File No. 141064

Committee Item No._____
Board Item No. 34

COMMITTEE/BOARD OF SUPERVISORS

AGENDA PACKET CONTENTS LIST

Committee_____ Date_____

Board of Supervisors Meeting Date November 18, 2014

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☐	☒	Appeal Letter - 10/14/2014
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Completed by: Joy Lamug Date November 13, 2014
Completed by:_____ Date_____

NOTICE TO BOARD OF SUPERVISORS OF APPEAL
FROM ACTION OF THE CITY PLANNING COMMISSION

Notice is hereby given of an appeal to the Board of Supervisors from the following action of the City Planning Commission.

The property is located at 115 Telegraph Hill Boulevard.

September 11, 2014
Date of City Planning Commission Action
(Attach a Copy of Planning Commission's Decision)

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO
2014 OCT 14 PM 3:01

Appeal Filing Date

_____ The Planning Commission disapproved in whole or in part an application for reclassification of property, Case No. _____.

_____ The Planning Commission disapproved in whole or in part an application for establishment, abolition or modification of a set-back line, Case No. _____.

✓ The Planning Commission approved in whole or in part an application for conditional use authorization, Case No. 2013-1375 CE.

_____ The Planning Commission disapproved in whole or in part an application for conditional use authorization, Case No. _____.

Statement of Appeal:

a) Set forth the part(s) of the decision the appeal is taken from:

SEE ATTACHED

b) Set forth the reasons in support of your appeal:

SEE ATTACHED

Person to Whom
Notices Shall Be Mailed

Nancy Shanahan, Co-Chair,
Name
Planning & Zoning Committee
Telegraph Hill Dwellers
224 FILBERT ST.
San Francisco, CA 94133
Address
pz@thd.org
(415) 986-7070
Telephone Number

Name and Address of Person Filing Appeal:

Vedica Puri, President, Telegraph Hill Dwellers
Name
600 Montgomery St.
31st Floor
San Francisco, CA 94111
Address
president@thd.org
(415) 433-8000
Telephone Number

Signature of Appellant or
Authorized Agent

V:\Clerk's Office\Appeals Information\Condition Use Appeal Process6
August 2011

ATTACHMENT TO STATEMENT OF APPEAL

(a) The parts of the decision the appeal is taken from include, without limitation, the following:

1. Conditional Use Authorization for four Dwelling Units in RH-3 Zone;
2. Determination that the proposed development is consistent with the Priority Policies of the General Plan;
3. Determination that project complies with the City's Residential Design Guidelines;
4. Determination that project complies with the criteria of Planning Code Section 303(c) including consistency with the City General Plan objectives and policies in particular the Urban Design Element and the Housing Element of the General Plan;
5. Approving the return to the pre-variance condition of existing rear yard cottage as one unit when it was actually a two unit building in its pre-variance form; and
6. Inadequacy of Planning Commission's conditions to mitigate construction impacts.

(b) Reasons in support of the appeal:

I. PLANNING CODE SECTION 303 CRITERIA FOR CONDITIONAL USE AUTHORIZATION ARE NOT MET.

The project does not meet the three criteria set forth in **Planning Code Section 303(c)** for approving a Conditional Use Authorization:

> ***Criteria No. 1:*** *"That the proposed use or feature, at the size and intensity contemplated and at the proposed location will provide a development that is necessary or desirable for, and compatible with, the neighborhood or the community."* (Sec. 303(c)(1)) [Emphasis added.]

The proposed new 3-unit luxury condominium building with unit sizes ranging from 3,685 to 4,275 square feet each (with a 3,767 square foot 3-car parking garage) is incompatible with the surrounding neighborhood where the average unit size within 300 feet of the project site is 1,130 square feet based on City records. Indeed, 1,245 plus square feet for each car exceeds the average size of living units within 300 square feet of the project site.

The nature and location of the project site are unique in the City in that it is at the convergence of the top of the narrow Filbert Street steps, the Pioneer Park stairway to Coit Tower and the bus stop. The massive project will negatively impact public views from the Filbert Street steps and the Pioneer Park stairways and is not a development that is "necessary and desirable" for the neighborhood or community. In addition to its significant and permanent impacts to public views from public places, the project's mass, scale and proposed design are not compatible with the character or the historic development pattern of the neighborhood.

The proposed new condominiums that are intended for the most affluent buyers, are not "necessary and desirable" for or "compatible" with the neighborhood. They will not enhance the supply of affordable housing in the City, but will instead create additional pressure on the existing affordable and workforce housing in the community, resulting in a decrease in the neighborhood's economic and demographic diversity.

> ***Criteria No. 2:*** *"That such use or feature as proposed will not be detrimental to the health, safety, convenience or general welfare of persons residing or working in the vicinity" with respect to "the nature of the proposed site" and "[t]he accessibility and traffic patterns for persons and vehicles, the type and volume of such traffic..."* (Sec. 303(c)(2)) [Emphasis added.]

Given the unique setting and location of the project site adjacent to the main routes to Coit Tower used by more than 400,000 visitors each year who arrive by foot via the Filbert Street steps, by bus on the 39 Coit, or by car on narrow, winding Telegraph Hill Boulevard, the location of the proposed parking garage -- the driveway entrance and curb cut for which will be located at the very top of the Filbert Street steps -- will impede pedestrian movement and impair pedestrian safety, require the relocation of a stop sign and bus stop and reconfiguration of the sidewalk, create conflicts with Muni buses, and add to recognized traffic congestion on Telegraph Hill Boulevard leading to Coit Tower. The project would, therefore, be detrimental to the health, safety, convenience and general welfare of thousands of visitors to Coit Tower and Pioneer Park each year, including persons residing and working in the vicinity.

> ***Criteria No. 3:*** *"That such use or feature as proposed will comply with the applicable provisions of this [Planning] Code and will not adversely affect the General Plan."* (Sec. 303(c)(3))

The project does not comply with applicable provisions of the Planning Code and is inconsistent with Objectives and Policies of the General Plan, as detailed below.

II. THE PROJECT IS INCONSISTENT WITH PLANNING CODE SECTION 101.1 PRIORITY PLANNING POLICIES OF THE GENERAL PLAN ADOPTED BY THE VOTERS OF SAN FRANCISCO.

Planning Code Section 101.1(b) established eight Priority Planning Policies and required their inclusion in the preamble to the City's General Plan as the basis upon which all inconsistencies in the General Plan are to be resolved. All projects are required be reviewed for consistency with these Priority Policies. For the reasons set forth below, the Planning Commission erred in finding that the project is consistent with the following Priority Policies:

> ***Priority Planning Policy 8:*** *"That our parks and open space and their access to sunlight and vistas be protected from development."* (Sec. 101.1(8))

It is undisputed that, as a result of this development, the vistas from the stairways leading up from Telegraph Hill Boulevard to Pioneer Park will be seriously impacted or eliminated and that all views from the Filbert Street steps will be completely obliterated.

Priority Planning Policy 2: *"That existing housing and neighborhood character be conserved and protected in order to preserve the cultural and economic diversity of our neighborhoods."* (Sec. 101.1(2))

The proposed new extremely large luxury condos, ranging in size from 3,685 to 4,275 square feet each, are incompatible with the surrounding neighborhood where the average unit size within 300 feet of the project site is 1,130 square feet. Instead of preserving the cultural and economic diversity of the neighborhood and community, it will create additional pressure on the existing affordable housing, contributing to an increase in evictions of lower income tenants by speculators.

Priority Planning Policy 3: *"That the City's supply of affordable housing be preserved and enhanced."* (Sec. 101.1(3))

As described above, the proposed new super-luxury condos that will be priced at an estimated $8 to $10 million each will not enhance the City's supply of affordable housing, but will instead create additional pressure on the existing affordable and workforce housing in the area. The Planning Department has confirmed in its *Quarterly Pipeline Report* that as of the first quarter of 2014, only 15% the entitled projects in the pipeline are affordable to households of moderate income and that San Francisco is overbuilding luxury housing rather than moderate income housing. The proposed project will further exacerbate this imbalance.

Priority Planning Policy 4: *"That commuter traffic not impede Muni transit service or overburden our streets or neighborhood parking."* (Sec. 101.1(4))

Because the driveway and curb cut for the project's proposed parking garage are located at the very the top of the heavily used Filbert Street steps, immediately adjacent to a Muni Bus stop and the major pedestrian crosswalk to Coit Tower, conflicts between vehicular, pedestrian and Muni service are inevitable. The garage entrance will also require the relocation of a stop sign currently located within the proposed new driveway.

III. THE PROJECT IS INCONSISTENT WITH OBJECTIVES AND POLICIES OF THE CITY'S RESIDENTIAL DESIGN GUIDELINES.

The project, as proposed, conflicts with the following Residential Design Guidelines, among others:

GUIDELINE: *Protect major public views from public spaces.*

"Protect major views of the City as seen from public spaces such as streets and parks by adjusting the massing of proposed development project to reduce or eliminate adverse impacts on public view sheds."

(Residential Design Guidelines, page 18)

In direct conflict with this principle, the proposed development will completely block major public views of the City's downtown skyline from public spaces, including views from the Filbert Street steps and the stairways and landings in Pioneer Park, currently enjoyed by thousands of people each year. The project will also obscure views

of Coit Tower and Pioneer Park from the south since the rear of the building imposes a massive fort-like structure.

> ***"GUIDELINE:*** *Design building facades to enhance and complement adjacent public spaces."*
>
> *"Special attention is necessary to ensure that the building's facades enhance the public realm."*
>
> (Residential Design Guidelines, page 20)
>
> *"**GUIDELINE:** Design the scale of the building to be compatible with the height and depth of surrounding buildings."*
>
> *"It is essential for a building's scale to be compatible with that of surrounding buildings, in order to preserve neighborhood character."*
>
> (Residential Design Guidelines, page 23)

It is important to note that the project has two major facades, one facing Coit Tower and Pioneer Park, and the other facing the Financial District, Chinatown, Russian Hill and Nob Hill. Both facades are a part of the public realm – one viewed from the adjacent public stairs and public park, and the other (south facing) seen from the Financial District, Chinatown, Russian Hill and Nob Hill -- a major "postcard" view of Telegraph Hill that will be adversely affected by the proposed project. Both facades fail to comply with above and other residential design guidelines.

IV. THE PROJECT IS INCONSISTENT WITH OBJECTIVES AND POLICIES OF THE HOUSING ELEMENT OF THE CITY'S GENERAL PLAN.

The project is inconsistent with the specific Objectives and Policies of the Housing Element of the General Plan.

HOUSING ELEMENT

Objectives and Policies

> **OBJECTIVE 1:**
> *IDENTIFY AND MAKE AVAILABLE FOR DEVELOPMENT ADEQUATE SITES TO MEET THE CITY'S HOUSING NEEDS, ESPECIALLY PERMANENTLY AFFORDABLE HOUSING.*
>
> **OBJECTIVE 11:**
> *SUPPORT AND RESPECT THE DIVERSE AND DISTINCT CHARACTER OF SAN FRANCISCO'S NEIGHBORHOODS.*

Objective 11 provides that "San Francisco is a city of neighborhoods, each with a distinct character and quality" underscoring that "no policy should be applied without first examining its applicability to each specific neighborhood's unique context." Telegraph Hill and North Beach is one of the city's iconic neighborhoods, with a distinct and historic character.

Policy 11.1:
Promote the construction and rehabilitation of well-designed housing that emphasizes beauty, flexibility, and innovative design, and respects existing neighborhood character. [Emphasis added.]

Policy 11.2:
Ensure implementation of accepted design standards in project approvals.

Policy 11.3:
Ensure growth is accommodated without substantially and adversely impacting existing residential neighborhood character. [Emphasis added.]

Policy 11.6:
Foster a sense of community through architectural design, using features that promote community interaction.

Policy 11.9:
Foster development that strengthens local culture and sense of place and history.

V. THE PROJECT IS INCONSISTENT WITH THE URBAN DESIGN ELEMENT OF THE GENERAL PLAN.

The project is inconsistent with the specific Objectives and Policies of the Urban Design Element of the General Plan that are of particular importance to defining the framework for developing this unique and special site.

URBAN DESIGN ELEMENT

Objectives and Policies

OBJECTIVE 1:
EMPHASIS OF THE CHARACTERISTIC PATTERN WHICH GIVES TO THE CITY AND ITS NEIGHBORHOODS AN IMAGE, A SENSE OF PURPOSE, AND A MEANS OF ORIENTATION.

Policy 1.1:
Recognize and protect major views in the city, with particular attention to those of open space and water. [Emphasis added.]

- Protect major views whenever it is feasible
- Overlooks and other viewpoints for appreciation of the city and its environs should be protected and supplemented, by limitation of buildings and other obstructions where necessary and by establishment of new viewpoints at key locations. [Emphasis added.]
- Visibility of open spaces, especially those on hilltops, should be maintained and improved, in order to enhance the overall form of the city.

Policy 1.3:
Recognize that buildings, when seen together, produce a total effect that characterizes the city and its districts.

- Buildings should emphasize and reflect the topographic form of the city – here of Telegraph Hill -- and should not stand out prominently in the city pattern.

Policy 1.8:
Increase the visibility of major destination areas and other points for orientation.

- Views from streets and other public areas should be preserved, created and improved and should be fostered in public and private development.

OBJECTIVE 2:
CONSERVATION OF RESOURCES WHICH PROVIDE A SENSE OF NATURE, CONTINUITY WITH THE PAST, AND FREEDOM FROM OVERCROWDING.

Objective 2 lists *"Fundamental Principles for Conservation"* to be adhered to in designing new buildings, including the following:

- Provide visual interest and enrichment consistent with the historic scale and texture of the San Francisco.
- Conserve the important design character of historic or distinctive older areas, including some uniformity of detail, scale, proportion, texture, materials, color, and building form.
- Use textured materials with human scaled proportions consistent with the finer scale and detail that characterize older areas. [Emphasis added.]
- Reflect the character of nearby older buildings of historic or architectural merit.
- Do not block or otherwise impair pleasing street views of the Bay, downtown or distant hills, or other parts of the city. [Emphasis added.]

Policy 2.6:
Respect the character of older development nearby in the design of new buildings.

- Exercise care in the design of new buildings to be constructed in older areas of established character.
- Require a similarity or successful transition in scale, building form and proportion. The detail, texture, color and materials of the old should be repeated or complemented by the new.
- Bulky buildings that intrude upon or block important views of the Bay, Ocean or other significant citywide focal points are particularly disruptive. [Emphasis added.]

Policy 2.7:
Recognize and protect outstanding and unique areas that contribute in an extraordinary degree to San Francisco's visual form and character.

Policy 2.7 states as follows:

"All areas of San Francisco contribute in some degree to the visual form and image of the city. All require recognition and protection of their significant positive assets. Some areas may be more fortunately endowed than others, however, with unique characteristics for which the city is famous in the world at large. Where areas are so outstanding, they ought to be specially recognized in urban design planning and protected, if the need arises, from inconsistent new development that might upset their unique character. [Emphasis added.]

"It is the combination and eloquent interplay of buildings, landscaping, topography and other attributes that makes them outstanding. For that reason, special review of building proposals may be required to assure consistency with the basic character and scale of the area. Furthermore, the participation of neighborhood associations in these areas in a cooperative effort to maintain the established character, beyond the scope of public regulation, is essential to the long-term image of the areas and the city." [Emphasis added.]

Policy 2.7 lists the *Special Characteristics of Telegraph Hill* as:

- A hilltop park with the highly visible green of trees from which Coit Tower rises above all else.
- Low, small-scale buildings with predominantly flat roofs and light pastel colors, hugging the topography in a highly articulated form, which contrasts with the power of downtown construction. [Emphasis added.]
- Cliffs and complex stairs and walkways on the east side above the waterfront, with buildings perched precariously along the slope and trees interspersed.
- Intimate pedestrian scale and texture of streets and housing, with sudden and dramatic views of the Bay and downtown through narrow openings. [Emphasis added.]

OBJECTIVE 3:
MODERATION OF MAJOR NEW DEVELOPMENT TO COMPLEMENT THE CITY PATTERN, THE RESOURCES TO BE CONSERVED, AND THE NEIGHBORHOOD ENVIRONMENT.

Objective 3 provides that:

"As San Francisco grows and changes, new development can and must be fitted in with established city and neighborhood patterns in a complementary fashion. Harmony with existing development requires careful consideration of the character of the surroundings at each construction site. The scale of each new building must be related to the prevailing height and bulk in the area, and to the wider effects upon the skyline, views and topographic form." [Emphasis added.]

Policy 3.1:
Promote harmony in the visual relationships and transitions between new and older buildings.

- New buildings should be made sympathetic to the scale, form and proportion of older development.

Policy 3.3:

Promote efforts to achieve high quality of design for buildings to be constructed at prominent locations.

- Special efforts should be made to promote the best architectural solutions for buildings at prominent locations, such as tops of hills or fronting on permanent open space such as parks. [Emphasis added.]

Policy 3.4:
Promote building forms that will respect and improve the integrity of open spaces and other public areas.

- New buildings should not block significant views of public open spaces, especially large parks and the Bay. [Emphasis added.]
- Buildings near these open spaces should permit visual access, and in some cases physical access, to them. [Emphasis added.]
- Where separation of pedestrian and vehicular circulation levels is possible in provision of such open space, such separation should be considered. [Emphasis added.]

OBJECTIVE 4:
IMPROVEMENT OF THE NEIGHBORHOOD ENVIRONMENT TO INCREASE PERSONAL SAFETY, COMFORT, PRIDE AND OPPORTUNITY

The "Fundamental Principles for Neighborhood Environment" enumerated as a part of **Objective 4** includes the following:

- "Private lands that are landscaped or developed as open space contribute to the visual and recreational resources of the city."

Policy 4.4:
Design walkways and parking facilities to minimize danger to pedestrians.

- Pedestrian walkways should be sharply delineated from traffic areas, and set apart where possible to provide a separate circulation system.
- Walkways that cross streets should have pavement markings and good sight distances for motorists and pedestrians.

VI. THE PLANNING COMMISSION ERRED IN DETERMINING THAT THE PRE-VARIANCE CONDITION OF EXISTING REAR YARD COTTAGE INCLUDED ONLY ONE UNIT WHEN IT WAS ACTUALLY A TWO UNIT BUILDING IN ITS PRE-VARIANCE FORM.

When it was determined that the project owners had *de facto* demolished then expanded the envelope of existing rear cottage without a valid permit after the 1997 variance and conditional use authorization had lapsed, the project applicant decided to

revert the cottage to its pre-variance condition in order to avoid seeking a variance to legalize the work. As a part of the project, the Planning Commission approved a design for the "renovation and restoration of the cottage located at the rear of the property, returning it to its pre-variance form." However, as clearly evidenced by the referenced variance (Variance Case no. 93.180V), the cottage contained two units in its previous, pre-variance condition, not one unit. No Planning Code Section 317 application has been submitted to merge the two previously existing units into one and no public notice was provided to the public.

VII. PLANNING COMMISSION'S CONDITIONS OF APPROVAL ARE INADEQUATE AS TO IMPACTS OF CONSTRUCTION.

The conditions of approval of the final Planning Commission motion are inadequate to address the most significant construction impacts.

On Sheet A0.0 of the plans approved by the Planning Commission, General Notes 23 through note 32, inclusive, address construction staging of the project. These notes include, but are not limited to the following:

- "Along the Filbert Street stair frontage of the property, a well-lit and naturally ventilated pedestrian tunnel providing safety to persons using the stairs shall be erected for the duration of the construction period."
- "Construction vehicles shall use the staging area provided on site as a means to turn around, avoiding use of the Coit Tower parking lot by construction equipment and trucks."
- "All applicable weight limits on access roads to and from the site shall be observed and adhered to."
- "No construction activity over 5 DBA shall be permitted between 8:00 pm and 7:00 am the following day per San Francisco noise control ordinance."
- "Muni access to Coit Tower shall be maintained throughout construction."

Appellant Telegraph Hill Dwellers agrees wholeheartedly that safe pedestrian access on the Filbert Street steps ***must*** be maintained for the duration of the construction period and that a staging area ***must*** be created within the project site for the entire construction duration. Appellant further agrees that the existing 3-ton weight limit on the size of trucks on Lombard (from Stockton Street) and Telegraph Hill Boulevard ***must*** be maintained. And importantly, that ***Muni and vehicular access to Coit Tower shall be maintained*** throughout construction.

Therefore, note nos. 23 through 32 must be included as conditions of approval to ensure that the project applicant will not delete them in a revised site permit application.

The project sponsor's representative also told the Planning Commission that the Filbert Street steps are dilapidated and would be "improved and enhanced." The scope of work related to the Filbert Street steps should be clearly described to determine whether a General Plan Referral would be required and whether environmental review would be required for said improvement and enhancement. Also, since they are going to cover the

Filbert Street steps with a tunnel, the City should impose a condition of approval requiring the project sponsor to indemnify the City for any injuries to persons and properties and to repair or replace any portion of the Filbert Street steps damaged during construction.

SAN FRANCISCO
PLANNING DEPARTMENT

Subject to: (Select only if applicable)

- ☐ Affordable Housing (Sec. 415)
- ☐ Jobs Housing Linkage Program (Sec. 413)
- ☐ Downtown Park Fee (Sec. 412)
- ☐ First Source Hiring (Admin. Code)
- ☐ Child Care Requirement (Sec. 414)
- ☒ Other - Street Tree In-Lieu Fee (Sec. 428)

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Planning Commission Motion No. 19232

HEARING DATE: SEPTEMBER 11, 2014

Date:	September 23, 2014
Case No.:	**2013.1375 EC**
Project Address:	**115 TELEGRAPH HILL BLVD. (AKA 363 FILBERT STREET)**
Zoning:	RH-3 (Residential House, Three-Family) Telegraph Hill/North Beach Residential Special Use District 40-X Height and Bulk District
Block/Lot:	0105/065
Project Sponsor:	Jeremy Ricks 735 Montgomery Street, Suite 350 San Francisco, CA 94111
Staff Contact:	Elizabeth Watty – (415) 558-6620 Elizabeth.Watty@sfgov.org

ADOPTING FINDINGS RELATING TO THE APPROVAL OF A CONDITIONAL USE AUTHORIZATION PURSUANT TO PLANNING CODE SECTIONS 209.1(h) AND 303, TO ALLOW THE CONSTRUCTION OF THREE NEW DWELLING UNITS (FOR A LOT TOTAL OF FOUR UNITS) WITH THREE OFF-STREET PARKING SPACES WITHIN THE RH-3 (RESIDENTIAL HOUSE, THREE-FAMILY) ZONING DISTRICT, TELEGRAPH HILL – NORTH BEACH RESIDENTIAL SPECIAL USE DISTRICT, AND A 40-X HEIGHT AND BULK DISTRICT.

PREAMBLE

On August 21, 2013, Daniel Frattin, attorney for Jeremy Ricks (hereinafter "Project Sponsor"), filed an application with the Planning Department (hereinafter "Department") for Conditional Use Authorization under Planning Code Sections 151, 151.1, 209.1(h), 249.49, and 303, to allow the construction of three new dwelling-units above four off-street parking spaces on a lot that contains one existing unit within the RH-3 (Residential House, Three-Family) Zoning District, Telegraph Hill – North Beach Residential Special Use District, and a 40-X Height and Bulk District.

On July 17, 2014, the San Francisco Planning Commission (hereinafter "Commission") conducted a duly noticed public hearing at a regularly scheduled meeting on Conditional Use Application No. 2013.1375C.

At that hearing, the Planning Commission continued the hearing to September 11, 2014 so that the Project Sponsor could make revisions to the Project's design and provide additional information about the rear cottage.

On September 11, 2014, the Commission conducted a duly noticed public hearing at a regularly scheduled meeting on Conditional Use Application No. 2013.1375C.

On September 11, 2014, during the duly noticed public hearing on Conditional Use Application No. 2013.1375C, the Project Sponsor verbally withdrew, on-record, the request for a Conditional Use Authorization, pursuant to Planning Code Sections 151, 151.1, and 249.49, to allow a fourth off-street parking space (a one-to-one parking to dwelling-unit ratio), reducing the parking included as part of the Project to three spaces serving four dwelling-units.

On September 3, 2014, the Project was determined to be exempt from the California Environmental Quality Act ("CEQA") as a Class 1 and 3 Categorical Exemption under CEQA as described in the determination contained in the Planning Department files for this Project.

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.

MOVED, that the Commission hereby authorizes the Conditional Use requested in Application No. 2013.1375CE, as amended at the hearing on September 11, 2014, subject to the conditions contained in "EXHIBIT A" of this motion, based on the following findings:

FINDINGS

Having reviewed the materials identified in the preamble above, and having heard all testimony and arguments, this Commission finds, concludes, and determines as follows:

1. The above recitals are accurate and constitute findings of this Commission.

2. **Site Description and Present Use.** The Property is a 7,517 square-foot lot that is steeply sloping; in 1993, three lots were merged into the one large lot in existence today. It once contained five buildings, but four of the five buildings were demolished circa 1997. The lot currently contains a one-story cottage that was constructed in 1906, concrete retaining walls, concrete and wood stairways, and fencing. The lot has been vacant – with the exception of the vacant cottage – since 1997. In the early 1990s, the Bureau of Building Inspection declared the cottage "unsound" and it is currently uninhabitable. The Property occupies 82'-6" of frontage, including 68' along the Filbert Street steps.

3. **Surrounding Properties and Neighborhood.** The Project is located on the south side of Telegraph Hill Boulevard, between Montgomery, and Kearny Streets on Telegraph Hill near Coit Tower. On this portion of the hill, Filbert Street consists of a set of concrete public stairs, but provides no vehicle throughway. Telegraph Hill Blvd passes to the north of the Property,

spiraling up to Coit Tower. The Property is in the North Beach neighborhood, and is located in an RH-3 Zoning District, towards the top of Telegraph Hill near Coit Tower. Properties in the immediate area typically consist of one-, two- and three-family dwellings. Buildings heights are varied, but typically range from two-to-four stories tall at the street, and are scaled at the street to respect the laterally-sloping topography of the hill. To the west is a two-story, two-unit building, and immediately to the east is a four-story, three-unit building.

4. **Project Description.** The Project Sponsor proposes to construct a 15,544 sq. ft. three-unit residential building with three-off-street parking spaces on a lot that contains one existing dwelling-unit (a vacant cottage in the southeast corner of the lot). The Project also includes the renovation and restoration of the cottage located at the rear of the property, returning it to its pre-variance (93.180V) building form.

   The new building will be designed to appear from the street as three, three-story single-family dwellings that will step down the hill relative to the naturally sloping topography of Telegraph Hill. The new building will include three off-street parking spaces in a shared 3,137 sq. ft. below-grade garage/basement, accessed from one garage door that will be located at the top of the Filbert Street stairs along Telegraph Hill Boulevard. The cottage in the rear would be accessed via a designated pedestrian path to the west of Unit #3, as well as through the garage.

   The three units will each occupy 23'-10" of frontage. Each unit will contain a green roof deck featuring sustainable native plants, as well as extensive landscaping. Although the rear cottage was authorized to expand as part of Variance Case no. 93.180V, the implementing Building Permit Applications were never finaled by the Department of Building Inspection. Therefore, the variance has expired, and the Project Sponsor must either revert the cottage to the pre-variance building form or seek and justify an additional variance. The Project Sponsor chose to revert the cottage to the pre-variance building form. Revised plans dated September 16, 2014, approved as part of this Motion (Exhibit B), show this scope of work.

5. **Public Comment.** The Department has received letters of support from 43 people (including the North Beach Neighbors), and letters in opposition to the Project from 41 people (including the Telegraph Hill Dwellers).

6. **Planning Code Compliance:** The Commission finds that the Project is consistent with the relevant provisions of the Planning Code in the following manner:

   A. **Density.** Planning Code Section 209.1(h) states that a density ratio up to one dwelling unit for each 1,000 square feet of lot area is permitted in the RH-3 Zoning District, if authorized as a Conditional Use by the Planning Commission.

      The Property contains 7,517 sq. ft. of lot area and would permit up to seven units with a Conditional Use Authorization. The Project would result in a lot total of four units, and thus is permitted with a Conditional Use Authorization, which is justified in more detail through Section 7, below.

B. **Rear Yard Requirement.** Planning Code Section 134 states that the minimum rear yard depth shall be equal to 45 percent of the total depth of a lot in which it is situated, and based on conditions on the adjacent properties, it may be reduced up to 25 percent of the total depth of the lot, based on the average depths of adjacent buildings.

The Project will be constructed within buildable area of the lot, maintaining a 45 percent rear yard. The existing rear yard cottage is located entirely within the required rear yard; although it will be repaired, remodeled, and reduced to the pre-variance building form, it will not be expanded, and therefore is considered an existing legal noncomplying structure. The Project complies with Planning Code Section 134.

C. **Open Space.** Planning Code Section 135 requires 100 square-feet of usable open space per dwelling unit in the RH-3 Zoning District if privately accessible, or 133 square-feet per unit if the space is commonly accessible.

The Project satisfies the residential open space requirements through a private 132 square-foot deck for Unit #1, a private 300 square-foot deck for Unit #2, a 252 square-foot deck for Unit #3, and through a commonly-accessible 2,266 square-foot, rear yard for the existing rear yard cottage. The Project complies with the open space requirements of Planning Code Section 135.

D. **Street Trees.** Planning Code Section 138.1 requires the provision of street trees with the addition of a new dwelling unit. When street trees are required, one 24-inch box size tree is required for each 20 feet of lot frontage along a street, with any remaining fraction of 10 feet or more of frontage requiring an additional tree. Such trees shall be located either within a setback area on the lot or within the public right-of-way along such lot.

The Property currently contains two street trees along the 82'-6" property frontage, located between the Filbert Street stairs and Telegraph Hill Boulevard. The Property requires installation of 4 trees; however, according to the Department of Public Works, installation of the additional two required street trees is infeasible. As such, the Project Sponsor will pay an in-lieu fee for two street trees.

E. **Bird Safe Glazing.** Planning Code Section 139 allows residential buildings within R-Districts that are less than 45 feet in height and have an exposed facade comprised of less than 50% glass to be exempt from the Location-Related Glazing Standards outlined in Planning Code Section 139(c)(1).

The Property is located within 300-feet of an Urban Bird Refuge; however, the new buildings' exposed facades are comprised of less than unobstructed 50 percent glass, and are therefore exempt from meeting the Location-Related Glazing Standards outlined in Planning Code Section 139(c)(1).

F. **Exposure.** Planning Code Section 140 requires that at least one qualifying room of every dwelling unit must face directly on an open area. The open area may be a street or alley, Code-compliant rear yard, or a qualifying open space.

The three new dwelling-units will face Telegraph Hill Boulevard, which is a qualifying street for the purpose of dwelling-unit exposure. The dwelling-unit located within the existing legal noncomplying structure in the rear yard will face an open space between the buildings that meets the dimensional requirements of Planning Code Section 140(a)(2); the space is no less than 25 feet in every horizontal dimension for the floor at which the dwelling unit in question is located and the floor immediately above it, with an increase of five feet in every horizontal dimension at each subsequent floor. The Project complies with the dwelling unit exposure requirements of Planning Code Section 140.

G. **Telegraph Hill – North Beach Residential Special Use District.** Planning Code Section 249.49 establishes the Telegraph Hill – North Beach Residential Special Use District (SUD). The purpose of this SUD, as it relates to new construction projects, is to regulate off-street parking in order to ensure that it does not significantly increase the level of automobile traffic, increase pollution, or impair pedestrian use on narrow public rights-of-way in the District. Although the RH-3 Zoning District would typically require one parking space per dwelling unit (a one-to-one parking ratio), this SUD requires a Conditional Use, along with related findings outlined in Section 151.1(g), to achieve the same parking ratio.

The Project is located within the Telegraph Hill – North Beach Residential Special Use District. Although the original Project proposed four off-street parking spaces, which required a Conditional Use Authorization, the Project was revised during the hearing to eliminate the fourth parking space. With only three off-street parking spaces now part of the Project, the parking is considered principally permitted, and no longer requires a Conditional Use Authorization under Sections 151, 151.1, and 249.49.

7. **Planning Code Section 303** establishes criteria for the Planning Commission to consider when reviewing applications for Conditional Use approval. On balance, the project does comply with said criteria in that:

A. The proposed new uses and building, at the size and intensity contemplated and at the proposed location, will provide a development that is necessary or desirable, and compatible with, the neighborhood or the community.

