 (860) 233-1047

## DESIGNER:

SAN FRANCISCO DESIGN BUREAU

2915 TARAVAL ST. #3 SAN FRANCISCO, CA, 94116

(415)-240-2904

## **GOVERNMENT AGENCIES:**

CITY AND COUNTY OF SAN FRANCISCO

PLANNING DEPARTMENT

1650 MISSION ST. #400 SAN FRANCISCO, CA 94103

(415) 558-6378

# PROJECT DESCRIPTION

THE PROPOSED PROJECT GENERALLY CONSISTS OF THE REMODEL, ALTERATION, AND ADDITION TO AN EXISTING 3 STORY SINGLE—FAMILY RESIDENCE. PROPOSED SCOPE OF WORK INCLUDES HORIZONTAL ADDITIONS TO FLOORS 1,2 AND 3, AND ADDITION OF A NEW ROOF DECK.

THE SUBJECT PROPERTY MAY BE ELIGIBLE FOR INDIVIDUAL LISTING IN THE CALIFORNIA REGISTER OF HISTORIC PLACES UNDER CRITERIA 3 (ARCHITECTURE). THE PROPOSED SCOPE OF WORK SHALL CONFORM WITH THE PROVISIONS OF SF PLANNING CODE ARTICLE 10: PRESERVATION OF HISTORICAL ARCHITECTURAL AND AESTHETIC LANDMARKS.

## PLANNING CODE SUMMARY CODES & STANDARDS

-ZONING DISTRICT: RH-3 (RESIDENTIAL - HOUSE, THREE FAMILY)

-MINIMUM LOT AREA: 2500 SF. (SEC.121)

THREE DWELLING UNITS PER LOT OR ONE DWELLING UNIT PER 800 SFOF LOT AREA. A REMAINING FRACTION OF ONE-HALF OR MORE OF THE MINIMUM OF LOT AREA PER DWELLING UNIT -MAX.DWELLING UNIT DENSITY:

SHALL BE ADJUSTED UPWARDTO THE NEXT HIGHER WHOLE NUMBER OF DWELLING UNITS. (SEC.207(b)(1)

NONE REQUIRED -SIDE YARD SETBACK:

CONSTRUCTION JOINT OR

COLD JOINT

CEILING

CONCRETE

CONSTRUCTION

CONTINUOUS

CONTRACTOR

CORRIDOR

DOUBLE

DETAIL

CLEAR

CLG.

CLR.

DBL. DET.

CONSTR.

AVERAGE OF ADJACENT BUILDING. (SEC.132) -FRONT YARD SETBACK

45% OF LOT DEPTH, EXCEPT OF REDUCTIONS BASED UPON AVERAGE OF ADJACENT BUILDING; IF AVERAGE, LAST 10 FT. IS LIMITED TO HEIGHT OF 30FT. AND A MINIMUM OF 25% OF LOT -REAR YARD SETBACK: DEPTH BUTNO LESS THAN 15 FT. (SEC. 134(C)(1)

-MAX.HEIGHT LIMIT: 40-X: 40'-0" ( AS MEASURED FROM AVERAGE CURB ELEVATION) WITH PARAPETS UP TO AMAXIMUM HEIGHT OF 4' ABOVE BUILDING HEIGHT LIMIT. (SEC 260 (b)(2)(A)).

-OPEN SPACE: 100 SF PER DWELLING UNIT, WITH A MINIMUM 6' WIDTH FOR DECKS AND BALCONIES AND A 10' WIDTH AT GRADE. (SEC. 135(d)(1)

-CAR PARKING REQ'TS ONE OFF-STREET PARKING SPACE PER UNIT. (SEC.151)

-BICYCLE PARKING: ONE CLASS 1 BICYCLE PARKING SPACE PER UNIT. (SEC.155.1(b)(1)).

- 2016 CALIFORNIA ADMINISTRATIVE CODE, PART 1, TITLE 24,

CALIFORNIA CODE OF REGULATIONS (CCR) - 2016 CALIFORNIA BUILDING CODE (CBC), PART 2, TITLE 24, CCR

(2006 IBC AND 2007 CALIFORNIA AMENDMENTS)

(2005 NEC AND 2007 CALIFORNIA AMENDMENTS) 2016 CALIFORNIA MECHANICAL CODE (CMC), PART 4, TITLE 24, CCR

- 2016 CALIFORNIA ELECTRICAL CODE (CEC), PART 3, TITLE 24, CCR

(2006 UMC AND 2007 CALIFORNIA AMENDMENTS)

- 2016 CALIFORNIA PLUMBING CODE (CPC), PART 5, TITLE 24, CCR

(2006 UPC AND 2007 CALIFORNIA AMENDMENTS) PART 6 - 2016 CALIFORNIA ENERGY CODE, PART 6, TITLE 24, CCR

PART 9 - 2016 CALIFORNIA FIRE CODE (CFC), PART 9, TITLE 24, CCR

SYMBOLS

PART 11 - 2016 CALIFORNIA REFERENCE STANDARDS CODE, PART 11, TITLE 24, CCR

## RESIDENTIAL REMODEL & ADDITION

476 LOMBARD ST

SAN FRANCISCO, CA, 94133

OWNER: RENATE & STEVEN TANNENBAUM

(860) 233-1047

# SCOPE OF WORK:

ADDITION TO (E) THIRD FLOOR RECONFIGURE (E) SECOND FLOOR RELOCATE (E) KITCHEN & BATH TO (N) THIRD FLOOR ADDITION ADD (N) POWDER ROOM, (N) STAIRCASE, (N) ROOF DECK & (N) THIRD FLOOR BALCONY ADD (N) ELEVATOR

# BUILDING DATA

2016 CBC WITH SAN FRANCISCO COUNTY AMENDMENTS APPLICABLE CODE TYPE V-B (E) TYPE OF CONSTRUCTION

-THIRD FLOOR (STORAGE )	163 S.F.
-SECOND FLOOR	1637 S.F.
-FIRST FLOOR	1392 S.F.
-ENTRY	106 S.F.
-GARAGE & STORAGE	1286 S.F.
(N) GROSS UNIT AREA	5258 S.F.
-THIRD FLOOR	1409 S.F.
-SECOND FLOOR	1889 S.F.
-FIRST FLOOR	1469 S.F.
-ENTRY	163 S.F.
-LIVING	451 S.F.
-GARAGE & STORAGE	855 S.F.
-ROOF DECK	448 S.F.

(E)	NUMBER	OF	STORIES	

(E) GROSS UNIT AREA

**THREE** (N) NUMBER OF STORIES (PROJECT AREA) (E) SPRINKLER SYSTEM (N) SPRINKLER SYSTEM

(E) NUMBER OF DWELLING UNITS (N) NUMBER OF DWELLING UNITS **BLOCK NUMBER** 

LOT NUMBER BUILDING USE

OCCUPANCY TYPE EXITS REQUIRED EXITS PROVIDED

DWG.

NO.

Α1

Α2

Α3

Α4

Α5

Α6

Α7

8A

Α9

A10

A11

A12

A13

A14

A15

A16

SHT

NO.

10

15

16

**THREE** YES

0062 017A RESIDENTIAL GROUP R3/U

3192 S.F.

2 EXITS 2 EXITS

# SHEET INDEX

SHEET TITLE
TITLE SHEET / KEY PLAN NEIGHBORHOOD VICINITY PLAN
DEMOLITION DIAGRAM/CALCULATIONS
EGRESS CALCULATIONS / DIAGRAMS
(E) FIRST FLOOR PLAN
(E) SECOND FLOOR PLAN
(E) THIRD FLOOR PLAN
(E) ROOF PLAN
(E) SOUTH ELEVATION
(E) EAST ELEVATION
(E) NORTH ELEVATION
(E) WEST ELEVATION
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RESIDENTIAL ADDITION 476 LOMBARD ST., SAN FRANG RENATE & STEVEN TANNENBA
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DATE: <b>06</b> -
SCALE: AS
DRAWN: <b>SM/</b>
JOB # 1817
DRAWING N

# ABBREVIATIONS

D.F. DRINKING FOUNTAIN DIA. DIAMETER I.A.W. NUMBER OR POUND DIMENSION **EXISTING** INSUL. DOOR OPENING **FUTURE** K.P. KICKPLATE DOOR NEW (PROVIDE & INSTALL) D.S. DOWNSPOUT REINSTALLED LT. LIGHT DWG. DRAWING ANCHOR BOLT MAT. MATERIAL EA. FACH AIR CONDITIONING MAX. MAXIMUM **EXPANSION JOINT** ASPHALTIC CONCRET M.B. ELEV. ELEVATION ACOUSTICAL CEILING MECH. ELEC. **ELECTRICAL** E.N. **ENDNAIL** ADJUSTABL FOUAL **AGGREGATE** MIN. EXPANSION SHIELD ALUM. ALUMINUM **EXPANSION ALTERNATE** M.S. EXT. **EXTERIOR** ANODIZED MOUNTED ANOD. MTD. FINISH APPROX. APPROXIMAT FLOOR N.I.C. ARCH. F.D. FLOOR DRAIN BACK OF, OR BOTTOM OF NO. NUMBER FACE OF CONCRETE BLDG. NOMINAL F.O.F. FACE OF FINISH N.T.S. BLK. **BLOCK** NOT TO SCALE F.O.S. FACE OF STUDS BEAM FT. FTG. FOOT OR FEET OBSCURE B.O.J. BOTTOM OF JOISTS FOOTING 0.C. ON CENTER O.D. OUTSIDE DIAMETER B.U.R. **BUILT-UP ROOFING** GAUGE OFF. OFFICE CEM. CEMENT GALV. GALVANIZE OPENING CERAMIC G.B. GRAB BAR **OPPOSITE** CAST IRON

GLASS

GRADE

HEADER

HARDWARE

G.W.B.

HC.

HDR.

H.M.

HDWE.

HORIZ.

HVAC

GALVANIZED SHEET METAL

GYPSUM WALL BOARD

HEATING/VENTILATION/

HANDICAPPED

HOLLOW METAL

HORIZONTAL

IN ACCORDANCE WITH INSIDE DIAMETER INSULATION LABORATORY MACHINE BOLT MECHANICAL MEMBRANE MANUFACTURER MINIMUM OR MINUT MISCELLANEOUS MACHINE SCREW NOT IN CONTRACT

PANIC BAR

PLASTER

PLYWOOD

POINT

P.D.F.

PLAS.

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P.T.

PT.

PARAGRAPH

PLASTIC LAMINATE

POINT OF CONNECTION

PRESSURE TREATED

POWDER DRIVEN FASTENER

REFERENCE REINF. REINFORCE OF REINFORCING R.O. ROUGH OPENING SCHED. SECT. **SCHEDULE** SECTION SH. SHELF SHT. SHTG. SIM. S.M. S.M.S. SPEC. STD. STRUCT. STL. STEEL SUSP. SYM. THICK T.B.R. T.N. T.S.

WSCT.

SHEET SHEATHING SIMILAR SHEET METAL SHEET METAL SCREW **SPECIFICATION** STAINLESS STEEL STANDARD STRUCTURAL SUSPENDED SYMMETRICAL TELEPHONE TO BE REMOVED TOILET PAPER HOLDER TOP OF SLAB **TYPICAL** UNFINISHED V.C.T. VINYL COMPOSITION TILE VERT. VERTICAL V.W.C. VINYL WALL COVERING W/O

WAINSCOT

WELDED WIRE FABRIC

WEIGHT

101

UNLESS OTHERWISE NOTED WITHOUT WATERPROOF WEATHERSTRIPPING

DOOR NUMBER

**ROOM NAME & NUMBER** 

WINDOW TYPE

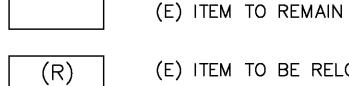
SHEET NOTE

ROOM ELEVATIONS

GRID REFERENCE

PROJECT NORTH

(E) ITEM TO BE REMOVED



(E) ITEM TO BE RELOCATED

**ELEVATION TARGET** 

WALL SECTION

DETAIL TARGET



(N) ITEM

20 A19 A20 22 A21 23 A22 24 A23 25 A24

A17 (N) THIRD FLOOR PLAN A18 (N) ROOF DECK PLAN (N) SOUTH ELEVATION (N) EAST ELEVATION (N) NORTH ELEVATION (N) WEST ELEVATION (N) BUILDING SECTION (N) BUILDING SECTION

RESIDENTIAL AI 476 LOMBARD ST., RENATE & STEVEN 06-24-19 AS NOTED AWN: SM/EK B # 1817 DRAWING NUMBER

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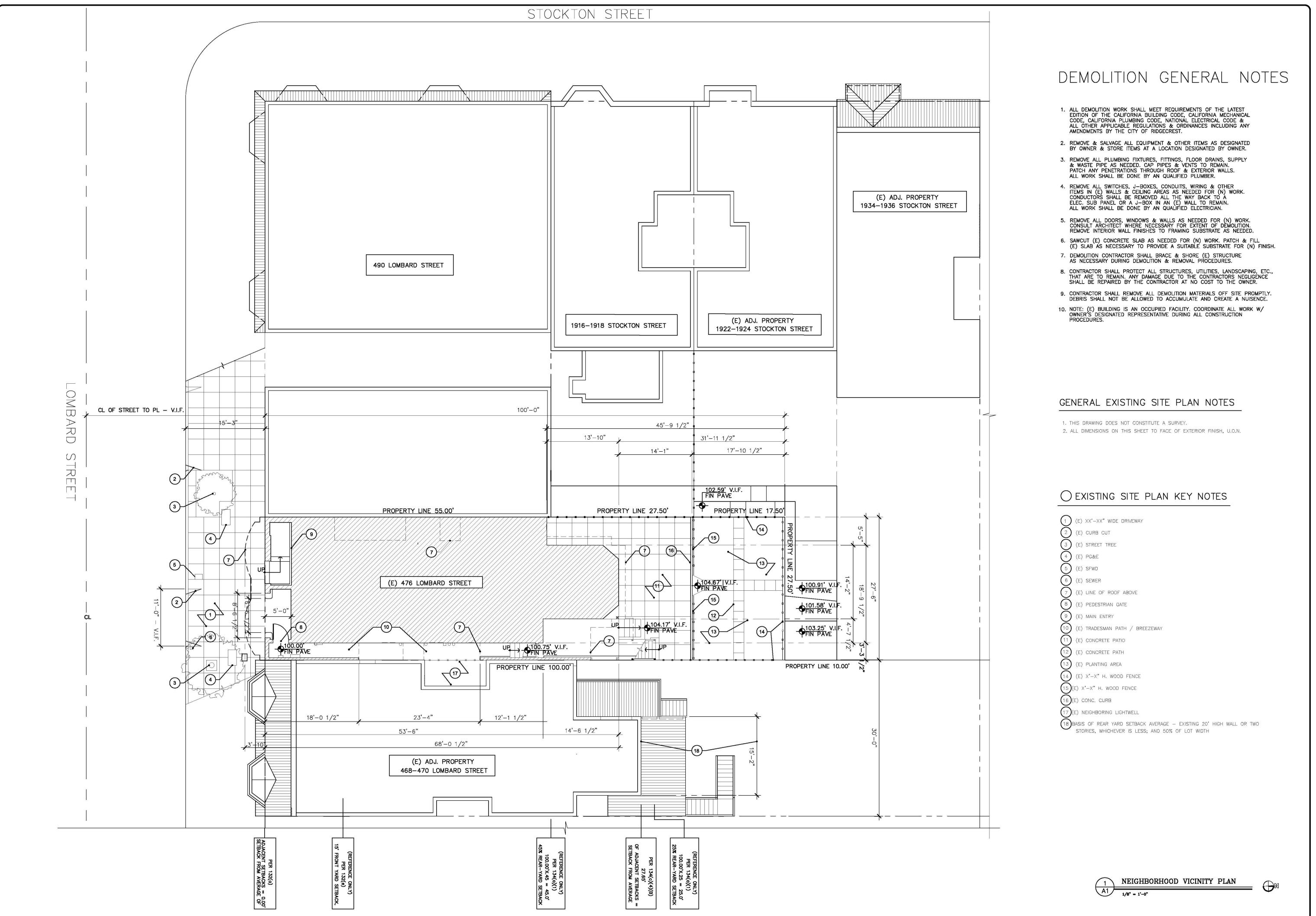
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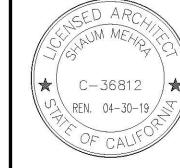
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DATE: 06-24-19

