

Settlement Agreement

Steven Ganz, Appellant, and 95 Nordhoff, LLC, Appellee, (collectively Parties) hereby enter into this Settlement Agreement (Agreement) as consideration to forever resolve their differences with regard to Appellee’s Conditional Use Application known as 2018-01554-CUA (CUA) that is currently pending with the City and County of San Francisco (CCSF):

1. Alternative plans #1 for 89 and 91 Nordhoff (Alternative #1) as presented by the Appellee to the Appellant and the Offices of Supervisor Rafael Mandelman comprising lower height and roof decks are acceptable to the Parties provided that the side kick-out along the property line with 69 Nordhoff presented in Alternative 1 shall not be approved. This creates a setback of 3’ along the property line with 69 Nordhoff and height limits of 33’ for the 89 and 91 Nordhoff homes. The plans approved by the Planning Commission for 95 Nordhoff will remain as approved.
2. The Stillings facing lot that results from the lot split proposed under the CUA shall have a height limit of 33’ and shall have pilings and no slab foundation, and its front façade shall be setback twelve feet (12’) as required to protect the root structure of Coastal Redwood which has been deemed a Significant Tree under San Francisco law. Appellant agrees with giving the Stillings lot the right to a front yard roof deck beginning at the second story above grade when a Building Permit issues.
3. All measurements of distance under this Agreement shall be as dictated by the CCSF Planning Code as permitted by the laws of the State of California.
4. Appellant shall withdraw their Appeal and notify the Clerk of the Board of Supervisors upon execution and of this Settlement Agreement. This Settlement Agreement shall become null and void if such withdrawal is not made before the beginning of the 23 June 2020 Board of Supervisors meeting.
5. Appellee will execute a Notice of Special Restrictions (NSR) to be recorded with the CCSF Recorder for each of the four lots created under the CUA. The NSR shall reflect these agreements. No Building Permits for any work may be issued on any of the four lots until the NSR is recorded, although a demolition permit for 95 Nordhoff may be issued.

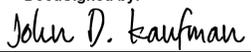
Executed this 21st day of June 2020 by:

Appellant:

Appellee:

DocuSigned by:

 Steven Ganz
 6/22/2020

DocuSigned by:

 John D. Kaufman
 John Kaufman, Member
 95 Nordhoff, LLC
 6/22/2020