The Project is necessary and desirable because it will provide much needed family-sized in-fill housing in a residential neighborhood, on a lot that has been vacant (less for a small cottage at the rear of the lot) for over 10 years. The lot previously contained five buildings, but four of those five buildings were demolished in 1997. At present, the vacancy of the Property is a detriment to the neighborhood and creates a gap in the urban fabric that is built along the Filbert Street walkway and stairs. The vacant lot is visually inconsistent with the character of the surrounding private property, which features housing developments that relate to the topography of the hill. The Project is compatible with properties that abut a vehicular street, which typically include off-street parking. The Project will also incorporate landscaping to match the surrounding area, and create visual consistency in the neighborhood. As an area that attracts tourists and visitors, the Project is a desirable improvement to the neighborhood over the existing vacant lot.

The Project will provide three new family-sized dwelling units, and will renovate an existing cottage that is in disrepair in order to make it suitable for occupancy. In-fill sites in developed residential neighborhoods, such as Telegraph Hill, should be developed with new housing.

B. The proposed project will not be detrimental to the health, safety, convenience or general welfare of persons residing or working in the vicinity. There are no features of the project that could be detrimental to the health, safety or convenience of those residing or working the area, in that:

i. Nature of proposed site, including its size and shape, and the proposed size, shape and arrangement of structures;

The 7,517 square-foot Property is located in a relatively low-density area; the lot is large for the neighborhood. In 1993, three lots were merged into the one large lot in existence today. Prior to that merger, up to nine dwelling units would have been principally permitted (approvable without a Conditional Use Authorization); now, only three units would be principally permitted, and four-to-seven units would be permitted with a Conditional Use Authorization.

This large vacant lot is an appropriate location for a three-unit in-fill development (for a total of four units on the lot). Due to the relatively low density development of the surrounding area, the Project will create housing at an appropriate scale in a desirable urban area without overcrowding the neighborhood. Although the three units are technically located within one building, they appear as three single-family dwellings, each with approximately 23'-10" wide building facades that are located at the front property line, which is typical of residential properties in the surrounding area. The existing and proposed uses are consistent with the neighborhood uses, and the proposed design is compatible with the immediate vicinity.

ii. The accessibility and traffic patterns for persons and vehicles, the type and volume of such traffic, and the adequacy of proposed off-street parking and loading;

The Property is located in a relatively low-density area. The addition of three new dwelling-units will have negligible adverse effect on traffic in the neighborhood, and it is anticipated that the Project will generate traffic volumes and patterns compatible with those of existing surrounding uses, particularly those properties with off-street parking. The Project will provide three off-street parking spaces in a below-grade basement garage, which will be sufficient to serve the residents at the property.

iii. The safeguards afforded to prevent noxious or offensive emissions such as noise, glare, dust and odor;

The Project consists of the construction of a new three-unit residential building with three off-street parking spaces, and the renovation of one existing cottage. The Project will comply with all City codes regarding construction hours, noise, and dust, and it will not produce, or include, any permanent uses that would emit noxious or offensive emissions such as noise, glare, dust and odor.

iv. Treatment given, as appropriate, to such aspects as landscaping, screening, open spaces, parking and loading areas, service areas, lighting and signs;

The Project will improve the exterior appearance of the Property by upgrading landscaping and creating an attractive, Code-compliant housing development. The Project will incorporate ample landscaping in planters at the front of the Property, and the area surrounding the new development will be landscaped to allow the development to blend into, and complement, the surrounding hillside. The Project Sponsors have also committed to working in good faith with DPW and other relevant City agencies on a stewardship and maintenance agreement for the landscaped area to the north of the Filbert Street stairs.

C. That the use as proposed will comply with the applicable provisions of the Planning Code and will not adversely affect the General Plan.

The Project complies with all relevant requirements and standards of the Planning Code and is consistent with Objectives and Policies of the General Plan, as detailed below.

8. **General Plan Compliance.** The Project is, on balance, consistent with the following Objectives and Policies of the General Plan:

HOUSING ELEMENT

Objectives and Policies

OBJECTIVE 2:
RETAIN EXISTING HOUSING UNITS, AND PROMOTE SAFETY AND MAINTENANCE STANDARDS, WITHOUT JEOPARDIZING AFFORDABILITY.

Policy 2.4:
Promote improvements and continued maintenance to existing units to ensure long term habitation and safety.

The Project includes the renovation of the existing rear yard cottage, which is in poor condition, in order to make it suitable for occupancy.

OBJECTIVE 4:
FOSTER A HOUSING STOCK THAT MEETS THE NEEDS OF ALL RESIDENTS ACROSS LIFECYCLES.

Policy 4.1:
Develop new housing, and encourage the remodeling of existing housing, for families with children.

The Project includes the renovation of the existing rear yard cottage, which is in poor condition, in order to make it suitable for occupancy, and includes the development of three new family-sized units.

OBJECTIVE 11:
SUPPORT AND RESPECT THE DIVERSE AND DISTRINT CHARACTER OF SAN FRANCISCO'S NEIGHBORHOODS.

Policy 11.1:
Promote the construction and rehabilitation of well-designed housing that emphasizes beauty, flexibility, and innovative design, and respects the existing neighborhood character.

Policy 11.2:
Ensure implementation of acceptable design standards in project approvals.

Policy 11.3:
Ensure growth is accommodated without substantially and adversely impacting existing residential neighborhood character.

The Project includes a well-design renovation of the existing rear yard cottage, and includes new construction that is compatible with the surrounding scale of buildings at the street and the massing of adjacent buildings, as well as the architectural character of the surrounding neighborhood.

TRANSPORTATION ELEMENT

Objectives and Policies

OBJECTIVE 1:
MEET THE NEEDS OF ALL RESIDENTS AND VISITORS FOR SAFE, CONVENIENT AND INEXPENSIVE TRANVEL WITHIN SAN FRANCISCO AND BETWEEN THE CITY AND OTHER PART S OF THE REGION WHILE MAINTAINING THE HIGH QULAITY LIVING ENVIRONMENT OF THE BAY AREA.

Policy 1.3:
Give priority to public transit and other alternatives to the private automotive as the means of meeting San Francisco's transportation needs, particularly those of commuters.

OBJECTIVE 2:
USE THE TRANSPORTATION SYSTEM AS A MEANS FOR GUIDING DEVELOPMENT AND IMPROVING THE ENVIRONMENT.

Policy 2.2:
Reduce pollution, noise and energy consumption.

The Project's central location to the City's downtown and its proximity to public transportation make it an ideal location for new housing. Residents will have a variety of options connecting them to the rest of the

City and beyond. Due to the Property's central location, residents will be able to commute to jobs and access much of San Francisco by transit, foot or bicycle.

URBAN DESIGN ELEMENT

Objectives and Policies

OBJECTIVE 2
CONSERVATION OF RESOURCES WHICH PROVIDE A SENSE OF NATURE, CONTINUITY WITH THE PAST, AND FREEDOM FROM OVERCROWDING.

Policy 2.7:
Recognize and protect outstanding and unique areas that contribute in an extraordinary degree to San Francisco's visual form and character.

Telegraph Hill is identified in the General Plan's Urban Design Element as an outstanding and unique area. The Special characteristics of the area are identified as the following:

- *A hilltop park with the highly visible green of trees from which Coit Tower rises above all else.*
- *Low, small-scale buildings having predominantly flat roofs and light pastel colors, hugging the topography in a highly articulated form which contrasts with the power of downtown construction.*
- *Cliffs and complex stairs and walkways on the east side above the waterfront, with buildings perched precariously along the slope and trees interspersed.*
- *Intimate pedestrian scale and texture of streets and housing, with sudden and dramatic views of the Bay and downtown through narrow openings.*

The Project is compatible with the aforementioned special characteristics, in that the buildings are designed to be consistent with the scale and massing of surrounding properties, and include flat, landscaped roof. The buildings respect the topography of the street by "stepping-down" the laterally-sloping topography of the Filbert Street steps. The buildings have been designed with a pedestrian scale and texture, incorporating both landscaping as well as side setbacks along the west side of each of the three new units, which provide for views of downtown.

OBJECTIVE 3:
MODERATION OF MAJOR NEW DEVELOPMENT TO COMPLEMENT THE CITY PATTERN, THE RESOURCES TO BE CONSERVED, AND THE NEIGHBORHOOD ENVIRONMENT.

Policy 3.1:
Promote harmony in the visual relationships and transitions between new and older buildings.

Policy 3.6:
Relate the bulk of buildings to the prevailing scale of development to avoid an overwhelming or dominating appearance in new construction.

The Project provides an attractive modern design and form that compliments and blends with surrounding structures without mimicking them. This creates a visually dynamic and harmonious neighborhood with an appropriate mixture of building styles.

OBJECTIVE 4
IMPROVEMENT OF THE NEIGHBORHOOD ENVIRONMENT TO INCREASE PERSONAL SAFETY, COMFORT, PRIDE AND OPPORTUNITY

Policy 4.4
Design walkways and parking facilities to minimize danger to pedestrians.

This General Plan states that driveways across sidewalks should be kept to a practical minimum, with control maintained over the number and width of curb cuts, in order to minimize danger to pedestrians. The Project includes a 10-foot wide curb cut, which is the City standard, and a 12-foot wide garage door, which is comparable with the size of garage doors found on surrounding properties (specifically the two properties to the east). The Project has been designed to include one garage entrance that will serve the vehicle storage for all four units on the Property, thereby minimizing danger to pedestrians. The garage has sufficient space for maneuvering such that exiting vehicles will not need to be backed-out in reverse. The garage door will be recessed 7'-6" from the front Property Line, in order to allow cars to exit the garage and observe pedestrian activity before crossing the sidewalk. As indicated through the Conditions of Approval, the Project Sponsor has also agreed to install warning signs to alert pedestrians on the Filbert Steps to the presence of the driveway, as well as mirrors to enhance the view of drivers exiting the garage.

9. **Planning Code Section 101.1(b)** establishes eight priority-planning policies and requires review of permits for consistency with said policies. On balance, the project does comply with said policies in that:

   A. That existing neighborhood-serving retail uses be preserved and enhanced and future opportunities for resident employment in and ownership of such businesses be enhanced.

   The Project includes the re-use of the existing vacant residential cottage at the rear of the property, and the addition of three residential units on a largely vacant lot. It will not displace any neighborhood serving retail uses or have any adverse effect on future opportunities for resident employment and ownership of retail uses.

   B. That existing housing and neighborhood character be conserved and protected in order to preserve the cultural and economic diversity of our neighborhoods.

   The Project will conserve and protect existing housing and neighborhood character by renovating and restoring an existing building in the neighborhood. It will improve a dilapidated vacant lot with a well-designed, high-quality residential development that is compatible with the scale and mass of surrounding properties. It will include screening and green elements specifically designed to allow the new structure to blend seamlessly into the character of the neighborhood.

C. That the City's supply of affordable housing be preserved and enhanced,

The Project includes the rehabilitation and preservation of an existing vacant rear cottage, which based on its size, will be relatively affordable for the Telegraph Hill neighborhood.

D. That commuter traffic not impede MUNI transit service or overburden our streets or neighborhood parking.

With four residential units within walking distance of the City's employment core and public transit (MUNI #39), the Project will not generate substantial commuter traffic that will impede MUNI transit service, or overburden the streets or neighborhood parking. Furthermore, by including three off-street parking spaces, the Project will minimize the need for residents to use the limited on-street parking in the neighborhood.

E. That a diverse economic base be maintained by protecting our industrial and service sectors from displacement due to commercial office development, and that future opportunities for resident employment and ownership in these sectors be enhanced.

The Project is a small residential development located on a nearly vacant lot in a residential neighborhood. No office use is proposed, and no industrial uses will be displaced.

F. That the City achieve the greatest possible preparedness to protect against injury and loss of life in an earthquake.

The Project will conform to the structural and seismic requirements of the San Francisco Building Code, and thus meets this requirement.

G. That landmarks and historic buildings be preserved.

The Project is not located in any Conservation or Historic District. The Project will not adversely alter any landmark building, contributory building, or architecturally significant building on the Property or in the vicinity.

H. That our parks and open space and their access to sunlight and vistas be protected from development.

The Project includes the in-fill development of three new dwelling-units on a largely vacant lot in a residential neighborhood. The Project will not adversely affect any public parks or open spaces. It is located below Coit Tower and Pioneer Park on Telegraph Hill, and will incorporate green rooftops to ensure that the Project blends with the hillside when viewed from above. It will not adversely affect Coit Tower's access to sunlight or public vistas.

10. The Project is consistent with and would promote the general and specific purposes of the Code provided under Section 101.1(b) in that, as designed, the Project would contribute to the character and stability of the neighborhood and would constitute a beneficial development.

11. The Commission hereby finds that approval of the Conditional Use Authorization would promote the health, safety and welfare of the City.

DECISION

That based upon the Record, the submissions by the Applicant, the staff of the Department and other interested parties, the oral testimony presented to this Commission at the public hearings, and all other written materials submitted by all parties, the Commission hereby **APPROVES Conditional Use Application No. 2013.1375CE, as revised at the hearing on September 11, 2014,** subject to the following conditions attached hereto as "EXHIBIT A" in general conformance with plans on file, revised and dated September 16, 2014, and stamped "EXHIBIT B", which is incorporated herein by reference as though fully set forth.

APPEAL AND EFFECTIVE DATE OF MOTION: **Any aggrieved person may appeal this Conditional Use Authorization to the Board of Supervisors within thirty (30) days after the date of this Motion No. 19232. The effective date of this Motion shall be the date of this Motion if not appealed (After the 30-day period has expired) OR the date of the decision of the Board of Supervisors if appealed to the Board of Supervisors. For further information, please contact the Board of Supervisors at (415) 554-5184, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102.**

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 ADOPTED the foregoing Motion on September 11, 3014.

Jonas P. Ionin
Commission Secretary

AYES: Commissioners Antonini, Fong, Hillis, Johnson, Richards

NAYS: Commissioners Moore, Wu

ABSENT: N/A

ADOPTED: September 11, 2014

EXHIBIT A

AUTHORIZATION

This authorization is for a Conditional Use to allow the construction of three new dwelling-units on a lot that contains one existing unit, including three off-street parking spaces located at 115 Telegraph Hill Boulevard, Block 0105, and Lot 065 pursuant to Planning Code Sections 209.1(h) and 303, within the RH-3 (Residential House, Three-Family) Zoning District, Telegraph Hill – North Beach Residential Special Use District, and a 40-X Height and Bulk District; in general conformance with plans, revised and dated **September 16, 2014**, and stamped "EXHIBIT B" included in the docket for Case No. **2013.1375C** and subject to conditions of approval reviewed and approved by the Commission on **September 11, 2014** under Motion No. **19232**. This authorization and the conditions contained herein run with the property and not with a particular Project Sponsor, business, or operator.

RECORDATION OF CONDITIONS OF APPROVAL

Prior to the issuance of the building permit or commencement of use for the Project the Zoning Administrator shall approve and order the recordation of a Notice in the Official Records of the Recorder of the City and County of San Francisco for the subject property. This Notice shall state that the project is subject to the conditions of approval contained herein and reviewed and approved by the Planning Commission on **September 11, 2014** under Motion No. **19232**.

PRINTING OF CONDITIONS OF APPROVAL ON PLANS

The conditions of approval under the 'Exhibit A' of this Planning Commission Motion No. **19232**shall be reproduced on the Index Sheet of construction plans submitted with the Site or Building permit application for the Project. The Index Sheet of the construction plans shall reference to the Conditional Use authorization and any subsequent amendments or modifications.

SEVERABILITY

The Project shall comply with all applicable City codes and requirements. If any clause, sentence, section or any part of these conditions of approval is for any reason held to be invalid, such invalidity shall not affect or impair other remaining clauses, sentences, or sections of these conditions. This decision conveys no right to construct, or to receive a building permit. "Project Sponsor" shall include any subsequent responsible party.

CHANGES AND MODIFICATIONS

Changes to the approved plans may be approved administratively by the Zoning Administrator. Significant changes and modifications of conditions shall require Planning Commission approval of a new Conditional Use Authorization.

Conditions of Approval, Compliance, Monitoring, and Reporting

PERFORMANCE

1. **Validity.** The authorization and right vested by virtue of this action is valid for three (3) years from the effective date of the Motion. The Department of Building Inspection shall have issued a Building Permit or Site Permit to construct the project and/or commence the approved use within this three-year period.
   For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

2. **Expiration and Renewal.** Should a Building or Site Permit be sought after the three (3) year period has lapsed, the project sponsor must seek a renewal of this Authorization by filing an application for an amendment to the original Authorization or a new application for Authorization. Should the project sponsor decline to so file, and decline to withdraw the permit application, the Commission shall conduct a public hearing in order to consider the revocation of the Authorization. Should the Commission not revoke the Authorization following the closure of the public hearing, the Commission shall determine the extension of time for the continued validity of the Authorization.
   For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

3. **Diligent pursuit.** Once a Site or Building Permit has been issued, construction must commence within the timeframe required by the Department of Building Inspection and be continued diligently to completion. Failure to do so shall be grounds for the Commission to consider revoking the approval if more than three (3) years have passed since this Authorization was approved.
   For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

4. **Extension.** All time limits in the preceding three paragraphs may be extended at the discretion of the Zoning Administrator where implementation of the project is delayed by a public agency, an appeal or a legal challenge and only by the length of time for which such public agency, appeal or challenge has caused delay.
   For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

5. **Conformity with Current Law.** No application for Building Permit, Site Permit, or other entitlement shall be approved unless it complies with all applicable provisions of City Codes in effect at the time of such approval.
   For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

DESIGN

6. **Final Materials.** Final materials, window details, glazing, color, texture, landscaping, and general detailing shall be subject to Department staff review and approval. The architectural addenda shall be reviewed and approved by the Planning Department prior to issuance.
   For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org

7. **Garbage, composting and recycling storage.** Space for the collection and storage of garbage, composting, and recycling shall be provided within enclosed areas on the property and clearly labeled and illustrated on the building permit plans. Space for the collection and storage of recyclable and compostable materials that meets the size, location, accessibility and other standards specified by the San Francisco Recycling Program shall be provided at the ground level of the buildings.
   For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org

8. **Street Trees.** Pursuant to Planning Code Section 138.1, the Project Sponsor shall submit a site plan to the Planning Department prior to Planning approval of the Site or Building Permit Application indicating that the two existing street trees will remain. The Sponsor will pay an in-lieu fee for the remaining two require street trees in accordance with Planning Code Section 428, and as outlined in more detailed below.
   For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org

9. **Garage Door.** As shown on plans, revised and dated September 16, 2014, and stamped "EXHIBIT B", the garage door shall be recessed a total of 7'-6" from the front property line in order to allow drivers exiting the garage the ability to stop and view pedestrian traffic before crossing the sidewalk.
   For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org

10. **Stair Penthouse.** Rooftop stair penthouses shall not be permitted. Revised plans dated September 16, 2014, and stamped "EXHIBIT B", show roof access hatches that are flush with the roof, rather than the previously proposed stair penthouses.
    For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org

PARKING AND TRAFFIC

11. **Bicycle Parking.** The Project shall provide no fewer than **four (4)** Class 1 bicycle parking spaces as required by Planning Code Sections 155.1 and 155.5.
    For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

12. **Parking Maximum.** Pursuant to Planning Code Section 151.1 and 249.49, the Project shall provide no more than **three (3)** off-street parking spaces.
For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

13. **Construction Parking.** The Project Sponsor shall require of the general contractor that construction workers shall park legally and shall not park in the Coit Tower parking lot. *For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org*

14. **Construction Management Plan.** A Construction Management Plan is required, as provided for under items 23-32 of the "General Notes" section of the Title Sheet of the revised plans, dated September 16, 2014, and stamped "EXHIBIT B".
For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org

15. **Managing Traffic During Construction.** The Project Sponsor and construction contractor(s) shall coordinate with the Traffic Engineering and Transit Divisions of the San Francisco Municipal Transportation Agency (SFMTA), the Police Department, the Fire Department, the Planning Department, and other construction contractor(s) for any concurrent nearby Projects to manage traffic congestion and pedestrian circulation effects during construction of the Project. Prior to commencing construction, the Project Sponsor shall consult with the affected neighbors on Assessor's Block 105 before finalizing the construction staging and traffic plan, including:

    a. A schedule of delivery times and dates during which the construction materials are expected to arrive; and
    b. Methods to be used to monitor truck movement into and out of the building site so as to minimize traffic conflicts on Telegraph Hill Boulevard.

    There shall be no queuing of construction trucks along Telegraph Hill Boulevard. All trucks waiting to unload material shall be staged at a location offsite. Deliveries shall be made between the hours of 7:30 a.m. and 5 p.m. on weekdays, exclusive of legal holidays. The Project Sponsor shall employ full-time flag persons to direct traffic during excavation and concrete placement phases of construction. During other construction phases, all truck movement into and out of the Project Site shall be monitored by flag persons to minimize any traffic conflict.
    For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

16. **Garage Safety Features.** The Project Sponsor shall post signs or other devices to alert pedestrians to vehicles exiting the garage. Parabolic mirrors shall be installed at the garage exit to enhance the view of exiting drivers.
For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

PROVISIONS

17. **Street Tree In-Lieu Fee.** The Zoning Administrator waived the requirement for installation of two of the required four street trees under Planning Code Section 138.1 based on DPW's recommendation. Pursuant to Planning Code Section 428, the Project Sponsor shall comply with Planning Code Section 138.1 through payment of an in-lieu Fee pursuant to Section 428.
For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org

MONITORING

18. **Enforcement.** Violation of any of the Planning Department conditions of approval contained in this Motion or of any other provisions of Planning Code applicable to this Project shall be subject to the enforcement procedures and administrative penalties set forth under Planning Code Section 176 or Section 176.1. The Planning Department may also refer the violation complaints to other city departments and agencies for appropriate enforcement action under their jurisdiction.
For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

19. **Revocation due to Violation of Conditions.** Should implementation of this Project result in complaints from interested property owners, residents, or commercial lessees which are not resolved by the Project Sponsor and found to be in violation of the Planning Code and/or the specific conditions of approval for the Project as set forth in Exhibit A of this Motion, the Zoning Administrator shall refer such complaints to the Commission, after which it may hold a public hearing on the matter to consider revocation of this authorization.
For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

OPERATION

20. **Sidewalk Maintenance.** The Project Sponsor shall maintain the main entrance to the building and all public sidewalks and stairways abutting the subject property in a clean and sanitary condition in compliance with the Department of Public Works Streets and Sidewalk Maintenance Standards.
For information about compliance, contact Bureau of Street Use and Mapping, Department of Public Works, 415-695-2017, http://sfdpw.org

21. **Filbert Street Stewardship.** The Project Sponsor will work in good faith with DPW and other relevant City Agencies to establish a stewardship and maintenance agreement for the landscaped area to the north of the Filbert Street stairs, between Kearny Street and the Project Site.
For information about compliance, contact Bureau of Street Use and Mapping, Department of Public Works, 415-695-2017, http://sfdpw.org

22. **Community Liaison.** Prior to issuance of a building permit to construct the project and implement the approved use, the Project Sponsor shall appoint a community liaison officer to deal with the issues of concern to owners and occupants of nearby properties. The Project Sponsor shall provide the Zoning Administrator with written notice of the name, business address, and telephone number of the community liaison. Should the contact information change, the Zoning Administrator shall be made aware of such change. The community liaison shall report to the Zoning Administrator what issues, if any, are of concern to the community and what issues have not been resolved by the Project Sponsor.
For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

ADDRESS	Square Feet	BLOCK	LOT	OWNER	OWNER'S ADDRESS	CITY	STATE	ZIP
310 Filbert	3,231.250	0086	007	GRAY TRS (Donna L. Carnes, trustee)	310 FILBERT ST	SAN FRANCISCO	CA	94133-3206
97 Tel Hill Blvd. (21.01%)	765.550	0086	037	CAROLYN ZECCA FERRIS REV TRS	97 TELEGRAPH HILL BL	SAN FRANCISCO	CA	94133-3106
99 Tel Hill Blvd. (49.54%)	1,805.114	0086	038	CAROLYN ZECCA FERRIS REV TRS	99 TELEGRAPH HILL BL	SAN FRANCISCO	CA	94133-3106
401-05 Filbert/1459-69 Kearny	2,400.000	0104	001	Alexander Schuth (Eva-Maria Schuth, wife)	401-05 Filbert/1459-69 Kearny	SAN FRANCISCO	CA	94133
1447 Kearny	1,302.000	0104	003	GHIGLIER, JEAN & GUIDO	52 GENOA PL	SAN FRANCISCO	CA	94133-3402
1435-1437 Kearny	1,200.000	0104	006	LISTON TRS (Marcy Liston)	1437 KEARNY ST	SAN FRANCISCO	CA	94133-3404
126-128 Varennes	1,149.000	0104	049	YUET YING WONG TRSEE (Howard & Yuet Ling Wong, tru	128 VARENNES ST	SAN FRANCISCO	CA	94133-3411
439-441 Filbert	1,006.000	0104	054	ROBERT TOY	439 FILBERT ST	SAN FRANCISCO	CA	94133-3021
56-58 Genoa	496.000	0104	064	NEIL RASKIN TRS	1455 KEARNY ST	SAN FRANCISCO	CA	94133-3404
1455 Kearny	696.000	0104	065	NEIL RASKIN TRS	1455 KEARNY ST	SAN FRANCISCO	CA	94133-3404
152-158 Varennes	2,417.000	0104	068	ROBERT TOY	439 FILBERT ST	SAN FRANCISCO	CA	94133-3021
55 Genoa Pl	2,090.000	0104	069	WORNUM COOK TRS (Claudia Wornu, trustee)	1823 ALAMEDA AV	ALAMEDA	CA	94501-4107
1321 Montgomery	1,572.000	0105	002	SUZANNE DANEMAN CAUTHEN TRS	1321 MONTGOMERY ST	SAN FRANCISCO	CA	94133-3521
110 Alta	1,632.000	0105	006	110 ALTA LLC - Peter Dwares, Manager	331 FILBERT ST	SAN FRANCISCO	CA	94133-3234
103-105 Alta	797	0105	009	JEREMIAH & JACQUELINE ROBISON	103-105 ALTA ST	SAN FRANCISCO	CA	94133-3503
1315 Montgomery	1,550.000	0105	010	DANIEL LORIMER	1315 MONTGOMERY ST	SAN FRANCISCO	CA	94133-3521
1309-1311 Montgomery	1,546.000	0105	011	BIRCHERS LLC	PO BOX 291	FERNDALE	CA	95536-0291
1305-07 Montgomery	1,934.000	0105	013	CROCKETT & KROEBER TRS	1305 MONTGOMERY ST	SAN FRANCISCO	CA	94133-3511
1301 & 1303 Montgomery	2,500	0105	014	JUDY SITZ	1301 1/2 MONTGOMERY S	SAN FRANCISCO	CA	94133
1402 Kearny	1,855.000	0105	025	DENNIS FIORANELLI	394 UNION ST	SAN FRANCISCO	CA	94133-3516
1424-1428 Kearny	5,156.250	0105	027	SHEILA BLACK ESTATE	1424 KEARNY ST	SAN FRANCISCO	CA	94133-3441
1436 Kearny	5,500.000	0105	028	NATHAN & NAN ROTH	1436 KEARNY ST	SAN FRANCISCO	CA	94133-3405
1454-56 Kearny	776.000	0105	031	YASSO TRS	9703 MERRIWEATHER CT	GRANITE BAY	CA	95746-6712
391 Filbert	727.000	0105	032	ERICH BREISACHER	391 FILBERT ST	SAN FRANCISCO	CA	94133-3205
357 Filbert	2,382.500	0105	037	NATHAN & NAN ROTH	1436 KEARNY ST	SAN FRANCISCO	CA	94133-3405
122 Alta	1,999.000	0105	041	SAFFELSING TRS (Blair Helsing & Sharon Saffel, trustees)	122 ALTA ST	SAN FRANCISCO	CA	94133-3504
331 Filbert	997.000	0105	045	331 Filbert LLC (New Owner) - Peter Dwares, Manager	331 Filbert	SAN FRANCISCO	CA	94133
327 Filbert	875.000	0105	045B	SONDRA LEQVE TRS	327 FILBERT ST	SAN FRANCISCO	CA	94133-3205
109-111 Tel Hill Blvd	3,220.625	0105	049	WILLIAM RUTTER TRS	1700 OWENS ST #515	SAN FRANCISCO	CA	94158-0002
107 Alta	3,260.000	0105	048	FRANK CHIANG TRS	107 ALTA ST	SAN FRANCISCO	CA	94133-3503
307 Filbert	1,528.000	0105	050	ROBERT MAJOR TRS	311 TEETSHORN ST	HOUSTON	TX	77009-7529
116 ALTA ST (13.513%)	1,021.92	0105	055	Prober Family Trust (Charles G. Prober, trustee)	116 ALTA ST	SAN FRANCISCO	CA	94133-3504
118 ALTA ST (18.91%)	1,430.069	0105	056	BRADLEY & AMANDA PETERS	118 ALTA ST	SAN FRANCISCO	CA	94133-3504
101 Tel Hill Blvd #A (10.383%)	785.214	0105	057	BEYKPOUR KAYVON	101 TELEGRAPH HILL BL #A	SAN FRANCISCO	CA	94133-3101
101 Tel Hill Blvd #B (14.7321%)	1,114.115	0105	058	LEY TRS	26850 ORTEGA DR	LOS ALTOS	CA	94022-1978
345 Filbert St #1 (21.3255%)	1,612.741	0105	059	GIOVANNI SAVIO	345 FILBERT ST #1	SAN FRANCISCO	CA	94133-3205
345 FILBERT ST #2 (10.5682%)	799.220	0105	060	PETER HABLE TRS	345 FILBERT ST #2	SAN FRANCISCO	CA	94133-3205
71 CASTLE ST (26%)	611.000	0114	074	SMITH TRS (Robert E. Smith, trustee)	75 CASTLE ST	SAN FRANCISCO	CA	94133-3517
73 CASTLE ST (26%)	611.000	0114	075	SMITH TRS (Robert E. Smith, trustee)	75 CASTLE ST	SAN FRANCISCO	CA	94133-3517
75 CASTLE ST (26%)	611.000	0114	076	SMITH TRS (Robert E. Smith, trustee)	75 CASTLE ST	SAN FRANCISCO	CA	94133-3517
77 CASTLE ST (26%)	611.000	0114	077	SMITH TRS (Robert E. Smith, trustee)	75 CASTLE ST	SAN FRANCISCO	CA	94133-3517
401 UNION ST #101 (12.64%)	391.840	0115	055	JONATHAN PEREL	401 UNION ST #101	SAN FRANCISCO	CA	94133-3450
401 UNION ST #102 (9.65%)	299.150	0115	056	ROBERT WATKE TRS	401 UNION ST #102	SAN FRANCISCO	CA	94133-3432
401 UNION ST #103 (10.96%)	339.760	0115	057	JEFFREY WATSON	401 UNION ST #103	SAN FRANCISCO	CA	94133-3432
401 UNION ST #301 (18.78%)	582.180	0115	061	VIVIANE AMES	401 UNION ST #301	SAN FRANCISCO	CA	94133-3431
401 UNION ST #302 (14.72%)	456.320	0115	062	FUNG & NGUYEN	401 UNION ST #302	SAN FRANCISCO	CA	94133-3431
total square feet	69,641.819							

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City Planning Commission
Case No. 2013-1375CE

The undersigned declare that they are hereby subscribers to this Notice of Appeal and are owners of property affected by the proposed amendment or conditional use (that is, owners of property within the area that is the subject of the application for amendment or conditional use, or within a radius of 300 feet of the exterior boundaries of the property.

If ownership has changed and assessment roll has not been amended, we attach proof of ownership change. If signing for a firm or corporation, proof of authorization to sign on behalf of the organization is attached.