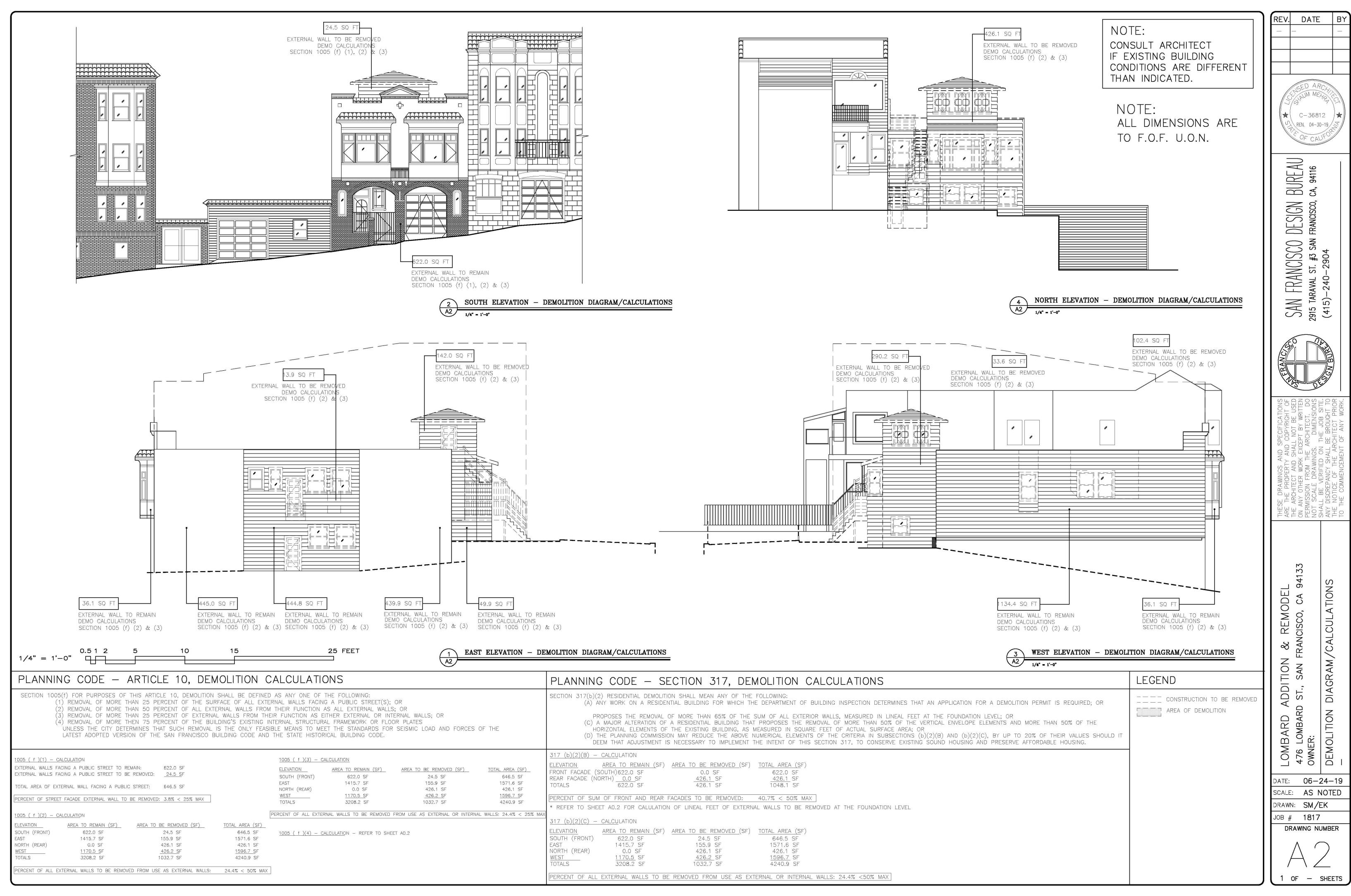
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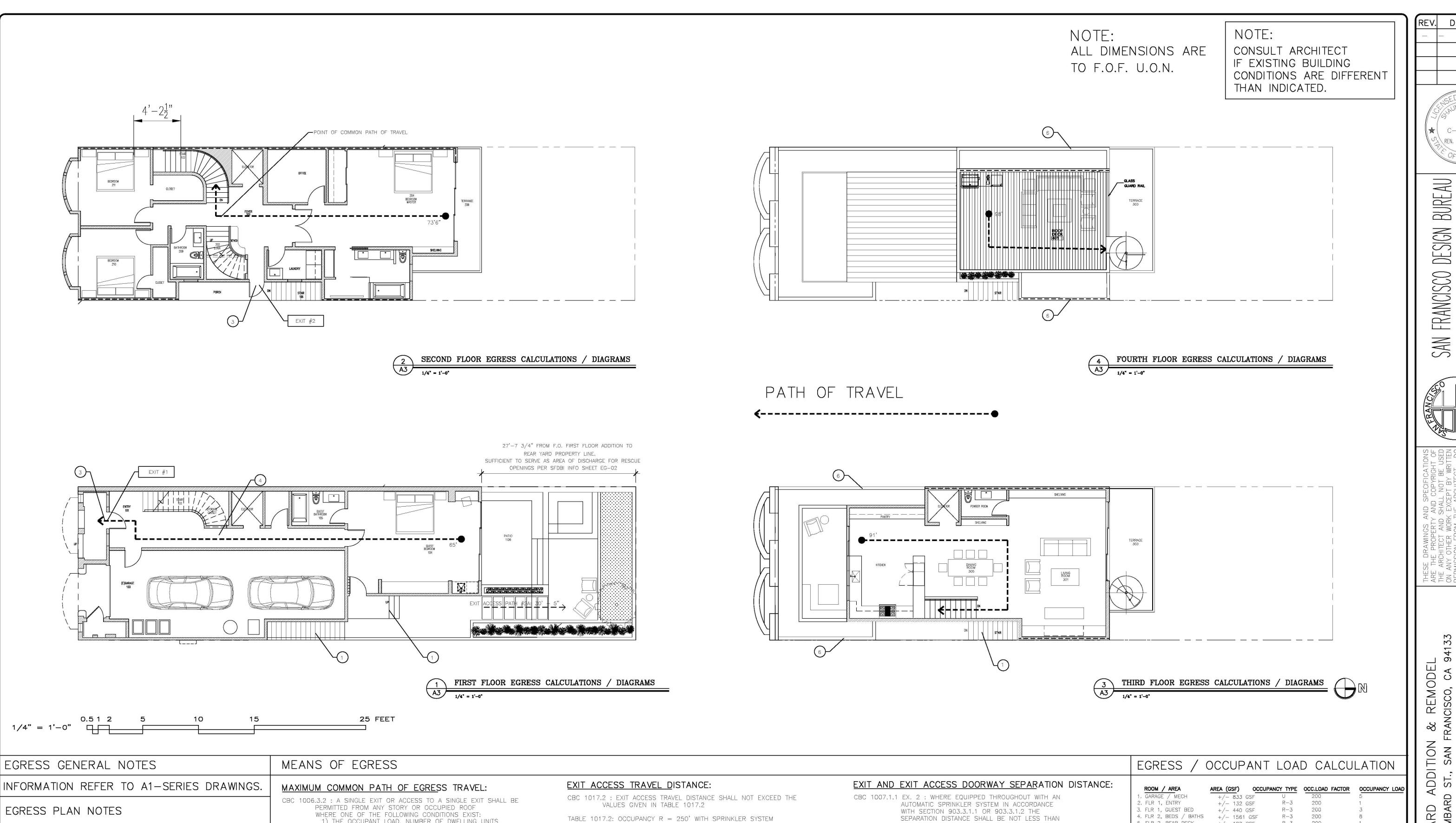
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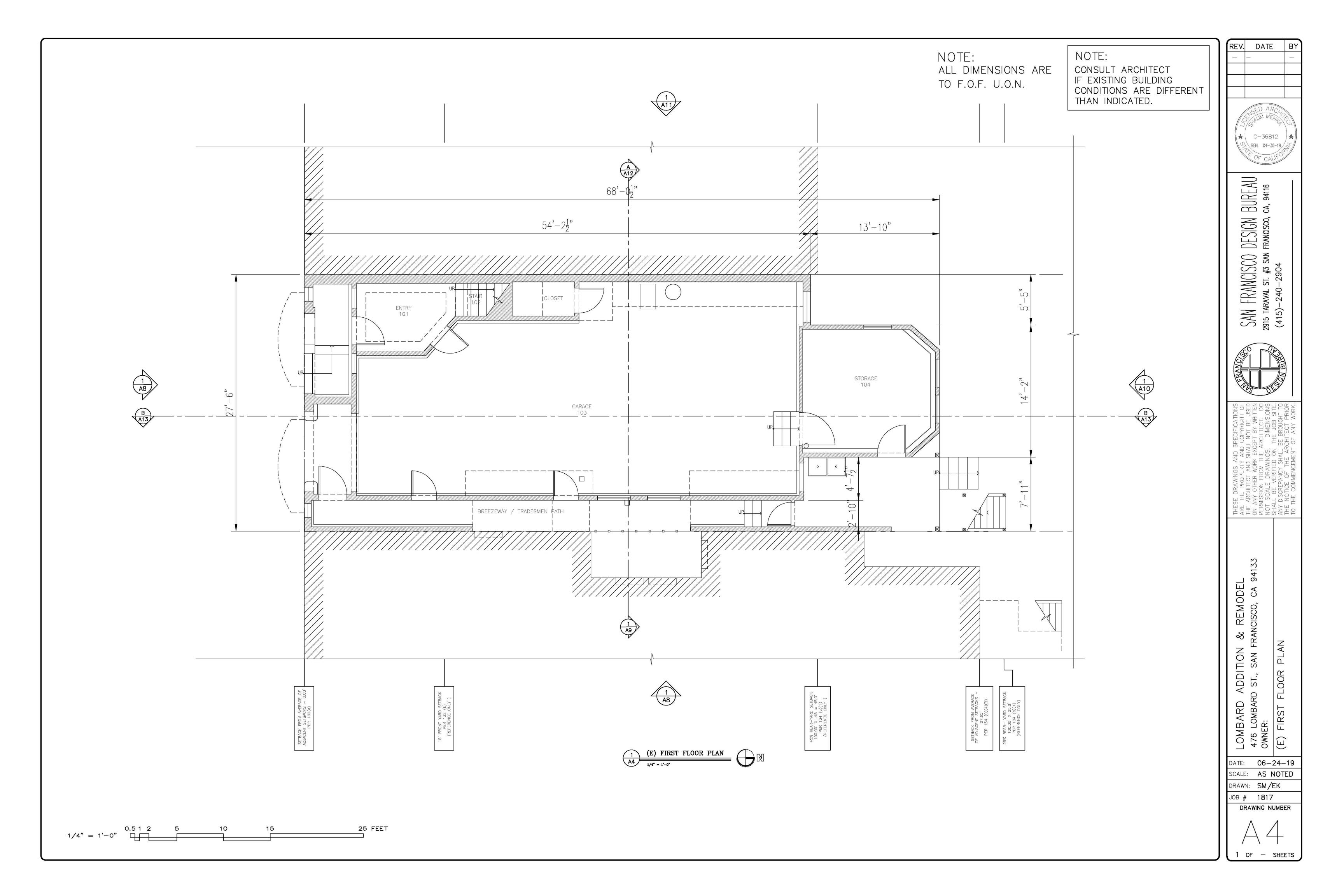
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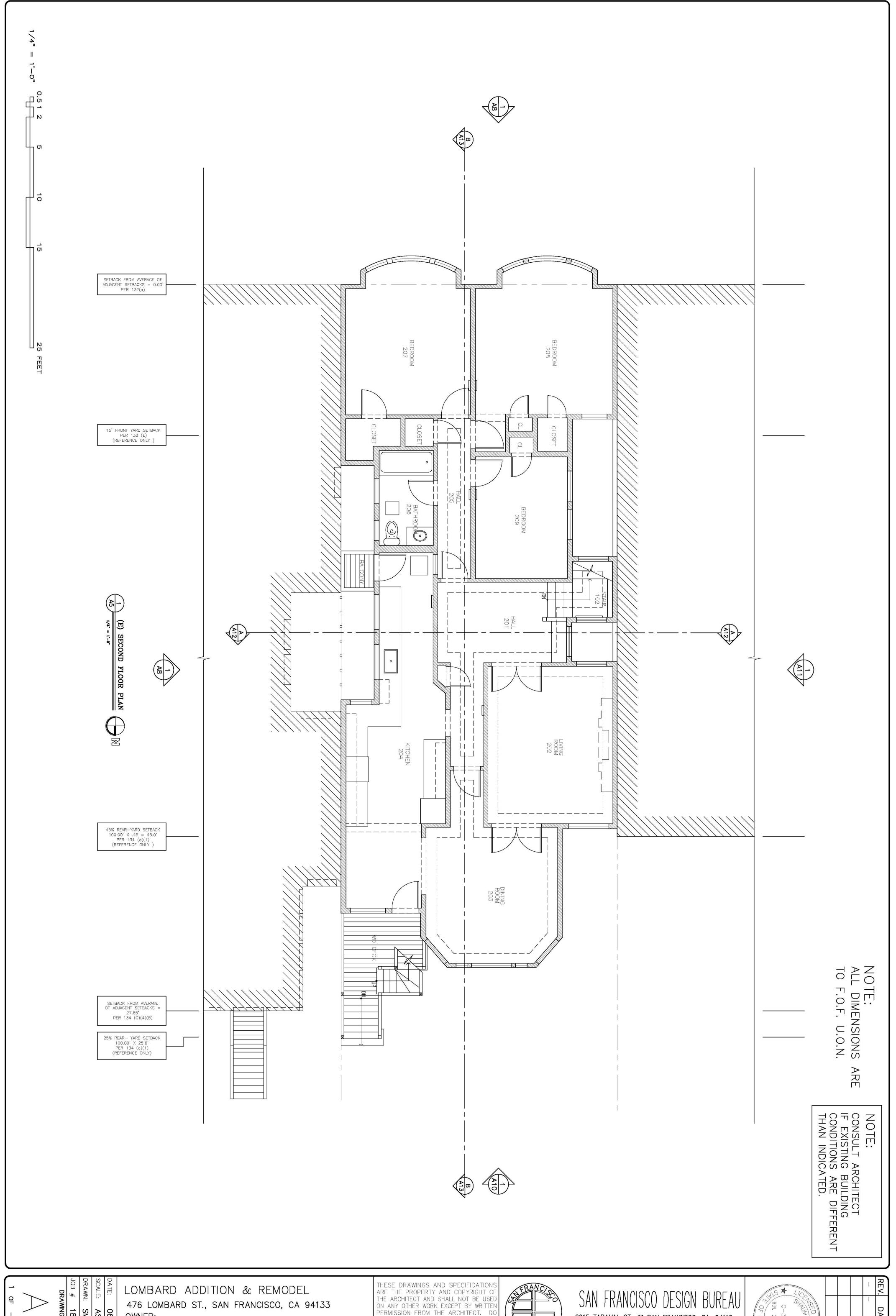
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OF - SHEETS

### LOMBARD A 476 LOMBARD OWNER: EGRESS CAL( 1) THE OCCUPANT LOAD, NUMBER OF DWELLING UNITS 5, FLR 2, REAR DECK R-3200 +/- 182 GSF ONE-THIRD OF THE LENGTH OF THE MAXIMUM AND EXIT ACCESS TRAVEL DISTANCE DO NOT 6. FLR 3, LIVING / KITCHEN +/-971 GSF R-3200 EXIT #1 DISTANCE TO DISCHARGE OVERALL DIAGONAL DIMENSION OF THE AREA EXCEED THE VALUES IN TABLE 1006.3.2(1) OR DINING / POWDER $\overline{\text{COMMON PATH OF}} = 101' - 1"$ SERVED. 1006.3.2(2). 7. FLR 3, FRONT DECK (1) 7 3/4" MAX. RISER HEIGHT AND 10" MIN. TREAD DEPTH R-3 200 EGRESS TRAVEL 2) ROOMS AREAS AND SPACES AT THE LEVEL OF EXIT 8. FLR 3, REAR DECK R-3 200 +/-170 GSF OVERALL DIAGONAL DIMENSION = 70' - 9" (AT WALKLINE FOR WINDER STAIRS) 9. ROOF DECK DISCHARGE, COMPLYING WITH SECTION 1006.2.1 R-3 200 +/-491 GSF SECOND TO FIRST FLOOR= 11' - 6" WITH EXITS THAT DISCHARGE DIRECTLY TO THE (2) MOST REMOTE POINT OF COMMON PATH OF EGRESS TRAVEL TOTAL OCCUPANCY LOAD 28 ONE-THIRD DIMENSION = 23' - 7" TOTAL AREA (GSF) +/-4938 GSF EXTERIOR, ARE PERMITTED TO HAVE ONE EXIT OR ACCESS TO A SINGLE EXIT. DATE: 06-24-19 (3) EXIT ACCESS DOORWAY SEPARATION DISTANCE = 11' - 6"FIRST FLOOR TO EXIT=9' - 4" EXIT #1 TOTAL DISTANCE= 139' - 3" < 250' - 0" SCALE: AS NOTED TABLE 1006.3.2(1): OCCUPANCY R-3 = 125' WITH SPRINKLER SYSTEM (4) EXIT PASSAGE WAY FOR THE PURPOSE OF OCCUPANCY LOAD CALCULATIONS GROSS FLOOR AREA IS MEASURED (5) EXIT DISCHARGE DRAWN: SM/EK ROOF TO THIRD FLOOR= 29' - 6" INSIDE PERIMETER OF THE EXTERIOR WALLS OF THE BUILDING PER CBC SECTION 1002. VERTICAL EGRESS TRAVEL DISTANCE: EXIT #2A DISTANCE TO DISCHARGE EXIT #2B DISTANCE TO DISCHARGE (6) 1 HR FIRE RATED PARAPET JOB # **1817** CRC R311.4 : ...FOR HABITABLE LEVELS OR BASEMENTS LOCATED MORE THIRD TO SECOND FLOOR= 35' - 10" LEGEND COMMON PATH OF = 101'-1"COMMON PATH OF = 101'-1"THAN ONE STORY ABOVE OR MORE THAN ONE STORY EGRESS TRAVEL EGRESS TRAVEL BELOW AN EGRESS DOOR, THE MAXIMUM TRAVEL DISTANCE FROM ANY OCCUPIED POINT TO A STAIRWAY OR TOTAL DISTANCE= 101' - 1" < 125' - 0" SECOND TO FIRST FLOOR= 15' - 0" 25' - 11" SECOND TO FIRST FLOOR= 15' - 0" 25' - 11" ← X'-X" EXIT ACCESS TRAVEL DISTANCE RAMP THAT PROVIDES EGRESS FROM SUCH HABITABLE LEVEL OR BASEMENT, SHALL NOT EXCEED 50 FEET. COMMON PATH OF TRAVEL FIRST FLOOR TO EXIT= 30' - 5" FIRST FLOOR TO EXIT= 69' - 10" ---- OVERALL DIAGONAL DIMENSION OF AREA SERVED FURTHEST POINT AT ROOF DECK EXIT #2 TOTAL DISTANCE= 211' - 10" < 250' - 0" EXIT #2 TOTAL DISTANCE= 172' - 5" < 250' - 0" TO EDGE OF TOP RISER 29' - 6" > 50' - 0" --- 1 HR FIRE RATED ASSEMBLY





DATE: 06-24-19
SCALE: AS NOTED
DRAWN: SM/EK
JOB # 1817
DRAWING NUMBER

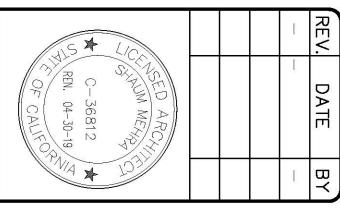
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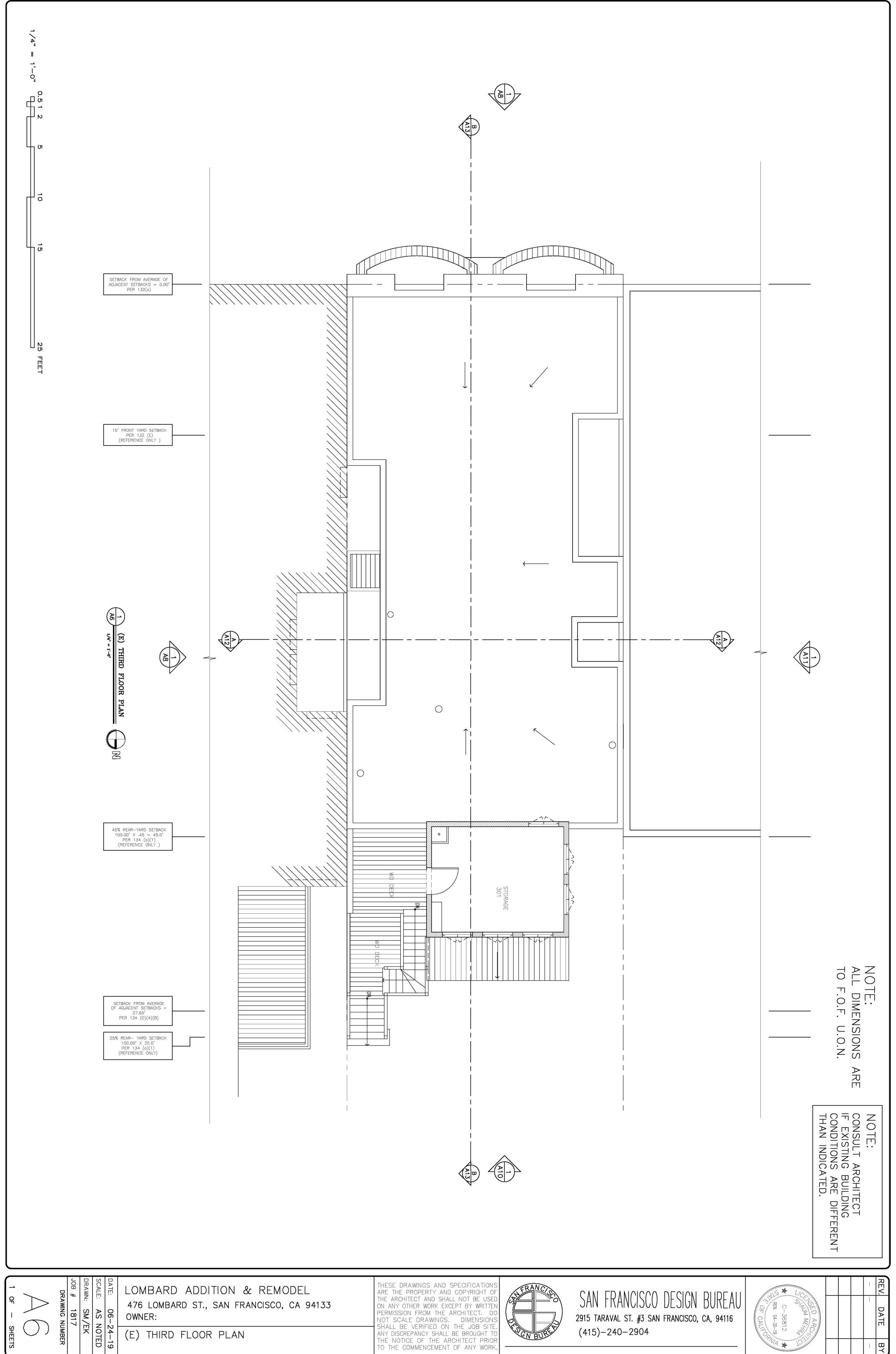
(E) SECOND FLOOR PLAN

