

From: [Julie P](#)
To: [BOS Legislation, \(BOS\); Board of Supervisors \(BOS\)](#)
Subject: File 240246: Project Sponsor Letter to BoS for CEQA Appeal at 72 Harper St
Date: Friday, April 12, 2024 11:03:29 AM
Attachments: [Project Sponsor Letter 72 Harper Appeal.pdf](#)

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Dear Clerk of the Board,

As Project Sponsors for the project at 72 Harper St, we have attached a letter we request be entered into the record for the hearing schedule for April 23. The file number for the hearing is 240246. Please let us know if you have any questions or difficulties with the attached PDF document.

I also wanted to ask for clarification about the hearing structure. Will the Appellants and Project Sponsors be given opportunities to speak and/or answer questions from the Supervisors? Any information on how the hearing itself will proceed would be greatly appreciated.

Best regard,

Julie Park
Tom McDonald

April 12, 2024

VIA E-MAIL

President Peskin and Members of the Board of Supervisors
1 Dr. Carlton B Goodlett Place
Room 244
San Francisco, CA 94102

Re: 72 Harper Street CEQA Categorical Exemption Appeal; File 240246

Dear President Peskin and Members of the Board of Supervisors:

As the owners and residents of 72 Harper St in Glen Park, we write today as the Project Sponsors. We respectfully ask you to reject the CEQA categorical exemption appeal before you today and join the Planning Commission and Planning Department in support of our project.

Our home has been designed to fit our family's needs – an ADU on the lower level for Tom's mobility-impaired parents and three bedrooms on the upper level for us and our kids. Despite the Appellants' allegations, we have proposed a sensible and respectful update to our home. A small yet vocal group of neighbors are opposed to our plans. They had a chance to have their concerns heard before the Planning Commission during a February 2024 Discretionary Review hearing. For nearly an hour, the Planning Commission spent time "carefully listening to all sides of this project." These are some of comments the Commissioners gave about our project:

Planning Commission Vice-President Kathrin Moore:

"Looking at what's proposed here, it is a lovely building."

"I personally believe that the remodel, the adding of the ADU, and the vertical and horizontal extension, are creating actually an admirably well-designed building."

"From my perspective, a building with a pitched roof, really supporting and extending the traditional expression of this building is for me personally is far more important than devaluing the building with a flat roof [as requested by Appellants]."

"The impact, I believe, is not exceptional or extraordinary."

Planning Commissioner Derek Braun:

"The gabled roof is very much in keeping with the current configuration and design and the historic nature of the building."

"I think that the project is in many ways modest relative to what could be allowed under our code."

“I think about this project in the context of the many projects that we see come before us for DRs and other actions and the overall impact in terms of shadow, to the open space, the privacy concerns, is just not rising to the level that exceeds what is typical.”

The Planning Commission voted unanimously (6-0) to support our project as designed and declined to take DR. The Planning Commissioners, whose role is to “reflect on what we’re doing with buildings” understood that despite the claims of our neighbors, our project is well-designed, appropriate for the building and the neighborhood, and has only typical impacts on our neighbors. They further understood that the Appellants’ proposal, a flat-roof design that enables them to fully maintain their peek-a-boo views of San Francisco, would “devalue” the building.

While we disagree with the Appellants that the project will significantly impact them, we respected the DR process and entrusted the Planning Commission to strike the right balance as that is their role in San Francisco. We hoped that the Appellants would also choose to respect the process, and if they firmly believe the Planning Commission made a grievous mistake, the correct forum for further appealing this would be to the Board of Appeals.

Instead, the Appellants have chosen to abuse and attempt to weaponize CEQA to extract the concessions they desire. We hope it is clear to you that an Appeal devoid of facts and rife with baseless speculation is designed merely to waste the time and resources of the City and ourselves.

We want to note that Appellants have been running a neighborhood campaign for their requested changes. This campaign has no relationship to the allegations contained within their CEQA Appeal. Instead, it is centered around the same arguments that Planning Commission rejected. The Appellants continue to misrepresent that our project is outside the bounds of SF Planning guidelines, when in reality our plans are code and design standard compliant with no CUAs or variances ever requested.

It is clear the Appellants view the CEQA appeals process as an attempt to relitigate their DR loss. We and most of our neighbors reject these cynical tactics. The vast majority of our neighbors want no part of the Appellants’ campaign, they want the lobbying of the Appellants to stop, and they would like to see our project quickly move forward to completion for the benefit of the neighborhood.

There is no legal or common-sense basis for further delaying this project by entertaining a meritless and frivolous CEQA Appeal. We respectfully ask you to stand with the Planning Department and the Planning Commission and vote in favor of our project by rejecting the Appeal and affirming our project’s CEQA categorical exemption determination.

Sincerely,

Julie Park and Tom McDonald
72 Harper Street