	Street Address, property owned	Assessor's Block & Lot	Printed Name of Owner(s)	Original Signature of Owner(s)
1.	310 Filbert St	86/07	Donna L. Carnes-Gray, Trustee, Gray Trust	Donna Carnes-Trustee
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NOTE: REC'D 29
1980 PAGES OF SIGNATURES (1)

City Planning Commission
Case No. 2013-1375CE

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	Street Address, property owned	Assessor's Block & Lot	Printed Name of Owner(s)	Original Signature of Owner(s)
1.	97 Telegraph Hill Blvd.	86/37	Carolyn Zecca Ferris, Trustee, Carolyn Zecca Ferris Rev. Tr.	
2.				
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5.	99 Telegraph Hill Blvd.	86/38	Carolyn Zecca Ferris, Trustee, Carolyn Zecca Ferris Rev. Tr.	
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August 2011

City Planning Commission
Case No. 2013-1375CE

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	Street Address, property owned	Assessor's Block & Lot	Printed Name of Owner(s)	Original Signature of Owner(s)
1.	401-05 Filbert/1459-69 Kearny	104/01	Eva-Maria Schuth	
2.			Alexander Schuth	
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August 2011

RECORDING REQUESTED BY:

Old Republic Title Company

Order No.: 0224032534-KN
APN: Lot 001; Block 0104

When Recorded Mail Document and Tax Statements to:

Alexander Schuth
1469 Kearny St.
San Francisco, CA 94133

20149J89084600005
San Francisco Assessor-Recorder
Carmen Chu, Assessor-Recorder
DOC 2014-J890846-00
Acct 5002-Old Republic Title Company
Wednesday, JUN 04, 2014 10:59:54
Ttl Pd$26,099.50 Nbr-0004950493
oar/RE/1-5

SPACE ABOVE THIS LINE IS FOR RECORDER'S USE

1459-1469 Kearny St & 401-405 Filbert St.

Grant Deed

The undersigned grantor(s) declare(s):
Documentary Transfer Tax is $26,062.50
(X) computed on full value of property conveyed, or
( ) computed on full value less of liens and encumbrances remaining at time of sale.
( ) Unincorporated area: (X) City of San Francisco

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,
Ernest John Chiappari and Linda Lee Chiappari, Trustees of The Ernest John Chiappari and Linda Lee Chiappari Revocable Living Trust dated April 4, 2007; and Larry P. Nannini and Susan L. Nannini, Trustees under Revocable Trust Agreement of Larry P. Nannini and Susan L. Nannini dated June 26, 2007; and Roy L. Chiappari and Dianne R. Chiappari, Trustees of The Roy L. Chiappari and Dianne R. Chiappari Revocable Living Trust dated April 8, 2004; and Ernest Chiappari, Roy Chiappari and Susan Nannini, Successor Co-Trustees of The Mary Chiappari 1998 Revocable Living Trust dated April 20, 1998
hereby GRANT(S) to
Alexander Schuth, a married man, as his sole and separate property

that property in City of San Francisco, San Francisco County, State of California, described as:
See "Exhibit A" attached hereto and made a part hereof.

Date: May 23, 2014

The Ernest John Chiappari and Linda Lee Chiappari Revocable Living Trust dated April 4, 2007

By: _____
Ernest John Chiappari, Trustee

By: _____
Linda Lee Chiappari, Trustee

The Revocable Trust Agreement of Larry P. Nannini and Susan L. Nannini dated June 26, 2007

By: _____
Larry P. Nannini, Trustee

By: _____
Susan L. Nannini, Trustee

The Roy L. Chiappari and Dianne R. Chiappari Revocable Living Trust dated April 8, 2004

By: _____
Roy L. Chiappari, Trustee

By: _____
Dianne R. Chiappari, Trustee

The Mary Chiappari 1998 Revocable Living Trust dated April 20, 1998

By: _____
Ernest Chiappari, Successor Co-Trustee

By: _____
Roy Chiappari, Successor Co-Trustee

By: _____
Susan Nannini, Successor Co-Trustee

ORDER NO. : 0224032534-KN

EXHIBIT A

The land referred to is situated in the County of San Francisco, City of San Francisco, State of California, and is described as follows:

Commencing at a point formed by the intersection of the Westerly line of Kearny Street with the Southerly line of Filbert Street, running thence Southerly along said Westerly line of Kearny Street 40 feet; thence at a right angle Westerly and parallel to the Southerly line of Filbert Street 60 feet to Easterly line of Filbert Place; thence at a right angle Northerly along said Easterly line of Filbert Place 40 feet to the Southerly line of Filbert Street, thence at a right angle Easterly along said Southerly line of Filbert Street 60 feet to said Westerly line of Kearny Street and the point of commencement.

BEING a portion of 50 Vara Lot No. 421.

Assessor's LOT 00 1; BLOCK 0104

State of California

County of San Mateo

On 27th day of May, 2014 before me, D. Lum a Notary Public, personally appeared Roy L. Chiappari,* Dianne R. Chaippari, Larry P. Nannini and Susan L. Nannini,** who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature: _____

Name: D. Lum
Grant Deed dated May 23, 2014 Lot 001; Block 0104
(typed or printed)

D. LUM
Commission # 2062404
Notary Public - California
San Mateo County
My Comm. Expires Apr 23, 2018

(Seal)

D. LUM
Commission # 2062404
Notary Public - California
San Mateo County
My Comm. Expires Apr 23, 2018

*aka Roy Chiappari.
**aka Susan Nannini.

DVL/dvl

State of California

County of Placer

On 28th day of May, 2014 before me, M.R. Bor a Notary Public, personally appeared Ernest Chiappari , who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(les), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature: _____

M. R. BOR
Comm. #2001651
Notary Public - California
Placer County
Comm. Expires Jan 17, 2017

Name: M.R. Bor
(typed or printed)

(Seal)

RB/rb



Search Results

Document Details

Year	Document	Record Date	Reel	Image	Document Type	GrantoR GranteE	Name
2014	J890846-00	06/04/2014			DEED	R	CHIAPPARI ERNEST JOHN
						R	CHIAPPARI LINDA LEE
						R	ERNEST J & LINDA L CHIAPPARI REVOC TR
						R	MARY CHIAPPARI 1998 REVOC LVG TR
						R	NANNINI LARRY
						R	NANNINI SUSAN L
						E	SCHUTH ALEXANDER

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Click to Start Flash Plug-in
Norton SECURED
powered by Symantec
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13300 New Airport Rd. Suite 101 Auburn, CA 95602



City Planning Commission
Case No. 2013-1375CE

The undersigned declare that they are hereby subscribers to this Notice of Appeal and are owners of property affected by the proposed amendment or conditional use (that is, owners of property within the area that is the subject of the application for amendment or conditional use, or within a radius of 300 feet of the exterior boundaries of the property.

If ownership has changed and assessment roll has not been amended, we attach proof of ownership change. If signing for a firm or corporation, proof of authorization to sign on behalf of the organization is attached.

	Street Address, property owned	Assessor's Block & Lot	Printed Name of Owner(s)	Original Signature of Owner(s)
1.	55 Genoa PL	104/69	Cook & Wornum Family Tr.	
2.			Claudia Wornum, Trustee	Claudia Wornum
3.				
4.	1447 KEARNY	104/3	GUIDO GHIGLIERI	Guido Ghiglieri
5.			JEAN GHIGLIERI	Jean Ghiglieri
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City Planning Commission
Case No. 2013-1375CE

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	Street Address, property owned	Assessor's Block & Lot	Printed Name of Owner(s)	Original Signature of Owner(s)
1.	1435-37 Keamy	104/06	Liston TRS (Marcy Liston Trust)	Marcy Liston, Trustee
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City Planning Commission
Case No. 2013-1375CE

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	Street Address, property owned	Assessor's Block & Lot	Printed Name of Owner(s)	Original Signature of Owner(s)
1.	126-128 Varennes	104/49	YUET YING WONG Trust	
2.			Yuet Ying Wong	Yuet Y Wong
3.			Howard Wong	
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City Planning Commission
Case No. 2013-1375CE

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	Street Address, property owned	Assessor's Block & Lot	Printed Name of Owner(s)	Original Signature of Owner(s)
1.	439-441 Filbert	104/54	Robert Toy	
2.	152-158 Varennes	104/68	Robert Toy	
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City Planning Commission
Case No. 2013-1375CE

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	Street Address, property owned	Assessor's Block & Lot	Printed Name of Owner(s)	Original Signature of Owner(s)
1.	56-58 Genoa	104/64	NEIL RASKIN TRS	x
2.			NEIL RASKIN	
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6.	1455 Kearny	104/65	NEIL RASKIN TR	x
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City Planning Commission
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	Street Address, property owned	Assessor's Block & Lot	Printed Name of Owner(s)	Original Signature of Owner(s)
1.	109-111 Telegraph Hill Blvd	105/49	William Rotter Trust	
2.	357 Filbert	105/37	Nathan Roth	
3.	"	"	NAN ROTH	
4.	1436 Kearny	105/28	NATHAN ROTH	
5.	"	"	Nan Roth	
6.	110 Alta	105/06	110 ALTA LLC (Peter Dwares)	X
7.	~~1424-1428 Kearny~~	~~105/27~~	~~Sheila Black (Estate of)~~	
8.	1315 Montgomery	105/10	Daniel Lorimer	
9.	~~1126 28 Varennes~~	~~101/49~~	~~[redacted]~~	
10.	1321 Montgomery	105/02	Suzanne Daneman Cauthen Tr	Suzanne D. Cauthen
11.	331 Filbert	105/45	331 Filbert LLC (Peter Dwares) ~~First SoSCol LLC~~	X
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Business Entities (BE)

Online Services
- **E-File Statements of Information for Corporations**
- **Business Search**
- **Processing Times**
- **Disclosure Search**

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Service Options

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Statements of Information (annual/biennial reports)

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Information Requests (certificates, copies & status reports)

Service of Process

FAQs

Contact Information

Resources
- **Business Resources**
- **Tax Information**
- **Starting A Business**

Customer Alerts
- **Business Identity Theft**
- **Misleading Business Solicitations**

Business Entity Detail

Data is updated to the California Business Search on Wednesday and Saturday mornings. Results reflect work processed through Friday, September 19, 2014. Please refer to **Processing Times** for the received dates of filings currently being processed. The data provided is not a complete or certified record of an entity.

Entity Name:	110 ALTA LLC
Entity Number:	200322710040
Date Filed:	08/13/2003
Status:	ACTIVE
Jurisdiction:	CALIFORNIA
Entity Address:	331 FILBERT STREET
Entity City, State, Zip:	SAN FRANCISCO CA 94133
Agent for Service of Process:	PETER DWARES
Agent Address:	331 FILBERT STREET
Agent City, State, Zip:	SAN FRANCISCO CA 94133

* Indicates the information is not contained in the California Secretary of State's database.

* **Note:** If the agent for service of process is a corporation, the address of the agent may be requested by ordering a status report.

- For information on checking or reserving a name, refer to **Name Availability**.
- For information on ordering certificates, copies of documents and/or status reports or to request a more extensive search, refer to **Information Requests**.
- For help with searching an entity name, refer to **Search Tips**.
- For descriptions of the various fields and status types, refer to **Field Descriptions and Status Definitions**.

Modify Search **New Search** **Printer Friendly** **Back to Search Results**

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110 Alta St
105/06

MANAGER. Peter Dwares
110 Alta St. LLC

OPERATING AGREEMENT

FOR

110 ALTA LLC

A LIMITED LIABILITY COMPANY

THE SECURITIES REPRESENTED BY THIS AGREEMENT HAVE NOT BEEN REGISTERED UNDER THE SECURITIES ACT OF 1933 OR REGISTERED OR QUALIFIED UNDER ANY STATE SECURITIES LAWS. SUCH SECURITIES MAY NOT BE OFFERED FOR SALE, SOLD, TRANSFERRED, PLEDGED, OR HYPOTHECATED UNLESS QUALIFIED AND REGISTERED UNDER APPLICABLE STATE AND FEDERAL SECURITIES LAWS OR IN THE OPINION OF COUNSEL SATISFACTORY TO THE COMPANY, SUCH QUALIFICATION OR REGISTRATION IS NOT REQUIRED. ANY TRANSFER OF SECURITIES REPRESENTED BY THIS AGREEMENT IS FURTHER SUBJECT TO OTHER RESTRICTIONS, TERMS AND CONDITIONS WHICH ARE SET FORTH HEREIN.

OPERATING AGREEMENT

This Operating Agreement, is made as of August 14, 2003 by and among the parties listed on the signature pages hereof, with reference to the following facts:

WHEREAS, on August 13, 2003, Articles of Organization for a California limited liability company, were filed with the California Secretary of State.

WHEREAS, the parties desire to adopt and approve an operating agreement for the Company.

NOW, THEREFORE, the parties to this Agreement agree to the following provisions of the Company's operating agreement:

ARTICLE 1 DEFINITIONS.

When used in this Agreement, the following terms shall have the meanings set forth below (Other terms used in this Agreement that are not defined in this Article 1 shall have the meanings set forth elsewhere in this Agreement):

1.1 "Act" shall mean the California Limited Liability Act.

Bankruptcy Code, as determined by the Bankruptcy Court, or the admission in writing of a Member's inability to pay such Member's debts as they become due.

1.6 "Capital Account" shall mean, with respect to a Member, the capital account which the Company establishes and maintains for such Member pursuant to Section 3.3.

1.7 "Capital Contribution" shall mean the total value of cash or fair market value of property (including promissory notes or obligation to contribute cash or property) contributed or services rendered or to be rendered to the Company by Members.

1.8 "Code" shall mean the Internal Revenue Code of 1986, as it may be amended or restated from time to time, and to the extent applicable, the Regulations.

1.9 "Company" shall mean 110 Alta LLC, a California limited liability company. the business of the Company may be conducted under that name or, upon compliance with applicable laws, any other name that the Manager deems appropriate or advisable.

1.10 "Company Minimum Gain" shall have the meaning ascribed to the term "Partnership Minimum Gain: in the Regulations Section 1.704-2 (d).

1.11 "Corporations Code" shall mean the California Corporations Code, as it may be amended or restated from time to time.

1.17 "Former Member" shall have the meaning defined under Section 8.1.

1.18 "Former Member's Interest" shall have the meaning defined under Section 8.1.

1.19 "Loan Agreement" shall mean a Loan Agreement.

1.20 "Majority Interest" shall mean aggregate Percentage Interests of Members which exceed fifty percent (50%) of Percentage Interests of all Members.

1.21 "Manager" shall mean Peter L. Dwares, until his successor(s) are appointed in accordance with the terms of this Agreement, the Articles or the Act.

1.22 "Member" shall mean each Person who (i) is an initial signatory to this Agreement, (ii) has been admitted to the Company as a Member in accordance with the Articles or this Agreement or (iii) is an assignee who has become a Member in accordance with Article 7 and (iv) has not resigned, withdrawn, been expelled or, if other than an individual, dissolved. Initial Members are New Providence Trust and Peter Dwares.

1.23 "Member Non recourse Debt" shall have the meaning ascribed to the term "Partner Non recourse Debt" in Regulations Section 1.704-2(b) (4).

4.10.2 Replacement of Certificates. Any Member whose certificate of membership is lost, stolen, or destroyed may request a new certificate. Upon indemnifying the Company as reasonably as required by the Manager, a new certificate may be issued representing the same Percentage Interest of membership as was represented by the certificate alleged to be lost, stolen, or destroyed.

ARTICLE 5 MANAGEMENT AND CONTROL OF THE COMPANY.

5.1 Management of the Company by Manager.

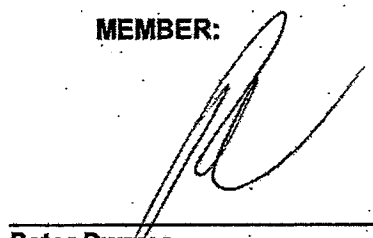
5.1.1 Management by Manager. The business, property and affairs of the Company shall be managed by the Manager. Unless the approval of the Members is expressly required by the Articles or this Agreement, the Managers shall have full, complete and exclusive authority, power, and discretion to manage and control the business, property and affairs of the Company, to make all decisions regarding those matters and to perform any and all other acts or activities customary or incident to the management of the Company's business, property and affairs.

5.2 Election of Managers.

5.2.1 Number, Term, and Qualifications. The Company shall initially have one (1) Manager, Peter Dwares. Any one Manager may make management decisions on behalf of the Company. The number of Managers may be amended from time to time by the affirmative vote or written consent of Members holding a Majority Interest. The

IN WITNESS WHEREOF, the Member of the Company has executed this Agreement, effective as of the written above.

MEMBER:



Peter Dwares

Recording Requested By

Name: Brenda Cruz Keith
c/o Law Offices of Brenda Cruz Keith

WHEN RECORDED MAIL THIS DEED AND ANY TAX STATEMENTS TO:

331 FILBERT STREET, LLC
c/o Andrew South
7831 S.E. Stark St. #103
Portland, OR 97215

San Francisco Assessor-Recorder
Carmen Chu, Assessor-Recorder
DOC- 2014-J895909-00
Check Number 3191
Wednesday, JUN 18, 2014 12:56:09
Ttl Pd $21.00 Rcpt # 0004956833
oke/NF/1-2

Lot 045, Block 0105 SPACE ABOVE THIS LINE FOR RECORDER'S USE

GRANT DEED

The undersigned grantor(s) declare(s):
Documentary transfer tax is $ 0
[ ] computed on full value of property conveyed, or
[ ] computed on fully value less value of liens or encumbrances remaining at time of sale,
[ ] Unincorporated Area City of San Francisco

NO CONSIDERATION. TRANSFER IS FROM GRANTOR TO LIMITED LIABILITY COMPANY IN WHICH GRANTOR'S INTEREST REMAINS PROPORTIONAL
Revenue & Taxation Code Sec. 62(a)(2)

FOR NO CONSIDERATION FIRST SOSCAL, L.L.C. hereby GRANTS TO 331 FILBERT STREET, LLC the following described real property in the City of San Francisco, County of San Francisco, State of California:

331 Filbert Street, San Francisco, California and more particularly described as: See Exhibit "ONE" attached hereto and made a part of hereof, the legal description of the property.

PETER L. DWARES
Managing Member

Executed on MAY 23 2014, in City of San Francisco, County of San Francisco, State of California.

On May 23, 2014 before me, Kelli M. Smith, Notary Public, personally appeared Peter L. Dwares who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature Kelli M Smith (Seal)

KELLI M. SMITH
COMM. #2001482
Notary Public-California
SAN FRANCISCO COUNTY
My Comm. Exp. JAN. 15, 2017

EXHIBIT A
331 Filbert Street, San Francisco, CA 94133

BEGINNING at a point on the Southerly line of Filbert Street, distant thereon 117 feet and 6 inches Westerly from the Westerly line of Montgomery Street; running thence Westerly along said line of Filbert Street 20 feet; thence at a right angle Southerly 50 feet; thence at a right angle Easterly 20 feet; thence at a right angle Northerly 50 feet to the point of beginning.

Being a portion of 50 Vara Block No. 62

Lot 045, Block 0105

Business Entities (BE)

Online Services
- **E-File Statements of Information for Corporations**
- **Business Search**
- **Processing Times**
- **Disclosure Search**

Main Page

Service Options

Name Availability

Forms, Samples & Fees

Statements of Information (annual/biennial reports)

Filing Tips

Information Requests (certificates, copies & status reports)

Service of Process

FAQs

Contact Information

Resources
- **Business Resources Tax Information Starting A Business**

Customer Alerts
- **Business Identity Theft**
- **Misleading Business Solicitations**

Business Entity Detail

Data is updated to the California Business Search on Wednesday and Saturday mornings. Results reflect work processed through Friday, October 10, 2014. Please refer to **Processing Times** for the received dates of filings currently being processed. The data provided is not a complete or certified record of an entity.

Entity Name:	331 FILBERT STREET, LLC
Entity Number:	201104310114
Date Filed:	01/28/2011
Status:	ACTIVE
Jurisdiction:	CALIFORNIA
Entity Address:	331 FILBERT ST
Entity City, State, Zip:	SAN FRANCISCO CA 94133
Agent for Service of Process:	PETER DWARES
Agent Address:	331 FILBERT ST
Agent City, State, Zip:	SAN FRANCISCO CA 94133

* Indicates the information is not contained in the California Secretary of State's database.

* **Note:** If the agent for service of process is a corporation, the address of the agent may be requested by ordering a status report.

- For information on checking or reserving a name, refer to **Name Availability**.
- For information on ordering certificates, copies of documents and/or status reports or to request a more extensive search, refer to **Information Requests**.
- For help with searching an entity name, refer to **Search Tips**.
- For descriptions of the various fields and status types, refer to **Field Descriptions and Status Definitions**.

Modify Search **New Search** **Printer Friendly** **Back to Search Results**

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331 Filbert St
105/45
Manager: Peter Dwares
331 Filbert St LLC

OPERATING AGREEMENT

FOR

331 Filbert Street, LLC

A LIMITED LIABILITY COMPANY

THE SECURITIES REPRESENTED BY THIS AGREEMENT HAVE NOT BEEN REGISTERED UNDER THE SECURITIES ACT OF 1933 OR REGISTERED OR QUALIFIED UNDER ANY STATE SECURITIES LAWS. SUCH SECURITIES MAY NOT BE OFFERED FOR SALE, SOLD, TRANSFERRED, PLEDGED, OR HYPOTHECATED UNLESS QUALIFIED AND REGISTERED UNDER APPLICABLE STATE AND FEDERAL SECURITIES LAWS OR IN THE OPINION OF COUNSEL SATISFACTORY TO THE COMPANY, SUCH QUALIFICATION OR REGISTRATION IS NOT REQUIRED. ANY TRANSFER OF SECURITIES REPRESENTED BY THIS AGREEMENT IS FURTHER SUBJECT TO OTHER RESTRICTIONS, TERMS AND CONDITIONS WHICH ARE SET FORTH HEREIN.

OPERATING AGREEMENT

This Operating Agreement, is made as of January 4, 2013 by and among the parties listed on the signature pages hereof, with reference to the following facts:

WHEREAS, on January 3, 2013, articles of organization for a California limited liability company, were filed with the California Secretary of State.

WHEREAS, the parties desire to adopt and approve an operating agreement for the Company.

NOW, THEREFORE, the parties to this Agreement agree to the following provisions of the Company's operating agreement:

ARTICLE 1 DEFINITIONS.

When used in this Agreement, the following terms shall have the meanings set forth below (Other terms used in this Agreement that are not defined in this Article 1 shall have the meanings set forth elsewhere in this Agreement):

1.1 "Act" shall mean the California Limited Liability Act.

Bankruptcy Court, or the admission in writing of a Member's inability to pay such Member's debts as they become due.

1.6 "Capital Account" shall mean, with respect to a Member, the capital account which the Company establishes and maintains for such Member pursuant to Section 3.3.

1.7 "Capital Contribution" shall mean the total value of cash or fair market value of property (including promissory notes or obligation to contribute cash or property) contributed or services rendered or to be rendered to the Company by Members.

1.8 "Code" shall mean the Internal Revenue Code of 1986, as it may be amended or restated from time to time, and to the extent applicable, the Regulations.

1.9 "Company" shall mean 331 Filbert Street, LLC, a California limited liability company. the business of the Company may be conducted under that name or, upon compliance with applicable laws, any other name that the Manager deems appropriate or advisable.

1.10 "Company Minimum Gain" shall have the meaning ascribed to the term "Partnership Minimum Gain: in the Regulations Section 1.704-2 (d).

1.11 "Corporations Code" shall mean the California Corporations Code, as it may be amended or restated from time to time.

1.17 "Former Member" shall have the meaning defined under Section 8.1.

1.18 "Former Member's Interest" shall have the meaning defined under Section 8.1.

1.19 "Loan Agreement" shall mean a Loan Agreement.

1.20 "Majority Interest" shall mean aggregate Percentage Interests of Members which exceed fifty percent (50%) of Percentage Interests of all Members.

1.21 "Manager" shall mean Peter L. Dwares, until his successor(s) are appointed in accordance with the terms of this Agreement, the Articles or the Act.

1.22 "Member" shall mean each Person who (i) is an initial signatory to this Agreement, (ii) has been admitted to the Company as a Member in accordance with the Articles or this Agreement or (iii) is an assignee who has become a Member in accordance with Article 7 and (iv) has not resigned, withdrawn, been expelled or, if other than an individual, dissolved.

1.23 "Member Non recourse Debt" shall have the meaning ascribed to the term "Partner Non recourse Debt" in Regulations Section 1.704-2(b) (4).

1.24 "Member Non recourse Deductions" shall mean items of Company loss, deduction, or Code Section 705 (a) (2) (B) expenditures which are attributable to Member Non recourse Debt.

4.10.2 Replacement of Certificates. Any Member whose certificate of membership is lost, stolen, or destroyed may request a new certificate. Upon indemnifying the Company as reasonably as required by the Manager, a new certificate may be issued representing the same Percentage Interest of membership as was represented by the certificate alleged to be lost, stolen, or destroyed.

ARTICLE 5 MANAGEMENT AND CONTROL OF THE COMPANY.

5.1 Management of the Company by Manager.

5.1.1 Management by Manager. The business, property and affairs of the Company shall be managed by the Manager. Unless the approval of the Members is expressly required by the Articles or this Agreement, the Managers shall have full, complete and exclusive authority, power, and discretion to manage and control the business, property and affairs of the Company, to make all decisions regarding those matters and to perform any and all other acts or activities customary or incident to the management of the Company's business, property and affairs.

5.2 Election of Managers.

5.2.1 Number, Term, and Qualifications. The Company shall initially have one (1) Manager, Peter Dwares. Any one Manager may make management decisions on behalf of the Company. The number of Managers may be amended from time to time by the affirmative vote or written consent of Members holding a Majority Interest. The Articles shall

IN WITNESS WHEREOF, the Member of the Company has executed this Agreement, effective as of the written above.

MEMBER:



Peter Dwares

March 15, 2013

Date

City Planning Commission
Case No. 2013-1375 CE

The undersigned declare that they are hereby subscribers to this Notice of Appeal and are owners of property affected by the proposed amendment or conditional use (that is, owners of property within the area that is the subject of the application for amendment or conditional use, or within a radius of 300 feet of the exterior boundaries of the property.

If ownership has changed and assessment roll has not been amended, we attach proof of ownership change. If signing for a firm or corporation, proof of authorization to sign on behalf of the organization is attached.

	Street Address, property owned	Assessor's Block & Lot	Printed Name of Owner(s)	Original Signature of Owner(s)
1.	103-105 Alta St.	105/09	Jacqueline Robison	Jacqueline Robison
2.			Jeremiah Robison	
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August 2011

City Planning Commission
Case No. 2013-1375 CE

The undersigned declare that they are hereby subscribers to this Notice of Appeal and are owners of property affected by the proposed amendment or conditional use (that is, owners of property within the area that is the subject of the application for amendment or conditional use, or within a radius of 300 feet of the exterior boundaries of the property.

If ownership has changed and assessment roll has not been amended, we attach proof of ownership change. If signing for a firm or corporation, proof of authorization to sign on behalf of the organization is attached.

	Street Address, property owned	Assessor's Block & Lot	Printed Name of Owner(s)	Original Signature of Owner(s)
1.	1309-11 Montgomery	105/11	Birchers LLC	
2.			Mike Warner,	
3.			Managing member	
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Arizona Corporation Commission

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Jump To...

Scanned Documents

Corporate Inquiry

File Number: L-1903770-9 Check Corporate Status

Corp. Name: BIRCHERS LLC

Domestic Address

3740 E SOUTHERN AVE STE 218

MESA, AZ 85206

Statutory Agent Information

Agent Name: AC&D BUSINESS SERVICES LLC

Agent Mailing/Physical Address:

1355 N MCQUEEN RD

GILBERT, AZ 85233

Agent Status: APPOINTED 02/07/2014

Agent Last Updated: 02/19/2014

Additional Corporate Information

Corporation Type: DOMESTIC L.L.C.	**Business Type:**
Incorporation Date: 02/07/2014	**Corporate Life Period:** PERPETUAL
Domicile: ARIZONA	**County:** MARICOPA
Approval Date: 02/19/2014	**Original Publish Date:**

Manager/Member Information

MICHAEL WARNER
MEMBER
PO BOX 291
FERNDALE,CA 95536
Date of Taking Office: 02/14/2014

Last Updated: 02/19/2014

Scanned Documents

(Click on gray button - if present - to view document - will open in a new window.)

(If gray button is not present, please check back later.)

Document Number	Description	Date Received
04559033	ARTICLES OF ORGANIZATION	02/14/2014
04573539	PUB OF ARTICLES OF ORGANIZATION	03/03/2014

Back To Top

- Corporate Name Search Instructions
- General Web Site Usage Instructions
- STARPAS Main Menu
- A.C.C. Corporations Division Main Page
- Arizona Corporation Commission Home Page

FEB-14-2014 FRI 12:18 PM FAX NO.

AZ Corp. Commission
04559033

04558275

AZ CORPORATION COMMISSION
FILED

FEB 07 2014

FILE NO. L-1903770-7

STATE OF ARIZONA
OFFICE OF THE
CORPORATION COMMISSION

AZ CORPORATION COMMISSION
FILED

FEB 14 2014

FILE NO. L-1903770-7

ARTICLES OF ORGANIZATION
OF
BIRCHERS LLC

Pursuant to A.R.S.29-632 the undersigned state as follows:

The name of the limited liability company is Birchers LLC

The address of the registered office in Arizona is 1740 E. Southern Ave, Suite 218, Mesa, AZ 85206, located in the County of Maricopa.
The name and address of the statutory agent is:

AC&D Business Services LLC
On behalf of: Kumar Sahajwani
1355 N. McQueen Rd.
Gilbert, AZ 85233

There are or will be one or more members at the time the limited liability company is formed (A.R.S. 29-632.A.3.).

Management of the limited liability company is reserved to the members. The name and address of each person who is a member is:

Michael Wisner PO Box 291 Ferndale, CA 95536

[signature] DATE: 2/6/2014

AC&D Business Services LLC having been designated to act as Statutory Agent, hereby consent to act in that capacity until removed or resignation is submitted in accordance with the Arizona Revised Statutes.

KUMAR SAHAJWANI ON BEHALF OF AC&D BUSINESS SERV LL

[signature] AC&D Business Services LLC
STATUTORY AGENT

1355 N. McQueen Rd.
Gilbert, AZ 85233

2014

City Planning Commission
Case No. 2013-1375CE

The undersigned declare that they are hereby subscribers to this Notice of Appeal and are owners of property affected by the proposed amendment or conditional use (that is, owners of property within the area that is the subject of the application for amendment or conditional use, or within a radius of 300 feet of the exterior boundaries of the property.

If ownership has changed and assessment roll has not been amended, we attach proof of ownership change. If signing for a firm or corporation, proof of authorization to sign on behalf of the organization is attached.

	Street Address, property owned	Assessor's Block & Lot	Printed Name of Owner(s)	Original Signature of Owner(s)
1.	1305-07 Montgomery	105/13	Crockett & Kroeber Tr	
2.			Theodore C. Kroeber	Theodore C Kroeber
3.			Candace D. Crockett	Candace D. Crockett
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City Planning Commission
Case No. 2013-1375CE

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If ownership has changed and assessment roll has not been amended, we attach proof of ownership change. If signing for a firm or corporation, proof of authorization to sign on behalf of the organization is attached.

	Street Address, property owned	Assessor's Block & Lot	Printed Name of Owner(s)	Original Signature of Owner(s)
1.	1301 & 1303 Montgomery St	105/14	Judy Sitz	
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City Planning Commission
Case No. 2013-1375CE

The undersigned declare that they are hereby subscribers to this Notice of Appeal and are owners of property affected by the proposed amendment or conditional use (that is, owners of property within the area that is the subject of the application for amendment or conditional use, or within a radius of 300 feet of the exterior boundaries of the property.

If ownership has changed and assessment roll has not been amended, we attach proof of ownership change. If signing for a firm or corporation, proof of authorization to sign on behalf of the organization is attached.