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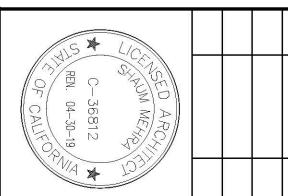
476 LOMBARD ST., SAN FRANCISCO, CA 94133 OWNER:

(E) THIRD FLOOR PLAN

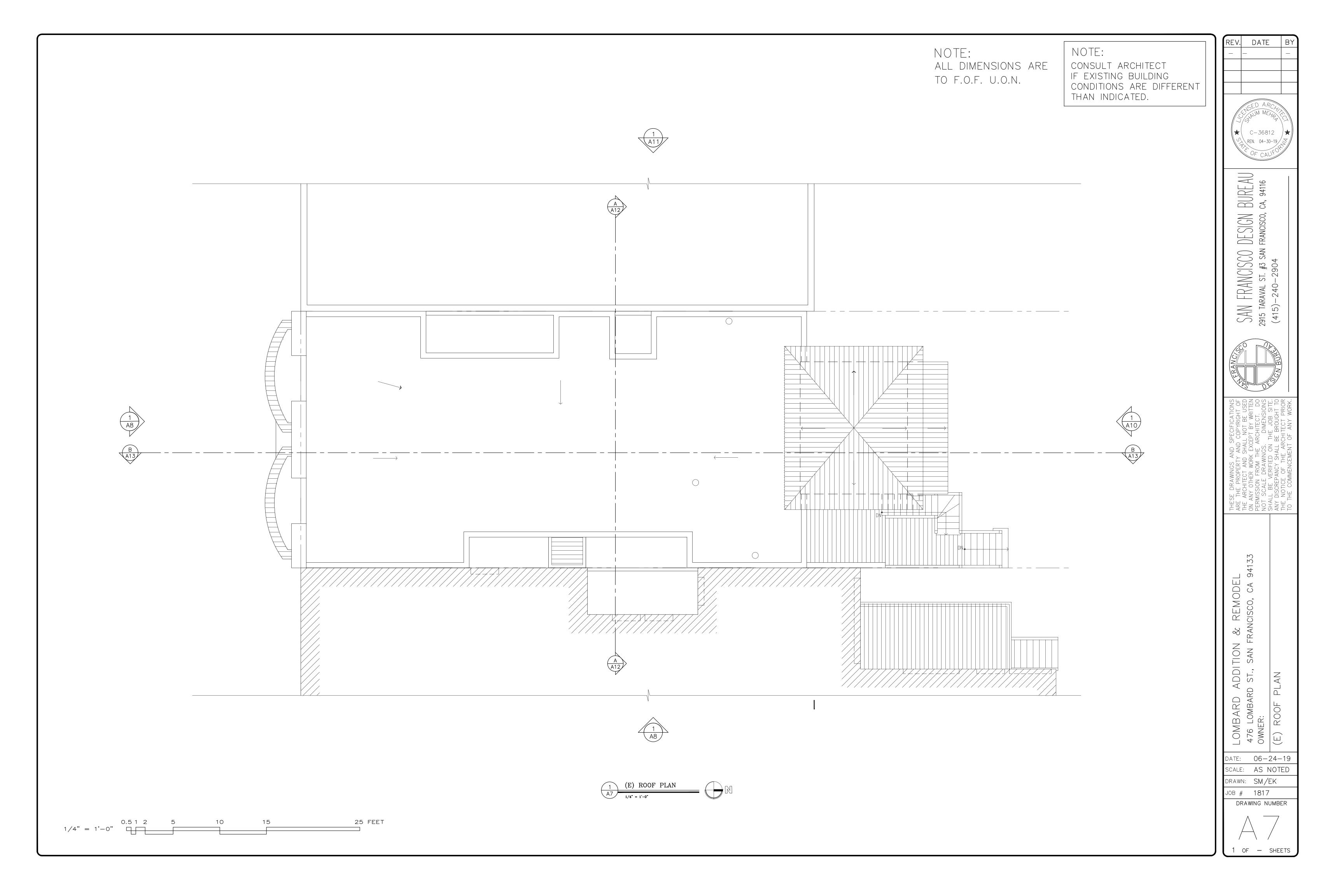
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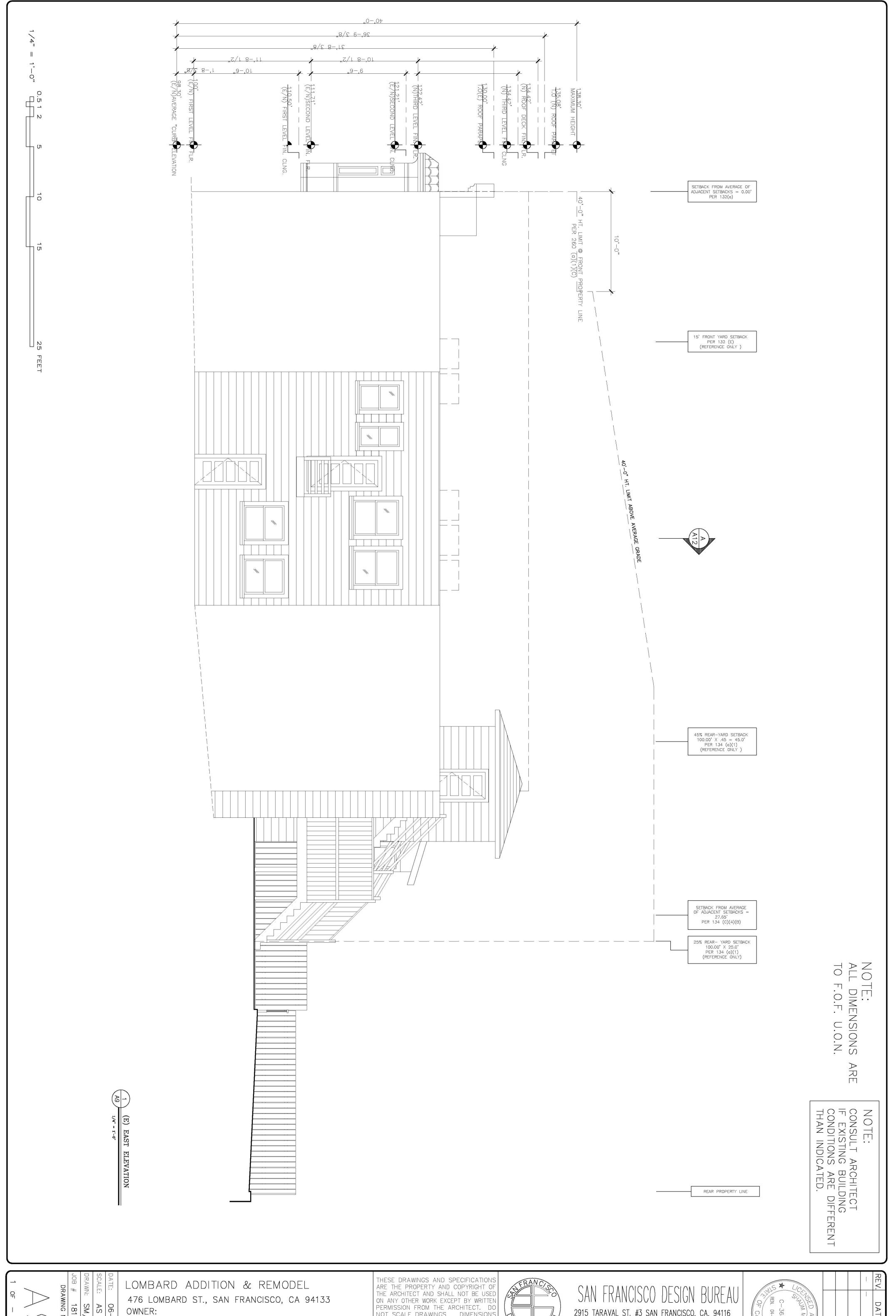
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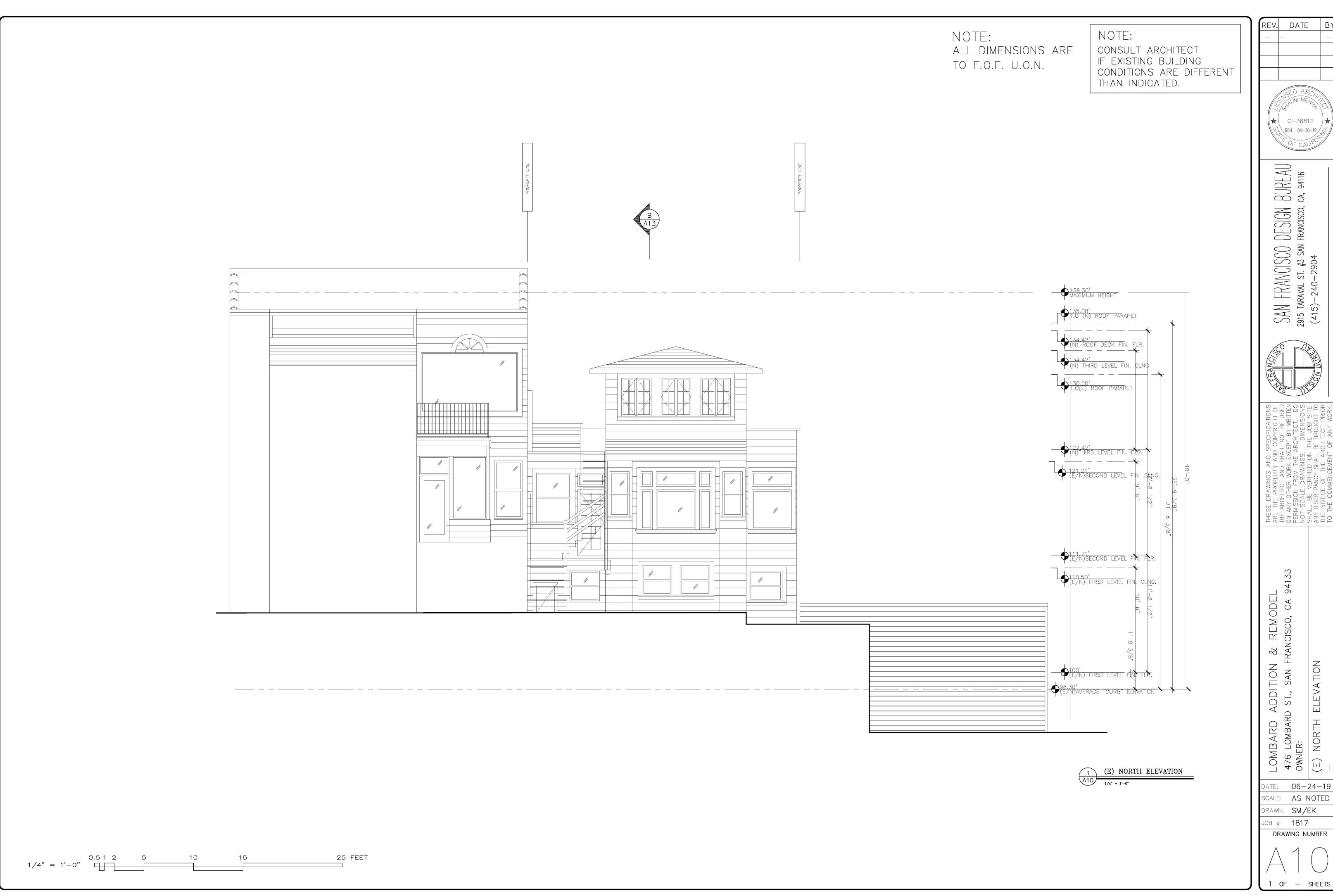
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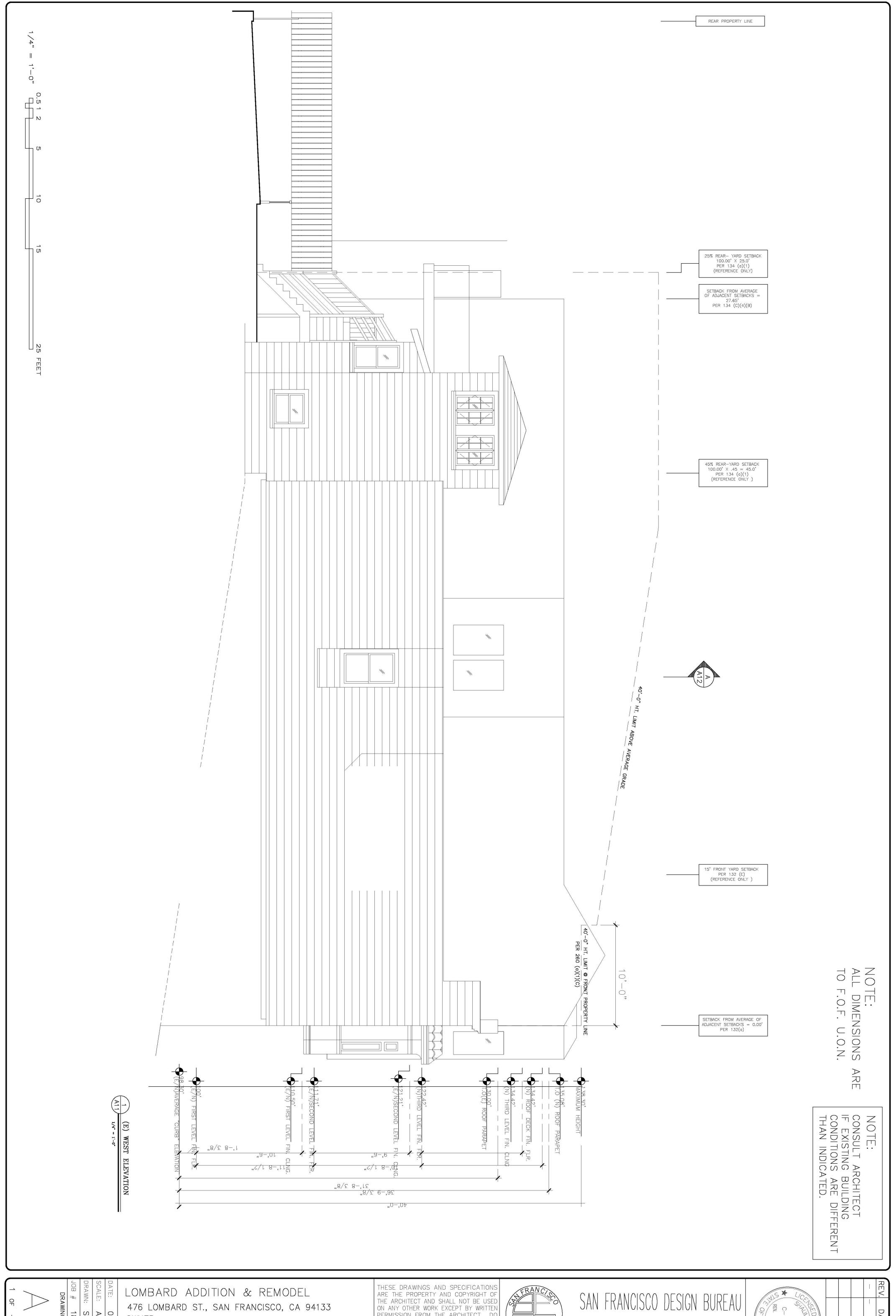
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B # 1817

DRAWING NUMBER OWNER: 2915 TARAVAL ST. #3 SAN FRANCISCO, CA, 94116 (415)-240-2904 (E) EAST ELEVATION





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DRAWING NUMBER

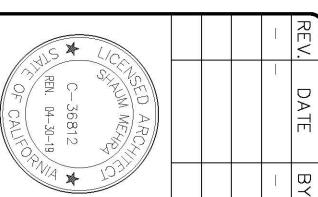
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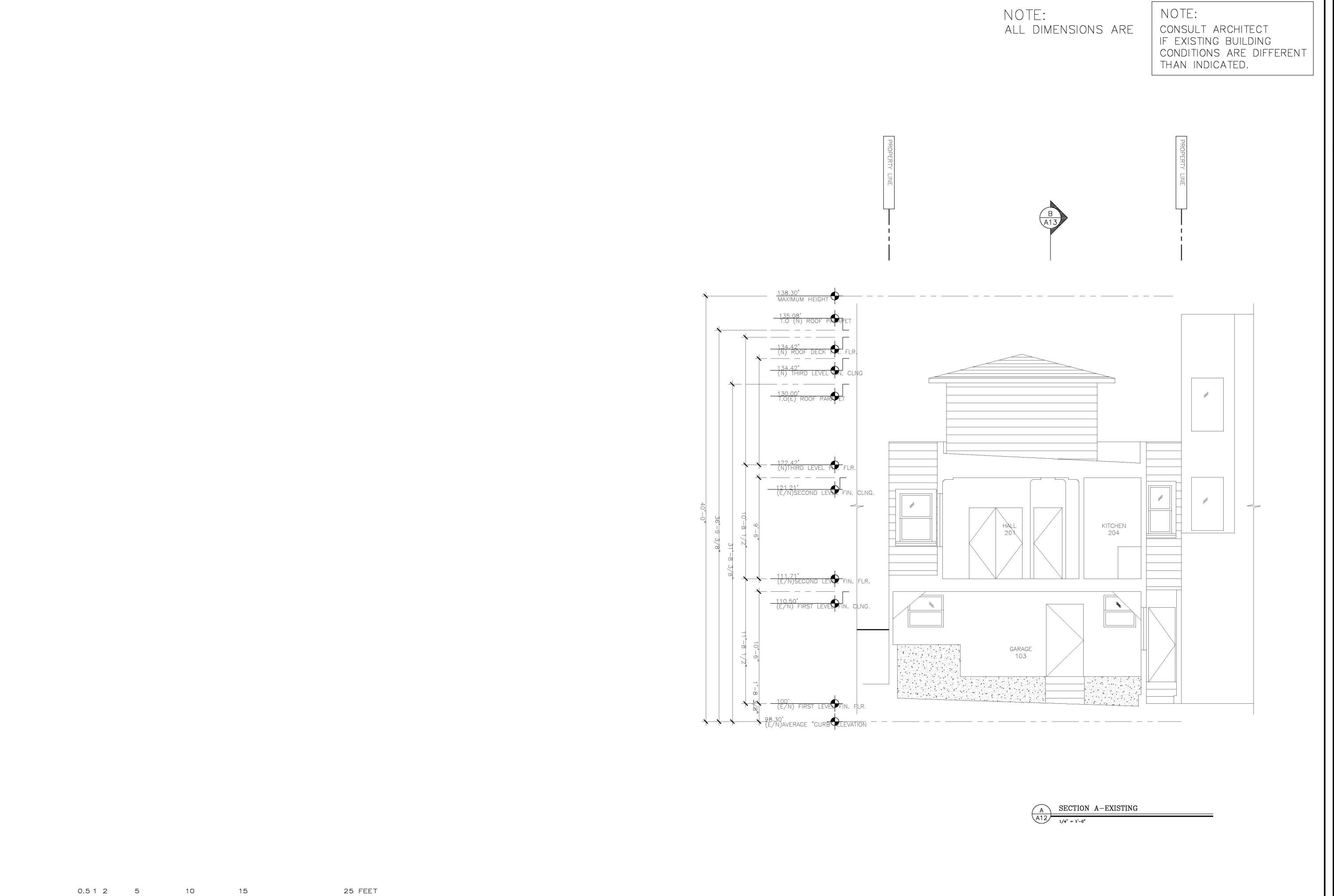
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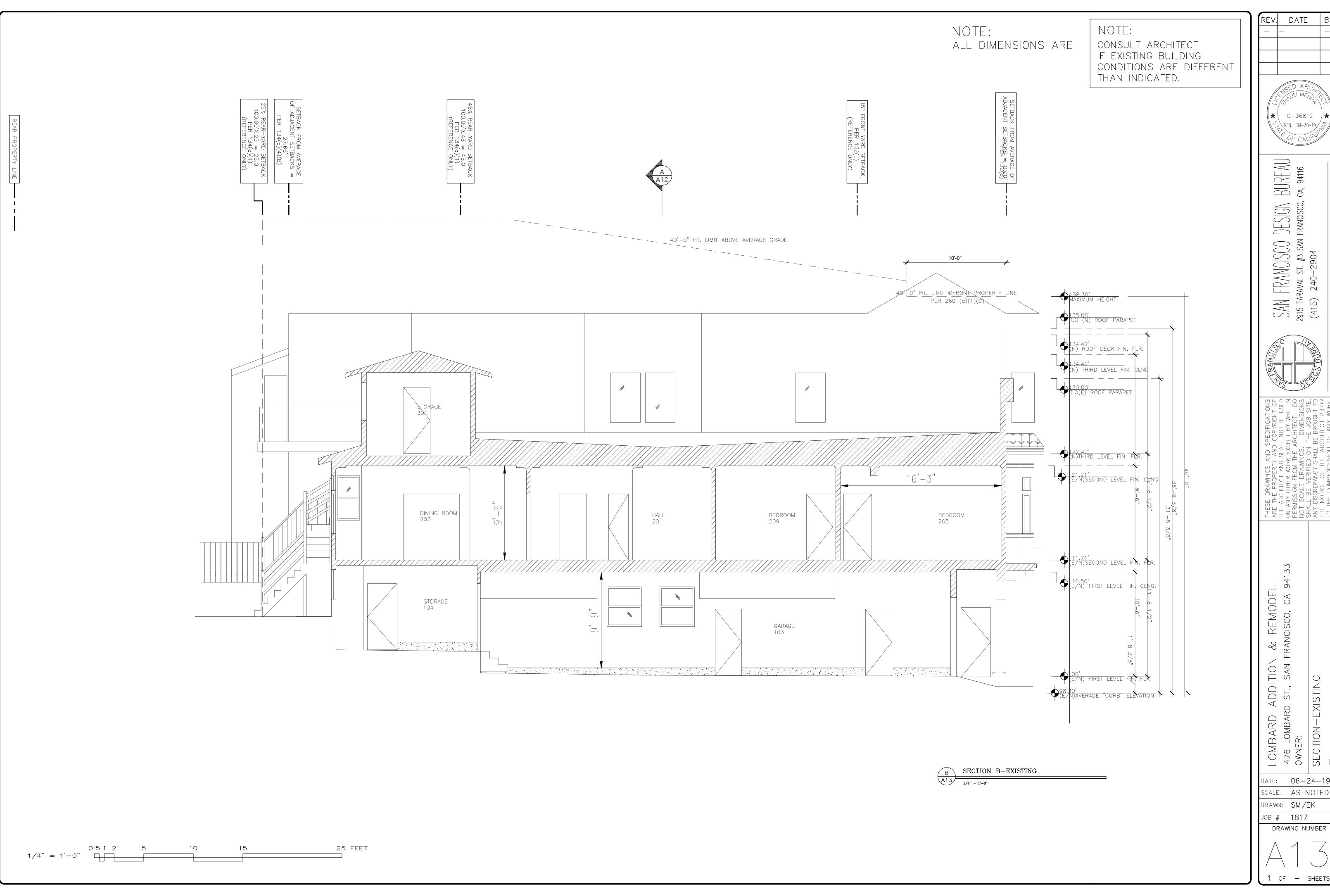
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LOMBARD ADDITION & REMODEL
476 LOMBARD ST., SAN FRANCISCO, CA 94133
OWNER:
SECTION—EXISTING

DATE: 06-24-19 SCALE: AS NOTED

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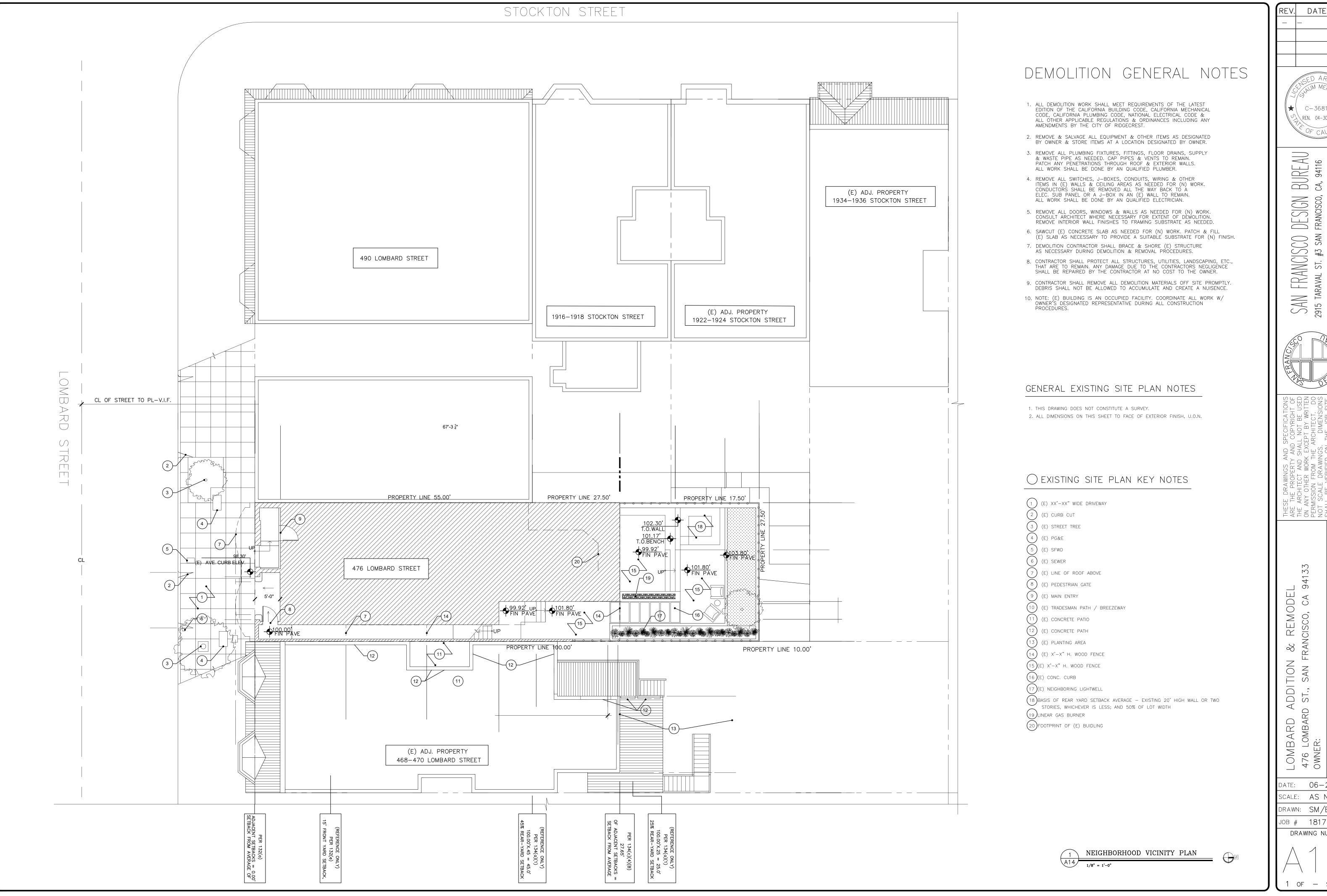
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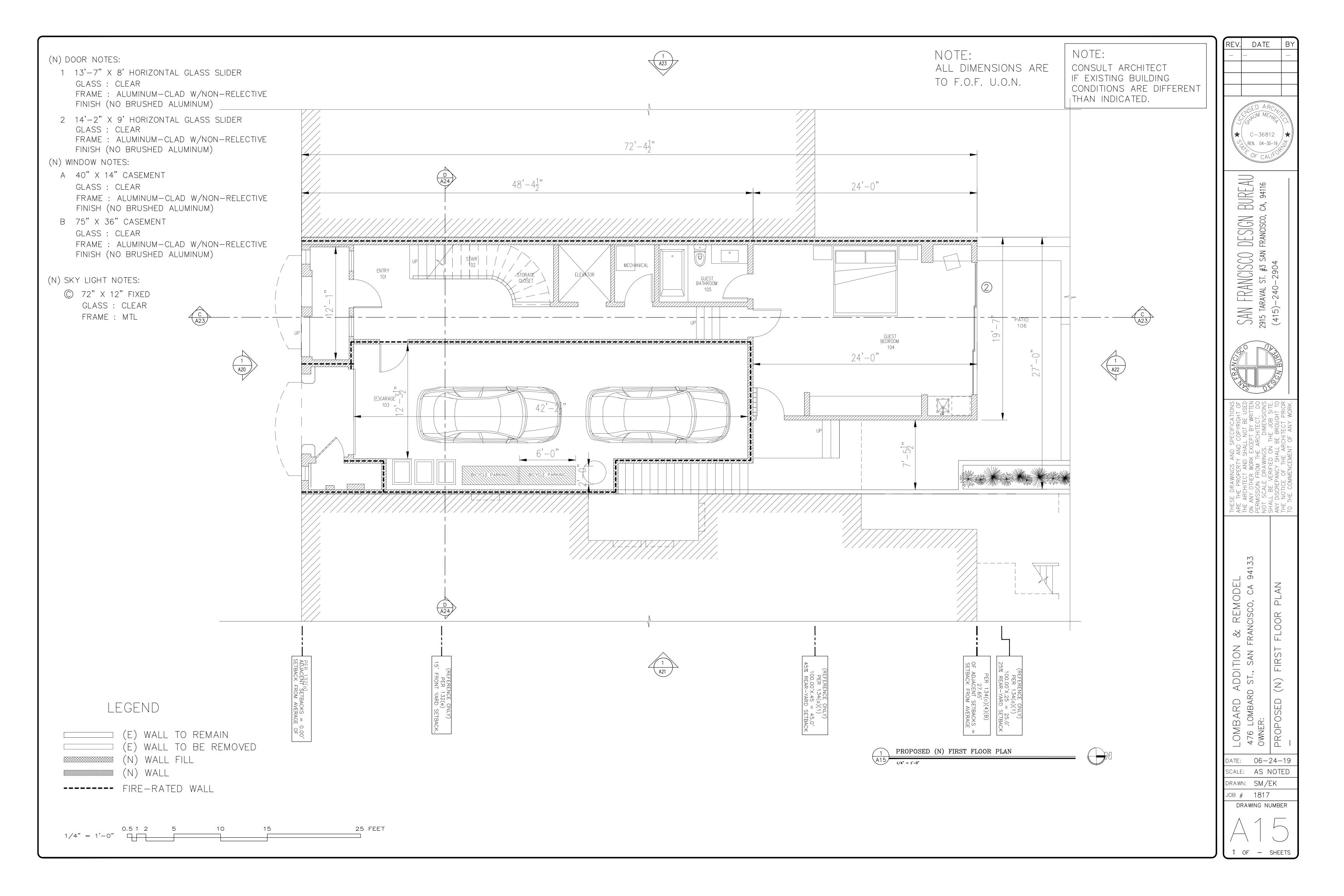