	Street Address, property owned	Assessor's Block & Lot	Printed Name of Owner(s)	Original Signature of Owner(s)
1.	1422-28 Kearny	105/27	ESTATE OF SHEILA BLACK,	
2.			Executors:	
3.			Martha E. Maierhauser	Martha K
4.			James Kavanaugh	James Kavanaugh
5.			Marilyn Kavanaugh	Marilyn Kavanaugh
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DE-150

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, state bar number, and address):	TELEPHONE AND FAX NOS.:	FOR COURT USE ONLY
Nancy M. Levin, SBN 57610 Naznin Bomi Challa, SBN 220898 Evans, Latham & Campisi One Post Street, Suite 600 San Francisco, CA 94104 ATTORNEY FOR (Name): Martha Kuehn Maierhauser	(415)421-0288 (415)421-0464	

SUPERIOR COURT OF CALIFORNIA, COUNTY OF San Francisco
STREET ADDRESS: 400 McAllister Street
MAILING ADDRESS: 400 McAllister Street
CITY AND ZIP CODE: San Francisco, CA 94102
BRANCH NAME: San Francisco Superior Court

ESTATE OF (Name): Sheila Tobin Black
DECEDENT

CASE NUMBER: PES 14-297666

LETTERS

[x] TESTAMENTARY
[ ] OF ADMINISTRATION WITH WILL ANNEXED
[ ] OF ADMINISTRATION
[ ] SPECIAL ADMINISTRATION

LETTERS

1. [x] The last will of the decedent named above having been proved, the court appoints *(name)*: Martha Kuehn Maierhauser, James V. Kavanaugh and Marilyn J. Kavanaugh
   a. [x] executor.
   b. [ ] administrator with will annexed.
2. [ ] The court appoints *(name)*:
   a. [ ] administrator of the decedent's estate.
   b. [ ] special administrator of decedent's estate
      (1) [ ] with the special powers specified in the *Order for Probate*.
      (2) [ ] with the powers of a general administrator.
      (3) [ ] letters will expire on *(date)*:
3. [x] The personal representative is authorized to administer the estate under the Independent Administration of Estates Act [x] **with full authority** [ ] **with limited authority** (no authority, without court supervision, to (1) sell or exchange real property or (2) grant an option to purchase real property or (3) borrow money with the loan secured by an encumbrance upon real property).
4. [ ] The personal representative is not authorized to take possession of money or any other property without a specific court order.

WITNESS, clerk of the court, with seal of the court affixed.

(SEAL)

Date:

Clerk, by

(DEPUTY)

AFFIRMATION

1. [ ] PUBLIC ADMINISTRATOR: No affirmation required (Prob. Code, § 7621(c)).
2. [x] INDIVIDUAL: **I solemnly affirm** that I will perform the duties of personal representative according to law.
3. [ ] INSTITUTIONAL FIDUCIARY *(name)*:

   I solemnly affirm that the institution will perform the duties of personal representative according to law. I make this affirmation for myself as an individual and on behalf of the institution as an officer.
   (Name and title):

4. Executed on *(date)*: 4-18-14
   at *(place)*: Vail, Arizona 85641

(SIGNATURE)
Martha Kuehn Maierhauser

CERTIFICATION

I certify that this document is a correct copy of the original on file in my office and the letters issued the personal representative appointed above have not been revoked, annulled, or set aside, and are still in full force and effect.

(SEAL)

Date:

Clerk, by

(DEPUTY)

City Planning Commission
Case No. 2013-1375CE

The undersigned declare that they are hereby subscribers to this Notice of Appeal and are owners of property affected by the proposed amendment or conditional use (that is, owners of property within the area that is the subject of the application for amendment or conditional use, or within a radius of 300 feet of the exterior boundaries of the property.

If ownership has changed and assessment roll has not been amended, we attach proof of ownership change. If signing for a firm or corporation, proof of authorization to sign on behalf of the organization is attached.

	Street Address, property owned	Assessor's Block & Lot	Printed Name of Owner(s)	Original Signature of Owner(s)
1.	1454-56 Kearny	105/31	Yasso Trust	
2.			Jim Yasso, Trustee	Jim Yasso, Trustee
3.			Sandy Yasso, Trustee	Sandy Yasso TTEE
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August 2011

City Planning Commission
Case No. 2013-1375CE

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If ownership has changed and assessment roll has not been amended, we attach proof of ownership change. If signing for a firm or corporation, proof of authorization to sign on behalf of the organization is attached.

	Street Address, property owned	Assessor's Block & Lot	Printed Name of Owner(s)	Original Signature of Owner(s)
1.	391 Filbert	105/32	ERICH BREISACHER	
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BY:

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August 2011

City Planning Commission
Case No. 2013-1375CE

The undersigned declare that they are hereby subscribers to this Notice of Appeal and are owners of property affected by the proposed amendment or conditional use (that is, owners of property within the area that is the subject of the application for amendment or conditional use, or within a radius of 300 feet of the exterior boundaries of the property.

If ownership has changed and assessment roll has not been amended, we attach proof of ownership change. If signing for a firm or corporation, proof of authorization to sign on behalf of the organization is attached.

	Street Address, property owned	Assessor's Block & Lot	Printed Name of Owner(s)	Original Signature of Owner(s)
1.	122 Alta St	105/41	Saffelsing Trust	
2.			Blair Helsing, Tr.	X
3.			Sharon Saffel, Tr.	X
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City Planning Commission
Case No. 2013-1375CE

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	Street Address, property owned	Assessor's Block & Lot	Printed Name of Owner(s)	Original Signature of Owner(s)
1.	327 Filbert St.	105/45B	Sondra Leqve Trs.	Sondra Legue
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BOARD OF SUPERVISORS
SAN FRANCISCO
2014 OCT 14 PM 3:02
BY:

City Planning Commission
Case No. 2013-1375 CE

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	Street Address; property owned	Assessor's Block & Lot	Printed Name of Owner(s)	Original Signature of Owner(s)
1.	107 Alta St.	105/48	Frank Chiang Trust Frank Chiang, Trustee	x J-li Chiang
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August 2011

City Planning Commission
Case No. 2013-1375CE

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	Street Address, property owned	Assessor's Block & Lot	Printed Name of Owner(s)	Original Signature of Owner(s)
1.	307 Filbert St.	105/50	Robert Major Trs	x Robert Major
2.				
3.	~~102-108 Alta~~	~~105/05~~	~~Wilber Trs~~	
4.	"	"	~~Michael Wilber~~	
5.	"	"	~~Judith Wilber~~	
6.				
7.	~~305 Filbert~~	~~105/46~~	~~Hugh Margvis~~	
8.			~~Jane Margvis~~	
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10.	~~1345 Montgomery~~	~~105/01~~		
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Case No. 2013-1375CE

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	Street Address, property owned	Assessor's Block & Lot	Printed Name of Owner(s)	Original Signature of Owner(s)
1.	116 Alta St.	105/55	Prober Family Trust Charles G. Prober, Trustee	
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City Planning Commission
Case No. 2013-1375CE

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	Street Address, property owned	Assessor's Block & Lot	Printed Name of Owner(s)	Original Signature of Owner(s)
1.	118 Alta St.	105/56	Amanda Cox Peters	x [signature]
2.	"	"	Bradley Scott Peters	x [signature]
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August 2011

City Planning Commission
Case No. 2013-1375CE

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	Street Address, property owned	Assessor's Block & Lot	Printed Name of Owner(s)	Original Signature of Owner(s)
1.	101 Telegraph Hill Blvd. #A	105/57	Kayvon Beykpour	
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City Planning Commission
Case No. 2013-1375CE

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	Street Address, property owned	Assessor's Block & Lot	Printed Name of Owner(s)	Original Signature of Owner(s)
1.	101 Telegraph Hill Blvd. #B	105/58	Anthony J. Ley	
2.			Patricia Ley	
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	Street Address, property owned	Assessor's Block & Lot	Printed Name of Owner(s)	Original Signature of Owner(s)
1.	345 Filbert #1	105/59	Giovanni Savio	
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	Street Address, property owned	Assessor's Block & Lot	Printed Name of Owner(s)	Original Signature of Owner(s)
1.	345 Filbert St. #2	105/60	Peter Hable Tr.	
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	Street Address, property owned	Assessor's Block & Lot	Printed Name of Owner(s)	Original Signature of Owner(s)
1.	71 Castle St.	114/74	Robert E. Smith, Trustee	Robert E. Smith
2.			Smith Living Trust	
3.				
4.	73 Castle St.	114/75	Robert E Smith, Trustee	Robert E. Smith
5.			Smith Living Trust	
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7.	75 Castle St.	114/76	Robert E Smith Trustee	Robert E. Smith
8.			Smith Living Trust	
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10.	77 Castle St.	114/77	Robert E. Smith Trustee	Robert E. Smith
11.			Smith Living Trust	
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	Street Address, property owned	Assessor's Block & Lot	Printed Name of Owner(s)	Original Signature of Owner(s)
1.	401 Union St #102	115/56	Robert E. & Donna E. Watke Living Trust	
2.	401 Union St #102	115/56	Robert E. Watke	X Robert E. Watke
3.	401 Union St. #102	115/56	Donna E. Watke	X Donna Watke
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5.	1402 Kearny St.	105/25	Dennis Fioranelli	X Dennis Fioranelli
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	Street Address, property owned	Assessor's Block & Lot	Printed Name of Owner(s)	Original Signature of Owner(s)
1.	401 Union St. #101	115/55	Perel Family Living Tr.	
2.			Jonathan E. Perel, Tstee	×
3.			Sofia R Perel, Tstee	×
4.				
5.	401 Union St. #103	115/57	Jeffrey Watson	×
6.				
7.	~~401 Union St. #203~~	~~115/60~~	~~Gabriel Bletnitsky~~	×
8.				
9.	401 Union St #301	115/61	Viviane D. Ames	×Viviane D. Ames
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11.	401 Union St. #302	115/62	Hou Pung Fung	
12.	"	"	Tram Nguyen	
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August 2011

Application to Request a
Board of Supervisors Appeal Fee Waiver

CASE NUMBER:
For Staff Use only

APPLICATION FOR
Board of Supervisors Appeal Fee Waiver

1. Applicant and Project Information

APPLICANT NAME:
Vedica Puri, President, Telegraph Hill Dwellers

APPLICANT ADDRESS:
600 Montgomery, 31st FL
San Francisco, CA 94111

TELEPHONE:
(415) 433-8000

EMAIL:
president@thd.org

NEIGHBORHOOD ORGANIZATION NAME:
Telegraph Hill Dwellers

NEIGHBORHOOD ORGANIZATION ADDRESS:
PO Box 330159
San Francisco, CA 94133

TELEPHONE:
(415) 433-8000

EMAIL:
president@thd.org

PROJECT ADDRESS:
115 Telegraph Hill Boulevard

PLANNING CASE NO.:
2013-1375 CE

BUILDING PERMIT APPLICATION NO.:

DATE OF DECISION (IF ANY):
September 11, 2014

2. Required Criteria for Granting Waiver

(All must be satisfied; please attach supporting materials)

☒ The appellant is a member of the stated neighborhood organization and is authorized to file the appeal on behalf of the organization. Authorization may take the form of a letter signed by the President or other officer of the organization.

☒ The appellant is appealing on behalf of an organization that is registered with the Planning Department and that appears on the Department's current list of neighborhood organizations.

☒ The appellant is appealing on behalf of an organization that has been in existence at least 24 months prior to the submittal of the fee waiver request. Existence may be established by evidence including that relating to the organization's activities at that time such as meeting minutes, resolutions, publications and rosters.

☒ The appellant is appealing on behalf of a neighborhood organization that is affected by the project and that is the subject of the appeal.

For Department Use Only

Application received by Planning Department:

By: _____ Date: _____

Submission Checklist:

- ☐ APPELLANT AUTHORIZATION
- ☐ CURRENT ORGANIZATION REGISTRATION
- ☐ MINIMUM ORGANIZATION AGE
- ☐ PROJECT IMPACT ON ORGANIZATION

☐ WAIVER APPROVED ☐ WAIVER DENIED

SAN FRANCISCO
PLANNING
DEPARTMENT

FOR MORE INFORMATION:
Call or visit the San Francisco Planning Department

Central Reception
1650 Mission Street, Suite 400
San Francisco CA 94103-2479

TEL: **415.558.6378**
FAX: **415.558.6409**
WEB: **http://www.sfplanning.org**

Planning Information Center (PIC)
1660 Mission Street, First Floor
San Francisco CA 94103-2479

TEL: **415.558.6377**
Planning staff are available by phone and at the PIC counter. No appointment is necessary.

2036

TELEGRAPH HILL DWELLERS
P.O. BOX 330159
SAN FRANCISCO, CA 94133

BANK OF AMERICA
SAN FRANCISCO, CA 94133
11-35/1210

4341

10/11/2014

PAY TO THE ORDER OF City and County of San Francisco $**547.00

Five Hundred Forty-Seven and 00/100********** DOLLARS

City and County of San Francisco

MEMO TLHD
115 Telegraph Appeal #2 (CU)

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BOARD of SUPERVISORS

City Hall
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. 554-5184
Fax No. 554-5163
TDD/TTY No. 554-5227

NOTICE OF PUBLIC HEARING

BOARD OF SUPERVISORS OF THE CITY AND COUNTY OF SAN FRANCISCO

NOTICE IS HEREBY GIVEN THAT the Board of Supervisors of the City and County of San Francisco will hold a public hearing to consider the following proposal and said public hearing will be held as follows, at which time all interested parties may attend and be heard:

Date: **Tuesday, November 4, 2014**

Time: **3:00 p.m.**

Location: **City Hall, 1 Dr. Carlton B. Goodlett Place, Legislative Chamber, Room 250, San Francisco, CA 94102**

Subject: **File No. 141064. Hearing of persons interested in or objecting to the Planning Commission's decision of September 11, 2014, Motion No. 19232, relating to approval of a Conditional Use Authorization (Case No. 2013.1375EC), to allow the construction of three new dwelling units (for a total of four units) with three off-street parking spaces within the RH-3 Zoning District, Telegraph Hill - North Beach Residential Special Use District and a 40-X Height and Bulk District located at 115 Telegraph Hill Boulevard, Assessor's Block No. 0105, Lot No. 065. (District 3) (Appellant: Vedica Puri, on behalf of Telegraph Hill Dwellers) (Filed October 14, 2014).**

In accordance with Administrative Code, Section 67.7-1, persons who are unable to attend the hearing on these matters may submit written comments to the City prior to the time the hearing begins. These comments will be made as part of the official record in these matters, and shall be brought to the attention of the Board of Supervisors. Written comments should be addressed to Angela Calvillo, Clerk of the Board, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102. Information relating to this matter is available in the Office of the Clerk of the Board and agenda information will be available for public review on Friday, October 31, 2014.

Angela Calvillo, Clerk of the Board

DATED: October 24, 2014
MAILED/POSTED: October 24, 2014

BOARD of SUPERVISORS

City Hall
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. 554-5184
Fax No. 554-5163
TDD/TTY No. 544-5227

PROOF OF MAILING

Legislative File No. 141064

Description of Items:

I, John Carroll, an employee of the City and County of San Francisco, mailed the above described document(s) by depositing the sealed items with the United States Postal Service (USPS) ~~with the postage fully prepaid as follows:~~ with the postage to be affixed by Repro Mail.

Date: 10.24.14

Time: 9: a.m.

USPS Location: Clerk's Office USPS Outgoing Pick-up

Mailbox/Mailslot Pick-Up Times (if applicable): N/A

Signature: John Carroll

Instructions: Upon completion, original must be filed in the above referenced file.

BLOCK	LOT	OWNER	OADDR	CITY	STATE	ZIP
0001	001	RADIUS SERVICES NO. 0105065U	363 FILBERT ST	REUBEN	14	0613
0001	002	. . . . .	. . . . .	. . . . .	.	. .
0001	003	RADIUS SERVICES	1221 HARRISON ST #18	SAN FRANCISCO	CA	94103
0001	004	REUBEN, JUNIUS & ROSE	1 BUSH ST #600	SAN FRANCISCO	CA	94104
0001	005	. . . . .	. . . . .	. . . . .	.	. .
0086	001A	GARRET SHEAN TRS	1445 MONTGOMERY ST	SAN FRANCISCO	CA	94133-3211
0086	001C	TELEGRAPH PLACE LLC	48580 KATO RD	FREMONT	CA	94538-7338
0086	002	COURTOT PHILIPPE	1409 MONTGOMERY ST	SAN FRANCISCO	CA	94133-3211
0086	004	CHARLES & LUCINDA CROCKER	1 POST ST #2500	SAN FRANCISCO	CA	94104-5243
0086	005	1403 MONTGOMERY ST	1 POST ST #2515	SAN FRANCISCO	CA	94104-5229
0086	006	ELOIS ANDERLINI TRS	300 FILBERT ST	SAN FRANCISCO	CA	94133-3206
0086	006A	ROCCO & CAROL FAZIO TRS	3026 BUCHANAN ST	SAN FRANCISCO	CA	94123-4202
0086	007	GRAY TRS	310 FILBERT ST	SAN FRANCISCO	CA	94133-3206
0086	011	REC & PARK DEPT	501 STANYAN ST	SAN FRANCISCO	CA	94117-1898
0086	012	REC & PARK DEPT	501 STANYAN ST	SAN FRANCISCO	CA	94117-1898
0086	013	REC & PARK DEPT	501 STANYAN ST	SAN FRANCISCO	CA	94117-1898
0086	032	CARLOS DELAPARRA	1407 MONTGOMERY ST #1	SAN FRANCISCO	CA	94133-3219
0086	033	KATHLEEN ELUMBA TRS	1407 MONTGOMERY ST #2	SAN FRANCISCO	CA	94133-3219
0086	034	DEWILDE TRS	2650 GREEN ST	SAN FRANCISCO	CA	94123-4607
0086	035	ANNA KAUFFMAN	PO BOX 330090	SAN FRANCISCO	CA	94133-0090
0086	036	BROWN TRS	7331 ENCELIA DR	LA JOLLA	CA	92037-5729
0086	037	CAROLYN ZECCA FERRIS REV TRS	97 TELEGRAPH HILL BL	SAN FRANCISCO	CA	94133-3106
0086	038	CAROLYN ZECCA FERRIS REV TRS	99 TELEGRAPH HILL BL	SAN FRANCISCO	CA	94133-3106
0086	039	KUEFFNER & HEINEMANN	335 GREENWICH ST	SAN FRANCISCO	CA	94133-3209
0086	040	LOUIS SILCOX	337 GREENWICH ST	SAN FRANCISCO	CA	94133-3209
0087	023	DENNIS & EILEEN AICARDI TRSEE	417 GREENWICH ST	SAN FRANCISCO	CA	94133-3014
0087	025	A PEZZI CO LLC	133 KEARNY ST #200	SAN FRANCISCO	CA	94108-4809
0087	028	SFUSD	25 VAN NESS AV #400	SAN FRANCISCO	CA	94102-6051
0104	001	MARY & ERNEST CHIAPPARI TRS	128 WERNER AV	DALY CITY	CA	94014-2518
0104	003	GHIGLIERI & JEAN GUIDO	52 GENOA PL	SAN FRANCISCO	CA	94133-3402
0104	004	SMITH CASS	1443 KEARNY ST	SAN FRANCISCO	CA	94133-3404
0104	005	JOSEPH ALBERO TRS	1838 GRANT AV	SAN FRANCISCO	CA	94133-2426
0104	006	LISTON TRS	1437 KEARNY ST	SAN FRANCISCO	CA	94133-3404
0104	007	MEHAN PROPERTIES LLC	145 POPLAR DR	KENTFIELD	CA	94904-1043
0104	008	HUEY TRS	1583 27TH AV	SAN FRANCISCO	CA	94122-3227
0104	009	TELEGRAPH HILL APARTMENTS LLC	955 PRAGUE ST	SAN FRANCISCO	CA	94112-4424
0104	010	RUTH RICCO	150 REFLECTIONS DR #14	SAN RAMON	CA	94583-4728
0104	011	SANGUINETTI TRS	1024 JACKLING DR	HILLSBOROUGH	CA	94010-6130
0104	012	IRFBO LIU	1470 33RD AV	SAN FRANCISCO	CA	94122-3143
0104	013	LYDIA & LYDA HAILE	369 PINE ST #219	SAN FRANCISCO	CA	94104-3306
0104	014	STANLEY & LYRA JOE TRS	438 UNION ST	SAN FRANCISCO	CA	94133-3415
0104	047	LEUNG & KWAN	2547 30TH AV	SAN FRANCISCO	CA	94116-2931
0104	048	GEE TRS	1581 15TH AV	SAN FRANCISCO	CA	94122-3521
0104	049	YUET YING WONG TRSEE	128 VARENNES ST	SAN FRANCISCO	CA	94133-3411
0104	051	EDDIE & MARGARET LUM REVC TRS	140-148 VARENNES ST	SAN FRANCISCO	CA	94133-3411
0104	053	CYNTHIA REVEL	443 FILBERT ST	SAN FRANCISCO	CA	94133-3021
0104	054	ROBERT TOY	439 FILBERT ST	SAN FRANCISCO	CA	94133-3021
0104	055	ROBERT & RAQUEL LIPPI	64 MAYWOOD AV	DALY CITY	CA	94015-3818
0104	055A	LUOPAJARVI TRS	427 FILBERT ST	SAN FRANCISCO	CA	94133-3001
0104	056	THE FONG TRS	PO BOX 565	LOS ALTOS	CA	94023-0565
0104	057	CHOW & PING	43 GENOA PL	SAN FRANCISCO	CA	94133-3401
0104	061	JEFFEREY MULLER	1521 HEATHER DR	SANTA ROSA	CA	95401-6072
0104	062	RUSSELL HARRISON LONG TRS	130-132 VARENNES ST	SAN FRANCISCO	CA	94133-3411
0104	063	MORANDI KEELEY TRS	180 CLARK RD	BROOKLINE	MA	02445-5848
0104	064	NEIL RASKIN TRS	1455 KEARNY ST	SAN FRANCISCO	CA	94133-3404
0104	065	NEIL RASKIN TRS	1455 KEARNY ST	SAN FRANCISCO	CA	94133-3404
0104	068	ROBERT TOY	439 FILBERT ST.	SAN FRANCISCO	CA	94133-3021
0104	069	WOMUM COOK TRS	1823 ALAMEDA AV	ALAMEDA	CA	94501-4107
0105	001	GOPP WILSEY TRS	PO BOX 330362	SAN FRANCISCO	CA	94133-0362
0105	002	SUZANNE DANEMAN CAUTHEN TRS	1321 MONTGOMERY ST	SAN FRANCISCO	CA	94133-3521
0105	005	WILBUR TRS	102 ALTA ST	SAN FRANCISCO	CA	94133-3504
0105	006	110 ALTA LLC	331 FILBERT ST	SAN FRANCISCO	CA	94133-3234
0105	009	JEREMIAH & JACQUELINE ROBISON	103-105 ALTA ST	SAN FRANCISCO	CA	94133-3503
0105	010	DANIEL LORIMER	1315 MONTGOMERY ST	SAN FRANCISCO	CA	94133-3521
0105	011	BIRCHERS LLC	PO BOX 291	FERNDALE	CA	95536-0291

0105	013	CROCK & KROEBER TRS	1305 MONTGOMERY ST	SAN FRANCISCO	CA	94133-3511
0105	014	JUDY SITZ	1301 1/2 MONTGOMERY S	SAN FRANCISCO	CA	94133
0105	015	JAY & GUGNI ESOPENKO	312-316 UNION ST	SAN FRANCISCO	CA	94133-3516
0105	016	LAMPEN TRS	310 UNION ST	SAN FRANCISCO	CA	94133-3516
0105	017	DELVIZO & MOSUNIC	328 UNION ST	SAN FRANCISCO	CA	94133-3516
0105	018	JONATHAN WONG	330 UNION ST	SAN FRANCISCO	CA	94133-3516
0105	019	TRINITY SAN FRANCISCO	1145 MARKET ST #1200	SAN FRANCISCO	CA	94103-1546
0105	020	JOSEPH JANG	839 BELLEVUE AV	DALY CITY	CA	94014-1139
0105	021	OPENSHAW TRS	370 UNION ST	SAN FRANCISCO	CA	94133-3516
0105	022	ROBERT & CLARE GORDON	2443 FILLMORE ST #245	SAN FRANCISCO	CA	94115-1814
0105	023	PAUL BOSCHETTI	955 PRAGUE ST	SAN FRANCISCO	CA	94112-4424
0105	024	JOHN & SHIRLEY YEE TRS	1654 GRANT AV	SAN FRANCISCO	CA	94133-3017
0105	025	DENNIS FIORANELLI	394 UNION ST	SAN FRANCISCO	CA	94133-3516
0105	026	SUZANNE SILK PRPTY TRS	1408 KEARNY ST	SAN FRANCISCO	CA	94133-3405
0105	027	SHEILA BLACK	1424 KEARNY ST	SAN FRANCISCO	CA	94133-3441
0105	028	NATHAN & NAN ROTH	1436 KEARNY ST	SAN FRANCISCO	CA	94133-3405
0105	030	MARY & PAMELA FORTINO TRS	1448 KEARNY ST	SAN FRANCISCO	CA	94133-3405
0105	031	YASSO TRS	9703 MERRIWEATHER CT	GRANITE BAY	CA	95746-6712
0105	032	ERICH BREISACHER	391 FILBERT ST	SAN FRANCISCO	CA	94133-3205
0105	033	KEW TRS	381-383 FILBERT ST	SAN FRANCISCO	CA	94133-3205
0105	037	NATHAN & NAN ROTH	1436 KEARNY ST	SAN FRANCISCO	CA	94133-3405
0105	041	SAFFELSING TRS	122 ALTA ST	SAN FRANCISCO	CA	94133-3504
0105	045	FIRST SOSCOL LLC	7831 SE STARK ST #103	PORTLAND	OR	97215-2357
0105	045B	SONDRA LEQVE TRS	327 FILBERT ST	SAN FRANCISCO	CA	94133-3205
0105	046	HUGH & JANE MARQUIS	305 FILBERT ST	SAN FRANCISCO	CA	94133-3205
0105	048	FRANK CHIANG TRS	107 ALTA ST	SAN FRANCISCO	CA	94133-3503
0105	049	WILLIAM RUTTER TRS	1700 OWENS ST #515	SAN FRANCISCO	CA	94158-0002
0105	050	ROBERT MAJOR TRS	311 TEETSHORN ST	HOUSTON	TX	77009-7529
0105	051	KUTH TRS	319 DIABLO RD #100	DANVILLE	CA	94526-3428
0105	055	CHARLES PROBER & LA	116 ALTA ST	SAN FRANCISCO	CA	94133-3504
0105	056	BRADLEY & AMANDA PETERS	118 ALTA ST	SAN FRANCISCO	CA	94133-3504
0105	057	BEYKPOUR KAYVON	101 TELEGRAPH HILL BL #A	SAN FRANCISCO	CA	94133-3101
0105	058	LEY TRS	26850 ORTEGA DR	LOS ALTOS	CA	94022-1978
0105	059	GIOVANNI SAVIO	345 FILBERT ST #1	SAN FRANCISCO	CA	94133-3205
0105	060	PETER HABLE TRS	345 FILBERT ST #2	SAN FRANCISCO	CA	94133-3205
0105	061	GREGORY CHIAMPOU	345 FILBERT ST #3	SAN FRANCISCO	CA	94133-3205
0105	062	FREDRIC & ELLEN FREUND TRS	1020 MADISON AV	SAN DIEGO	CA	92116-1027
0105	063	COIT HILL HOUSING LLC	1283 GREENWICH ST	SAN FRANCISCO	CA	94109-1508
0105	064	COIT HILL HOUSING LLC	1283 GREENWICH ST	SAN FRANCISCO	CA	94109-1508
0105	065	KIRKHAM & COOPER	25 BURNETT AV	SAN FRANCISCO	CA	94131-3317
0105	066	LEGALLET TRS	24 HILLCREST DR	ORINDA	CA	94563-3224
0105	067	MCINTYRE LLC	780 3RD AV #35THFL	NEW YORK	NY	10017-2024
0114	030	OBRIEN YOUNG TRS	1354 KEARNY ST	SAN FRANCISCO	CA	94133-3449
0114	031	EAGER SHEUNG LEONG BYPASS TRS	1360 KEARNY ST	SAN FRANCISCO	CA	94133-3442
0114	032	LORRAINE LOOMIS TRS	349 AVILA ST	SAN FRANCISCO	CA	94123-1105
0114	033	YUEN & WEE TRS	810 40TH AV	SAN FRANCISCO	CA	94121-3317
0114	034	PEZET ST LLC	2330 ROSE ST	BERKELEY	CA	94708-1808
0114	035	CASSIDY TRS	1451 MONTGOMERY ST #8	SAN FRANCISCO	CA	94133-3220
0114	036	JUNG TRS	357 UNION ST	SAN FRANCISCO	CA	94133-3519
0114	037	BETH NEWMAN	150 MANCHESTER ST	SAN FRANCISCO	CA	94110-5217
0114	052	KIMBERLY RIFREDI	343 UNION ST	SAN FRANCISCO	CA	94133-3515
0114	053	BARBARA LINDEMANN TRS	337 UNION ST	SAN FRANCISCO	CA	94133-3515
0114	054	ROBERT & MARIA FONG TRS	1668 TOYON CT	SAN MATEO	CA	94403-3956
0114	055	BRADLEY & LINDA ATTAWAY	325 UNION ST	SAN FRANCISCO	CA	94133-3515
0114	056	J SMITH	319 UNION ST	SAN FRANCISCO	CA	94133-3515
0114	074	SMITH TRS	75 CASTLE ST	SAN FRANCISCO	CA	94133-3517
0114	075	SMITH TRS	75 CASTLE ST	SAN FRANCISCO	CA	94133-3517
0114	076	SMITH TRS	75 CASTLE ST	SAN FRANCISCO	CA	94133-3517
0114	077	SMITH TRS	75 CASTLE ST	SAN FRANCISCO	CA	94133-3517
0115	053	SUMMCO CHOI	PO BOX 210465	SAN FRANCISCO	CA	94121-0465
0115	055	JONATHAN PEREL	401 UNION ST #101	SAN FRANCISCO	CA	94133-3450
0115	056	ROBERT WATKE TRS	401 UNION ST #102	SAN FRANCISCO	CA	94133-3432
0115	057	JEFFREY WATSON	401 UNION ST #103	SAN FRANCISCO	CA	94133-3432
0115	058	DUNG TRS	47 DIGBY ST	SAN FRANCISCO	CA	94131-2633
0115	059	CR REALTY TRS	1085 GREENWICH ST #1	SAN FRANCISCO	CA	94133-2545
0115	060	GABRIEL BLETNITSKY	401 UNION ST #203	SAN FRANCISCO	CA	94133-3431

0115	061	VIVIANE AMES	401 UNION ST #301	SAN FRANCISCO	CA	94133-3431
0115	062	FUNG & NGUYEN	401 UNION ST #302	SAN FRANCISCO	CA	94133-3431
9999	999	. . . . .	. . . . .	. . . . .	.	. .

Carroll, John (BOS)

From: BOS Legislation (BOS)
Sent: Friday, October 24, 2014 10:03 AM
To: SF Docs (LIB)
Cc: BOS Legislation (BOS)
Subject: Please Post the Attached Hearing Notices
Attachments: Hearing Notice.pdf; Hearing Notice.pdf; Hearing Notice.pdf

Categories: 141046, 141064, 141068

Please kindly post the three attached notices.

141046
141064
141068

Thank you!

John Carroll
Legislative Clerk
Board of Supervisors
San Francisco City Hall, Room 244
San Francisco, CA 94102
(415)554-4445 - Direct | (415)554-5184 - General | (415)554-5163 - Fax
john.carroll@sfgov.org | board.of.supervisors@sfgov.org

Please complete a Board of Supervisors Customer Service Satisfaction form by clicking here.

The Legislative Research Center provides 24-hour access to Board of Supervisors legislation, and archived matters since August 1998.

Disclosures: *Personal information that is provided in communications to the Board of Supervisors is subject to disclosure under the California Public Records Act and the San Francisco Sunshine Ordinance. Personal information provided will not be redacted. Members of the public are not required to provide personal identifying information when they communicate with the Board of Supervisors and its committees. All written or oral communications that members of the public submit to the Clerk's Office regarding pending legislation or hearings will be made available to all members of the public for inspection and copying. The Clerk's Office does not redact any information from these submissions. This means that personal information—including names, phone numbers, addresses and similar information that a member of the public elects to submit to the Board and its committees—may appear on the Board of Supervisors website or in other public documents that members of the public may inspect or copy.*

BOARD of SUPERVISORS

City Hall
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco, CA 94102-4689
Tel. No. 554-5184
Fax No. 554-5163
TDD/TTY No. 544-5227

October 21, 2014

Vedica Puri
President, Telegraph Hill Dwellers
600 Montgomery Street, 31st Floor
San Francisco, CA 94111

Subject: Conditional Use Appeal - 115 Telegraph Hill Boulevard

Dear President Puri:

This is in reference to the appeal you submitted of the decision of the Planning Commission by Motion No. 19232 (Case No. 2013.1375EC), for the property located at:

115 Telegraph Hill Boulevard, Assessor's Block No. 0105, Lot No. 065.

The Director of Public Works has informed the Board of Supervisors in a letter dated October 20, 2014, (copy attached), that the signatures represented with your appeal of October 14, 2014, have been checked pursuant to the Planning Code and represent owners of more than 20 percent of the property involved and are sufficient for appeal.