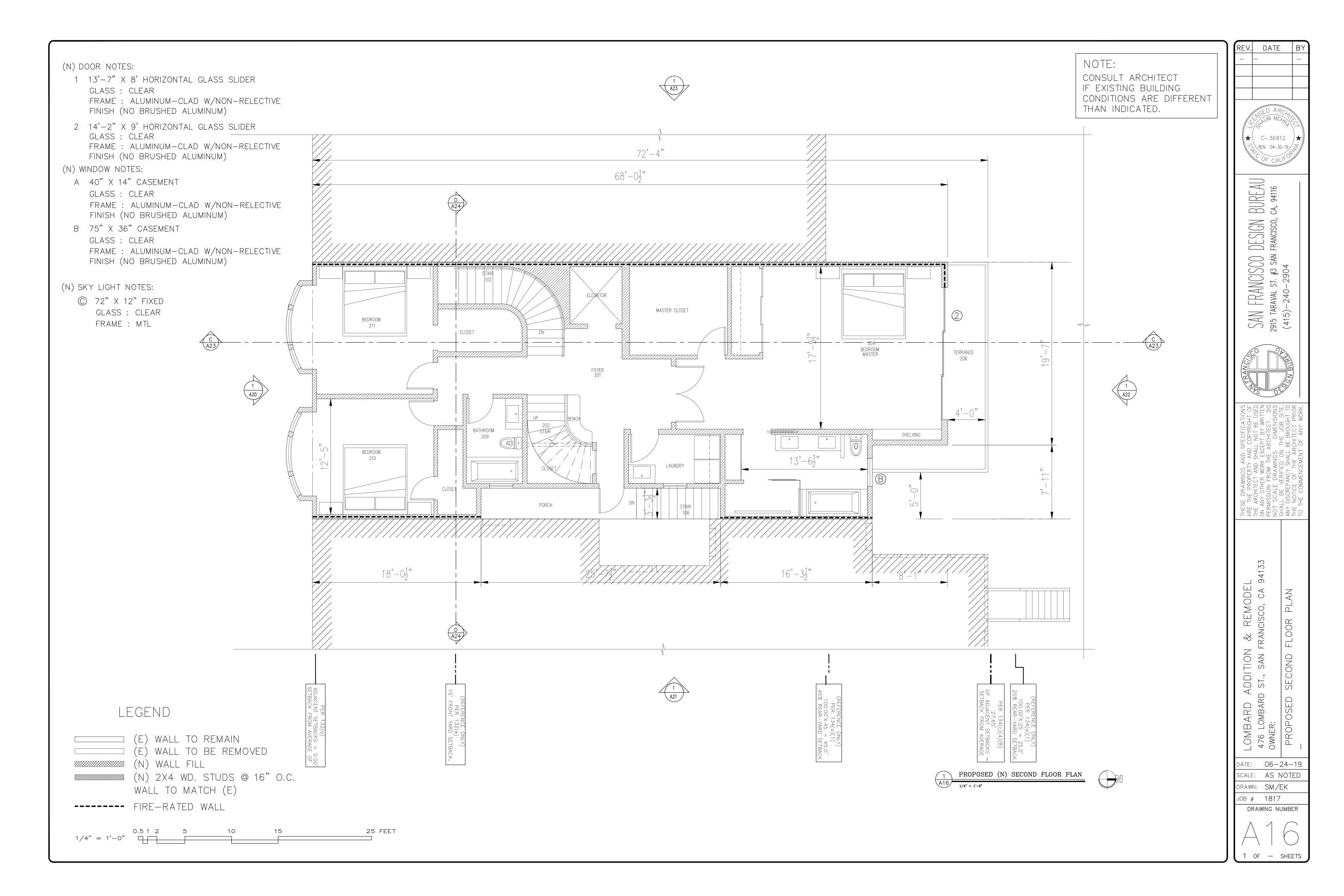
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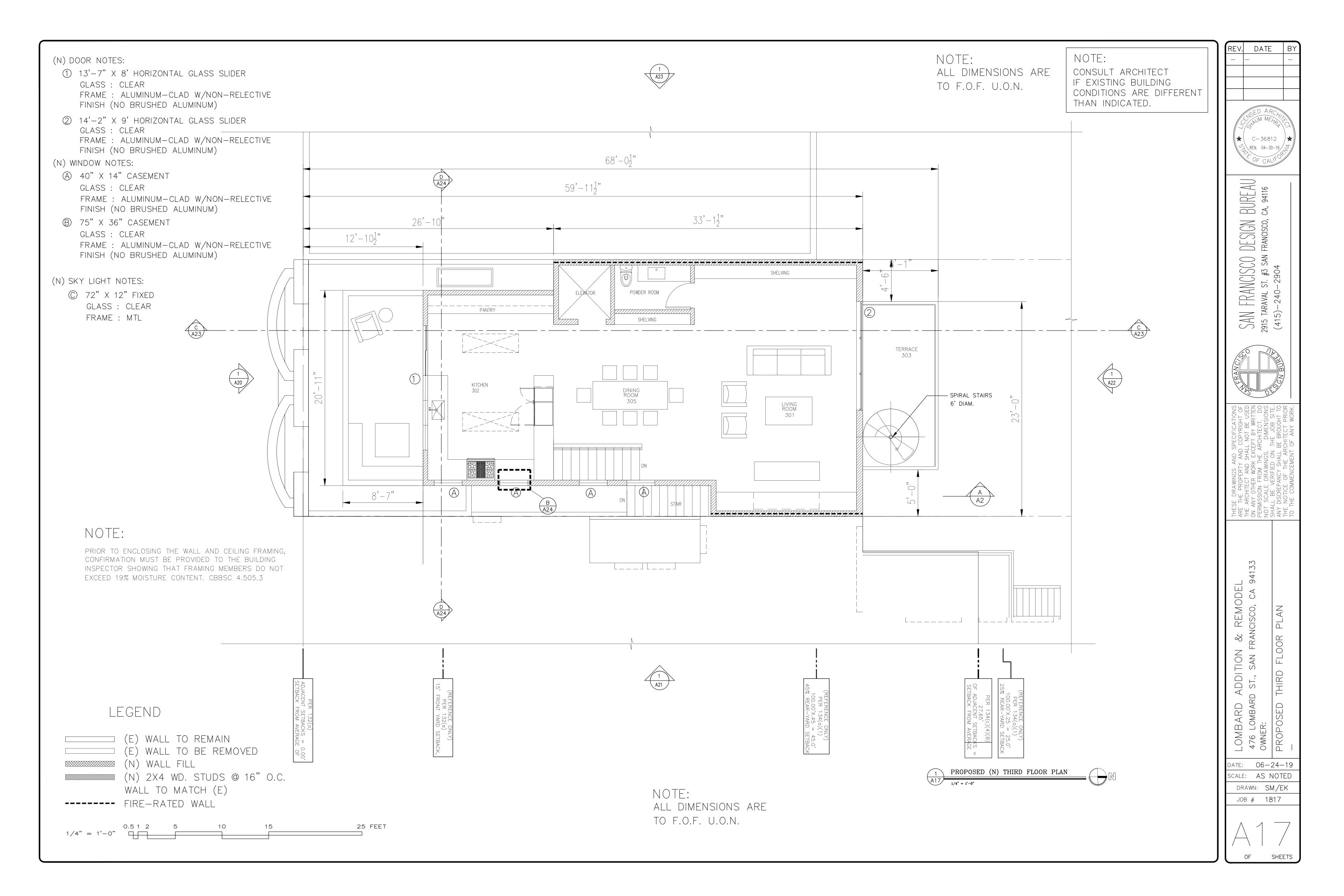
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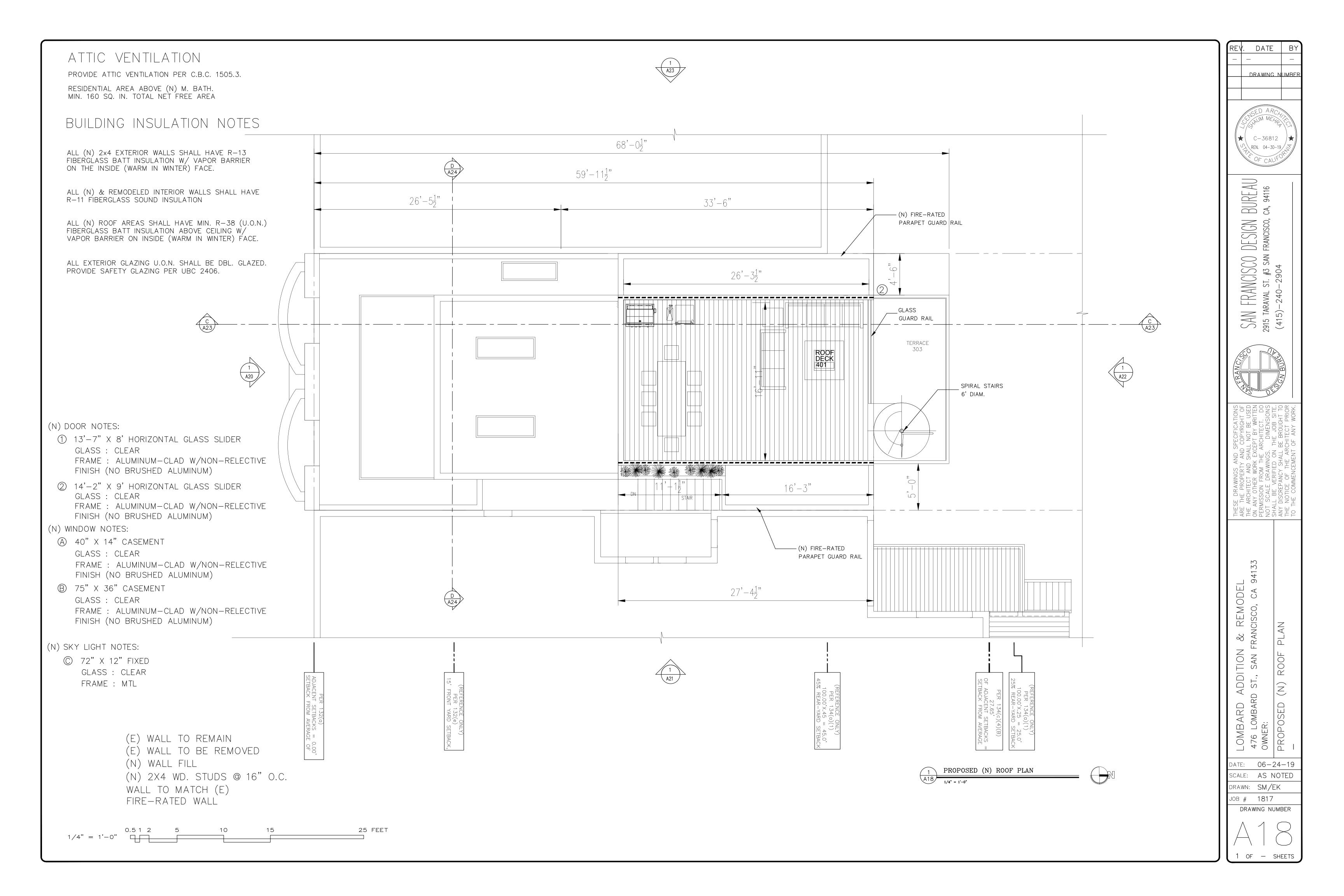
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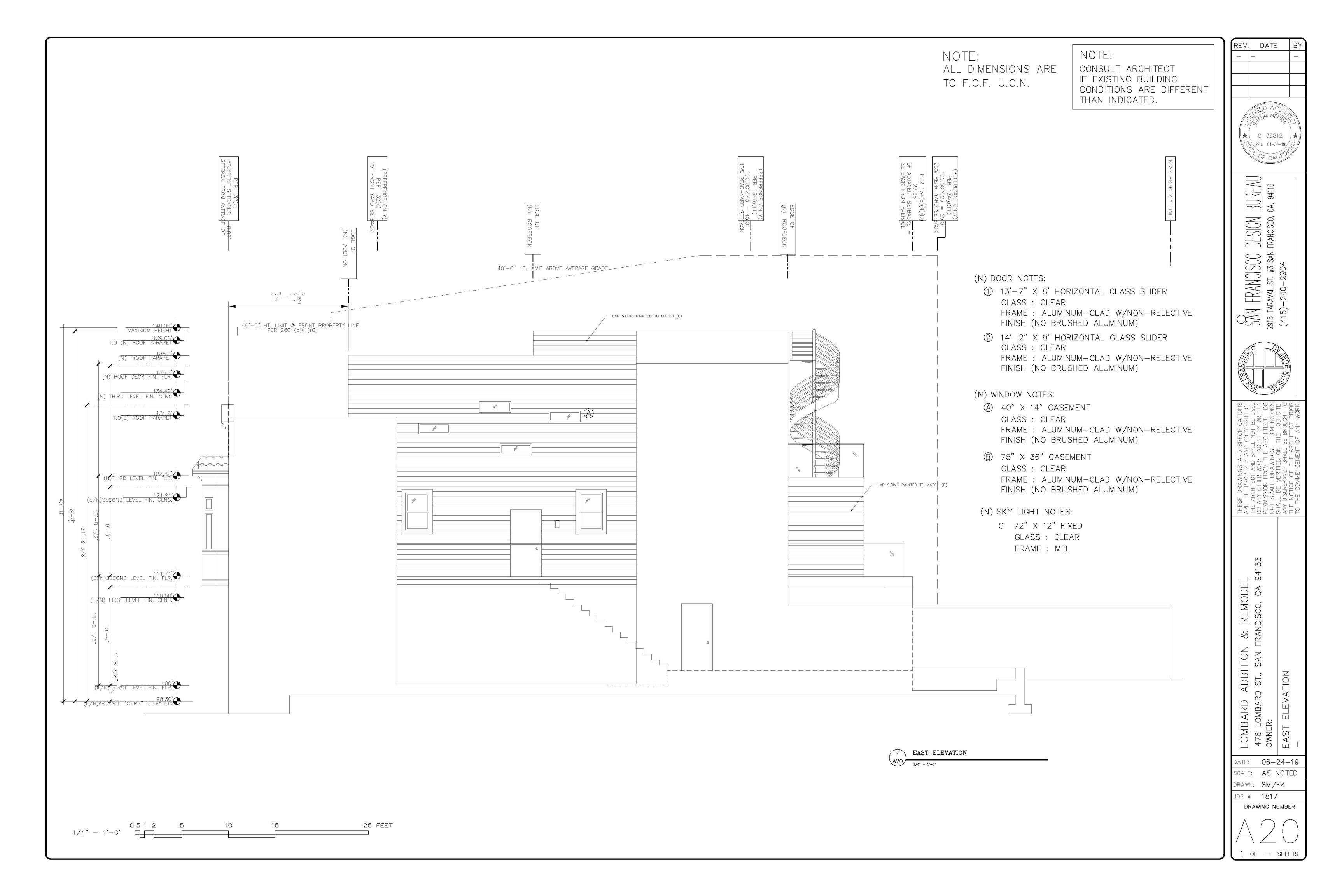
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476 LOMBARD ST., SAN FRANCISCO, CA 94133
OWNER:
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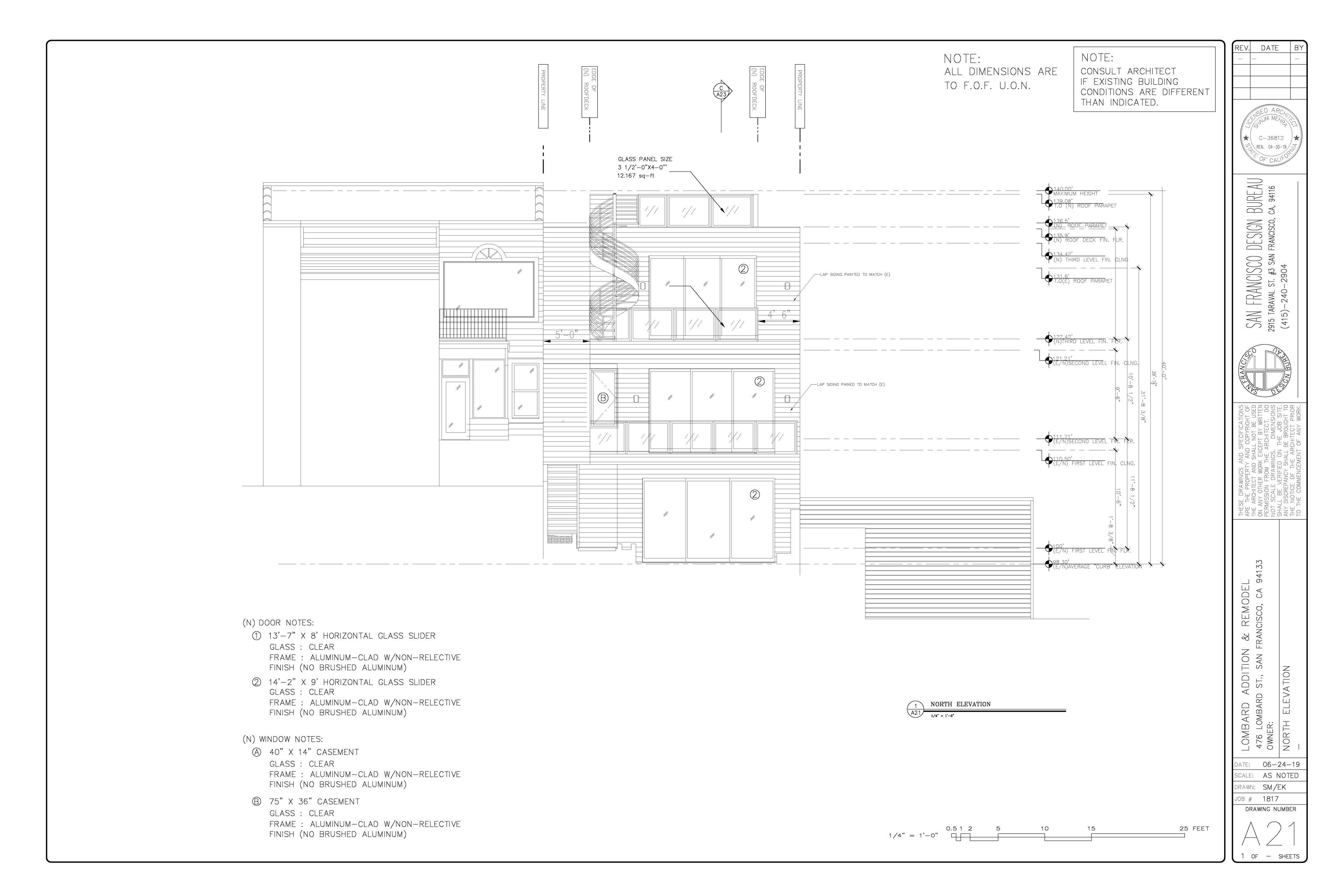
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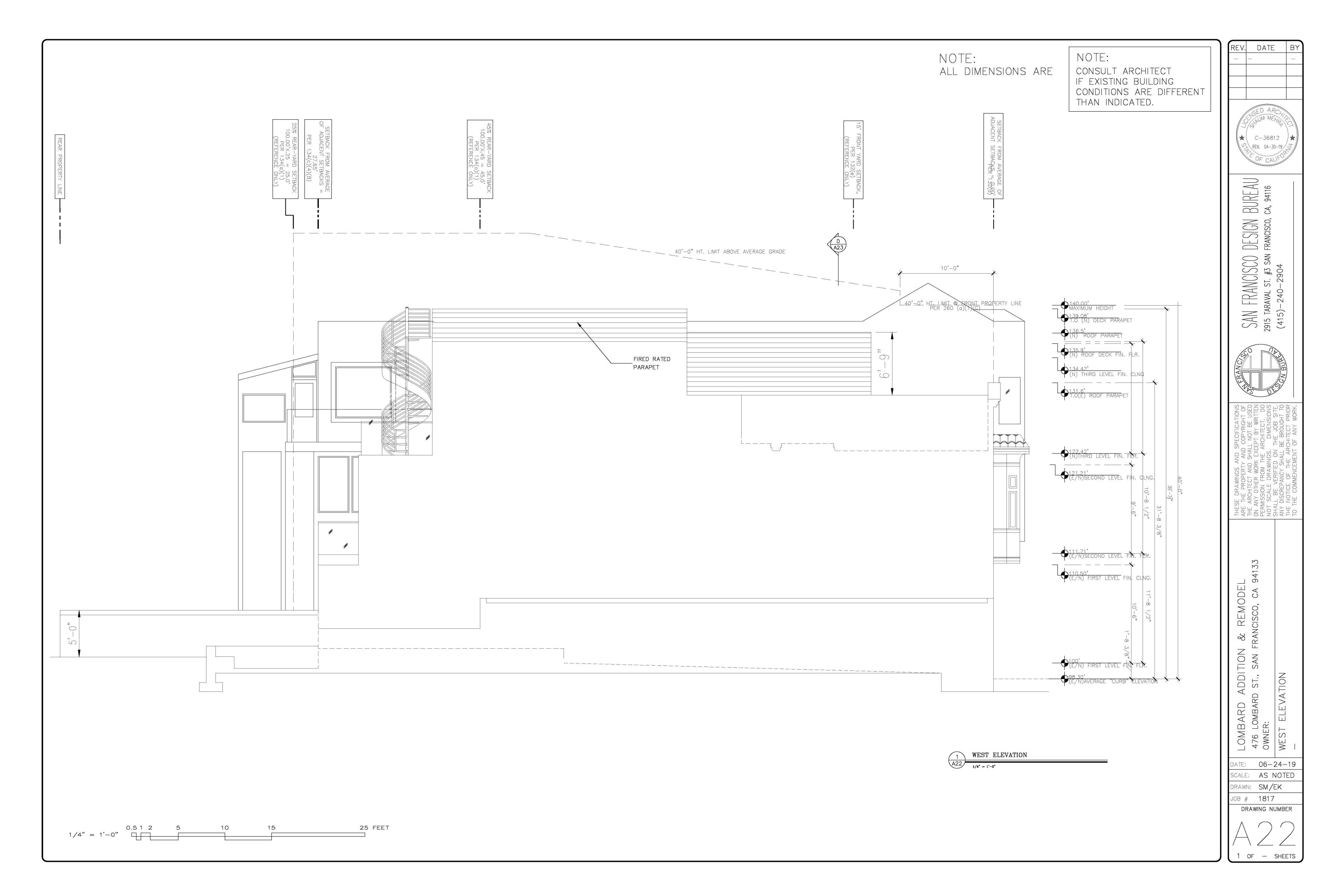
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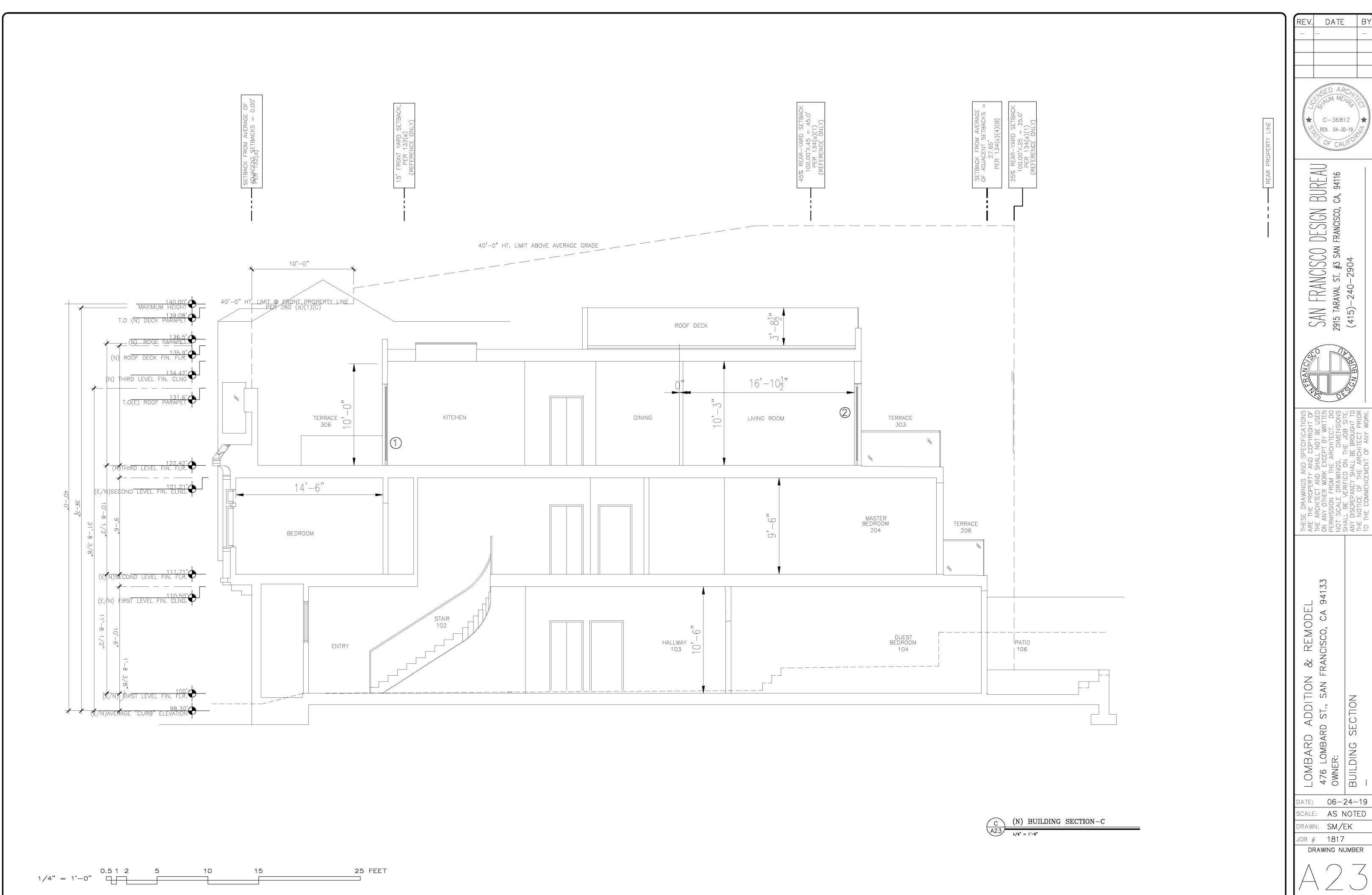
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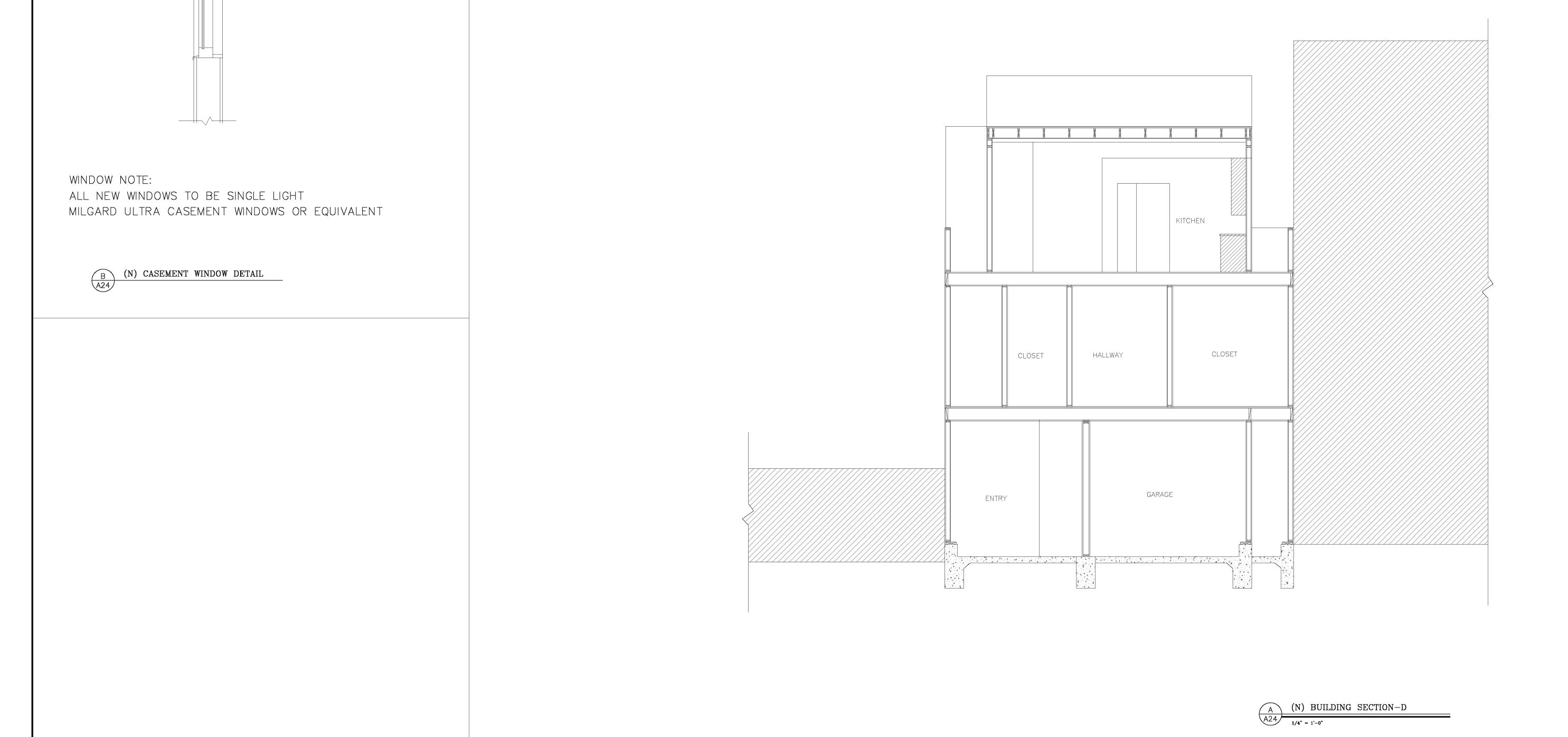








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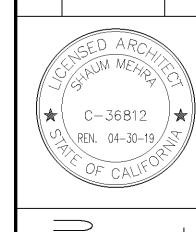
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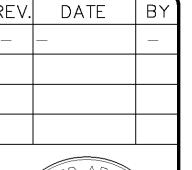
— (N) CASEMENT WINDOW

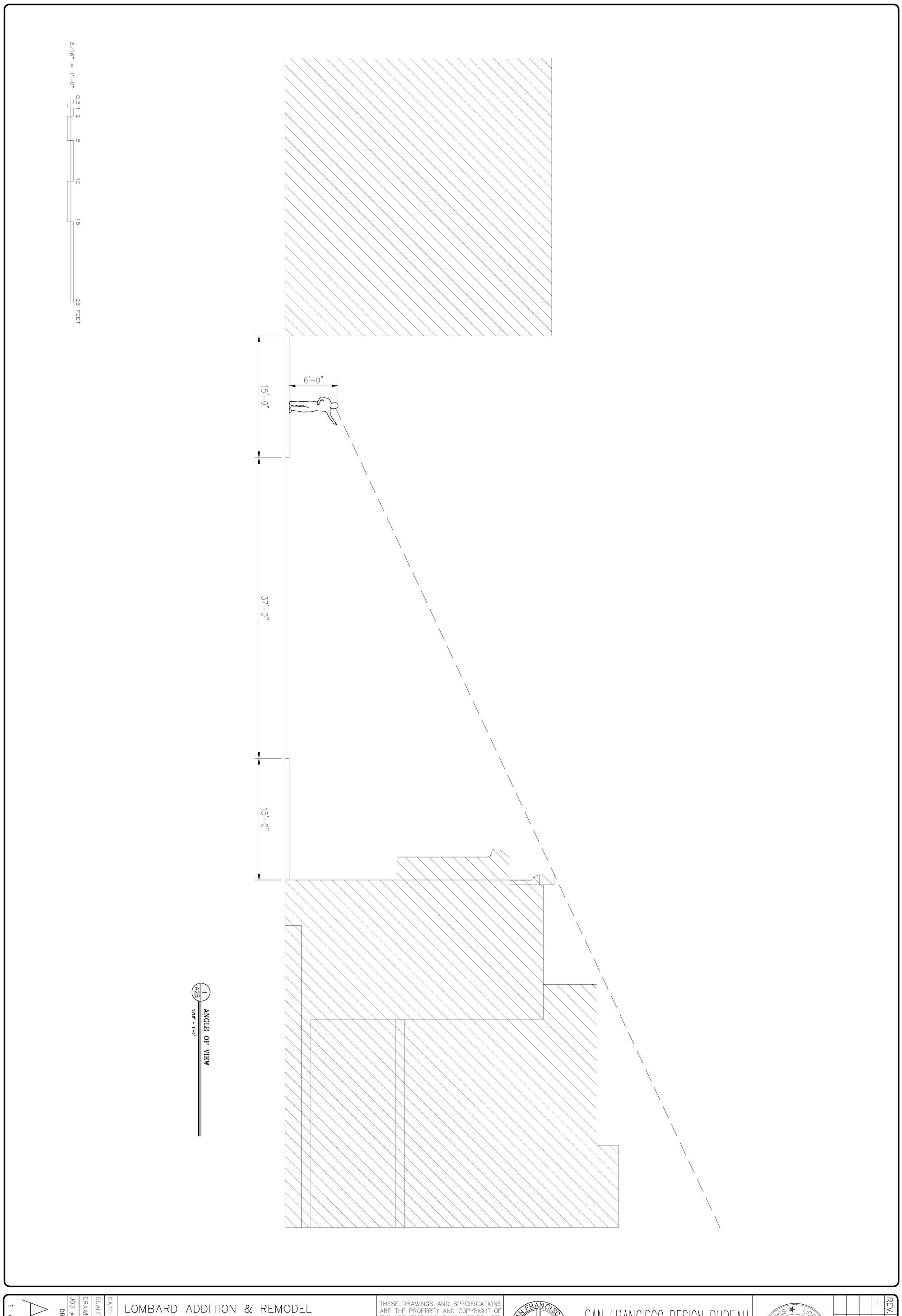
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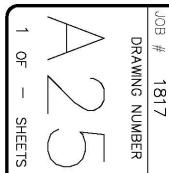
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476 LOMBARD ST., SAN FRANCISCO, CA 94133
OWNER:
BUILDING SECTION DATE: 06-24-19 SCALE: AS NOTED DRAWN: SM/EK JOB # 1817 DRAWING NUMBER

BUREAU CA, 94116









LOMBARD ADDITION & REMODEL 476 LOMBARD ST., SAN FRANCISCO, CA 94133 OWNER:

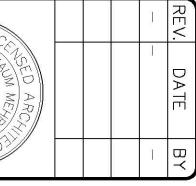
BUILDING SECTION

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# SAN FRANCISCO PLANNING DEPARTMENT

### PRESERVATION TEAM REVIEW FORM

1650 Mission St.

Suite 400 **Preservation Team Meeting Date:** 9/25/2019 10/31/2019 **Date of Form Completion** San Francisco, CA 94103-2479 **PROJECT INFORMATION:** Reception: 415.558.6378 Address: Planner: Charles Enchill 476 Lombard Street Fax: 415.558.6409 Block/Lot: **Cross Streets:** 0062/017A **Planning** Stockton Street and Grant Avenue Information: **CEQA Category:** Art. 10/11: BPA/Case No.: 415.558.6377 n/a 2018-017283ENV **PURPOSE OF REVIEW:** PROJECT DESCRIPTION: Preliminary/PIC Alteration O Demo/New Construction CEQA Article 10/11 **DATE OF PLANS UNDER REVIEW: PROJECT ISSUES:** Is the subject Property an eligible historic resource? If so, are the proposed changes a significant impact? Additional Notes: Supplemental Application prepared by architect Shaum Mehra (dated December 2019). PRESERVATION TEAM REVIEW: A  $\bigcirc$  B  $\bigcirc$  C Category: Historic District/Context Individual Property is individually eligible for inclusion in a Property is in an eligible California Register California Register under one or more of the Historic District/Context under one or more of following Criteria: the following Criteria: Criterion 1 - Event: Criterion 1 - Event: Criterion 2 -Persons: Criterion 2 -Persons: Yes No Criterion 3 - Architecture: Criterion 3 - Architecture: Criterion 4 - Info. Potential: Criterion 4 - Info. Potential: Period of Significance: Period of Significance: 1926 ○ Contributor ○ Non-Contributor

Complies with the Secretary's Standards/Art 10/Art 11:		○ No	● N/A
CEQA Material Impairment to the individual historic resource:	○ Yes	<ul><li>No</li></ul>	
CEQA Material Impairment to the historic district:	○ Yes	<ul><li>No</li></ul>	
Requires Design Revisions:	<ul><li>Yes</li></ul>	○ No	
Defer to Residential Design Team:	○ Yes	No	

### PRESERVATION TEAM COMMENTS:

According to the Supplemental Application Form prepared by architect Shaum Mehra (dated April 2019), and information in the Planning Department files, the subject property at 476 Lombard Street contains a two-story, wood-framed, residential building with brick and stucco exterior located in the North Beach neighborhood.

The subject building is located at the north side of Lombard Street which slopes downward to Stockton Street (west) and upward to Grant Avenue (east) on a predominantly flat lot. The building was constructed in 1926 by architect Louis Mastropasqua and builders G. Cristino and G. Bouraui (Building Permit). Its design is predominantly in the vernacular Classic architectural style with limited Mission Revival elements. Clay roof tiles cap double circular bay windows and portions of the classically inspired tripartite parapet. Exterior cladding consists of brick at the ground floor and stucco at the upper floor. The main entrance is recessed at left behind two nearsymmetrical archways partitioned by stucco wall. Vestibule access is by partial height wrought-iron gate, brick steps and landings. At right is an equally recessed vehicular entrance with sectional garage door. Multi-paned wood windows are located on either side the main entry and transom. Multi-paned, opalescent glass, wood windows flank the outside of either archway in arched openings. Each bay contains three wood windows with multi-lite, opalescent glass, transoms matching those at the ground floor in opacity and color. The floors are visually separated by a molded belt course that wraps around the base of the bay projections. Between the bays is a miniature, decorative, iron railing supported by protruding belt course and two corbels. Ceramic tiles are found near the entry, belt course, and parapet. Wood horizontal siding and light well windows are located at the highly visible secondary (west) facade.

The earliest owner was Pauline Sugarman (formerly Pauline Sittenfeld) with unknown occupation who owned the property from construction until 1956. Angelo Lagomarsino purchased the property in 1956 with three of his siblings, but ultimately became the sole owner until 2010. Angelo resided at the subject property while he worked as a retail salesperson. Based on the original building permit record, exterior alterations appear to include removal of terracotta chimney at unknown date.

Department preservation staff have determined that 476 Lombard Street does appear to be eligible for listing in the California Register. No known historic events have occurred at the subject property that have made a significant contribution to the local, regional, state, or national levels (Criterion 1).

Signature of a Senior Preservation Planner / Preservation Coordinator:	Date:
Allison K. Vanderslice Digitally signed by Allison K. Vanderslice Date: 2019.11.04 23:43:57 -06'00'	

### PRESERVATION TEAM COMMENTS: [Continued]

None of the owners and occupants have been identified as having made lasting contributions to local, state, or national history (Criterion 2). The architect, Louis Mastropasqua (1870-1951), is considered a locally significant master architect that designed at least 54 buildings in the North Beach neighborhood between 1907 and 1941. Born in Italy, he studied civil engineering and architecture at the University of Naples Royal Polytechnic School, graduating in 1899. He emigrated to San Francisco in 1902 then worked briefly for architect William Curlett between 1903-1904. In 1909 *Architect and Engineer* credited Mastropasqua's building at 415 Broadway (formerly Macaroni Factory) as the first reinforced concrete building erected in San Francisco after the 1906 fire. Some of his most notable projects include: Article 10 Landmark No. 121 – Julius' Castle (1923); residential flats at 833-837 Greenwich Street (1912) and 924-926 Union Street (1917); and office buildings at 708-710 Montgomery (formerly Canessa Printing Company) and 625 Kearny Street (1907). The subject building is predominantly an example of the vernacular Classic architectural style, but also contains limited Spanish Revival influences. This property is a rare type of Mastropasqua's work for a single-family residence, therefore the property is eligible under Criterion 3 (architecture). The period of significance is 1926, the year the house was built.

The subject property at 476 Lombard Street has retained a high degree of integrity. Based on the original building permit record, a terra cotta chimney might have been removed at unknown date. Given that chimney removal is unclear and would have been the only exterior change, the property still conveys its integrity for all seven categories: location, association, design, workmanship, setting, feeling, and materials.

The character defining features of the subject property are the following:

- Two-story massing at front of lot
- Symmetrical front façade
- Ground floor brick veneer and recessed entries
- Wood sash opalescent/colored windows
- Tripartite parapet and clay tile roof

Based upon a review of information in the Departments records, the subject building is not significant under Criterion 4 since this significance criterion typically applies to rare construction types when involving the built environment. The subject building is not an example of a rare construction type. Assessment of archaeological sensitivity is undertaken through the Department's Preliminary Archaeological Review process and is outside the scope of this review.

The subject property is not located within the boundaries of any identified historic district. The property was immediately outside the boundaries of the 1982 survey area for North Beach. It was within the boundaries of an expanded survey in 2009, however the property was never individually evaluated. Although a revised North Beach Historic Context Statement was submitted to the Department in 2019, this document has not yet progressed to the point of a final draft or adoption. It also does not currently contain survey findings or defined historic district boundaries. Were such boundaries to include the 476 Lombard Street, however, it is likely that the property would be considered a contributor to the district.

In respect to the immediate blocks, they were largely developed prior to 1900, but redeveloped due to the 1906 earthquake and fire (1907 Guide Map of San Francisco; 1899-1900 and 1913-1915 Sanborn Maps). Various remodels and infill projects up to the 1980's have resulted in minimal aesthetic and historic cohesion.

Therefore, Planning Department Preservation staff has determined the subject property is individually eligible for listing in the California Register under Criterion 3 (architecture) and not as a district contributor based on review of the immediate blocks.



View of primary (south) façade of 476 Lombard Street (Planning Department Files).



View northeast of secondary (west) façade of 476 Lombard Street (Planning Department Files).





# SAN FRANCISCO PLANNING DEPARTMENT

### **Historic Resource Evaluation Response**

Record No.: 2018-017283ENV
Project Address: 476 Lombard Street

Zoning: RH-3 Residential-House, Three Family Zoning District

40-X Height and Bulk District

*Block/Lot*: 0062/017A

Staff Contact: Charles Enchill - [415-575-8721]

[charles.enchill@sfgov.org]

1650 Mission St. Suite 400 San Francisco, CA 94103-2479

Reception:

415.558.6378

Fax:

415.558.6409

Planning Information: 415.558.6377

PART II: PROJECT EVALUATION						
Proposed Project:	☐ Demolition / New Construction	☑ Alteration				
Per Drawings Dated: _	July 7, 2020					
PROJECT DESCRIPTION	ON					

- Three-story horizontal and vertical addition to
- an existing single-family residence
- Infill of two second floor lightwells at streetvisible secondary (west) elevation
- Painted aluminum sliding doors at street-facing (south) vertical addition
- Rooftop deck at rear-half of building
- Painted lap siding at addition to match existing

### PROJECT EVALUATION

The proposed project's conformance with the Secretary of the Interior's Standards:					
Standard 1 – Minimal Change:	🛛 Yes 🗌 No 🔲 N/A	Standard 6 – Repairment:	🛛 Yes 🗌 No 🔲 N/A		
Standard 2 – Maintain Character:	🛛 Yes 🗌 No 🔲 N/A	Standard 7 – Treatments:	🛛 Yes 🗌 No 🔲 N/A		
Standard 3 – Avoid Conjecture:	🛛 Yes 🗌 No 🔲 N/A	Standard 8 – Archeology:	☐ Yes ☐ No ☒ N/A		
<b>Standard 4</b> – Acquired Significance:	☐ Yes ☐ No ☒ N/A	Standard 9 – Compatibility:	🛛 Yes 🗌 No 🔲 N/A		
Standard 5 – Building Techniques:	🛛 Yes 🗌 No 🔲 N/A	Standard 10 – Reversibility:	🛛 Yes 🗌 No 🔲 N/A		
See <b>Project Impact Analysis</b> comments for additional information.					

### PROJECT DETERMINATION

					ine projeci s s				
Will	cause a si	gnificant	adverse im	pact to tl	he <b>individua</b>	l historic	resource as	pro	posed.

- ☐ <u>Will</u> cause a significant adverse impact to a <u>historic district / context</u> as proposed.
- <u>Will not</u> cause a significant adverse impact to the <u>individual historic resource</u> as proposed.
- Will not cause a significant adverse impact to a historic district / context as proposed.

### **PROJECT IMPACT ANALYSIS**

The project will not alter any character-defining features previously identified in the Historic Resource Evaluation (HRER) Part 1 issued on November 4, 2019. Street-visible exterior alterations consist of the infill of two western light wells for additional floor area, a third-floor vertical addition setback 12-feet 10-inches from the existing front (south) façade wall, and parapet walls for a new rooftop deck located at the rear half of the building. The addition will maintain the building's secondary elevation material of horizontal lap siding and contain painted aluminum-clad windows for all fenestration. Due to the scope of work and consistency with the Secretary of the Interior's Standards for Rehabilitation, the project will not result in a significant adverse impact to the historic resource.

### PART II: PRINCIPAL PRESERVATION PLANNER REVIEW

Allison Vanderslice, Principal Preservation Planner

CEQA Cultural Resources Team Manager, Environmental Planning Division

**CC:** Claudine Asbagh, Principal Planner

Northeast Team, Current Planning Division

### **HRER Part II Attachments:**

Architectural Plans, dated: <u>July 7, 2020</u>



# **CEQA Categorical Exemption Determination**

Block/Lot(s)

## PROPERTY INFORMATION/PROJECT DESCRIPTION

Project Address

476 LOMBARD ST			0062017A
Case No.			Permit No.
2018-017283ENV			201810193722
_	dition/ eration	Demolition (requires HRE for Category B Building)	New Construction
Proje	ct description for	Planning Department approval.	
reside	ence. With the prop	emodel and horizontal addition to the existing three closed improvements the single-family residence we project includes a new elevator and roof deck.	
	P 1: EXEMPTIC		
-	roject has been d CEQA).	etermined to be categorically exempt under the	California Environmental Quality
	-	g Facilities. Interior and exterior alterations; additi	ions under 10,000 sq. ft.
		<b>construction.</b> Up to three new single-family resident reial/office structures; utility extensions; change of a CU.	
	10,000 sq. ft. and (a) The project is policies as well at (b) The proposed substantially surf (c) The project st (d) Approval of the water quality. (e) The site can	Development. New Construction of seven or more difference to the conditions described below: a consistent with the applicable general plan designs with applicable zoning designation and regulation development occurs within city limits on a project rounded by urban uses. It is that no value as habitat for endangered rare or the project would not result in any significant effects the adequately served by all required utilities and particular planning use only	nation and all applicable general plan ons. t site of no more than 5 acres threatened species. s relating to traffic, noise, air quality, or
	Class		

#### **STEP 2: CEQA IMPACTS**

## TO BE COMPLETED BY PROJECT PLANNER

	<b>Air Quality:</b> Would the project add new sensitive receptors (specifically, schools, day care facilities, hospitals, residential dwellings, and senior-care facilities within an Air Pollution Exposure Zone? Does the project have the potential to emit substantial pollutant concentrations (e.g., backup diesel generators, heavy industry, diesel trucks, etc.)? (refer to EP_ArcMap > CEQA Catex Determination Layers > Air Pollution Exposure Zone)
	Hazardous Materials: If the project site is located on the Maher map or is suspected of containing hazardous materials (based on a previous use such as gas station, auto repair, dry cleaners, or heavy manufacturing, or a site with underground storage tanks): Would the project involve 50 cubic yards or more of soil disturbance - or a change of use from industrial to residential?  Note that a categorical exemption shall not be issued for a project located on the Cortese List if the applicant presents documentation of enrollment in the San Francisco Department of Public Health (DPH) Maher program, a DPH waiver from the Maher program, or other documentation from Environmental Planning staff that hazardous material effects would be less than significant (refer to EP_ArcMap > Maher layer).
	<b>Transportation:</b> Does the project involve a child care facility or school with 30 or more students, or a location 1,500 sq. ft. or greater? Does the project have the potential to adversely affect transit, pedestrian and/or bicycle safety (hazards) or the adequacy of nearby transit, pedestrian and/or bicycle facilities?
	Archeological Resources: Would the project result in soil disturbance/modification greater than two (2) feet below grade in an archeological sensitive area or eight (8) feet in a non-archeological sensitive area? If yes, archeo review is required (refer to EP_ArcMap > CEQA Catex Determination Layers > Archeological Sensitive Area)
	Subdivision/Lot Line Adjustment: Does the project site involve a subdivision or lot line adjustment on a lot with a slope average of 20% or more? (refer to EP_ArcMap > CEQA Catex Determination Layers > Topography). If yes, Environmental Planning must issue the exemption.
	Slope = or > 25%: Does the project involve any of the following: (1) square footage expansion greater than 500 sq. ft. outside of the existing building footprint, (2) excavation of 50 cubic yards or more of soil, (3) new construction? (refer to EP_ArcMap > CEQA Catex Determination Layers > Topography) If box is checked, a geotechnical report is required and Environmental Planning must issue the exemption.
	Seismic: Landslide Zone: Does the project involve any of the following: (1) square footage expansion greater than 500 sq. ft. outside of the existing building footprint, (2) excavation of 50 cubic yards or more of soil, (3) new construction? (refer to EP_ArcMap > CEQA Catex Determination Layers > Seismic Hazard Zones) If box is checked, a geotechnical report is required and Environmental Planning must issue the exemption.
	Seismic: Liquefaction Zone: Does the project involve any of the following: (1) square footage expansion greater than 500 sq. ft. outside of the existing building footprint, (2) excavation of 50 cubic yards or more of soil, (3) new construction? (refer to EP_ArcMap > CEQA Catex Determination Layers > Seismic Hazard Zones) If box is checked, a geotechnical report will likely be required and Environmental Planning must issue the exemption.
Com	ments and Planner Signature (optional): Don Lewis