Pursuant to Planning Code, Section 308.1, a hearing date has been scheduled on **Tuesday, November 4, 2014, at 3:00 p.m.**, at the Board of Supervisors meeting to be held in City Hall, 1 Dr. Carlton B. Goodlett Place, Legislative Chamber, Room 250, San Francisco, CA 94102.

Please note: Susan Brandt-Hawley filed an appeal of the determination of exemption from environmental review for the same project on October 14, 2014, and this office has scheduled a hearing for that appeal on November 18, 2014, pursuant to Administrative Code, Section 31.16. Due to the nested nature of the approvals for this project, your appeal of the conditional use needs to follow the exemption determination appeal. Therefore, the Board President intends to entertain a motion to continue the Conditional Use appeal to November 18, 2014, at 3:00 p.m., to coincide with the exemption determination appeal.

Please provide to the Clerk's Office by:

11 days prior to the hearing: names and addresses of interested parties to be notified of the hearing in spreadsheet format; and

8 days prior to the hearing: any documentation which you may want available to the Board members prior to the hearing.

For the above, the Clerk's office requests one electronic file (sent to bos.legislation@sfgov.org) and one hard copy of the documentation for distribution.

NOTE: If electronic versions of the documentation are not available, please submit 18 hard copies of the materials to the Clerk's Office for distribution. If you are unable to make the deadlines prescribed above, it is your responsibility to ensure that all parties receive copies of the materials.

If you have any questions, please feel free to contact Legislative Deputy, Rick Caldeira at (415) 554-7711, or Legislative Clerks, Joy Lamug at (415) 554-7712, or John Carroll at (415) 554-4445.

Sincerely,

Angela Calvillo
Clerk of the Board

c:
Daniel Frattin, Project Sponsor
Jon Givner, Deputy City Attorney
Kate Stacy, Deputy City Attorney
Marlena Byrne, Deputy City Attorney
John Rahaim, Planning Director
Scott Sanchez, Zoning Administrator, Planning Department
Sarah Jones, Environmental Review Officer, Planning Department
Aaron Starr, Planning Department
AnMarie Rodgers, Planning Department
Tina Tam, Planning Department
Jessica Range, Planning Department
Jonas Ionin, Planning Commission Secretary

City and County of San Francisco

Edwin M. Lee, Mayor
Mohammed Nuru, Director
Fuad S. Sweiss, PE, PLS,
City Engineer & Deputy Director of Engineering

Phone: (415) 554-5827
Fax: (415) 554-5324
www.sfdpw.org
Subdivision.Mapping@sfdpw.org

Department of Public Works
Office of the City and County Surveyor
1155 Market Street, 3rd Floor
San Francisco, CA 94103

Bruce R. Storrs, City and County Surveyor

October 20, 2014

Ms. Angela Calvillo
Clerk of the Board
1 Dr. Carlton B. Goodlet Place
City Hall – Room 244
San Francisco, CA 94102

RE: 115 Telegraph Hill Blvd.
Lot 065 of Assessor's Block 0105
Appealing Planning Commissions Approval of
Conditional Use Application No. 2013.1375 EC

Dear Ms. Calvillo:

This letter is in response to your October 16, 2014 request for our Department to check the sufficiency of the signatures with respect to the above referenced appeal.

Please be advised that per our calculations the appellants' signatures represent 34.71% of the area within the 300 foot radius of the property of interest; which is more than the minimum required 20% of the area involved and is therefore sufficient for appeal.

If you have any questions concerning this matter, please contact Mr. Steven Bergin of my staff at 554-5886.

Sincerely

Bruce R. Storrs
City & County Surveyor

City and County of San Francisco

Edwin M. Lee, Mayor
Mohammed Nuru, Director
Fuad S. Sweiss, PE, PLS,
City Engineer & Deputy Director of Engineering

Phone: (415) 554-5827
Fax: (415) 554-5324
www.sfdpw.org
Subdivision.Mapping@sfdpw.org

Department of Public Works
Office of the City and County Surveyor
1155 Market Street, 3rd Floor
San Francisco, CA 94103

Bruce R. Storrs, City and County Surveyor

October 20, 2014

Ms. Angela Calvillo
Clerk of the Board
1 Dr. Carlton B. Goodlet Place
City Hall – Room 244
San Francisco, CA 94102

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO
2014 OCT 21 PM 4:20
BY

RE: 115 Telegraph Hill Blvd.
Lot 065 of Assessor's Block 0105
Appealing Planning Commissions Approval of
Conditional Use Application No. 2013.1375 EC

Dear Ms. Calvillo:

This letter is in response to your October 16, 2014 request for our Department to check the sufficiency of the signatures with respect to the above referenced appeal.

Please be advised that per our calculations the appellants' signatures represent 34.71% of the area within the 300 foot radius of the property of interest; which is more than the minimum required 20% of the area involved and is therefore sufficient for appeal.

If you have any questions concerning this matter, please contact Mr. Steven Bergin of my staff at 554-5886.

Sincerely

Bruce R. Storrs
City & County Surveyor

BOARD of SUPERVISORS

City Hall
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. 554-5184
Fax No. 554-5163
TDD/TTY No. 544-5227

October 16, 2014

Mohammed Nuru
Director, Public Works
1 Dr. Carlton B. Goodlett Place, Room 348
San Francisco, CA 94102

Planning Case No. 2013.1375 EC
115 Telegraph Hill Boulevard Conditional Use Appeal

Dear Director Nuru:

The Office of the Clerk of the Board is in receipt of an appeal filed by Vedica Puri, on behalf of Telegraph Hill Dwellers, of the decision of the Planning Commission by its Motion No. 19232 dated September 11, 2014, relating to the approval of a Conditional Use Authorization (Case No. 2013.1375 EC) pursuant to Planning Code, Sections 209.1(h) and 303, to allow the construction of three new dwelling units (for a lot total of four units) with three off-street parking spaces within the RH-3 (Residential House, Three-Family) Zoning District, Telegraph Hill - North Beach Residential Special Use District, and a 40-X Height and Bulk District located at:

115 Telegraph Hill Boulevard, Assessor's Block No. 0105, Lot No. 065

By copy of this letter, the City Engineer's Office is requested to determine the sufficiency of the signatures in regard to the percentage of the area represented by the appellant. Please submit a report not later than 5:00 p.m., on Monday, October 20, 2014, to give us time to prepare and mail out the hearing notices, as the Board of Supervisors has tentatively scheduled the appeal to be heard on November 4, 2014, at 3:00 p.m.

Sincerely,

Angela Calvillo
Clerk of the Board

c:
Fuad Sweiss, City Engineer, Public Works
Jerry Sanguinetti, Public Works-Bureau of Street Use and Mapping
Bruce Storrs, Public Works
Javier Rivera, Public Works
Steve Bergin, Public Works
Jon Givner, Deputy City Attorney
Kate Stacy, Deputy City Attorney
Marlena Byrne, Deputy City Attorney
Sarah Jones, Planning Department
Scott Sanchez, Planning Department
AnMarie Rodgers, Planning Department
Aaron Starr, Planning Department

BOARD of SUPERVISORS

City Hall
Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. 554-5184
Fax No. 554-5163
TDD/TTY No. 544-5227

October 23, 2014

FILE NO. 141064

Received from the Board of Supervisors-Clerk's Office a check in the amount of Five Hundred Forty Seven Dollars ($547), representing filing fee paid by Vedica Puri on behalf of Telegraph Hill Dwellers (Appellant) for Appeal of Conditional Use for 115 Telegraph Boulevard.

Planning Department
By:

Josephine Chen
Print Name

10/23/14
Signature and Date

TELEGRAPH HILL DWELLERS
P.O. BOX 330159
SAN FRANCISCO, CA 94133

BANK OF AMERICA
SAN FRANCISCO, CA 94133
11-35/1210

4341

10/11/2014

PAY TO THE ORDER OF City and County of San Francisco $**547.00

Five Hundred Forty-Seven and 00/100********** DOLLARS

City and County of San Francisco

MEMO THD
115 Telegraph Appeal #2 (CU)

MP

© 2005 INTUIT INC # 785 1-800-453-8810

2049

Print Form

Introduction Form

By a Member of the Board of Supervisors or the Mayor

Time stamp or meeting date

I hereby submit the following item for introduction (select only one):

☐ 1. For reference to Committee. (An Ordinance, Resolution, Motion, or Charter Amendment)

☐ 2. Request for next printed agenda Without Reference to Committee.

☒ 3. Request for hearing on a subject matter at Committee.

☐ 4. Request for letter beginning "Supervisor _____ inquires"

☐ 5. City Attorney request.

☐ 6. Call File No. _____ from Committee.

☐ 7. Budget Analyst request (attach written motion).

☐ 8. Substitute Legislation File No. _____

☐ 9. Reactivate File No. _____

☐ 10. Question(s) submitted for Mayoral Appearance before the BOS on _____

Please check the appropriate boxes. The proposed legislation should be forwarded to the following:

☐ Small Business Commission ☐ Youth Commission ☐ Ethics Commission

☐ Planning Commission ☐ Building Inspection Commission

Note: For the Imperative Agenda (a resolution not on the printed agenda), use a Imperative Form.

Sponsor(s):

Clerk of the Board

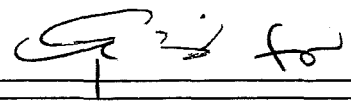
Subject:

Public Hearing - Appeal of Conditional Use Authorization - 115 Telegraph Hill Boulevard (aka 363 Filbert Street)

The text is listed below or attached:

Hearing of persons interested in or objecting to the Planning Commission's decision of September 11, 2014, Motion No. 19232, relating to approval of a Conditional Use Authorization (Case No. 2013.1375EC), to allow the construction of three new dwelling units (for a lot total of four units) with three off-street parking spaces within the RH-3 (Residential House, Three-Family) Zoning District, Telegraph Hill - North Beach Residential Special Use District and a 40-X Height and Bulk District located at 115 Telegraph Hill Boulevard (aka 363 Filbert Street), Assessor's Block No. 0105, Lot No. 065. (District 3) (Appellant: Vedica Puri, on behalf of Telegraph Hill Dwellers) (Filed October 14, 2014).

141064

Signature of Sponsoring Supervisor: 

For Clerk's Use Only:

REUBEN, JUNIUS & ROSE, LLP

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO
2014 OCT 31 PM 4:30

October 31, 2014

Sent Via Messenger

File 141064 + 141059
BOS-11, COB
orig: Leg Clerk

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

Re: 115 Telegraph Hill Boulevard; Project Sponsor's Response to Appeal of Categorical Exemption and Conditional Use Authorization
Planning Department Case No. 2013.1375CE
Our File No.: 7058.01

Dear President Chiu and Supervisors:

We represent the sponsor, Jeremy Ricks, of the proposed residential building (the "Project") at 115 Telegraph Hill Boulevard. This letter is submitted in opposition to appeals of the Project's Categorical Exemption ("CatEx") and Conditional Use Authorization by the Telegraph Hill Dwellers ("Appellants"). These appeals are based on numerous factual inaccuracies and specious allegations; they are insufficient to overturn the sound decisions of the Planning Commission and Environmental Review Officer.

We ask that you allow the appeals to be heard jointly, in order to expediently resolve the matter and serve the public convenience. In addition, while we look forward to responding in detail to Appellants' claims prior to the hearing, we also provide a preliminary response herein.

A. Request for Joint Hearing

Appellants request that the CatEx appeal be heard *before and separate* from the Conditional Use appeal. Appellants provide no justification for this request, and it should be denied for following reasons:

- Common and Interrelated Issues. The appeals concern a common project and contain interrelated claims regarding project location, site conditions, public views, pedestrian safety, etc., that lend themselves to efficient resolution on a single date.
- Public Interest in Expedient Resolution. The Project has received 43 letters of support from neighbors and community stakeholders, including the North Beach Neighbors, BCDC Commissioner Anne Halsted, John Stewart of the John Stewart Company, and numerous other residents of the immediate area. Copies of Project support letters are

James A. Reuben | Andrew J. Junius | Kevin H. Rose | Daniel A. Frattin
Sheryl Reuben[1] | David Silverman | Thomas Tunny | Jay F. Drake | John Kevlin
Lindsay M. Petrone | Melinda A. Sarjapur | Mark H. Loper | Jody Knight | Jared Eigerman[2,3] | John McInerney III[2]

One Bush Street, Suite 600
San Francisco, CA 94104

tel: 415-567-9000
fax: 415-399-9480

attached as Exhibit A. It is likely that many members of the public will wish to attend the appeals and address the Board. As these hearings can be lengthy and occur during the work week, it would be more convenient to the public to provide an opportunity for comment at a joint hearing.

- Efficient Use of the Board Resources. Resolving the appeals at a joint hearing would allow the Board to consolidate its review time and costs.
- Avoiding Unnecessary Delay. San Francisco Administrative Code Section 31.16 requires that the Board hear Appellants' CatEx appeal *no less than 21 and no more than 45 days after the 30-day appeal period*, which ended on October 13th. As a result, the earliest date on which the CatEx appeal could be heard is November 4th, and the latest date December 2nd – already creating significant delay. It would be unreasonable to further delay the interrelated Conditional Use appeal by requiring it to be heard after the CatEx appeal.

For these reasons, we ask that the Board hear these appeals jointly at the earliest possible date allowed under the Municipal Code.

B. Preliminary Response to Appeal Statements

Appellants' appeal statements contain numerous inaccurate and misleading statements. While we look forward to addressing Appellants' claims in detail prior to the hearing, we have provided a preliminary response below.

1. Conditional Use Appeal

The Project's design has received thorough review by the Planning Department, Residential Design Team, Zoning Administrator, and Planning Commission, and has been repeatedly found consistent with the City's residential and urban design guidelines.

In the face of direct evidence to the contrary, Appellants doggedly insist that the Project's size, setting (and economic status of future residents) are somehow incompatible with City policies and the Planning Code. For good measure, they also include a smattering of wholly unsupported and inaccurate allegations of potential Project impacts to pedestrian safety, traffic, public transit, and views, alluding to near catastrophic effects on City tourism. Given the doomsday conditions advanced by Appellants, one wonders what form of development they *would* find appropriate for the site.

Appellants' characterization of the Project and setting are absurd. In reality, the Project proposes a moderate scale of development that will greatly improve conditions at the long-vacant, blighted lot by constructing an attractive and thoughtfully designed residential building. Renderings of the Project showing its moderate scale and compatibility with adjacent properties is attached as Exhibit B.

The Project will construct a four-unit building with three off-street parking spaces on a lot that currently contains a vacant (and condemned) cottage. The Project will renovate and

One Bush Street, Suite 600
San Francisco, CA 94104

tel: 415-567-9000
fax: 415-399-9480

restore the existing cottage. The new building will appear as three single-family dwellings, each approximately 40 feet tall, that are designed to step down the hill in response to the naturally sloping topography. Each unit will feature a green roof deck with sustainable native plants. The Project will also incorporate significant landscaping to match the surrounding area.

In contrast to the scenario painted by Appellants, the Project will be entirely compatible with the City's General Plan, and exceeds the requirements for Conditional Use authorization. It will be safely constructed on the basis of sound engineering practices and will comply with all requirements of the Building Code.

In fact, the Project will directly benefit the community by:

- Constructing market rate condominiums that John Stewart of the John Stewart Company estimates in his support letter (attached as Exhibit A) will generate more than $200,000 a year in revenue to the City in tax increment, in addition to intermittent transfer tax fees, which will go into the City's General Fund and serve a myriad of different budget items including, but not limited to, infrastructure upgrades; the City's Health Department; the Recreation and Parks Department, Homeless Shelter maintenance, and more.
- Converting a blighted and chain-link bordered lot that has been vacant for over 10 years and is currently utilized for numerous illegal activities and poses safety liabilities;
- Contributing three new family-sized units to the City's housing goals, which is currently in short supply;
- Renovating and restoring a currently vacant and condemned cottage, maintaining an otherwise discarded element of Telegraph Hill and preserving its history;
- Repairing the Filbert Street Steps and improving the pedestrian experience with adjacent plantings and additional safety elements such as handrails and attractive lighting;
- Incorporating significant setbacks to provide a view corridor between the buildings to allow views to downtown, all while providing informal gathering area at the top of the steps for pedestrians;
- Contributing architecturally significant development that is well-designed an contextually sensitive to the larger neighborhood;
- Adding sustainable elements such as solar panels, vegetated roofs, and low-water demand plumbing fixtures;
- Voluntarily adopting a range of construction "best practices" above and beyond requirements established in the Planning and Building Codes, in order to ensure minimal disruption to the neighborhood, despite the fact that the Project is exempt

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under the California Environmental Quality Act (CEQA) and requires no construction mitigation.

Appellants' attack of the Conditional Use authorization is unwarranted.

2. Categorical Exemption Appeal

Appellants CatEx appeal mischaracterizes the project, contains wholly speculative claims of environmental impacts unsupported by fact, and neglects to mention the appropriate standard of review for a challenges to a categorically exempt project applying the "unusual circumstances" exception.

a. Legal Standard for Appeal

Certain categories of projects are exempt from environmental review under CEQA because they have been found not to have significant effects to the environment. If a project is subject to a categorical exemption, no formal environmental evaluation is required.

On September 3, 2014, the San Francisco Planning Department determined the Project categorically exempt under Class 1 (exterior renovations to an existing single-family residence that is not an historic resource) and Class 3 (construction of a multi-family residential structure with up to four dwelling units in a residential zone). A copy of the Project's CatEx is attached as Exhibit C.

Appellants appear to advance an "unusual circumstances" exception as grounds for the appeal. Once a project is categorically exempt, the exception places the burden on appellants to show that there is a *reasonable possibility* of significant effect on the environment *due to unusual circumstances* (CEQA Guidelines §15300.2.) Accordingly, Appellants must establish both: (a) that there are "unusual circumstances"; and (b) that the record shows "reasonable possibility" that significant effects will arise from the unusual circumstances (*Voices for Rural Living v. El. Dorado Irrig. Dist* (2012) 209 CA4th 1096, 1108.) Appellants satisfy neither requirement.

"Unusual circumstances" are those that "differ from the general circumstances of the projects covered by a particular categorical exemption" and "create an environmental risk that does not exist for the general class of exempt projects." (*Banker's Hill v. City of San Diego* (2006) 139 Cal.App.4th 249, 278.) There are no unusual circumstances at the Project.

- Many residential infill projects in San Francisco are constructed on sloping lots or in areas located in close proximity to local tourist attractions. Slopes are a reality of local construction, and do not constitute an "unusual circumstances";
- Geotechnical features of an infill project such as soil quality and water runoff conditions are common issues of proper construction technique that are "satisfactorily addressed by standard building code requirements," and are therefore not unusual circumstances (*Association for Protection of Envt'l Values v. City of Ukiah* (1991) 2 CA4th 720, 735);

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- In dense urban environments, construction staging activities commonly occur adjacent to and within the public right of way with permission of all required City agencies. Construction staging activities are regulated by Code and do not constitute an unusual circumstances particular to the Project; and
- Aesthetic considerations are not unusual for residential projects in our scenic City. However, no other property along the Filbert Steps is required to provide a public view corridor. Views from sidewalks are not protected under CEQA; nonetheless, the Project has incorporated substantial setbacks and design modifications in order to provide a public view corridor.

Likewise, Appellants fail to establish a "reasonable possibility" that the Project will result in significant environmental effects due to the unusual circumstances. A split of authority exists among California Courts of Appeal regarding the legal standard applied to determine how a "reasonable possibility" is established. However, Appellants claims would fail under either standard, due to the absence of any substantial evidence to support of their claims.[1]

Substantial evidence is "facts, reasonable assumptions predicated on facts, and expert opinion supported by facts." (CEQA Guidelines § 15384). This standard is not satisfied by argument, speculation, unsubstantiated opinion or narrative, or evidence that is clearly inaccurate or otherwise not credible. (CEQA Guidelines § 15064(f)(5).)

Appellants' meritless complaints and bald statements of opinion do not rise to this standard. For example:

- Geotechnical. The letter provided by Appellants' geotechnical engineer, Lawrence Karp, amounts to a baseless attack on the Project's geotechnical report. It contains no facts or specific project data, nor any indication that Mr. Karp has conducted a competing analysis or detailed physical investigation of existing conditions. Nowhere in the letter does Mr. Karp claim to have evaluated detailed project designs, civil engineering reports or shoring plans supporting his specious assertions. Many other residential projects have been built on the same hillside without resulting in a catastrophic ground failure due to existing conditions. Mr. Karp's letter provides no indication why this Project should differ from those that have come before it. Instead, Mr. Karp appears to assert his own professional qualifications as the only evidence

[1] There is a split of authority among California Courts of Appeal regarding the standard to be applied to the "reasonable possibility" prong of this analysis. "Some courts have relied on cases involving review of a negative declaration, holding that a finding of categorical exemption cannot be sustained if there is a "fair argument" based on substantial evidence that the project will have significant environmental impacts, even where the agency is presented with substantial evidence to the contrary. Other courts apply an ordinary substantial evidence test to questions of fact relating to the significant effect exception, deferring to the express or implied findings of the local agency that has found a categorical exemption applicable. (*Fairbank v. City of Mill Valley* (1999), 75 Cal.App.4th 1243, 1259 (citations omitted).) We believe that the substantial evidence test is the proper standard, consistent with the California Court of Appeal, First District in *Association for Protection etc. Values v. City of Ukiah* (1991) 2 Cal.App.4th 720. However, Appellants allegations would fail to raise a "reasonable possibility" of potential impacts under either standard, as the specious allegations and unsubstantiated opinions contained in their letter do are not based upon substantial evidence.

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needed to substantiate his general opinion. Of course, this simply does not constitute the substantial evidence needed to support a "reasonable possibility" of potential environmental impacts.

- Public Views. Appellants' personal opinions that the project will impact public views are not only unsupported by any documentation but also directly contradicted by the record. The Project will have no impact on established vistas from Telegraph Hill's historic Coit Tower or Pioneer Park. A View Study showing images from both locations, attached as Exhibit D, shows that the Project will block no significant view and will remain largely invisible from either location.

- Pedestrian Safety. Appellants speculate that the Project will create dangerous conditions for pedestrians coming up the Filbert Steps. This is simply inaccurate. This location is currently safeguarded by stop signs for a pedestrian crosswalk, forcing vehicular traffic to come to a complete stop and making this area of Telegraph Hill Boulevard arguably the safest area of the street. The Project's garage door will incorporate safety features such as a flashing beacon to alert operation, which neighboring garages do not contain. All vehicles will exit the garage facing forward. This, along with the garage's setback from the property line, will allow drivers and pedestrians to avoid conflicts.

- Public Transit. Appellants falsely claim that the Project will unreasonably interfere with MUNI service. The Project will not require relocation of the 39 Coit Tower MUNI bus stop.

- Filbert Steps. There is no evidence that the Project will disrupt pedestrian access to or remove any portion the Filbert Steps. In fact, there is no modification proposed to the stairs. The only improvements proposed involve adjacent plantings and handrails that will result in a more pleasant and safe experience for tourists.

- Telegraph Hill Wall. Appellants claim the Project will require removal of the historic stone wall separating Telegraph Hill Boulevard and the Filbert Steps. This is simply untrue. The wall will not be removed or altered in any way by the Project.

b. Previous Environmental Review at Property

The Project is the second proposal reviewed by the Planning Department under CEQA for this location in the past 20 years. In 1993, the Department issued a Negative Declaration for a significantly larger project on the same site (proposing to construct a 14,900 gsf residential building containing 7 dwelling units and up to 7 off-street parking spaces). Following a thorough review of the previous proposal's potential for traffic, parking, noise, geological, shadow, aesthetics, construction activities and other potential environmental impacts, the Department found that the only potential impact requiring mitigation was construction air quality. This factor no longer requires CEQA mitigation for current projects because it is now regulated by ordinance. (*San Francisco City Health Code*, Article 22B).

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The current Project is substantially smaller than the previous proposal (providing significant setbacks, containing three fewer units and parking spaces). Weight should be given to the Department's previous determination regarding the lack of potential impacts for the substantially larger project at this site when analyzing the current exemption determination.

3. Conclusion

These appeals are meritless and should be denied. We ask that this Board allow the appeals be heard jointly, in order to prevent further unnecessary Project delays, waste of City resources and inconvenience to the public.

Respectfully,

REUBEN, JUNIUS & ROSE, LLP

Daniel A. Frattin

Daniel A. Frattin

Enclosures

cc: ALL Supervisors
Rick Caldeira, Board of Supervisors Clerk's Office
John Rahaim, Planning Director
Sarah Jones, Environmental Review Officer
Liz Watty, Planning Department
Jessica Range, Planning Department
Jeremy Ricks, Telegraph Hill Housing LLC
Lewis Butler, Butler Armsden Architects
James A. Reuben, Reuben, Junius & Rose, LLP

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Exhibit List

A - Project Support Letters
B - Project Renderings
C - Categorical Exemption Determination
D - View Study

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John K. Stewart
285 Telegraph Hill Blvd.
San Francisco, CA 94133
jstewart@jsco.net

July 8, 2014

Ms. Elizabeth Watty
San Francisco Planning Department
1650 Mission St., 4th Floor
San Francisco, CA 94103

Subject: 115 Telegraph Hill Blvd.

Dear Ms. Watty,

My wife and I live about 200 yards north of the subject site on the same street. We are in receipt of a Telegraph Hill Development Alert which warns of a "massive, luxury condominium project." The bulletin states that "this is not about a particular neighbor's self-interest or views - this is about *public interest*." Fair enough. In that regard, from a public policy and planning perspective, what is the best use for this site? Let's briefly run through some options:

- Commercial – Inconsistent with zoning
- A Park – The site is uniquely unsuited for this use because of its 2:1 slope, customary high winds, and budget constraints at the Open Space Committee. Additionally, there's already a park above it.
- An affordable HUD-subsidized rental project- This site would support maybe 10-12 small units that would only have a remote chance of being financeable if a project-based Section 8 contract were available from HUD, which it isn't. Even then, it would not underwrite well because of the land basis and the fact that there's no economy of scale operationally.
- A Low Income Housing Tax Credit development - A small project on this site would not pass muster with the Low Income Housing Tax Credit Committee, and even if it did, an off-the-charts subsidy from the Mayor's Office of Housing would be required, which is an equally unlikely prospect.
- HUD Section 811 –Developmentally Disabled – This non-profit, only HUD-insured and subsidized program is tailored to small unit size (10-20); however, it would not meet reasonable HUD criteria for accessible social services, let alone neighborhood objection to high frequency visitation traffic.
- A market rate rental– Because of the high land costs and the fact that the project would have tenant incomes too high to qualify for Low Income Housing Tax Credits, or the City's Housing Trust Fund (Prop C) and because there's no economy of scale, this option is fiscally infeasible.

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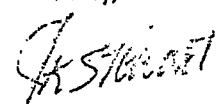
- Market Rate Condominiums – This development category is financeable and will generate over $200,000 a year in revenue to the City in tax increment, plus intermittent transfer tax fees. These additional tax increment revenues will go into the General Fund for myriad different budget items including, but not limited to, infrastructure upgrades; the City's Health Department; Rec & Parks; Homeless Shelter maintenance, on and on. This has the substance and feel of public interest. Not parenthetically, the City has an operational deficit of $134M per year which could use some help.

There are some sites that cry out for mixed income; some for affordable and/or market rate rentals. All would have far better economy of scale than this tiny parcel. In this case, the City should capitalize on the highest and best use which the current proposal offers. At 3 units, it's hardly "massive". It is indeed, "luxury" but then its values comport with the surrounding homes ringing Coit Tower. Architecturally, there are elements which thoughtfully mirror the Gardner Dailey design directly next door to the east. It's doubtful that the curb cuts constitute an unsolvable safety problem. It blocks no views. Lastly, lest we forget, it is code compliant and needs no variance.

I concur with the recommendation from some of my fellow Hill dwellers that the developer upgrade and beautify the Filbert steps leading to the site.

It is not in the public's best interest to let this lazy asset remain fallow, as it has for years. Besides, it's a refuse-collecting eyesore.

Sincerely,



John K. Stewart

CC: David Chiu, President of the Board Supervisor, City of S.F.
John Rahaim, Planning Director, City of S.F.
Olson Lee, Director, Mayor's Office of Housing
Anne Halsted
Robert Mittelstadt
Rod Freebairn-Smith
Judy O'Shea
Irene Tibbits
Gussie Stewart
Wells Whitney
Lynda Spence
Janet Crane
Michael O'Shea
Julie Christensen

DocuSign Envelope ID: DD735FC7-855F-4FA7-9574-340B8264B213

July 7, 2014

Ms. Elizabeth Watty
San Francisco Planning Department
1650 Mission Street, 4th Floor
San Francisco, CA 94103

Subject: 115 Telegraph Hill Boulevard.

Dear Ms. Watty:

The purpose of this letter is to convey a message of strong support for the proposed new development at 115 Telegraph Hill Boulevard from the undersigned individuals, all of whom are, or have been, residents of Telegraph Hill; they are also intimately familiar with the site, its history, and immediate environs.

We support the proposed development at 115 Telegraph Hill Boulevard because....

- It will extinguish what has been, for years, an empty and unattractive lot which has served increasingly as a refuse collection point and occasional unauthorized occupancy. It is also a fire-hazard. Many passersby, especially foreign tourists, discard burning cigarettes as they walk by without putting them out.
- The proposal complies with existing planning and zoning regulations and requires no variances.
- The clean modern design and rich surface materials are consistent with the adjacent Gardner Dailey structure to the immediate east and with the eclectic architecture found on many blocks of Telegraph Hill.
- When built out, no neighbor's south-facing cityscape views will be affected. The new buildings will not obstruct views from Pioneer Park or Coit Tower. Furthermore, the applicant and his architect have thoughtfully provided a generous view corridor to the city skyline, from the front to the rear of the property, which never existed when the pre-existing buildings were there.
- There will be little or no shadow effect on neighboring properties.
- Our City desperately needs housing of all types as evidenced by the Mayor's goal of 30,000 new units.
- This site-when improved-will generate tax increment to the City in excess of $200,000 per year thus helping significantly to mitigate the City's $134M annual operating deficit.

Converting this site from an empty, bleak lot to a place with elegantly designed homes generating much needed revenue for the City seems like an obvious choice. After literally decades of stasis, it's time to get on with it.

Gussie Stewart	Anne Halstead	Lynda Spence	Janet Crane
John Stewart	Wells Whitney	Bob Mittelstadt	Rod Freebairn-Smith

DocuSigned by:
Lynda Spence
CF9C2291E484480

Judy M. O'SHEA

MICHAEL J. O'SHEA

IRENE LINDBECK

DocuSigned by:
Robert Mittelstadt
10DD7A5FFD87482

DocuSigned by:
Gail Switzer
GailSwitzer

Judy M. O'SHEA

MICHAEL J. O'SHEA

IRENE LINDBECK

DocuSigned by:
Robert Mittelstadt

DocuSigned by:
Paul Switzer

July 8, 2014

Ms. Elizabeth Watty
San Francisco Planning Department
1650 Mission Street, 4th Floor
San Francisco, CA 94103

Subject: 115 Telegraph Hill Blvd.

Dear Ms. Watty:

I am writing to respond to the "Telegraph Hill Development Alert" from Telegraph Hill Dwellers' Planning & Zoning Committee that was emailed to me yesterday and which urged that their members contact you to complain about the 115 Telegraph Hill Boulevard residential development project. I received this email because I am a member of Telegraph Hill Dwellers ("THD") for about the past twenty years, I am a former Board member of THD for six years, and I have lived two doors from the proposed development for the past twenty years. My family and I completely support the 115 Telegraph Hill Blvd. project, as do many of our immediate neighbors, and I categorically reject the demonizing and erroneous statements in the email sent by THD.

The THD email declares the project will:

1) *"Block the sweeping views of San Francisco enjoyed by Pioneer Park users."* I have seen the views for 20 years, and the proposed project does not block historic views from Coit Tower or the base of the tower.

2) *"Create permanent dangerous conditions for pedestrians coming up the Filbert Steps and Telegraph Hill Blvd. (by creating a new curb cut on the curviest section of Telegraph Hill Blvd. at the very top of the Filbert Steps coming up from Kearny Street)"*. This location has two stop signs on either side (what better way to exit a driveway?)

   There are curb cuts throughout Telegraph Hill Boulevard, and the specific site historically had a curb cut, and furthermore it is not the curviest point of the Boulevard. It's ironic that THD successfully advocated installing a crosswalk and staircase up to Coit Tower at exactly that same spot on the Boulevard in 1997 (including the installations of the two stop signs) but now for some reason considers it a dangerous spot for any traffic.