# STEP 3: PROPERTY STATUS - HISTORIC RESOURCE TO BE COMPLETED BY PROJECT PLANNER PROPERTY IS ONE OF THE FOLLOWING: (refer to Property Information Map) Category A: Known Historical Resource. GO TO STEP 5. Category B: Potential Historical Resource (over 45 years of age). GO TO STEP 4. Category C: Not a Historical Resource or Not Age Eligible (under 45 years of age). GO TO STEP 6. STEP 4: PROPOSED WORK CHECKLIST TO BE COMPLETED BY PROJECT PLANNER Check all that apply to the project. 1. Change of use and new construction. Tenant improvements not included. 2. Regular maintenance or repair to correct or repair deterioration, decay, or damage to building. 3. Window replacement that meets the Department's Window Replacement Standards. Does not include storefront window alterations. 4. Garage work. A new opening that meets the Guidelines for Adding Garages and Curb Cuts, and/or replacement of a garage door in an existing opening that meets the Residential Design Guidelines. 5. Deck, terrace construction, or fences not visible from any immediately adjacent public right-of-way. 6. Mechanical equipment installation that is not visible from any immediately adjacent public right-of-way. 7. Dormer installation that meets the requirements for exemption from public notification under Zoning Administrator Bulletin No. 3: Dormer Windows. 8. Addition(s) that are not visible from any immediately adjacent public right-of-way for 150 feet in each direction; does not extend vertically beyond the floor level of the top story of the structure or is only a single story in height; does not have a footprint that is more than 50% larger than that of the original building; and does not cause the removal of architectural significant roofing features. Note: Project Planner must check box below before proceeding. Project is not listed. GO TO STEP 5. Project does not conform to the scopes of work. GO TO STEP 5. Project involves four or more work descriptions. GO TO STEP 5. Project involves less than four work descriptions. GO TO STEP 6. STEP 5: CEQA IMPACTS - ADVANCED HISTORICAL REVIEW TO BE COMPLETED BY PROJECT PLANNER Check all that apply to the project. 1. Project involves a known historical resource (CEQA Category A) as determined by Step 3 and conforms entirely to proposed work checklist in Step 4. 2. Interior alterations to publicly accessible spaces. 3. Window replacement of original/historic windows that are not "in-kind" but are consistent with existing historic character. 4. Façade/storefront alterations that do not remove, alter, or obscure character-defining features.

5. Raising the building in a manner that does not remove, alter, or obscure character-defining

6. Restoration based upon documented evidence of a building's historic condition, such as historic

中文詢問請電: 415.575.9010 Para información en Español llamar al: 415.575.9010

photographs, plans, physical evidence, or similar buildings.

features.

	7. <b>Addition(s)</b> , including mechanical equipment that are minimally visible from and meet the <i>Secretary of the Interior's Standards for Rehabilitation</i> .	om a public right-of-way
	8. <b>Other work consistent</b> with the <i>Secretary of the Interior Standards for the Properties (specify or add comments):</i>	ne Treatment of Historic
	Three-story horizontal and vertical addition consistent with the Secretary of outlined in HRER part 2 review signed 7/15/2020	the Interior's Standards and
	Other work that would not materially impair a historic district (specify or a	add comments):
	(Requires approval by Senior Preservation Planner/Preservation Coordinate	or)
	10. <b>Reclassification of property status</b> . (Requires approval by Senior Preservation	servation
	Reclassify to Category A	Reclassify to Category C
	a. Per HRER or PTR dated 11/04/2019 (att	tach HRER or PTR)
	b. Other (specify): Reclassify per PTR form signed 11/4/2019.	
	Note: If ANY box in STEP 5 above is checked, a Preservation Pla	anner MUST sign below.
	Project can proceed with categorical exemption review. The project has Preservation Planner and can proceed with categorical exemption review.	-
Comm	ments (optional):	
Preser	ervation Planner Signature: Charles Enchill	
	EP 6: CATEGORICAL EXEMPTION DETERMINATION BE COMPLETED BY PROJECT PLANNER	
	No further environmental review is required. The project is categorically There are no unusual circumstances that would result in a reasonable paffect	

No further environmental review is required. The project is categorically exempt under CEQA.  There are no unusual circumstances that would result in a reasonable possibility of a significant effect.		
Project Approval Action:	Signature:	
Building Permit	Charles Enchill	
If Discretionary Review before the Planning Commission is requested, the Discretionary Review hearing is the Approval Action for the project.	07/15/2020	
Once signed or stamped and dated, this document constitutes a categorical of 31of the Administrative Code.  In accordance with Chapter 31 of the San Francisco Administrative Code, an filed within 30 days of the project receiving the approval action.  Please note that other approval actions may be required for the project. Please	appeal of an exemption determination can only be	

#### STEP 7: MODIFICATION OF A CEQA EXEMPT PROJECT

#### TO BE COMPLETED BY PROJECT PLANNER

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

#### **MODIFIED PROJECT DESCRIPTION**

Modified Project Description:					
DE	TERMINATION IF PROJECT (	CONSTITUTES SUBSTANTIAL MODIFICATION			
Com	pared to the approved project, w	ould the modified project:			
	Result in expansion of the buil	ding envelope, as defined in the Planning Code;			
	Result in the change of use that would require public notice under Planning Code Sections 311 or 312;				
	Result in demolition as defined under Planning Code Section 317 or 19005(f)?				
	Is any information being presented that was not known and could not have been known				
	at the time of the original determination, that shows the originally approved project may no longer qualify for the exemption?				
If at I	east one of the above boxes is	checked, further environmental review is required.			
DET	ERMINATION OF NO SUBSTA	NTIAL MODIFICATION			
	The proposed modification would not result in any of the above changes.				
If this box is checked, the proposed modifications are categorically exempt under CEQA, in accordance with prior project					
approval and no additional environmental review is required. This determination shall be posted on the Planning Department website and office and mailed to the applicant, City approving entities, and anyone requesting written notice. In accordance					
with Chapter 31, Sec 31.08j of the San Francisco Administrative Code, an appeal of this determination can be filed within 10 days of posting of this determination.					
Plani	ner Name:	Date:			





# SAN FRANCISCO PLANNING DEPARTMENT

# PRESERVATION TEAM REVIEW FORM

1650 Mission St.

<b>Preservation Team Meeting Date:</b>	9/25/2019	Date of Form C	ompletion 10/31/20	Suite 400 San Francisco CA 94103-247
PROJECT INFORMATION:				Reception:
Planner: Address:				
Charles Enchill	476 Lombard Stree	et		Fax:
Block/Lot:	Cross Streets:			415.558.640
0062/017A	Stockton Street and	d Grant Avenue		Planning
CEQA Category:	Art. 10/11:	ВРА	/Case No.:	Information: 415.558.637
В	n/a	2018	-017283ENV	
PURPOSE OF REVIEW:		PROJECT DESC	RIPTION:	
●CEQA	○ Preliminary/PIC	<ul><li>Alteration</li></ul>	O Demo/New Co	onstruction
DATE OF PLANS UNDER REVIEW:				
DDG IF CT ISSUES				
PROJECT ISSUES:		2		
Is the subject Property an elig	•			
If so, are the proposed change	es a significant impa	ct? 		
Additional Notes:  Supplemental Application p				
PRESERVATION TEAM REVIEW:				
Category:		(	A OB	ОС
Individual		Histo		
Property is individually eligible for California Register under one or I following Criteria:		Property is in an eligible California Register Historic District/Context under one or more of the following Criteria:		
Criterion 1 - Event: Yes No Criterion 1 - Event: Yes No		s   No		
Criterion 2 -Persons:	○ Yes	Criterion 2 -Perso	ns:	s   No
Criterion 3 - Architecture:		Criterion 3 - Arch	tecture:	s   No
Criterion 4 - Info. Potential:	○ Yes	Criterion 4 - Info.	Potential:	s   No
Period of Significance: 1926		Period of Signific	ance: n/a	
		<ul><li>Contributor</li></ul>	○ Non-Contributor	

Complies with the Secretary's Standards/Art 10/Art 11:		○ No	● N/A
CEQA Material Impairment to the individual historic resource:	○ Yes	<ul><li>No</li></ul>	
CEQA Material Impairment to the historic district:	○ Yes	<ul><li>No</li></ul>	
Requires Design Revisions:	<ul><li>Yes</li></ul>	○ No	
Defer to Residential Design Team:	○ Yes	No	

#### PRESERVATION TEAM COMMENTS:

According to the Supplemental Application Form prepared by architect Shaum Mehra (dated April 2019), and information in the Planning Department files, the subject property at 476 Lombard Street contains a two-story, wood-framed, residential building with brick and stucco exterior located in the North Beach neighborhood.

The subject building is located at the north side of Lombard Street which slopes downward to Stockton Street (west) and upward to Grant Avenue (east) on a predominantly flat lot. The building was constructed in 1926 by architect Louis Mastropasqua and builders G. Cristino and G. Bouraui (Building Permit). Its design is predominantly in the vernacular Classic architectural style with limited Mission Revival elements. Clay roof tiles cap double circular bay windows and portions of the classically inspired tripartite parapet. Exterior cladding consists of brick at the ground floor and stucco at the upper floor. The main entrance is recessed at left behind two nearsymmetrical archways partitioned by stucco wall. Vestibule access is by partial height wrought-iron gate, brick steps and landings. At right is an equally recessed vehicular entrance with sectional garage door. Multi-paned wood windows are located on either side the main entry and transom. Multi-paned, opalescent glass, wood windows flank the outside of either archway in arched openings. Each bay contains three wood windows with multi-lite, opalescent glass, transoms matching those at the ground floor in opacity and color. The floors are visually separated by a molded belt course that wraps around the base of the bay projections. Between the bays is a miniature, decorative, iron railing supported by protruding belt course and two corbels. Ceramic tiles are found near the entry, belt course, and parapet. Wood horizontal siding and light well windows are located at the highly visible secondary (west) facade.

The earliest owner was Pauline Sugarman (formerly Pauline Sittenfeld) with unknown occupation who owned the property from construction until 1956. Angelo Lagomarsino purchased the property in 1956 with three of his siblings, but ultimately became the sole owner until 2010. Angelo resided at the subject property while he worked as a retail salesperson. Based on the original building permit record, exterior alterations appear to include removal of terracotta chimney at unknown date.

Department preservation staff have determined that 476 Lombard Street does appear to be eligible for listing in the California Register. No known historic events have occurred at the subject property that have made a significant contribution to the local, regional, state, or national levels (Criterion 1).

Signature of a Senior Preservation Planner / Preservation Coordinator:	Date:
Allison K. Vanderslice Digitally signed by Allison K. Vanderslice Date: 2019.11.04 23:43:57 -06'00'	

#### PRESERVATION TEAM COMMENTS: [Continued]

None of the owners and occupants have been identified as having made lasting contributions to local, state, or national history (Criterion 2). The architect, Louis Mastropasqua (1870-1951), is considered a locally significant master architect that designed at least 54 buildings in the North Beach neighborhood between 1907 and 1941. Born in Italy, he studied civil engineering and architecture at the University of Naples Royal Polytechnic School, graduating in 1899. He emigrated to San Francisco in 1902 then worked briefly for architect William Curlett between 1903-1904. In 1909 *Architect and Engineer* credited Mastropasqua's building at 415 Broadway (formerly Macaroni Factory) as the first reinforced concrete building erected in San Francisco after the 1906 fire. Some of his most notable projects include: Article 10 Landmark No. 121 – Julius' Castle (1923); residential flats at 833-837 Greenwich Street (1912) and 924-926 Union Street (1917); and office buildings at 708-710 Montgomery (formerly Canessa Printing Company) and 625 Kearny Street (1907). The subject building is predominantly an example of the vernacular Classic architectural style, but also contains limited Spanish Revival influences. This property is a rare type of Mastropasqua's work for a single-family residence, therefore the property is eligible under Criterion 3 (architecture). The period of significance is 1926, the year the house was built.

The subject property at 476 Lombard Street has retained a high degree of integrity. Based on the original building permit record, a terra cotta chimney might have been removed at unknown date. Given that chimney removal is unclear and would have been the only exterior change, the property still conveys its integrity for all seven categories: location, association, design, workmanship, setting, feeling, and materials.

The character defining features of the subject property are the following:

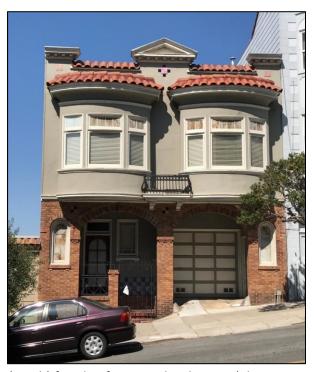
- Two-story massing at front of lot
- Symmetrical front façade
- Ground floor brick veneer and recessed entries
- Wood sash opalescent/colored windows
- Tripartite parapet and clay tile roof

Based upon a review of information in the Departments records, the subject building is not significant under Criterion 4 since this significance criterion typically applies to rare construction types when involving the built environment. The subject building is not an example of a rare construction type. Assessment of archaeological sensitivity is undertaken through the Department's Preliminary Archaeological Review process and is outside the scope of this review.

The subject property is not located within the boundaries of any identified historic district. The property was immediately outside the boundaries of the 1982 survey area for North Beach. It was within the boundaries of an expanded survey in 2009, however the property was never individually evaluated. Although a revised North Beach Historic Context Statement was submitted to the Department in 2019, this document has not yet progressed to the point of a final draft or adoption. It also does not currently contain survey findings or defined historic district boundaries. Were such boundaries to include the 476 Lombard Street, however, it is likely that the property would be considered a contributor to the district.

In respect to the immediate blocks, they were largely developed prior to 1900, but redeveloped due to the 1906 earthquake and fire (1907 Guide Map of San Francisco; 1899-1900 and 1913-1915 Sanborn Maps). Various remodels and infill projects up to the 1980's have resulted in minimal aesthetic and historic cohesion.

Therefore, Planning Department Preservation staff has determined the subject property is individually eligible for listing in the California Register under Criterion 3 (architecture) and not as a district contributor based on review of the immediate blocks.



View of primary (south) façade of 476 Lombard Street (Planning Department Files).



View northeast of secondary (west) façade of 476 Lombard Street (Planning Department Files).





# SAN FRANCISCO PLANNING DEPARTMENT

# **Historic Resource Evaluation Response**

Record No.: 2018-017283ENV
Project Address: 476 Lombard Street

Zoning: RH-3 Residential-House, Three Family Zoning District

40-X Height and Bulk District

Block/Lot: 0062/017A

Staff Contact: Charles Enchill - [415-575-8721]

[charles.enchill@sfgov.org]

1650 Mission St. Suite 400 San Francisco, CA 94103-2479

Reception:

415.558.6378

Fax:

Yes □ No □ N/A

415.558.6409

Planning Information: 415.558.6377

PART II: PROJECT E\	/ALUATION			415.558.
Proposed Project:	☐ Demolit	ion / New Construction	n 🛭 Alteration	
Per Drawings Dated:	Ju	ly 7, 2020		
an existing sin	orizontal and gle-family re second floor	lightwells at street-	<ul><li>(south) vertical ac</li><li>Rooftop deck at re</li></ul>	n sliding doors at street-facin Idition ear-half of building g at addition to match existing
PROJECT EVALUATION		ungo with the Segreta	ry of the Interior's Standar	der
Standard 1 – Minimal C		Yes No No N/A	Standard 6 – Repairment:	× Yes □ No □ N/A
S .		Standard 7 – Treatments:	⊠ Yes □ No □ N/A	
Standard 3 – Avoid Conjecture: Xes No No N/A			Standard 8 – Archeology:	☐ Yes ☐ No ☒ N/A
Standard 4 – Acquired S	Significance:	☐ Yes ☐ No ☒ N/A	<b>Standard 9</b> – Compatibility:	Yes □ No □ N/A

**Standard 10** – Reversibility:

#### PROJECT DETERMINATION

**Standard 5** – Building Techniques:

Bas	ed on the Historic Resource Evaluation in Part I, the project's scope of work:
	Will cause a significant adverse impact to the individual historic resource as proposed.
	Will cause a significant adverse impact to a <u>historic district / context</u> as proposed.
$\boxtimes$	Will not cause a significant adverse impact to the individual historic resource as proposed
	Will not cause a significant adverse impact to a historic district / context as proposed.

Yes □ No □ N/A

See Project Impact Analysis comments for additional information.

#### **PROJECT IMPACT ANALYSIS**

The project will not alter any character-defining features previously identified in the Historic Resource Evaluation (HRER) Part 1 issued on November 4, 2019. Street-visible exterior alterations consist of the infill of two western light wells for additional floor area, a third-floor vertical addition setback 12-feet 10-inches from the existing front (south) façade wall, and parapet walls for a new rooftop deck located at the rear half of the building. The addition will maintain the building's secondary elevation material of horizontal lap siding and contain painted aluminum-clad windows for all fenestration. Due to the scope of work and consistency with the Secretary of the Interior's Standards for Rehabilitation, the project will not result in a significant adverse impact to the historic resource.

#### PART II: PRINCIPAL PRESERVATION PLANNER REVIEW

Allison Vanderslice, Principal Preservation Planner

CEQA Cultural Resources Team Manager, Environmental Planning Division

**CC:** Claudine Asbagh, Principal Planner

Northeast Team, Current Planning Division

#### **HRER Part II Attachments:**

Architectural Plans, dated: <u>July 7, 2020</u>



### PAGE&TURNBULL



March 26, 2021

David Winslow, Principal Architect Design Review & Current Planning San Francisco Planning Department 1650 Mission Street, Suite 400 San Francisco, CA 94103

Re: 476 Lombard Street, San Francisco – CEQA Categorical Exemption Appeal & Discretionary Review

Dear Mr. Winslow,

This Letter of Opinion regarding the San Francisco Planning Department's California Environmental Quality Act (CEQA) findings for 476 Lombard Street, San Francisco, and the subsequent Discretionary Review Analysis Package, has been prepared at the request of the property owners, Steve and Renee Tannenbaum. 476 Lombard Street (APN 00062/017A) is a two-story, single-family residential building located in the North Beach neighborhood of San Francisco (Figure 1). Designed by locally significant master architect Louis Mastropasqua in a vernacular Classical style with elements of the Spanish Revival tyle, the building was constructed in 1926. The immediately surrounding area in North Beach features residential buildings that are primarily three to four stories in height, and the majority of the buildings are abutting (as opposed to detached with side yards). The building immediately east at 468-470 Lombard Street (APN 0062/017) is a three-story residential building that abuts the subject property. Immediately west of 476 Lombard Street is a one-story garage building (488 Lombard Street) and four-story apartment building at 490 Lombard Street, both of which occupy one legal parcel (APN 0062/017B) at the corner of Lombard and Stockton streets.