3) *"Exacerbate traffic congestion for visitors and residents to Coit Tower on Telegraph Hill Blvd. both during and after construction."* This is a four unit project which will not add measurably to traffic congestion on the Hill, and the units will have garages.

4) *"Adversely impact users of the 39 Coit Tower MUNI bus both during and after construction (particularly because the current stop will have to be moved but will still be next to their new driveway)."* I understand that the bus stop will continue as always, and it is an unsubstantiated claim by THD.

5) *"Eliminate access from the Filbert Steps to Coit Tower for up to two years while the project sponsor digs 30 feet for a new parking garage on this highly constrained site".* I am sure there will be some short-term interruptions, but that is true for all construction projects (as my neighbors who have their homes painted or sidewalks repaved) and disturbances can and should be addressed as part of the proposal.

6) *"Reward the current owners for demolishing 11 units of affordable rent-controlled housing and replacing them with three luxury, 4,000 to 5,000 square foot, condos."* This seems a sly comment, as the residences there in 1994-1997ish were un-inhabited and largely uninhabitable. (The larger houses were occasional flop houses.) Also, prospective developer, Jeremy Ricks, did not remove the former houses, although this comment makes it sound as if he did. The current owners, the Coopers, bought and emptied the parcel years ago, and they were blocked from further developments.

7) *"Reward the current owners for their de-facto demolition of the historic cottage on the southern edge of the property."* This is a sly and curious comment. There was a beautiful, historic cottage on the original parcel ("Bill Bailey's cottage") that was moved to another location (the Mission?) by the Coopers by popular request. The existing cottage on the property is uninhabitable, not historic, and an eyesore. I believe it was largely propped up by the Coopers to establish that they were continuing to develop the property, but that was years ago and it remains an eyesore of no significance.

   THD is capable of meticulous research, but sly and erroneous claims like the above two claims make me question their motives as well as their means.

I previously wrote your offices on June 2nd (see my letter below) with my support of the 115 Telegraph Hill Boulevard residential project. I reiterate my support.

Thank you,

Greg Chiampou
345 Filbert Street
San Francisco, CA 94133
Tel. 415.845.4479

April 1, 2014

San Francisco Planning Commission
City and County of San Francisco
1650 Mission Street
San Francisco, CA 94103

RE: Support for Conditional Use Application
115 Telegraph Hill Boulevard/363 Filbert Street
Case No.: 2013.1375C

Dear Commissioners,

I have lived at 381 Filbert Street since 1997. My home is immediately next door to the proposed new building at 115 Telegraph Hill Boulevard. I believe the project deserves your support. The property has been largely vacant for nearly twenty years, wrapped with a chain-link and with only the shell of a cottage remaining. The owner has been receptive to my suggestions about the design, which will be both attractive and at an appropriate scale for this location. I look forward to the property being cleaned up and improved.

Thank you.

Sincerely,

Mary K Kew 1 April 2014
Mary Kay Kew
381-383 Filbert Street

July 7, 2014

Ms. Elizabeth Watty
San Francisco Planning Department
1650 Mission Street, 4th Floor
San Francisco, CA 94103

Subject: 115 Telegraph Hill Boulevard.

Dear Ms. Watty:

The purpose of this letter is to counteract some comments made by representatives of the Telegraph Hill Dwellers organization regarding this project. Here are their points, with my counter arguments:

- The project would block sweeping views of San Francisco enjoyed by Pioneer Park visitors – ***In fact, by my own observation (I have pictures) the trees and vegetation on the top and sides of the hill already block all views on that side of Pioneer Park and this project in no way makes that worse.***
- The project would adversely impact users of the 39 Coit Tower MUNI bus both during and after construction. – ***I have been told that there will be absolutely no effect on the bus stop during or after construction, nor to the Filbert steps either below or above the project site.***
- The project would eliminate access from the Filbert steps for up to 2 years and create dangerous conditions nearby. – ***I have been told that there will not be limitations on the access of the Filbert steps at any time.***
- The project would "reward" the current owners for demolishing affordable housing and an historical cottage – ***The demolition of housing on the property occurred many years ago and is not relevant to this project. The cottage which remains is in fact unlivable at present but is not now planned to be demolished during this project.***

Thank you for consideration of these points and corrections to misstatements made by neighborhood opponents to the project. Converting this site from an empty, bleak lot to a place with elegantly designed homes generating much needed revenue for the city still seems like an obvious choice.

Sincerely yours – Wells Whitney

Wells Whitney

1308 Montgomery St.

San Francisco, CA 94133

From:	MARINA GALLI
To:	Watty, Elizabeth (CPC)
Subject:	Support of 115 Telegraph Boulevard
Date:	Sunday, July 06, 2014 5:51:16 PM

July, 6th 2014

Ms. Elizabeth Watty
San Francisco Planning Department
1650 Mission Street - 4th Floor
San Francisco, CA 94103

Subject: Support of proposed development of 115 Telegraph Hill Boulevard

Dear Ms. Watty,

Monty Reedy and I are writing to you to support the proposed development of 115 Telegraph Boulevard. We believe it is high time that this vacant and desolate lot be turned into a home that contributes to the Telegraph Hill community and also beautifies the approach to Coit Tower. As neighbors, we frequently walk up Telegraph Hill Boulevard and past the 115 Telegraph Hill Boulevard lot. We often wish there was a lovely home that was thoughtfully built, instead of a blighted empty lot. It is our understanding that the owners are proposing a well thought out architectural plan that complies with city ordinances. We should work with them to create something in keeping with the neighborhood.

Wouldn't it be better to have a family or couple living in a newly built, well manicured home, where currently there is nothing but dirt and an unsightly chain link fence? The lot is filled with litter because of the wind tunnel effect, caused by no building on the lot.

Think of the jobs the construction and ongoing maintenance will create, the increased tax base, the additional stimulus to the community. The city needs to embrace and welcome residents who want to set up roots here and improve the city.

Further, it would be nice to have the driveway that once existed reinstated. In an emergency, there is no place to turn around until you get all the way to the top of the hill.

We are neighbors, we are taxpayers and we are supporters of the development of this unused parcel, 115 Telegraph Hill Blvd.

Thank you for your consideration.

Kind regards,

Marina Galli, CFA
& Monty Reedy

From: Friea Berg
To: Watty, Elizabeth (CPC)
Subject: I support "luxury condos on Telegraph Hill"
Date: Thursday, July 10, 2014 9:10:39 AM

Hi,

I live in the North Beach/Telegraph Hill neighborhood – don't see why TDH is so upset about the condo development project. Personally I suspect TDH would fight any new project, and leaving that lot vacant and surrounded by a chain link fence is ridiculous.

So ... wanted to voice my support for the project. Looks reasonable enough.

I have no stake in this, don't know any of the involved folks.

-Friea

Friea Berg | Strategic Alliances | friea@splunk.com | Direct 415.852.5820 | Mobile: 415.254.1544 | twitter.com/friea
San Francisco | Cupertino | London | Hong Kong | Washington D.C. | Seattle | Plano | Singapore | Munich | Tokyo

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From: Lauren Haugh
To: Watty, Elizabeth (CPC)
Subject: Supporting the project on 115 Telegraph Hill
Date: Wednesday, July 09, 2014 11:46:15 AM

Dear Ms. Watty,

I would like to express my strong support for the proposed project at 115 Telegraph Hill. The Filbert steps are one of my favorite places to run. I have lived in the city for over 7 years and I don't think I have seen a bigger eye sore than this vacant lot. I have always wondered why it has remained vacant for so long. Last week I met Jeremy Ricks and his architects who were visiting the spot and looking at plans. I approached them and asked if they were developing the project etc... They showed me the plans and I absolutely love what they are proposing. I think that it will be a great addition to the neighborhood. I asked them if there was anything that I could do to help and they suggested that I write a letter of support, hence this email. I understand that there are no variances to this project and it falls under the height limit.
I would like to show my strong support for this project.

Sincerely,
Lauren Haugh
650-996-1090
S.F Resident

June 8, 2014

Ms. Elizabeth Watty
San Francisco Planning Department
1650 Mission Street, 4th Floor
San Francisco, CA 94103

Subject: 115 Telegraph Hill Blvd.

Dear Ms. Watty:

As immediate neighbors to the proposed project, we would like to express our support for the new development by Jeremy Ricks' group at 115 Telegraph Hill Blvd. We have lived three homes away from the site for the past fifteen years, we have reviewed Mr. Rick's proposed plans as of May 2014, and we have long appreciated the site, its history, and the immediate environs.

We support the proposed development at 115 Telegraph Hill Blvd. for several reasons:

- The proposed building plan:
  - Has clean lines, open courtyards, and modern elements that contribute to the neighborhood's architecture.
  - Does not block views from Pioneer Park's rear lawn area or Coit Tower.
  - Does not block any neighbors' south facing views, and has little or no shadow impact on neighboring residences.
- Now an empty lot, the proposed building site offers an opportunity to:
  - Add residential units and tax-payers to both the neighborhood and the city.
  - See new residents be motivated to maintain the heavily tourist-trafficked Filbert stairs area in front, including keeping the area clean, graffiti-free, and planted.

We remember the former buildings on this site. After a long period of abandonment, we are glad to see this proposed plan for 115 Telegraph Hill Blvd.

Sincerely,

Greg Chiampou
345 Filbert Street
San Francisco, CA 94133

From:	Regan Anderlini
To:	Watty, Elizabeth (CPC)
Subject:	115 Telegraph Hill Boulevard Townhouses
Date:	Tuesday, July 08, 2014 9:20:39 PM

Ms. Watty,

I am a resident of the Telegraph Hill neighborhood in San Francisco and I am writing in support of the proposed development at 115 Telegraph Hill Blvd. Recently there has been some heated discourse on our neighborhood email list, and I fell it is important that I let you know that my husband and I both support the idea of replacing the unsightly vacant lot that now exists with a tastefully conceived development. I have read the document sent to the list by Jeremy Ricks of Telegraph Hill Housing, LLC and support the ideas presented in his communication.

Thank you for your consideration,

Regan Anderlini
300 Filbert St

From:	Vincent scholl
To:	Watty, Elizabeth (CPC)
Subject:	115 Telegraph Hill Support
Date:	Wednesday, July 09, 2014 11:11:01 AM

Ms. Watty

I am writing to support the proposed project of 115 Telegraph Hill. I often run the Filbert steps with my girlfriend (Lauren Haugh, who I think is also writing a letter of support). We met with the project sponsor and his team of architects at the site and reviewed their plans. I feel that what they are proposing is both reasonable and quite spectacular and would be a VERY welcomed addition to the neighborhood. I strongly support the project.

Best

Vince Scholl

From: Lois Chess
To: Watty, Elizabeth (CPC)
Subject: SUPPORT for 115 Telegraph Hill Development
Date: Tuesday, July 08, 2014 4:15:10 PM

Just so you know, not everyone is against developing this site. It has been empty way too long. Good luck. I hope if passes.

Lois Chess
415-385-7505

From: Marcy Albert
To: Watty, Elizabeth (CPC)
Subject: SUPPORT FOR 115 Telegraph Hill Boulevard (Case No. 2013.1375CE
Date: Wednesday, July 09, 2014 12:01:42 PM

I have read both the supporting and opposing sides of this development and it looks to me to be a perfectly delightful development. I encourage you to support it.

Marcy Albert
101 Lombard St #904W
San Francisco, CA 94111
415-627-5900

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From: david.taylor10@comcast.net
To: Watty, Elizabeth (CPC)
Subject: 115 Telegraph Hill
Date: Wednesday, July 09, 2014 11:14:15 AM

Hi Elizabeth,

I support the project at 115 Telegraph Hill as shown and am looking forward to getting rid of that eyesore lot.

Thank you,

David Taylor
1460 Montgomery Street
650 339 1476

From:	Dana Rivera
To:	Watty, Elizabeth (CPC)
Subject:	Supporting project at 115 Telegraph Hill
Date:	Wednesday, July 09, 2014 12:37:55 PM

Hi Elizabeth,

I am writing in support of the proposed project at 115 Telegraph Hill. As a neighbor at 279 Filbert Street, I believe the project will fit into the character of the neighborhood and will fill a current void.

I have reviewed the details of Jeremy's proposal with him and because the project is below the zoned height limit and requires no variances, I urge the Planning Commission to support this project.

Thank you for your consideration.

Best,
Dana Rivera

From:	Cal J.
To:	Watty, Elizabeth (CPC)
Subject:	Support for proposal of 115 Telegraph Hill
Date:	Wednesday, July 09, 2014 10:55:02 AM

Ms. Watty,

I own a TIC close to Telegraph Hill and often visit the Coit Tower area. Just last month I took some relatives that were visiting from out of town. We walked up the Filbert St stairs and one of them commented how ugly the vacant lot that sits on 115 Telegraph Hill was. When I spoke to Jeremy Ricks about his project I discovered that this lot has been vacant for over 15 years. I don't understand why/how one of the most beautiful and important streets in all of SF could have such a thing. I have reviewed the plans that Jeremy and his architects have proposed and I think that they would be an absolutely wonderful addition to the neighborhood. The proposed homes have a nice modern feel but also keep with the consistency of the neighborhood.

This letter is in STRONG support of the proposed 115 Telegraph Hill project. I urge the planning commission to pass the project as is.

Thank you,
Calvin Chan

June 10, 2014

Ms. Elizabeth Watty
San Francisco Planning Department
1650 Mission Street, 4th Floor
San Francisco, CA 94103

Subject: 115 Telegraph Hill Blvd.

Dear Ms. Watty:

As immediate neighbors to the proposed project, I would like to express support for the new development by Jeremy Ricks' group at 115 Telegraph Hill Blvd. I have lived three homes away from the site for the past fifteen years, and have reviewed Mr. Rick's proposed plans as of May 2014.

I support the proposed development at 115 Telegraph Hill Blvd. for several reasons, but the main reason is that the current empty lot is a MAJOR EYESORE that has essentially become a big garbage dump. It is sad to see such a beautiful location littered with trash and graffiti.

The proposed building plan is thoughtful, and I appreciate the clean lines and modern elements that would complement the neighborhood's architecture. From my review of the plan, I do not see any impact on views from Pioneer Park's rear lawn area or Coit Tower, block any neighbors' south facing views, and has little or no shadow impact on neighboring residences.
The project would also bring tax dollars and jobs to our city/neighborhood.

I welcome the proposed project and appreciate that Mr Ricks has worked with the neighbors to create residences that would be an asset to Telegraph Hill.

Sincerely,

Jennifer Mattson Chiampou
345 Filbert Street
San Francisco, CA 94133

From:	Janet Crane
To:	Watty, Elizabeth (CPC)
Cc:	Silcox, Louis; Rod Freebairn-Smith
Subject:	115 Telegraph Hill Boulevard
Date:	Tuesday, July 08, 2014 5:01:09 PM

Dear Ms. Watty:

I am a 40 year resident of Telegraph Hill and wish to support the right of the property owner to build homes on this lot.

I understand that the project does not require any variances and has received design approval from the Planning Department. This is a logical site for luxury homes.

It is reasonable to discuss with the property owner how the most difficult impacts of construction will be mitigated for the neighbors and that the Filbert Steps should be brought into good condition at that property line. Those discussions should occur with any significant construction site in a congested area. However, the project should not be attacked because it is not a park.

I am adding my name to the other letters of support that have been sent by our neighbors.

Best regards,
Janet

Janet Crane
Freebairn-Smith & Crane
Planning, Urban Design, Architecture
442 Post Street
San Francisco CA 94102
415 398 4094
jcrane@f-sc.com

From: Alexis Donoghoe
To: Watty, Elizabeth (CPC)
Subject: 115 Telegraph Hill - Vote of Approval
Date: Wednesday, July 09, 2014 2:16:36 PM

To whom it may concern:

I live in North Beach (529 Filbert St.) right near 115 Telegraph Hill. I walk to work up and over Telegraph Hill and pass by this empty lot everyday, so I am familiar with this proposal. I have reviewed the details of Jeremy's proposal with him and I think the project will be a welcomed addition to the neighborhood. I strongly support the project and urge the planning commission too as well, especially as it is below the height limit and requires no variances.

Fellow Neighbor,

Alexis Donoghoe

John Fitzgerald
381 Filbert Street
San Francisco, CA 94133
(415) 397-6630 / groundfitz@yahoo.com

Attention: City of San Francisco Planning Department

I am John Fitzgerald. I reside at 381 Filbert, the garden apartment below 383 Filbert. I have lived here for seventeen years.

Telegraph Hill is a wonderful place to live! The views are fantastic and I especially appreciate that every day of the year people from all over the world are climbing the Filbert steps on their way up to, and down from, Coit Tower.

I have met with Jeremy Ricks and seen his plans for developing the properties next door. I look forward to having neighbors, instead of the empty, often trashed and blighted lots that have been next door for many years. Indeed, I think Mr. Ricks' residences will be a welcome addition to the neighborhood.

I trust that you will give his proposal a fair hearing.

Sincerely,

John J. Fitzgerald

From: Dustin Haytema
To: Watty, Elizabeth (CPC)
Subject: Support for proposed Telegraph Hill Property
Date: Wednesday, July 09, 2014 11:10:31 AM

Dear Ms. Watty,

I have been renting an apartment near North Beach for over two years and walk near Coit Tower everyday on my way to work. Before even speaking to Mr. Ricks about the proposed project, I have commented on the vacant lot with many neighbors and tourists over the past year. It has been a huge eye sore for all local residents and tourists alike and sometimes even frequents vagrants at night.

I recently sat down with Mr. Ricks to discuss the building project and the proposed plans for 115 Telegraph Hill and am strongly in support of its development. Based on my experience, the project clearly falls under the height limit and there are clearly no proposed variances, thus making this project a perfect fit for that lot. This beautifully designed building will only add to the neighborhood as a whole.

I look forward to supporting this project through to completion.

Please contact me with any questions.

Best,
Dustin Haytema

From:	brad hedrick
To:	Watty, Elizabeth (CPC)
Subject:	Fwd: support for 115 Telegraph Hill
Date:	Wednesday, July 09, 2014 12:38:01 PM
Attachments:	Plans_Final_reduced.pdf

Elizabeth,

I hope this note finds you well. I have lived in North Beach for many years now and know Jeremy Ricks from HS. Jeremy has brought me up to speed on the details of his proposal of the 115 Telegraph Hill Project, which seems like a great idea considering the lot he is pursuing has been vacant for so long. I foresee the project being a welcomed addition to the neighborhood. Per the plans, it looks the structure is below the height limit, and would not requires any major variances if any. Just thought i would shoot over a note to mention my firm support of the project and urge the planning commission too as well.

Always happy to chat.

brad hedrick
4154979844
520 chestnut St no 104
SF CA.

From:	peter iskandar
To:	Watty, Elizabeth (CPC)
Cc:	pi_iskandar@yahoo.com
Subject:	115 Telegraph Hill Project Support
Date:	Wednesday, July 09, 2014 4:54:46 PM

Hi Elizabeth,

I live nearby and am a property owner at 1835 Grant Ave. I recently reviewed the plans for Jeremy's project at 115 Telegraph Hill and I think this project will be a nice addition to the neighborhood. As far as I can tell the project will add desired property value to the surrounding area, will clean up an underused vacant lot, and does not exceed any size limits or require any variances.

I support the project and urge the planning commission to do so as well.

Sincerely,

Peter Iskandar
1835 Grant Ave.

From: shane
To: Watty, Elizabeth (CPC)
Subject: Support for 115 Telegraph Hill
Date: Wednesday, July 09, 2014 11:19:12 AM

Dear Ms. Watty,

My wife and I have lived in North Beach for over 3 years. We often visit Coit Tower, especially when we have out of town visitors.
For some time I have thought that this unpleasant vacant plot of land should be developed as it would add MUCH beauty to the area.
I have met with Jeremy Ricks and reviewed his plans and think that what he is proposing, in its CURRENT state, would be an absolutely fantastic addition to the neighborhood. I strongly believe that this project should be approved and ask the commission to vote yes on this project.

Thanks,
Shane Kennedy

From:	Dana Kueffner
To:	Watty, Elizabeth (CPC)
Cc:	PMHeinemann@aol.com
Subject:	Re: 115 Telegraph Hill Boulevard - Planning Case No. 2013.1375C
Date:	Tuesday, July 08, 2014 8:51:50 PM

Dear Ms. Watty, President Wu and Commissioners:

Let me apologize in advance for the informal nature of this correspondence.

My husband, Peter Heinemann, and I are wanting to go on record as strong supporters of the above referenced project.
Peter and I have lived on Telegraph Hill for the past 30 years. Our home is located at 335 Greenwich Street, approximately 6 parcels north/east of 115 Telegraph Hill Blvd.

We believe that the project has been very thoughtfully designed. The owner and their architects have listened to and addressed a wide variety of community concerns and issues. They should be commended for all their efforts.

Please add our names to the list of supporters of this plan.
Thank you for your kind attention.

Sincerely,

Dana L. Kueffner and Peter M. Heinemann
335 Greenwich Street
San Francisco, CA. 94133

From:	dennis leary
To:	Watty, Elizabeth (CPC)
Date:	Wednesday, July 09, 2014 5:36:56 PM

Hey Elizabeth, my name is Dennis Leary; I live at 80 Alta St on Telegraph Hill. I am writing to express my support for the proposed development at 115 Telegraph Hill Blvd. I think the project would be an improvement over the vacant lot that now exists; I also do not think the proposed construction would disrupt the neighborhood in any manner. I have lived on the Hill for 9 years, and am well familiar with the politics up here. I hope the fear-mongers do not sabotage yet another attempt to better the neighborhood. If you need to talk to me further about this matter, please do not hesitate to contact me. Thanks very much.

From: Jady Manibusan
To: Watty, Elizabeth (CPC)
Subject: 115 Telegraph Hill
Date: Wednesday, July 09, 2014 10:58:23 AM

Dear Ms. Watty,

I live at 34 Jasper Place and am writing this email in strong support of the proposed project on 115 Telegraph Hill. The land has been an eye sore to the neighborhood and the city as a whole as hundreds of tourists view this vacant lot every everyday as they drive up to Coit Tower. I have met with Jeremy Ricks and reviewed his plans for the new structure and believe that it will be a welcomed addition to the neighborhood and I think that planning should strongly support the project in its current form. I am aware that the project is below the height limit and does not require any variances so I see no reason why the commission should not support it.

Many Thanks
Jady Manibusan

From:	McCandless, Michael
To:	Watty, Elizabeth (CPC)
Subject:	Support for 115 Telegraph Hill
Date:	Wednesday, July 09, 2014 1:07:21 PM

Hi Sally,

I have reviewed the details of Jeremy's proposal for 115 Telegraph Hill and I think the project will be a welcomed addition to our neighborhood. Given that it's well below the height limit and requires no variances I strongly support the project and urge the planning commission too as well.

All the best,

Michael

Michael McCandless
289 Chestnut Street
San Francisco, CA 94133
415-699-8324

From: Bill Ricks
To: Watty, Elizabeth (CPC)
Subject: Support for development of 115 Telegraph Hill Blvd
Date: Tuesday, July 08, 2014 4:17:20 PM

> Dear Liz,
>
> I am writing you to display my strong support for the proposed development at 115 Telegraph Hill Blvd. I am a long-time resident of the Bay Area, and long-time admirer of Coit Tower and Telegraph Hill. I am an owner of 339 and 341 Filbert Street.
>
> I have met several times with the owner and the architect of the proposed development of this property. I feel that their proposal for 3 homes on this property is very appropriate for this location. I have long marveled that an unsightly property surrounded by a chain-link fence was allowed to exist in this iconic location. The proposed 3 stylish homes on this site would add a great deal of value and beauty to the neighborhood.
>
> Please feel free to contact me if you have any questions or comments.
>
> Regards,
>
> Bill Ricks
> 925-890-3933

From: Silcox, Louis
To: Watty, Elizabeth (CPC)
Subject: 115 Telegraph Hill Boulevard, aka 363 Filbert Street
Date: Tuesday, July 08, 2014 1:32:14 PM
Importance: High

Dear Ms. Watty,

I am the real estate agent who is involved in the sale of this property. I am also a long-time resident and property owner on Telegraph Hill, having lived here since the 1980's. My home is just six doors away from the parcel that has long been vacant, an eye-sore, a place for homeless to camp and a fire-hazard also, in my opinion. I will be writing a formal letter to you later today and emailing it to you. I just sent you an email from several other neighbors who currently live nearby, with the exception on one couple, who have now moved to another part of the city. Among those who signed that letter are a number of civic and charitable organization leaders, two architects and a couple who live in a Gardner Dailey designed residence a few doors away on Telegraph Hill Boulevard. There are also two architects who have signed. Having studied architecture at U.C. Berkeley myself, I have a tremendous appreciation for good architectural design.

While I may be involved in marketing and selling the finished product, my main interest in seeing this property developed is as a neighbor.

Sincerely and with kind regards,

Louis

Louis J. Silcox, Jr.
Senior Marketing Consultant
Sotheby's International Realty
117 Greenwich Street
San Francisco, CA 94111
415 296-2229 Direct
415 297-2277 Cellular
415 901-1701 Facsimile
www.SFEstates.com
BRE License # 00949191

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July 8, 2014

Ms. Elizabeth Watty
San Francisco Planning Department
1650 Mission Street, 4th Floor
San Francisco, CA 94103

Re: 115 Telegraph Hill Boulevard (3 *Proposed Townhouses + remodel of an existing Cottage*)
Planning Case No. 2013.1375C
Hearing Date: July 17, 2014

Dear Ms. Watty, President Wu and Commissioners:

I have been a resident on Telegraph Hill since 1976 and love it dearly. In my early years there I was a renter while I studied architecture at U.C. Berkeley and have always considered myself fortunate indeed to call "The Hill" my home. Since then I was able to purchase my own home on the hill and I treasure it dearly. There is nowhere else in San Francisco that I would prefer to live.

I have also been a successful real estate agent in San Francisco since 1987 and I specialize in Telegraph Hill properties. Over the years I have learned that there are few homes in our neighborhood that are larger than two bedrooms, while there is a significant demand for such homes.

I support this project of 3-4 bedroom homes plus the remodeling of the existing cottage because good housing is needed everywhere in our city and family sized homes are very much needed on Telegraph Hill. I believe that a neighborhood that is rich in its eclecticism must by definition include family homes and homes that can also serve handicapped or very elderly persons as well as able bodied ones who can walk quickly up a hill with two full bags of groceries and their brimming briefcases. I can still remember being able to do that myself. The three townhouses that are proposed can serve any of these individuals as a proper and wonderful place to call home.

The project has already passed design review and does not seek any variances. Contrary to what some claim, it does not impact the public views from either Pioneer Park or Coit Tower. I live next to Coit Tower and walk this area regularly, so I can attest to that fact. Additionally, there was a driveway and curb cut previously, as evidenced by photographs that have already been provided to you. The sidewalk and curb were expanded out several years ago by the city when an additional stairway to Coit Tower on the South slope was created. A few people claim that this driveway cut never existed, which is a false statement. I do believe that there are a few individuals who oppose this project that do, in fact, have a personal vendetta against the sellers/current owners of this property and would rather it remain abandoned than have them benefit ever, in any way, from the sale of the property. Unfortunately, these few people have the ears of many uninformed residents on the hill and I imagine that their specious claims have generated dozens or even more letters to you in opposition of this handsome project.

Mr. Ricks and his architect, Lewis Butler have made several concessions and accommodations to the neighbors requests and demands, some very costly, including dramatically reducing the overall mass of the structure, particularly at the rear, a very costly reconfiguration of the garage structure, reducing the height of a major portion of the structure, volunteering to create a view corridor for pedestrians, that

was never there when the previous structures were there. I remember those derelict structures well. They were actually deemed unsound by the city before a permit was issued by the city to demolish them.

I have over the course of the past several years witnessed break-ins onto the property and into the cottage, people dumping garbage there, people constantly loitering there smoking marijuana and drinking alcohol at all hours and lots of graffiti as well. Even though the owners cut back the weeds, it remains a severe fire-danger in my opinion. I often see passersby, some of them tourists, who may not know any better, flick lit cigarettes aside with them sometimes landing in the weeds. A severe fire-hazard, if there ever was one!

This project will provide a great deal of revenue for our city, new homes for four families, possibly even multi-generational families, many construction jobs, many service jobs such as landscapers & gardeners, decorators, house-cleaners, window washers and other maintenance personnel. Beyond that, it will extinguish a fire-hazard and what has long been an attractive nuisance and will most certainly improve overall safety and quality of life for its immediate and nearby neighbors. The neighbor, who in my view has the most potential to be impacted by this construction, Mary Kay Kew, wholeheartedly supports this project.

In closing, I and many of my well informed neighbors support this project and look forward to the day when there are beautiful homes ready to welcome all sorts of new neighbors and friends.

Sincerely and with kind regards,

Louis J. Silcox, Jr.
337 Greenwich Street
San Francisco, CA 94133
415 788-2008

From: Chris Stockton
To: Watty, Elizabeth (CPC)
Subject: Condominium Project at 115 Telegraph Hill Boulevard
Date: Sunday, July 06, 2014 9:13:38 AM

Case 3013.1375

As a long standing member of Telegraph Hill Dwellers and as a resident of Telegraph Hill, on Chestnut Street, please be advised that I do not oppose the development of the property at 115 Telegraph Hill Boulevard for condominiums as long as the building does not exceed the usual 40' height limit and provides for the usual rear yard open space.

Chris Stockton,
Architect, retired

May 5, 2014

SF Planning Commission
1660 Mission Street, First Floor
San Francisco, CA 94103-2479

Re: Proposed Project @115 Telegraph Hill

Dear Planning Commission Members:

I have been a homeowner in San Francisco for more than a decade. Last year, I purchased a home in the Telegraph Hill neighborhood.

Recently, I had the opportunity to review the preliminary plans for a proposed project at 115 Telegraph Hill. I believe this proposal would be a welcome addition to our neighborhood providing an attractive multi-family structure on what is now a poorly maintained, vacant lot.

While I understand that you must take into consideration a variety of issues in your decision-making process, this appears to be a well-thought out proposal from a reputable, local firm. Most importantly, the overall plan would fit nicely into our existing neighborhood.

As a homeowner who lives close by and has an interest in the future of our neighborhood and San Francisco as a whole, I enthusiastically support the proposed plans. Thank you for your consideration.

Sincerely,

Olivia Ware
112 Alta Street
San Francisco, CA 94133
(650) 868-7955
ocware@gmail.com

From: Andrea Winograd
To: Watty, Elizabeth (CPC)
Subject: 115 Telegraph Hill
Date: Wednesday, July 09, 2014 4:07:56 PM

Ms. Watty

My name is Andrea Winograd and I live at 1437 Hyde Street, and I have reviewed the details of Jeremy's proposal on 115 Telegraph Hill with him and I think the project will be a welcomed addition to the neighborhood. The project is below the height limit and requires no variances so I strongly support the project and urge the planning commission too as well. The vacant lot has been there for way too long and this is the perfect project for the property.

Please share my email of support with the planning commission and respective supervisors.

Thank you!

Andrea Winograd

From:	Justin Yonker
To:	Watty, Elizabeth (CPC)
Subject:	Fwd: Support for Proposed Project at 115 Telegraph Hill
Date:	Wednesday, July 09, 2014 4:39:24 PM

SF Planning Dept.

To Whom It May Concern,

I am a nearby neighbor and owner of my residence at 527 Union Street. I have reviewed the plans for Jeremy's project at 115 Telegraph Hill and I think the project will be a welcomed addition to our neighborhood. The project appears to be below the height limit, does not appear to require any variances, does not appear to have any negative effect on the neighborhood, and adds value to all nearby properties. Therefore I support the project and urge the planning commission to do so as well.

Sincerely,

Justin Yonker

Master Builders
C: 415-806-4676
O: 415-567-8886

justin@masterbuilderssf.com
www.masterbuilderssf.com

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SAN FRANCISCO
PLANNING DEPARTMENT

Certificate of Determination
Exemption from Environmental Review

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

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

Case No.:	**2013.1375E**
Project Title:	**115 Telegraph Hill Boulevard**
Zoning:	RH-3 (Residential – House, Two Family) Use District Telegraph Hill – North Beach Residential Special Use District 40-X Height and Bulk District
Block/Lot:	0105/065
Lot Size:	7,517 square feet
Project Sponsor:	Daniel Frattin, Reuben, Junius, & Rose, LLP, (415) 567-9000
Staff Contact:	Heidi Kline – (415) 575-9043, Heidi.Kline@sfgov.org

PROJECT DESCRIPTION:

The proposed project would allow the construction of a three-unit residential building and the exterior renovation (no increase in building area) of an existing 1,000-square-foot, two-story cottage constructed in 1906. The three new residential units would be located in a three-story over basement building with unit sizes ranging from 4,100 to 4,600 square feet. Three off-street parking spaces would be provided for the new units in a 3,000-square-foot area in the basement. The maximum height of the building would be 40 feet, as measured in accordance with the San Francisco Planning Code. No change would be made to the height of the existing cottage. The new three-unit building would be constructed at the front of the lot, adjacent to Telegraph Hill Boulevard, while the existing cottage would remain in its current location at the rear of the lot. A portion of the concrete sidewalk and steps (Filbert Steps) along the parcel's frontage would be replaced in kind. The project is located within the Telegraph Hill neighborhood on the south side of Telegraph Hill Boulevard between Kearney and Montgomery Streets.

EXEMPT STATUS:

Categorical Exemption, Class 1 (California Environmental Quality Act (CEQA) Guidelines Section 15301(d) and Class 3 CEQA Guidelines Section 15303(b)

REMARKS:

See next page.

DETERMINATION:

I do hereby certify that the above determination has been made pursuant to State and local requirements.

Sarah Jones
Environmental Review Officer

June 10, 2014
Date

cc: Daniel Frattin, Project Sponsor

Supervisor David Chiu, District 3

PROJECT APPROVALS

- Conditional Use Authorization by the Planning Commission for residential density above three units per lot and the off-street parking spaces per Section 151 and the Telegraph Hill – North Beach Residential Special Use District of the San Francisco Planning Code.
- Building Permit from the San Francisco Department of Building Inspection.
- Permit from the Department of Public Works for construction within the public right-of-way.
- Approval from the San Francisco Municipal Transportation Agency (SFMTA) to relocate an existing stop sign.

Approval Action: The proposed project is subject to Planning Commission approval of a conditional use CU authorization for the off-street parking spaces and for residential density above three units per lot. This CU is the approval action for the project. The Approval Action date establishes the start of the 30-day appeal period for this CEQA exemption determination pursuant to Section 31.04(h) of the San Francisco Administrative Code.

REMARKS:

Historic Resource. The existing cottage was constructed in 1906 and is classified as a Category "B", or potential historic resource, in the Planning Department's records. A Category B rating indicates that additional information is necessary to make a determination as to whether the site is an historic resource or not. In order for a building to be deemed a historic resource for purposes of CEQA Section 21084.1, it must be listed in or determined to be eligible for listing in the California Register of Historical Resources (CRHR), or included in a local register of historic resources.

Based on a historic resource evaluation (HRE) prepared by Page & Turnbull[1] and subsequent evaluation by the Planning Department Preservation Planning staff,[2] the project site was determined to not be eligible for listing in the CRHR nor was it included on a local register of historic resources. The extant cottage is a common example of a vernacular building and has been extensively altered such that it no longer represents its original 1906 construction.

In order for a project to be deemed eligible for listing in the CRHR, the project must be shown to meet any one of the National Register of Historic Places' four criteria: Criterion 1 (Event), Criterion 2 (Persons), Criterion 3 (Architecture), or Criterion 4 (Information Potential). The Planning Department concurs with

---

[1] Page & Turnbull, *115 Telegraph Hill Boulevard Historic Resource Analysis, San Francisco, California.* February 19, 2014. A copy of this document is available for public review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, as part of Case File No. 2013.1375E.

[2] Hilyard, Gretchen, *Preservation Team Review Form for 115 Telegraph Hill Boulevard.* May 1, 2014. A copy of this document is available for public review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, as part of Case File No. 2013.1375E.

the findings of the HRE that the subject property is not eligible for listing in the California Register under any criteria, specifically: No known historic events occurred at the property (Criterion 1), none of the owners or occupants have been identified as important to history (Criterion 2), the building is not architecturally distinct and represents its alteration circa 1997 (Criterion 3). Based upon a review of information in the Departments records, the subject property is not significant under Criterion 4, which is typically associated with archaeological resources. Furthermore, the subject property is not likely significant under Criterion 4, since this significance criterion typically applies to rare construction types when involving the built environment. The subject property is not an example of a rare construction type. The surrounding neighborhood contains a mix of architectural styles, building sizes, and a defined period of development; therefore, it does not appear to be a potential historic district.

Preservation Planning staff determined that the site does not meet any of these four criteria. Therefore, the site was determined to not be eligible for listing individually or as part of a potential or existing historic district in the CRHR and the site is not an historic resource for purposes of CEQA. The proposed new construction project does not directly or indirectly involve any historic resources and will not cause a significant adverse impact upon a historic resource as defined by CEQA.

Geotechnical. The project site is on an approximately 80-foot-wide by 80-foot-deep, downhill-sloped lot with a slope from the east to west side of the lot. The elevation at the highest point along the street (northeast corner) is 251 feet (above sea level) and 214 feet at the rear lot line (southwest corner). The existing cottage is constructed in the southeastern corner of the lot at an elevation of 229 feet. The proposed three-unit residential building would be constructed at the front of the lot along Telegraph Hill Boulevard with a pad elevation at approximately 224 feet. The existing cottage at the rear of the lot would be renovated and no changes made to the existing poured concrete foundation. The foundation for the new building would be constructed using drilled concrete pier and grade beam foundation, requiring excavation up to 25 feet in depth.

A geotechnical report was prepared for the proposed project at 115 Telegraph Hill Boulevard[3] and includes information gathered from a site reconnaissance by the geotechnical engineer and four soil borings conducted on the project site. The borings encountered 6 inches to 4 feet six inches of loose to dense clayey sand with varying amounts of silt and gravel to stiff, sandy silty clay, overlaying sandstone bedrock. No groundwater was encountered, though based on the hillside location it is possible that groundwater could be encountered near the surface following rain or upslope irrigation.

The geotechnical report evaluated the project site for potential liquefaction, surface rupture, lateral spreading, densification, and landslides and found the potential for risk to be low. The project site is in an area that would be exposed to strong earthquake shaking, though adherence to the recommendations in the 2013 San Francisco Building Code would reduce potential damage to the structure. The 2013 San Francisco Building Code (Building Code) requires Site Classification and Values of Site Coefficients for the design of earthquake resistant structures to minimize damage from earthquakes. The geotechnical

[3] Earth Mechanics Consulting Engineers, *Report Geotechnical Investigation Planned Improvements at 115 Telegraph Hill Boulevard, San Francisco, California,* May 12, 2013. A copy of this document is available for public review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, as part of Case File No. 2013.1375E.

report includes seismic design parameters for use by the structural engineer for the project in complying with the Building Code during the Department of Building Inspection (DBI) building permit plancheck process.

The geotechnical report found that the proposed structure's foundation could be safely supported using a drilled concrete pier and grade beam foundation, provided adherence to site preparation and foundation design recommendations in the project geotechnical report.

The project sponsor has agreed to adhere to the recommendations of the geotechnical report and include the report's design recommendations into the plans submitted for the building permit plancheck process, subject to final review by DBI. Thus, the proposed project would have no significant geotechnical impacts.

Exemption Class. Under CEQA State Guidelines Section 15301(d), or Class 1(d), exterior renovations to an existing single-family residence that is not a historic resource, as defined for purposes of CEQA, is exempt from environmental review. The proposed project involves the exterior renovation of the existing 1,000-square-foot cottage at the rear of the property. Under CEQA State Guidelines Section 15303(b), or Class 3(b), construction of a multi-family residential structure with up to four dwelling units in a residential zone is exempt from environmental review. In urbanized areas, this exemption applies to apartments, duplexes, and similar structures designed for not more than six dwelling units. The proposed project includes the construction of a multi-family residential structure with three dwelling units in a residential zoning district. Therefore, the proposed project would be exempt from environmental review under Class 1(d) and Class 3(b).

Summary. CEQA State Guidelines Section 15300.2 states that a categorical exemption shall not be used for an activity where there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances. There are no unusual circumstances surrounding the current proposal that would suggest a reasonable possibility of a significant effect. The proposed project would not have significant geotechnical or historical resource impacts. The proposed project would have no significant environmental effects. The project would be exempt under the above-cited classifications. For the above reasons, the proposed project is appropriately exempt from environmental review.

ABBREVIATIONS

Abbreviation	Meaning
&	AND
∠	ANGLE
@	AT
℄	CENTERLINE
Ø	DIAMETER
#	NUMBER
(D)	DEMOLISH
(E)	EXISTING
(N)	NEW
(R)	REMOVE
A.B.	ANCHOR BOLT
ABV.	ABOVE
ADJ.	ADJACENT
A.F.F.	ABOVE FINISHED FLOOR
AGGR.	AGGREGATE
ALN.	ALIGN
ALUM.	ALUMINUM
APPROX.	APPROXIMATE
ARCH.	ARCHITECTURAL
AV.	AUDIO VISUAL
BD.	BOARD
BLDG.	BUILDING
BLK.	BLOCK
BLKG.	BLOCKING
BM.	BEAM
B.O.	BOTTOM OF
B.U.R.	BUILT UP ROOFING
B/W	BETWEEN
CAB.	CABINET
CEM.	CEMENT
CER.	CERAMIC
CLG.	CEILING
CLKG.	CAULKING
CLR.	CLEAR
C.M.U.	CONC. MASONRY UNIT
C.O.	CENTER OF
COL.	COLUMN
CONC.	CONCRETE
CONT.	CONTINUOUS
DBL.	DOUBLE
DTL.	DETAIL
DIA.	DIAMETER
DIM.	DIMENSION
DN	DOWN
DR.	DOOR
DS.	DOWNSPOUT
DWG.	DRAWING
DWR.	DRAWER
E.	EAST
EA.	EACH
ELEC.	ELECTRICAL
ELEV.	ELEVATION
ENCL.	ENCLOSURE
EQ.	EQUAL
EQUIP.	EQUIPMENT
EXT.	EXTERIOR
F.D.	FLOOR DRAIN
F.F. & E.	FURNITURE, FIXTURES & EQUIP.
F.F.	FINISH FLOOR
FIN.	FINISH
FLR.	FLOOR
FLUOR.	FLUORESCENT
FIXT.	FIXTURE
F.O.	FACE OF
F.O.C.	FACE OF CONCRETE
F.O.F.	FACE OF FINISH
F.O.S.	FACE OF STUD
FNDN.	FOUNDATION
FT.	FOOT OR FEET
FTG.	FOOTING
FURR.	FURRING
GALV.	GALVANIZED
GA.	GAGE
G.F.I.C.	GROUND FAULT INTERCEPTOR CIRCUIT
GL.	GLASS
GR.	GRADE
GRND.	GROUND
GSM.	GALVANIZED SHEET METAL
GYP.	GYPSUM
H.B.	HOSE BIB
H.C.	HOLLOW CORE
HDWD.	HARDWOOD
HDWR.	HARDWARE
HT.	HEIGHT
HORIZ.	HORIZONTAL
HR.	HOUR
INSUL.	INSULATION
INT.	INTERIOR
LAM.	LAMINATE
LAV.	LAVATORY
L.O.	LINE OF
LT.	LIGHT
MAX.	MAXIMUM
MED. CAB.	MEDICINE CABINET
MECH.	MECHANICAL
MEMB.	MEMBRANE
MTL.	METAL
MTD.	MOUNTED
MFR.	MANUFACTURER
MIN.	MINIMUM
MIR.	MIRROR
MISC.	MISCELLANEOUS
N.	NORTH
N.I.C.	NOT IN CONTRACT
NO.	NUMBER
NOM.	NOMINAL
N.T.S.	NOT TO SCALE
O/	OVER
O.A.	OVERALL
OBS.	OBSCURE
O.C.	ON CENTER
O.D.	OUTSIDE DIAMETER
OPNG.	OPENING
OPP.	OPPOSITE
P.G.	PAINT GRADE
PL.	PLATE
PLAM.	PLASTIC LAMINATE
PLYWD.	PLYWOOD
PR.	PAIR
PROP.LN.	PROPERTY LINE
P.T.	PRESSURE TREATED
R.	RISER
RAD.	RADIUS
R.D.	ROOF DRAIN
RDWD.	REDWOOD
REF.	REFERENCE
REFR.	REFRIGERATOR
REINF.	REINFORCED
REQ.	REQUIRED
RESIL.	RESILIENT
R.L.	RAIN LEADER
RM.	ROOM
R.O.	ROUGH OPENING
S.	SOUTH
S.C.	SOLID CORE
SCHED.	SCHEDULE
SD	SMOKE DETECTOR
SECT.	SECTION
SHR.	SHOWER
SHT.	SHEET
SIM.	SIMILAR
SL.	SLOPE
S.L.D.	SEE LANDSCAPE DRAWINGS
SPEC.	SPECIFICATION
SQ.	SQUARE
S.S.D.	SEE STRUCTURAL DRAWINGS
S.S.	STAINLESS STEEL
STD.	STANDARD
STL.	STEEL
STOR.	STORAGE
STRUC.	STRUCTURAL
SYM.	SYMMETRICAL
T.	TREAD
T.B.	TOWEL BAR
TEL.	TELEPHONE
T.&G.	TONGUE AND GROVE
THK.	THICK
TMPR.	TEMPERED
T.O.	TOP OF
T.O.P.	TOP OF PAVEMENT
T.O.W.	TOP OF WALL
T.S.	TUBULAR STEEL
T.V.	TELEVISION
TYP.	TYPICAL
U.O.N.	UNLESS OTHERWISE NOTED
V.C.T.	VINYL COMPOSITION TILE
VERT.	VERTICAL
V.I.F.	VERIFY IN FIELD
W.	WEST
W/	WITH
WD.	WOOD
W/O	WITHOUT
W.P.	WATERPROOFING
WT.	WEIGHT

SYMBOLS

- DRAWING/DETAIL REFERENCE TAG — DRAWING OR DETAIL / SHEET WHERE DRAWING/DETAIL OCCURS
- SECTION REFERENCE TAG — BUILDING SECTION / SHEET WHERE SECTION OCCURS
- INTERIOR ELEVATION REFERENCE TAG — INTERIOR ELEVATION / SHEET WHERE INTERIOR ELEVATION OCCURS
- ALIGN
- HIDDEN LINE
- STUD WALL (UNLESS NOTED OTHERWISE)
- CONCRETE STRUCTURE, S.S.D.
- INSULATION IN SECTION (BATT)
- INSULATION IN SECTION (RIGID)
- LATH AND PLASTER IN SECTION
- GYPSUM BOARD IN SECTION
- PLYWOOD IN SECTION
- FINISH WOOD IN SECTION
- GLASS IN SECTION
- DOOR TAG
- WINDOW TAG
- PLUMBING FIXTURE TAG / PLUMBING FITTING TAG
- APPLIANCE TAG
- EQUIPMENT TAG
- REVISION TAG
- MATCHLINE
- WORKPOINT OR DATUM
- WALL TYPE TAG
- THRESHOLD

GENERAL NOTES

1. ALL WORK SHALL BE IN COMPLIANCE WITH ALL APPLICABLE LOCAL BUILDING CODES AND REGULATIONS. CONTRACTOR SHALL BE RESPONSIBLE FOR PERMITS APPLICABLE TO SPECIFIC TRADES OR SUBCONTRACTORS.
2. CONTRACTOR WILL HAVE EXAMINED THE PREMISES AND SITE SO AS TO COMPARE THEM WITH THE DRAWINGS AND WILL HAVE SATISFIED HIMSELF AS TO THE CONDITION OF EXISTING WORK AND ADJACENT PROPERTY PRIOR TO SUBMISSION OF BID. NO ALLOWANCES WILL SUBSEQUENTLY BE MADE ON BEHALF OF THE CONTRACTOR BY REASON OF ANY OMISSION ON HIS PART TO INCLUDE THE COSTS OF ALL ITEMS OF WORK, EITHER LABOR OR MATERIALS, WHETHER THEY ARE OR ARE NOT ESPECIALLY OR PARTICULARLY SHOWN OR NOTED BUT WHICH ARE IMPLIED OR REQUIRED TO ATTAIN THE COMPLETED CONDITIONS PROPOSED IN THE DRAWINGS.
3. ALL SUBCONTRACTORS TO THE GENERAL CONTRACTOR SHALL INSPECT THE SITE AND SHALL CONVEY ANY QUESTIONS REGARDING DESIGN INTENT AND SCOPE OF WORK TO THE ARCHITECT PRIOR TO SUBMITTING BID AND PRIOR TO COMMENCING WORK.
4. CONTRACTOR SHALL COORDINATE THE WORK OF THE VARIOUS TRADES AND SUBCONTRACTORS AND SHALL BE RESPONSIBLE FOR ANY ACTS, OMISSIONS, OR ERRORS OF THE SUBCONTRACTORS AND OF PERSONS DIRECTLY OR INDIRECTLY EMPLOYED BY THEM.
5. CONTRACTOR TO ASSUME SOLE RESPONSIBILITY FOR JOB SITE CONDITIONS INCLUDING SAFETY OF PERSONS AND PROPERTY FOR THE DURATION OF THE PROJECT.
6. CONTRACTOR TO CONFORM TO HOMEOWNERS ASSOCIATION RULES AND GUIDELINES.
7. CONTRACTOR TO NOTIFY ARCHITECT IMMEDIATELY AND PRIOR TO ORDERING OF ALL LONG LEAD ITEMS AND OF APPROXIMATE DELIVERY DATES.
8. ALL CONSTRUCTION MATERIALS AND SUPPLIES TO BE STORED, HANDLED, AND INSTALLED ACCORDING TO MANUFACTURERS' RECOMMENDATIONS.
9. IF ERRORS OR OMISSIONS ARE FOUND IN THE DRAWINGS THEY SHALL BE BROUGHT TO THE ATTENTION OF THE ARCHITECT BEFORE PROCEEDING WITH THE WORK.
10. DRAWINGS SCHEMATICALLY INDICATE NEW CONSTRUCTION. THE CONTRACTOR SHOULD ANTICIPATE, BASED ON EXPERIENCE, A REASONABLE NUMBER OF ADJUSTMENTS TO BE NECESSARY TO MEET THE DESIGN OBJECTIVES AND SHOULD CONSIDER SUCH ADJUSTMENTS AS INCLUDED IN THE SCOPE OF WORK.
11. WHEN SPECIFIC FEATURES OF CONSTRUCTION ARE NOT FULLY SHOWN ON THE DRAWINGS OR CALLED FOR IN THE GENERAL NOTES, THEIR CONSTRUCTION SHALL BE OF THE SAME CHARACTER AS SIMILAR CONDITIONS.
12. ALL DIMENSIONS TO BE TAKEN FROM NUMERIC DESIGNATIONS ONLY; DIMENSIONS ARE NOT TO BE SCALED OFF DRAWINGS.
13. THESE NOTES TO APPLY TO ALL DRAWINGS AND GOVERN UNLESS MORE SPECIFIC REQUIREMENTS ARE INDICATED APPLICABLE TO PARTICULAR DIVISIONS OF THE WORK. SEE SPECIFICATIONS AND GENERAL NOTES IN THE SUBSECTIONS OF THESE DRAWINGS.
14. ALL DIMENSIONS ARE TO FACE OF FINISH, U.O.N.
15. WEATHER STRIP ALL DOORS LEADING FROM HEATED TO UNHEATED AREAS. PROVIDE VINYL BEAD TYPE WEATHER STRIPPING AT THESE DOORS AND WINDOWS. ALL SIDES OF THE DOOR MUST BE WEATHERSTRIPPED, INCLUDING THE THRESHOLD.
16. CAULK AND SEAL OPENINGS IN BUILDING EXTERIOR 1/8" OR GREATER TO PREVENT AIR INFILTRATION.
17. WINDOWS TO BE OPERABLE AND CLEANED, U.O.N.
18. ALL WALL FRAMING SHALL BE 2x4 @ 16" O.C. MINIMUM, U.O.N.
19. ALL GYPSUM BOARD SHALL BE 5/8" THICK, TYPE "X", U.O.N.
20. ALL GYPSUM AND/OR PLASTER SURFACES SHALL BE SMOOTH, CONTINUOUS, FREE OF IMPERFECTIONS, AND WITH NO VISIBLE JOINTS, U.O.N.
21. STUCCO OVER WOOD SHEATHING SHALL INCLUDE TWO LAYERS OF GRADE 'D' BUILDING PAPER.
22. STRUCTURAL WOOD MEMBERS ADJACENT TO CONCRETE ARE TO BE PRESSURE TREATED DOUGLAS FIR.
23. ALONG THE FILBERT STREET STAIR FRONTAGE OF THE PROPERTY, A WELL-LIT AND NATURALLY VENTILATED PEDESTRIAN TUNNEL PROVIDING SAFETY TO PERSONS USING THE STAIRS SHALL BE ERECTED FOR THE DURATION OF THE CONSTRUCTION PERIOD.
24. A FLAG-PERSON WILL BE PERMANENTLY STATIONED AT THE TOP OF THE FILBERT STAIRS AT THE ENTRY POINT TO THE SITE. THIS PERSON IS RESPONSIBLE FOR MONITORING AND USHERING CONSTRUCTION EQUIPMENT AS WELL AS PEDESTRIAN AND VEHICULAR TRAFFIC TO MINIMIZE POTENTIAL CONFLICTS.
25. ALL TRUCKS WAITING TO UNLOAD MATERIAL SHALL BE STAGED AT A LOCATION OFFSITE TO AVOID QUEUING OF CONSTRUCTION TRUCKS ON TELEGRAPH HILL BOULEVARD. DELIVERIES SHALL BE MADE BETWEEN THE HOURS OF 7:30 AM AND 5:30 PM ON WEEKDAYS, EXCLUSIVE OF LEGAL HOLIDAYS.
26. CONSTRUCTION VEHICLES SHALL USE THE STAGING AREA PROVIDED ON SITE AS A MEANS TO TURN AROUND, AVOIDING USE OF THE COIT TOWER PARKING LOT BY CONSTRUCTION EQUIPMENT AND TRUCKS.
27. ALL APPLICABLE WEIGHT LIMITS ON ACCESS ROADS TO AND FROM THE SITE SHALL BE OBSERVED AND ADHERED TO.
28. NO CONSTRUCTION ACTIVITY OVER 5 DBA SHALL BE PERMITTED BETWEEN 8:00 PM AND 7:00 AM THE FOLLOWING DAY PER SAN FRANCISCO NOISE CONTROL ORDINANCE.
29. NO TRADESPERSON SHALL UTILIZE THE COIT TOWER PARKING LOT FOR PERSONAL USE, AND WILL INSTEAD PARK AT DESIGNATED PARKING GARAGES AND BE SHUTTLED TO AND FROM THE JOB SITE.
30. PRIOR TO COMMENCING CONSTRUCTION THE CONTRACTOR & SPONSOR SHALL COORDINATE WITH TRAFFIC ENGINEERING AND TRANSIT DIVISION OF SFMTA, POLICE DEPARTMENT, FIRE DEPARTMENT, PLANNING DEPARTMENT, AND OTHER CONSTRUCTION CONTRACTORS FOR ANY CONCURRENT NEARBY PROJECTS TO MANAGE TRAFFIC CONGESTION AND PEDESTRIAN CIRCULATION EFFECTS DURING CONSTRUCTION OF THE PROJECT.
31. PRIOR TO COMMENCING CONSTRUCTION, THE PROJECT SPONSOR SHALL CONSULT WITH AFFECTED NEIGHBORS ON ASSESSORS' BLOCK 105 BEFORE FINALIZING THE CONSTRUCTION STAGING AND TRAFFIC PLAN, INCLUDING (A) A SCHEDULE OF DELIVERY TIMES AND DATES DURING WHICH CONSTRUCTION MATERIALS ARE EXPECTED TO ARRIVE; AND (B) METHODS TO BE USED TO MONITOR TRUCK MOVEMENT INTO AND OUT OF THE BUILDING SITE SO AS TO MINIMIZE TRAFFIC CONFLICTS ON TELEGRAPH HILL BOULEVARD.
32. MUNI ACCESS TO COIT TOWER SHALL BE MAINTAINED THROUGHOUT CONSTRUCTION.
33. STEWARDSHIP OF LANDSCAPE AREAS IN THE PUBLIC DOMAIN AND THE FILBERT STREET STAIRS ALONG THE PROPERTY FRONTAGE SHALL BE MAINTAINED BY THE SUBJECT PROPERTY, WITH THE PERMISSION OF SF PARKS & RECREATION, DPW, AND DBI.

PROJECT TEAM

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2849 CALIFORNIA STREET
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SURVEYOR:
FORESIGHT LAND SURVEYING
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SAN FRANCISCO, CA 94115
T. 415.735.6180

GEOTECHNICAL ENGINEER:
EARTH MECHANICS
360 GRAND AVENUE, SUITE 262
OAKLAND, CA 94610
T. 510.839.0765
F. 510.839.0716

VICINITY MAP



PROJECT DATA

BLOCK: 0105
LOT: 065
LOT SIZE: 7,521 sq.ft.

ZONED: RH-3
HEIGHT LIMIT: 40'-0"
OCCUPANCY: R3

	PARKING LEVEL	BASEMENT LEVEL	GROUND LEVEL	SECOND LEVEL	THIRD LEVEL	UNIT TOTAL
UNIT 1	0	1,180	675	735	1,227	3,817
UNIT 2	0	1,151	962	1,081	1,081	4,275
UNIT 3	487	1,036	1,081	1,081	0	3,685
COTTAGE	406	438	0	0	0	844
PARKING	3,137	330	300	0	0	3,767
TOTAL BY LEVEL	4,030	4,135	3,018	2,897	2,308	[illegible]
						TOTAL PROJECT SQ.FT.

5

CONSTRUCTION CLASSIFICATION:
Type V-B

CODES

2010 CA BLDG. CODE
2010 S.F. BLDG. CODE & AMENDMENTS
2010 CA ENERGY CODE
2010 S.F. ELECTRICAL CODE
2010 S.F. MECHANICAL CODE
2010 S.F. PLUMBING CODE
2010 S.F. FIRE CODE

SCOPE OF WORK

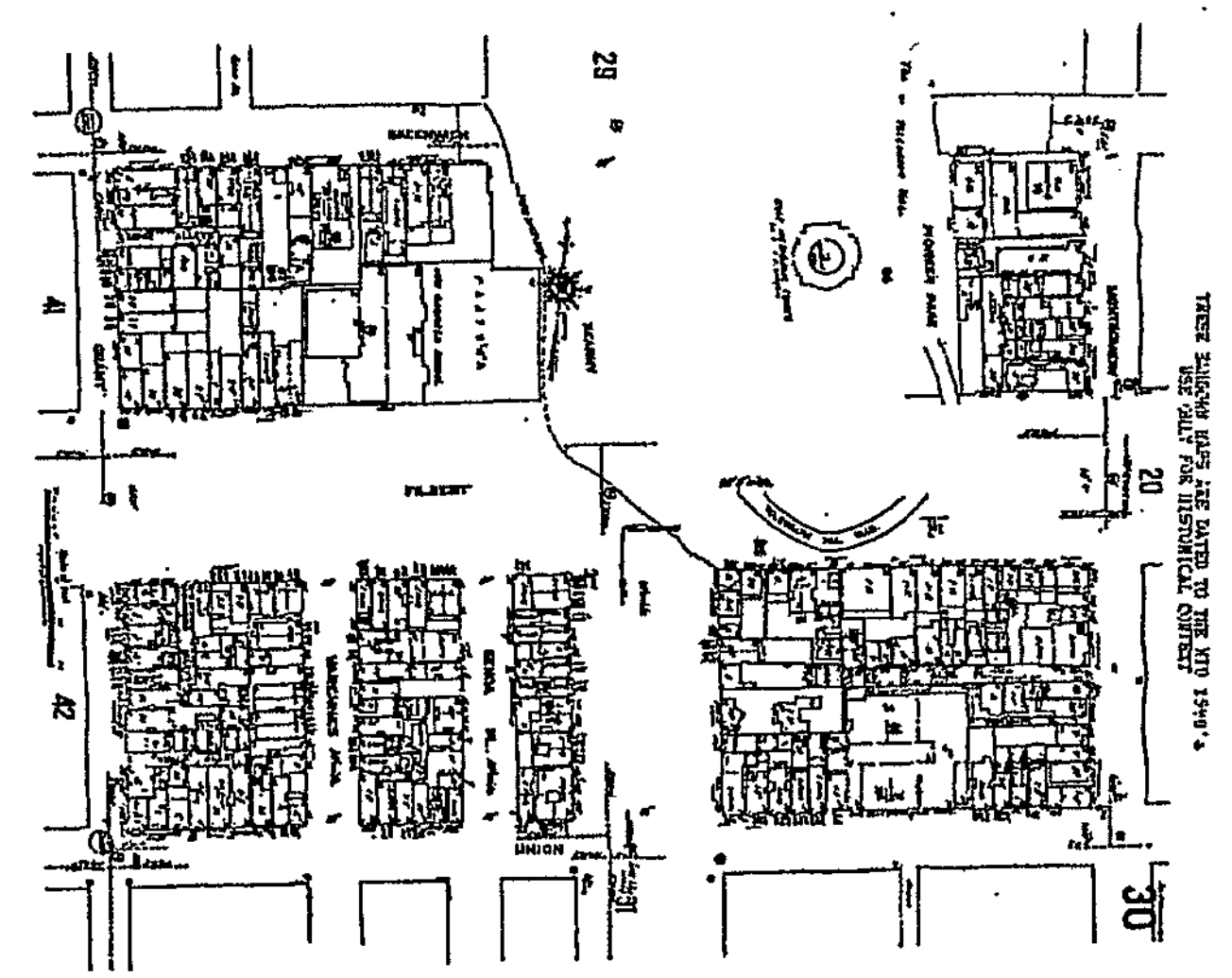
NEW 3-UNIT RESIDENTIAL DEVELOPMENT, PRIVATE RESIDENTIAL GARAGE, MAINTAIN EXISTING 1-UNIT COTTAGE, SITE GRADING AND DRAINAGE AS REQUIRED

SHEET INDEX

ARCHITECTURAL

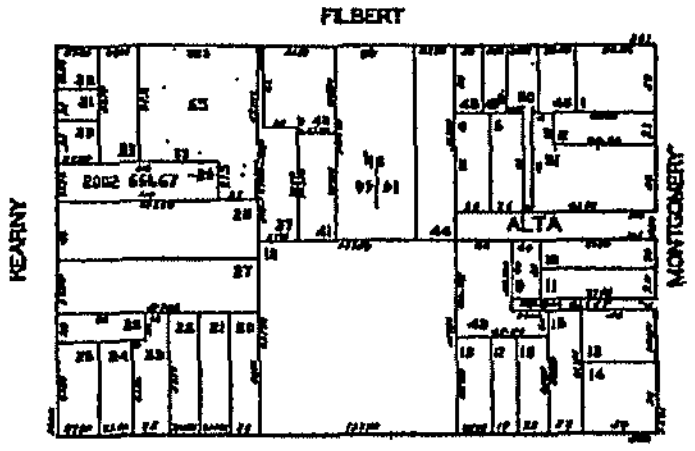
Sheet	Title	SUBMITTAL 08/12/2013	NOPDR #1 02/12/2014	NOPDR #2 05/19/2014	REVISION #3 07/17/2014	REVISION #4 08/02/2014	REVISION #5 09/16/2014
A0.0	TITLE SHEET	■	■	■	■	■	■
A0.1	SITE SURVEY	■	■	□	□	□	□
A0.2	SITE PHOTOS	■	■	□	□	□	□
A0.3	SITE PHOTOS	■	■	□	□	□	□
A0.4	SITE PHOTOS	■	■	□	□	□	□
A0.5	EXISTING SITE PLAN	■	■	■	■	■	□
A0.6	PROPOSED SITE PLAN	■	■	■	■	■	■
A2.1	BASEMENT LEVEL	■	■	■	□	■	■
A2.2	PARKING LEVEL	■	■	■	□	■	■
A2.3	MAIN LEVEL	■	■	■	□	■	■
A2.4	SECOND LEVEL	■	■	■	□	■	□
A2.5	THIRD LEVEL	■	■	■	□	■	■
A2.6	ROOF LEVEL	■	■	■	□	■	■
A2.7	COTTAGE: PLANS	□	□	□	□	■	□
A2.8	COTTAGE: ELEVATIONS	□	□	□	□	■	□
A2.9	COTTAGE: EXISTING PHOTOS	□	□	□	□	■	□
A3.1	FRONT ELEVATION	■	■	■	■	■	■
A3.2	REAR ELEVATION	■	■	■	□	■	■
A3.3	WEST ELEVATION: UNIT 3	□	□	□	□	■	■
~~A3.4~~	~~LONGITUDINAL SECTION~~	■	■	■	□	□	□
~~A3.5~~	~~UNIT 1 LATERAL SECTION~~	■	■	■	□	□	□
~~A3.6~~	~~UNIT 2 LATERAL SECTION~~	■	■	■	□	□	□
~~A3.7~~	~~UNIT 3 LATERAL SECTION~~	■	■	■	□	□	□
A3.8	CONCEPTUAL RENDERINGS	■	■	□	□	□	■
A3.9	CONCEPTUAL RENDERINGS	■	■	□	□	□	■
A3.10	CONCEPTUAL RENDERINGS	■	■	□	□	□	■
A3.11	CONCEPTUAL RENDERINGS	□	□	□	□	□	■
A3.12	CONTEXT VIEWS	□	□	□	□	□	■