Figure 1. Bird's-eye view of 476 Lombard Street. Approximate property boundary indicated by red dashed line. Source: Google Maps. Edited by Page & Turnbull.

# Methodology

The proposed project was previously analyzed by San Francisco Planning Department historic preservation staff. It was found to be compliant with the *Secretary of the Interior's Standards for Rehabilitation*, as it did not propose to alter any of the character-defining features of the building, and was determined to be categorically exempt from CEQA. This Letter of Opinion has been prepared to provide another professional opinion in light of an appeal filed by neighbors Barbara and Arrigo Sturla to the CEQA exemption and a request for Discretionary Review. Page & Turnbull has reviewed the following existing documentation: CEQA Categorical Exemption Appeal Letters by Susan Brandt-Hawley (February 25, 2021) and Katherine Petrin (February 23, 2021); the Planning Department's Preservation Team Review Form (dated November 4, 2019), Historic Resource Evaluation Response Part II (July 15, 2020), CEQA Categorial Exemption Determination (July 15, 2020), and Discretionary Review Analysis Package (Hearing Date January 28, 2021); and proposed project drawings.

This Letter of Opinion includes a brief site history; a summary of the building's historic significance, including a list of character-defining features; and a brief summary of the proposed project. This Letter of Opinion also addresses (1) the applicability of the Retained Elements Special Topic Design Guidelines, (2) whether the west façade contains character-defining features, and (3) the overall compliance of the project with the *Secretary of the Interior's Standards*.

## **Preparer Qualifications**

This Letter of Opinion was prepared by Page & Turnbull of San Francisco, California. Page & Turnbull staff responsible for this memorandum include Ruth Todd, FAIA, Principal-in-charge and Hannah Simonson, Architectural Historian/Cultural Resources Planner and primary author. All professional staff working on this memorandum meet or exceed the Secretary of the Interior's Professional Qualification Standards for Historic Architecture, Architectural History, or History as stated in Code of Federal Regulations, 36 CFR Part 61.

Page & Turnbull is a full-service architecture, preservation, and planning firm founded in 1973 in San Francisco. Page & Turnbull has a long-standing commitment to the City of San Francisco and its citizens to ensure that historic buildings and cultural resources are forever part of the city. Our staff of qualified architects, planners, and architectural historians is well-versed in historic building analyses and CEQA, and our preservation planners contribute to urban planning projects in historic contexts. We have completed numerous Historic Resource Evaluations, Proposed Project Analyses, and National Register nominations in San Francisco and other jurisdictions. Our firm has worked on some of San Francisco's most iconic buildings, including the Ferry Building, the Fairmont Hotel, the Palace Hotel, the Transamerica Pyramid, the Exploratorium at Pier 15, and the Halladie Building. Many of these buildings have undergone significant transformation, and all of them retain their historic significance. Page & Turnbull is a qualified consultant in the San Francisco Environmental Planning Historic Resources Consultant pool.

#### BRIEF SITE DESCRIPTION & HISTORY

The single-family residence at 476 Lombard Street was constructed in 1926 and was designed by local master architect Louis Mastropasqua in a vernacular Classical style with Spanish Colonial and Mission Revival influences. A large square parcel at the corner of Lombard and Stockton streets had been previously developed with a series of residences that were destroyed in the 1906 earthquake and fires. After the square lot sat vacant for a number of years, it was eventually subdivided (current lots 17 and 17A through 17E of block 62) as it was developed. The building at 468-470 Lombard Street was built in 1924, and then the subject property and the corner apartment building at 490 Lombard Street were both built in 1926. While the space between the subject property and the corner apartment building was likely expected to be developed with another two- to four-story residential building, as was typical of the surrounding blocks, a one-story wood frame painter's storage building was built circa 1949.

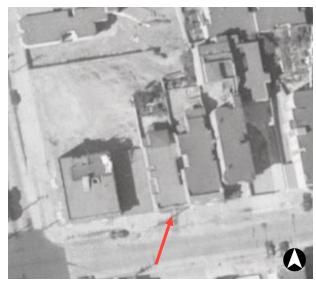


Figure 2. 1938 aerial photograph by Harrison Ryker. Subject property indicated by red arrow. Source: David Rumsey Map Collection. Edited by Page & Turnbull.

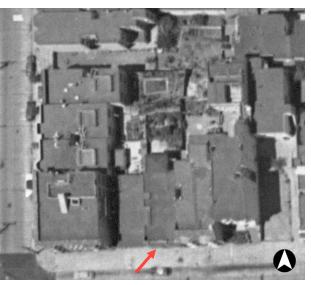


Figure 3. 1948 aerial photograph by Harrison Ryker. Subject property indicated by red arrow. Source: David Rumsey Map Collection. Edited by Page & Turnbull.



Figure 4. 1950 Sanborn Map Co. fire insurance map. 476 Lombard Street indicated by red arrow. Source: San Francisco Public Library. Edited by Page & Turnbull.



Figure 5. Circa 1940s Assessor photograph of apartment building and small painter's storage building at 490 Lombard Street. West façade of subject property at 476 Lombard Street indicated by red arrow. Source: San Francisco Public Library. Edited by Page & Turnbull.

The residence at 476 Lombard Street features a highly ornamented primary (south) façade, exhibiting materials and features that are characteristic of its Classical and Spanish Colonial and Mission Revival influences. The residence has brick cladding at the first story and stucco cladding at the second story. The first story has two arched openings: the west opening includes the primary entrance flanked by divided-lite wood windows, and the east opening includes a recessed garage doorway. Arched opalescent glass windows are located at the outsides of the arched openings. A molded belt course separates the first and second floors and wraps around the bottom of two curved bay windows. A small metal balconette is located between the two bay windows, and two wood brackets are located below the molding under the balconette. A tripartite parapet with dentils and a central Classical pediment caps the residence. Spanish terra cotta tiles are located at the roofs of the bay windows and between the Classical parapet elements. The west façade is unornamented and has horizontal wood siding and two lightwells.



Figure 6. Primary (south) façade of 476 Lombard Street. Source: SF Planning PTR Form.



Figure 7. Secondary west façade of 476 Lombard Street, looking northeast. Source: SF Planning PTR Form.

#### SUMMARY OF HISTORIC SIGNIFICANCE

The subject building is not currently listed on the National Register of Historic Places, California Register of Historical Resources, or as a local San Francisco Article 10 Landmark. The project applicant, architect Shaum Mehra, submitted a San Francisco Planning Department Supplemental Application Form for Historic Resource Determination, dated April 2019, which was reviewed by San Francisco Planning Department historic preservation staff (staff). The Preservation Team Review (PTR) Form prepared by staff on November 4, 2019 concludes that the building at 476 Lombard Street is eligible for individual listing on the California Register of Historical Resources under Criterion 3 as a "rare type of Mastropasqua's work for a single-family residence."

The following summary of significance and list of character-defining features was provided in the San Francisco Planning Department PTR Form:

The subject building is predominantly an example of the vernacular Classic architectural style, but also contains limited Spanish Revival influences. This property is a rare type of [Louis] Mastropasqua's work for a single-family residence, therefore the property is eligible under Criterion 3 (architecture). The period of significance is 1926, the year the house was built.

The subject property at 476 Lombard Street has retained a high degree of integrity. Based on the original building permit record, a terra cotta chimney might have been removed at unknown date. Given that chimney removal is unclear and would have been the only exterior change, the property still conveys its integrity for all seven categories: location, association, design, workmanship, setting, feeling, and materials.

The character defining features of the subject property are the following:

- Two-story massing at front of lot
- Symmetrical front façade
- Ground floor brick veneer and recessed entries
- Wood sash opalescent/colored windows
- Tripartite parapet and clay tile roof.<sup>2</sup>

<sup>&</sup>lt;sup>1</sup> San Francisco Planning Department, Preservation Team Review Form, 476 Lombard Street, Case No. 2018-017283ENV (Completed October 31, 2019), 3.

<sup>&</sup>lt;sup>2</sup> San Francisco Planning Department, Preservation Team Review Form, 476 Lombard Street, Case No. 2018-017283ENV (Completed October 31, 2019), 3.

In Page & Turnbull's professional opinion, the character-defining features outlined in the PTR Form could be elaborated with the following features of the "symmetrical front façade": two curved bay windows with clay tile roofing and wood windows, and metal balconette."

The PTR Form (November 4, 2019) notes that the property is not located within the boundaries of any currently identified historic district. A draft "North Beach, San Francisco: Historic Context Statement" (revised draft August 11, 2020) has been submitted to the San Francisco Planning Department, but has not yet been formally adopted and does not include any defined district boundaries.

The San Francisco Planning Department is the lead agency for this project and determined that the subject property meets the criteria for listing on the California Register of Historical Resources, as stated in their PTR Form (November 4, 2019). Therefore, the building is considered a historical resource for the purposes of the California Environmental Quality Act (CEQA). Page & Turnbull concurs with this finding of historic significance and the list of character-defining features.

#### PROPOSED PROJECT DISCUSSION

The proposed project at 476 Lombard Street involves no alterations at the primary (south) façade. Exterior alterations that will be visible from the street include the infill of two lightwells on the west side for additional floor area, a third story vertical addition set back 12'-10" from the existing front (south) façade wall, and a new rooftop deck at the rear half of the building surrounded by a parapet. Horizontal wood lap siding would be retained at the west façade and used at the west-facing portions of the addition. Painted aluminum-clad windows are proposed for new windows at the addition.

The following discussion addresses three arguments raised by the CEQA appeal and Discretionary Review application: (1) the applicability of the Retained Elements Special Topic Design Guidelines, (2) whether the west façade contains character-defining features, and (3) the overall compliance of the project with the Secretary of the Interior's Standards.

## Retained Elements Special Topic Design Guidelines

The Retained Elements Special Topic Design Guidelines (adopted December 2019) are not applicable to the proposed project at 476 Lombard Street. The Retained Elements Special Topic Design Guidelines (STDG) very explicitly state that they "apply in instances where visible parts of existing buildings are incorporated into new development in all zoning districts" and that the "application of guidelines will not achieve conformance with the Secretary of the Interior's Standards for the

Treatment of Historic Properties."<sup>3</sup> The Retained Elements STDG are meant to be applied in cases when full or partial demolition of an existing building is proposed and "façade retention" is considered for urban design reasons.<sup>4</sup> The proposed project involves a rear, vertical addition and is not, by definition, a full or partial demolition project.

#### West Façade

The west façade of 476 Lombard Street is a secondary side façade. It is an accident of adjacent development history that the west façade remains highly visible today. The west façade lacks any ornamentation, is clad in horizontal wood lap siding, and has two lightwells. These characteristics are typical of secondary facades for abutting residential and mixed-use buildings with no side yards. It is very typical in the dense built environment of San Francisco that buildings are constructed to the side lot lines with no side yards. This is the case for the majority of the residential buildings in the immediate vicinity of the subject property. The use of lightwells is a strategy for providing light to interior spaces along the sides of such abutting buildings—particularly around the center of the building, where light might not penetrate from windows on the primary or rear facades. The fact that an adjacent, similarly scaled building was not constructed immediately abutting the subject property does not mean that the west façade is a "second primary façade" or character-defining. The west façade cannot be said to have character-defining features that contribute to the Classical Revival architectural style with Mission and Spanish Colonial Revival influences, or to the architectural significance of the building. The features along the west façade are pervasive, functional architectural features lacking distinctive design or detailing. They do not contribute to the property's eligibility for listing in the California Register.

The fact that master architect Louis Mastropasqua designed the subject property at 476 Lombard Street with lightwells and simple wood lap siding indicates that he expected that an abutting, adjacent building would likely be constructed in the future, necessitating the lightwells. Indeed, if Mastropasqua had expected that a one-story building would be constructed immediately to the west, he would certainly have provided additional architectural detailing and fenestration along the west façade. Other examples of Mastropasqua's work are included in the "North Beach, San Francisco: Historic Context Statement (January 31, 2018; revised draft August 11, 2020; not yet formally adopted by the City), which is cited by Katherine Petrin. These include residential and mixed-use buildings at 833-37 Greenwich Street and 2032-34 Powell Street, which also feature lightwells, simple cladding, and a lack of ornamentation at the side facades, as they abut neighboring properties (Figure 8). On the other hand, 510-12 Green Street, also designed by

<sup>&</sup>lt;sup>3</sup> San Francisco Planning Department, Retained Elements Special Topic Design Guidelines (December 2019, 4-5.

<sup>&</sup>lt;sup>4</sup> "Retained Elements Special Topic Design Guidelines," San Francisco Planning, accessed online March 22, 2021, <a href="https://sfplanning.org/resource/retained-elements-special-topic-design-guidelines">https://sfplanning.org/resource/retained-elements-special-topic-design-guidelines</a>.

Mastropasqua, is a mixed-use building designed on a corner lot and has an ornamental cornice and molding that wraps around from the primary façade to the side façade, regular fenestration with wood windows, and no lightwells (**Figure 9**). In this case, the exposed side façade at the corner lot could be considered a façade with character-defining features.

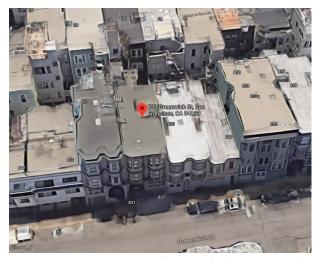


Figure 8. 833-37 Greenwich Street, built in 1912 and designed by Mastropasqua. Source: Google Maps.



Figure 9. 510-12 Green Street, built in 1910 and designed by Mastropasqua. Source: Dennis Hearne in "North Beach, San Francisco: Historic Context Statement" (January 31, 2018; revised draft August 11, 2020; not yet formally adopted by the City)

Thus, it is Page & Turnbull's professional opinion that the west façade of 476 Lombard Street cannot be said to be a "second primary façade" and that the wood lap siding and lightwells are not character-defining features that contribute to the significance of the residence as an example of Classical style architecture with Spanish Colonial Revival influences or the work of master architect Louis Mastropasqua.

#### Standards Compliance of Proposed Project

San Francisco Planning Department staff also prepared a Historic Resource Evaluation Response, Part II (HRER Part II), dated July 15, 2020, which analyzed the proposed project and concluded that the proposed project would not alter any of the building's character-defining features, and therefore would not cause a significant adverse impact to the historical resource. Therefore, staff issued a Categorical Exemption Determination (dated July 15, 2020).

The Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring and Reconstructing Historic Buildings provides standards and

guidance for reviewing proposed work on historic properties.<sup>5</sup> The *Standards for the Treatment of Historic Properties* are used by federal agencies in evaluating work on historic properties. They have also been adopted by local government bodies across the country for reviewing proposed rehabilitation work on historic properties under local preservation ordinances. The *Standards for the Treatment of Historic Properties* are used for understanding and describing the potential impacts of substantial changes to historical resources. Projects that comply with the *Standards for the Treatment of Historic Properties* benefit from a regulatory presumption that they would have a less-than-significant adverse impact on a historical resource.<sup>6</sup> Projects that do not comply with the *Standards for the Treatment of Historic Properties* may cause either a substantial or less-than-substantial adverse change in the significance of a historical resource.

The *Standards for Rehabilitation* acknowledge and embrace the fact that alterations and/or additions may be required to extend the useful life of a building and meet contemporary needs while still retaining the building's historic character and significance. As the proposed project would maintain the residential use of the building while adding a rear vertical addition, the *Standards for Rehabilitation* are the most appropriate in this case.

No alterations are proposed to the primary (south) façade, and all character-defining features would be preserved, including the two-story massing at the front of the lot; the symmetrical front façade, including curved bay windows and metal balconette; the ground floor brick veneer and recessed entries; the wood sash opalescent/colored windows; and tripartite parapet and clay tile roof. The rear vertical addition would alter the massing of the rear half of the building, but in accordance with the Secretary of the Interior's Standards, as well as additional guidance provided in in NPS Preservation Brief 14: New Exterior Additions to Historic Buildings: Preservation Concerns and The Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring and Reconstructing Historic Buildings, the proposed project includes a 12'-10" setback from the primary façade and the vertical portion is only one story. The height and setback of the vertical addition minimize it's visibility from the primary façade (looking north) and allow it to remain

<sup>&</sup>lt;sup>5</sup> Anne E. Grimmer, *The Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring and Reconstructing Historic Buildings,* (U.S. Department of the Interior National Park Service Technical Preservation Services, Washington, D.C.: 2017), accessed March 22, 2021, https://www.nps.gov/tps/standards/treatment-guidelines-2017.pdf. This document is an update to the previous 1995 edition by Weeks and Grimmer. <sup>6</sup> CEQA Guidelines §§15064.5(b)(3).

<sup>&</sup>lt;sup>7</sup> San Francisco Planning Department, Preservation Team Review Form, 476 Lombard Street, Case No. 2018-017283ENV (Completed October 31, 2019), 3.

<sup>&</sup>lt;sup>8</sup> Weeks and Grimmer, *NPS Preservation Brief 14: New Exterior Additions to Historic Buildings: Preservation Concerns* (U.S. Department of the Interior National Park Service Technical Preservation Services, Washington, D.C.: August 2010), accessed March 22, 2021, https://www.nps.gov/tps/how-to-preserve/briefs/14-exterior-additions.htm; and Grimmer, *The Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring and Reconstructing Historic Buildings* (2017).

subordinate to the historical resource. It will also be subordinate within the overall streetscape as it will still be lower in height than the adjacent three-story building. Sightline diagrams indicate that the addition will not be visible to pedestrians in the public right-of-way when standing directly in front of the subject property. While the addition will be visible from the public right-of-way, over the adjacent one-story building at 488 Lombard Street, the addition is sufficiently differentiated, and the residence will still maintain its historic character.

In accordance with Rehabilitation Standard 9, the design of the addition is differentiated from the historical building with contemporary fenestration, a flat roof, and a rear spiral staircase (which appears to be minimally visible from the public right-of-way), but is compatible in scale, massing, and siting. The horizontal wood siding is also compatible with the existing siding.

As such, Page & Turnbull concurs with the Planning Department in finding that the proposed project does not affect the building's character-defining features and is compliant with the *Secretary of the Interior's Standards for Rehabilitation*. The proposed project would <u>not</u> affect the ability of 476 Lombard Street to be eligible for listing in the California Register. If a project complies with the *Secretary of Interior's Standards of Historic Properties*, the project's impact to the historical resource "shall generally be considered mitigated below of level of significance and this is not significance" (14 CCR § 15126.4(b)(1)). Projects that are designed in a manner consistent with the *Secretary of Interior's Standards of Historic Properties* are generally considered categorically exempt from CEQA (14 CCR § 15331). As the proposed project complies with all of the *Standards for Rehabilitation*, the project would <u>not</u> cause a substantial adverse change in the significance of the resource as defined by CEQA, and can be considered categorically exempt.

#### **CONCLUSION**

The single-family residence at 476 Lombard Street, San Francisco, built in 1926, was originally designed by local master architect, Louis Mastropasqua, in a Classical style with Mission and Spanish Colonial Revival influences. The San Francisco Planning Department, the lead agency for CEQA, has determined the building to be eligible for listing in the California Register under Criterion 3 (Architecture); therefore, the property is a historical resource for the purpose of CEQA. The Planning Department reviewed the proposed project and found it to be compliant with the *Standards for Rehabilitation*, and thus, categorically exempt from CEQA. Page & Turnbull concurs with the Planning Department CEQA findings.

It is Page & Turnbull's professional opinion that the proposed project preserves the building's character-defining features and is in compliance with the *Secretary of the Interior's Standards for Rehabilitation*. The west façade of the building is a secondary façade that does not contain character-

defining features, and the infill of the lightwells does not impact the architectural integrity of the building. The currently proposed project at 476 Lombard Street includes a third-story rear vertical addition with a roof deck that is set back 12'-10" from the primary façade and is compatible in siting, scale, massing, form, and design such that it is compliant with the *Secretary of the Interior's Standards for Rehabilitation*. The project would not affect the ability of 476 Lombard Street to be listed in the California Register or cause a substantial adverse impact to the resource as defined by CEQA. Therefore, the proposed project is eligible for categorical exemption from CEQA.