OMITTED & VOIDED FROM SUBMISSION (A3.4–A3.7)



① SANBORN MAP
SCALE: NO.70

AREA OF SUBJECT PROPERTY:
115 TELEGRAPH HILL BLVD. / 240 FILBERT STREET
BLOCK 0105 / LOT 065



② ASSESSOR BLOCK 0105
NOT TO SCALE

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115 TELEGRAPH HILL

115 TELGRAPH HILL BLVD., SAN FRANCISCO, CA, 94133

2106

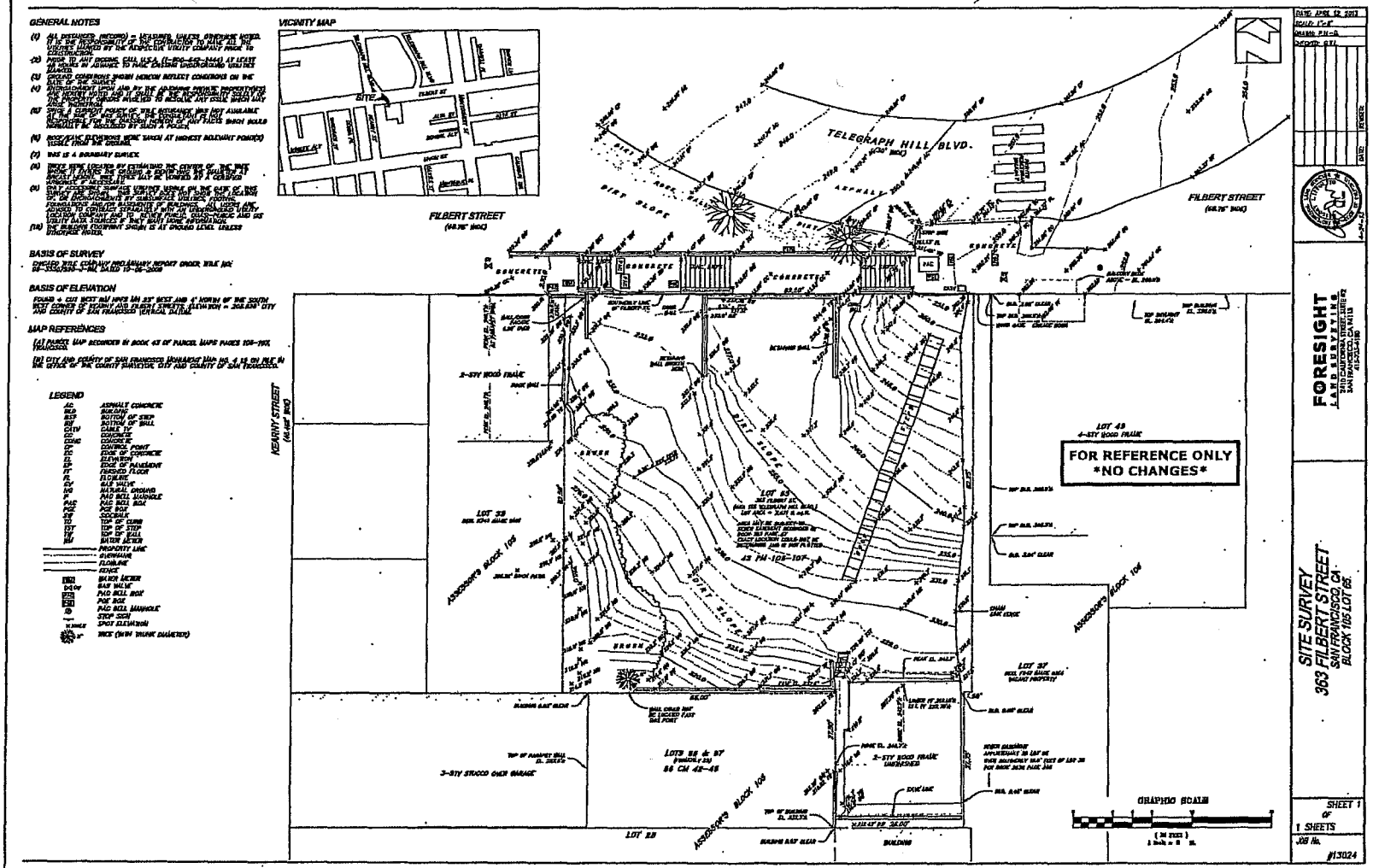
PLANNING PERMIT

REVISIONS:	BY:
1 NOPDR #1 - 02/12/2014	DS / SR
2 NOPDR #2 - 05/19/2014	DS / SR
3 REVISION - 07/17/2014	DS / SR
4 REVISION - 08/02/2014	DS / SR
5 REVISION - 09/16/2014	DS / SR

JOB#:	1205
DATE:	AUG. 12, 2013
DRAWN:	SR/DS
CHECKED:	LB
SCALE:	AS NOTED

TITLE SHEET

A0.0



BUTLER ARMSDEN ARCHITECTS

FORESIGHT

SITE SURVEY
363 FILBERT STREET
SAN FRANCISCO, CA
BLOCK 105 LOT 65

SHEET 1 OF 1 SHEETS
JOB No. #13024

115 TELEGRAPH HILL
115 TELEGRAPH HILL BLVD., SAN FRANCISCO, CA, 94133

2107

PLANNING PERMIT

REVISIONS:	BY:
1 MOPOR #1 - 02/12/2014	DE / SR

JOB#:	1205
DATE:	AUG. 12, 2013
DRAWN:	SR/DS
CHECKED:	LB
SCALE:	AS NOTED

SITE SURVEY

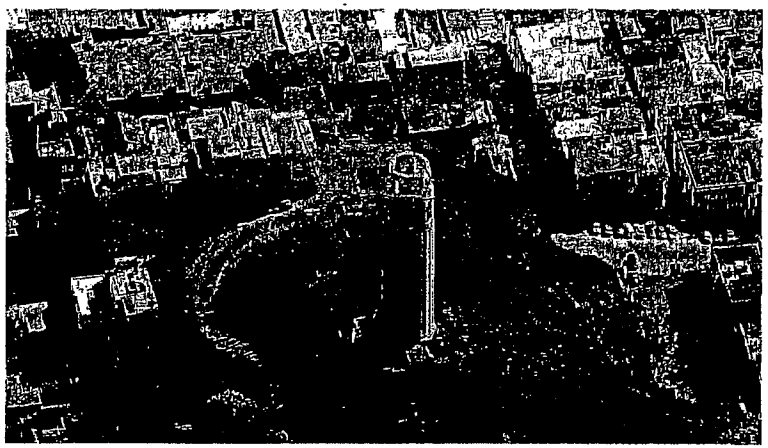
A0.1



4 AERIAL VIEW LOOKING NORTH



2 AERIAL VIEW LOOKING EAST



3 AERIAL VIEW LOOKING SOUTH



1 AERIAL VIEW LOOKING WEST

AREA OF SUBJECT PROPERTY:
115 TELEGRAPH HILL BLVD. / 363 FILBERT STREET
LOT AREA = 7,521

BUTLER ARNSDEN
ARCHITECTS

115 TELEGRAPH HILL
115 TELEGRAPH HILL BLVD., SAN FRANCISCO, CA, 94133

2108

PLANNING PERMIT

REVISIONS:	BY:
1 NOPDR #1 - 02/13/2014	DS / SR

JOB#:	1205
DATE:	AUG. 12, 2013
DRAWN:	SR/DS
CHECKED:	LB
SCALE:	AS NOTED

SITE PHOTOS

A0.2



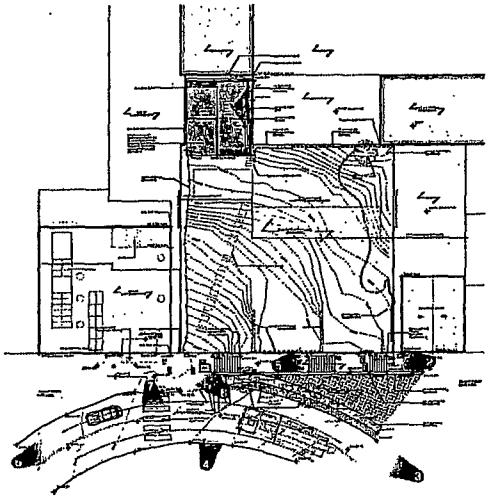
4 VIEW SOUTH FROM ACCROSS TELEGRAPH HILL BLVD.



2 VIEW UP FILBERT STREET STEPS



3 VIEW UP TELEGRAPH HILL BLVD. TO SITE



1 PHOTO KEY PLAN

BUTLER ARMSDEN
ARCHITECTS

[illegible] CALIFORNIA STREET
SAN FRANCISCO, CA [illegible]
BUTLERARMSDEN.COM

E [illegible]
T [illegible]
F [illegible]

115 TELEGRAPH HILL

115 TELEGRAPH HILL BLVD., SAN FRANCISCO, CA, 94133

2109

PLANNING PERMIT

REVISIONS:	BY:
1 NOPDR #1 - 02/12/2014	DS / SR

JOB#:	1205
DATE:	AUG. 12, 2013
DRAWN:	SR/DS
CHECKED:	LB
SCALE:	AS NOTED

SITE PHOTOS

A0.3



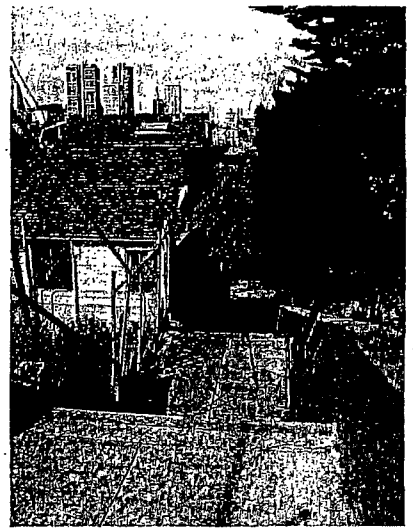
8 109/111 TELEGRAPH HILL BLVD.



6 ADJACENT CONTEXT TO EAST OF SUBJECT PROPERTY



7 STREETSCAPE OPPOSITE OF SUBJECT PROPERTY



5 VIEW DOWN FILBERT STREET STEPS

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115 TELEGRAPH HILL

115 TELGRAPH HILL BLVD., SAN FRANCISCO, CA, 94133,

2110

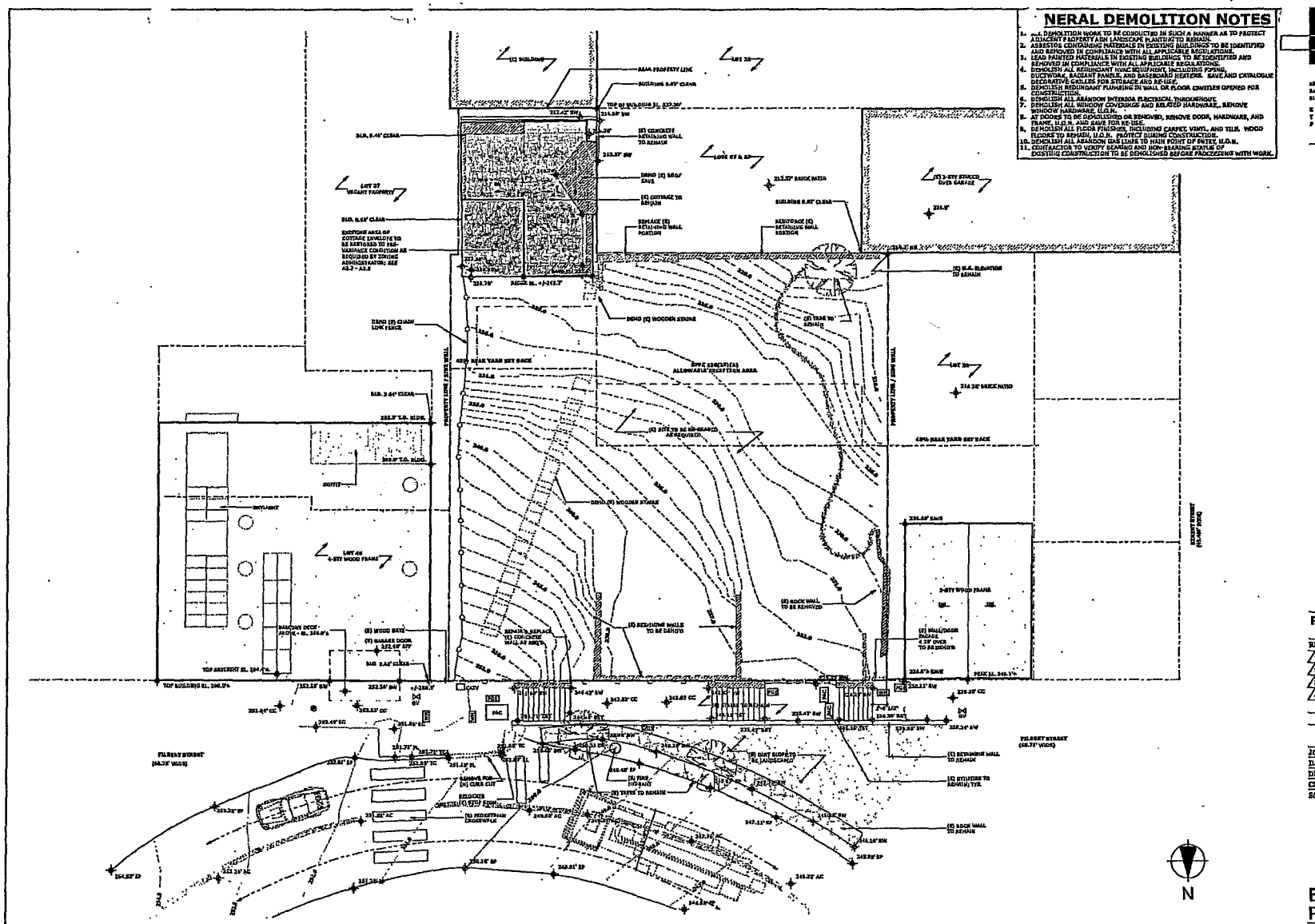
PLANNING PERMIT

REVISIONS:	BY:
1 NOPDR #1 - 02/13/2014	DS / SR

JOB#:	1205
DATE:	AUG. 12, 2013
DRAWN:	SR/DS
CHECKED:	LB
SCALE:	AS NOTED

SITE PHOTOS

A0.4



1 EXISTING SITE PLAN
SCALE: 1/8" = 1'-0"

BUTLER ARMSDEN ARCHITECTS

115 TELEGRAPH HILL

115 TELEGRAPH HILL BLVD., SAN FRANCISCO, CA, 94133

2111

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4 REVISION - 09/21/2014	DS / SR

JOB#:	1205
DATE:	AUG. 12, 2013
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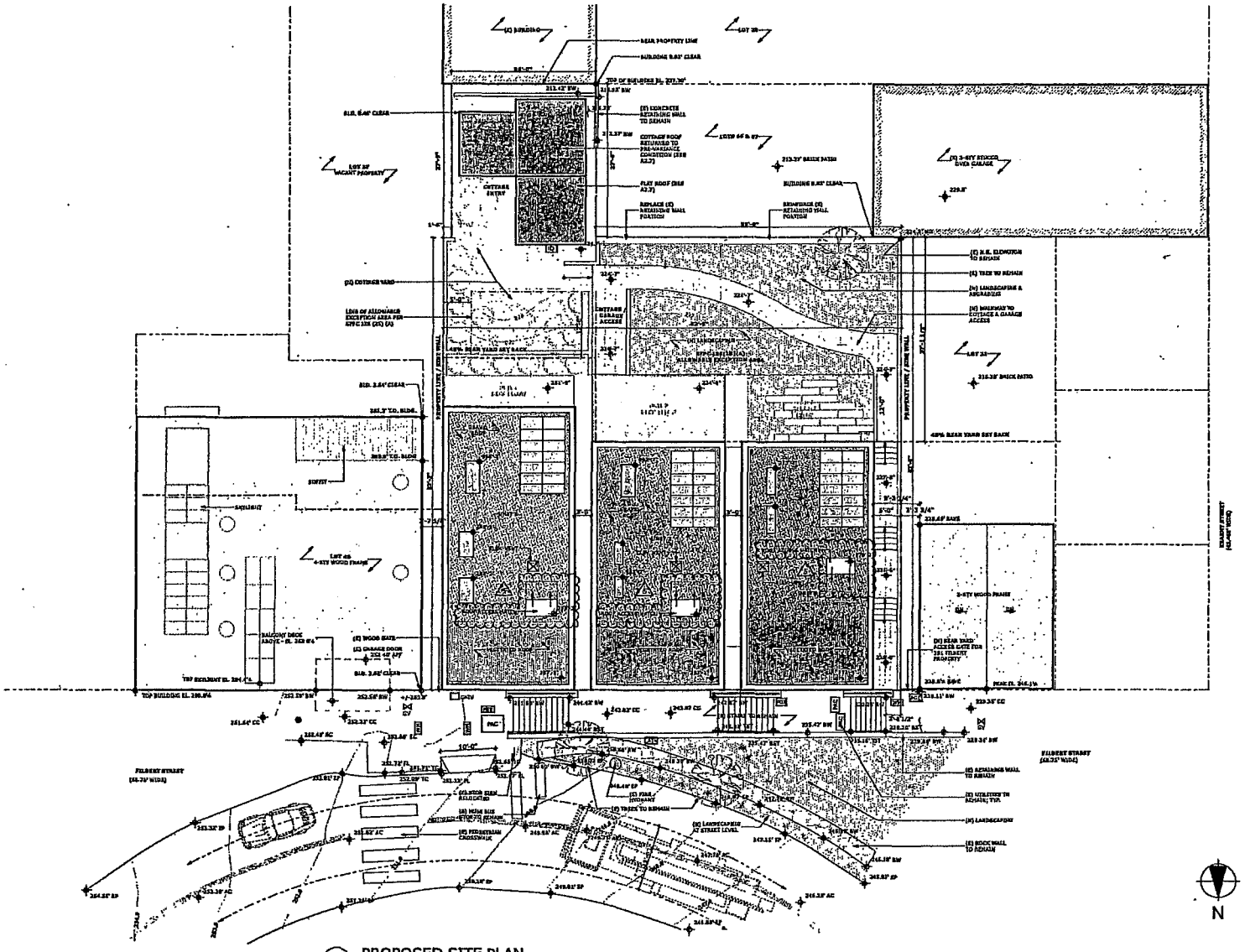
CHECKED:	LB
SCALE:	AS NOTED

EXISTING SITE PLAN

A0.5



1 PROPOSED SITE PLAN
SCALE: 1/8" = 1'-0"

BUTLER ARMSDEN
ARCHITECTS

115 TELEGRAPH HILL

115 TELGRAPH HILL BLVD., SAN FRANCISCO, CA, 94133,

2112

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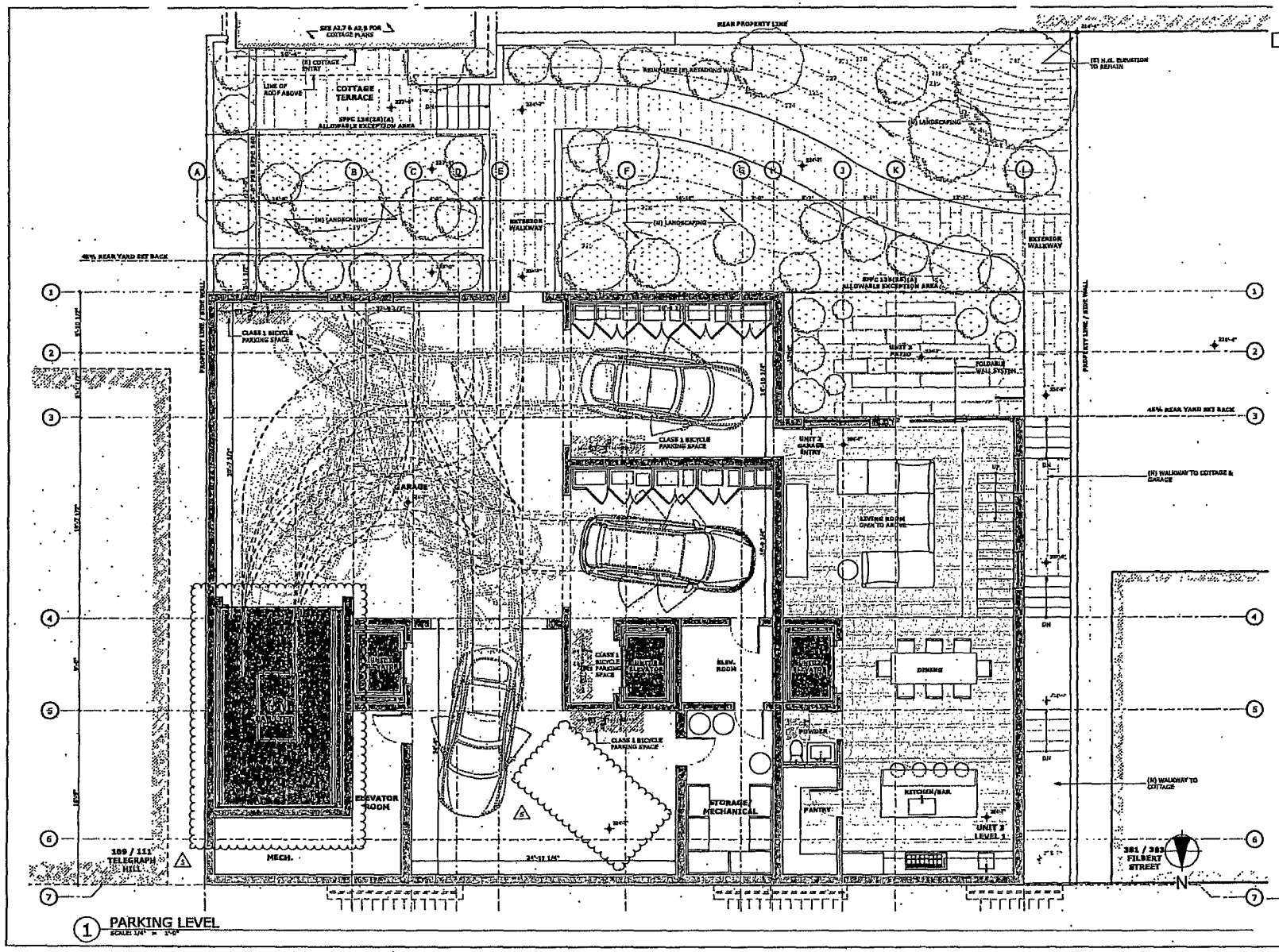
JOB#:	1205
DATE:	AUG. 12, 2013
DRAWN:	SR/DS
CHECKED:	LB
SCALE:	AS NOTED

PROPOSED SITE PLAN

A0.6



1 PARKING LEVEL
SCALE: 1/4" = 1'-0"

BUTLER ARMSDEN ARCHITECTS

115 TELEGRAPH HILL

115 TELEGRAPH HILL BLVD., SAN FRANCISCO, CA, 94133

2113

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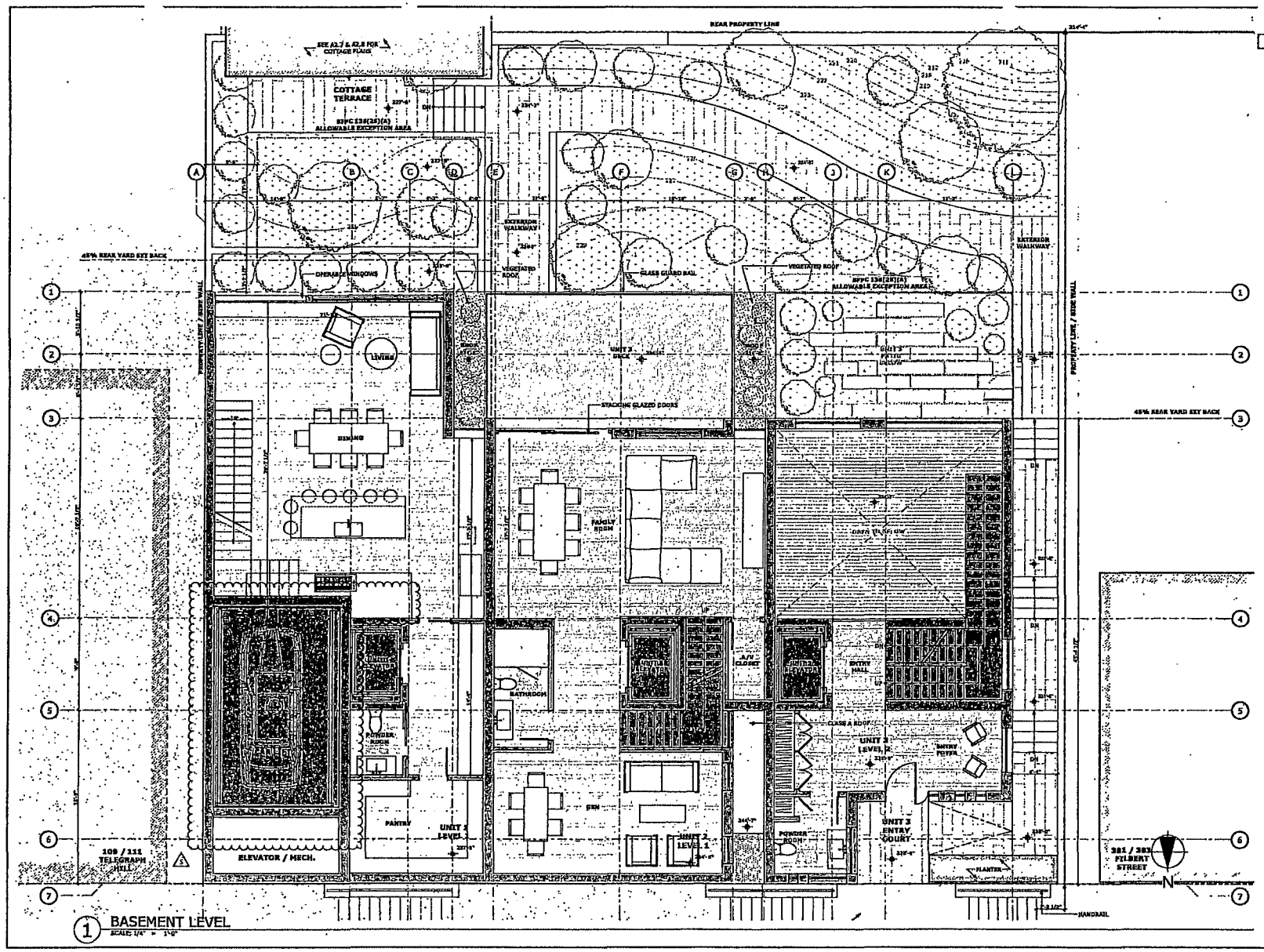
JOB#:	1205
DATE:	AUG. 12, 2013
DRAWN:	SR/DS
CHECKED:	LB
SCALE:	AS NOTED

PARKING LEVEL PROPOSED PLAN

A2.1



1 BASEMENT LEVEL
SCALE: 1/4" = 1'-0"

BUTLER ARMSDEN ARCHITECTS

2849 CALIFORNIA STREET
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F 415-674-6315

115 TELEGRAPH HILL

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2114

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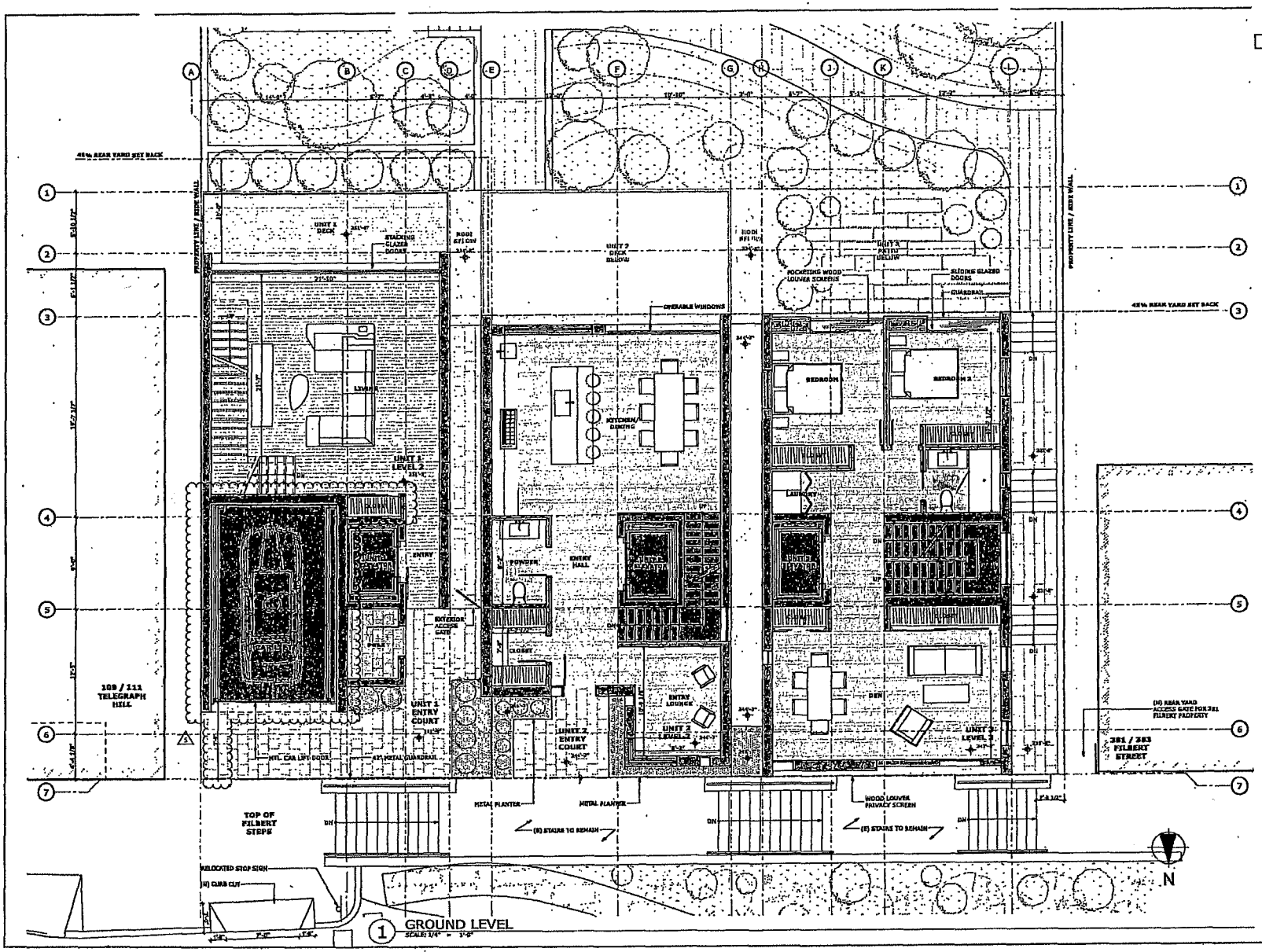
JOB#:	1205
DATE:	AUG. 12, 2013
DRAWN:	SR/DS
CHECKED:	LB
SCALE:	AS NOTED

BASEMENT LEVEL PROPOSED PLAN

A2.2



1 GROUND LEVEL
SCALE: 1/4" = 1'-0"

BUTLER ARMSDEN ARCHITECTS

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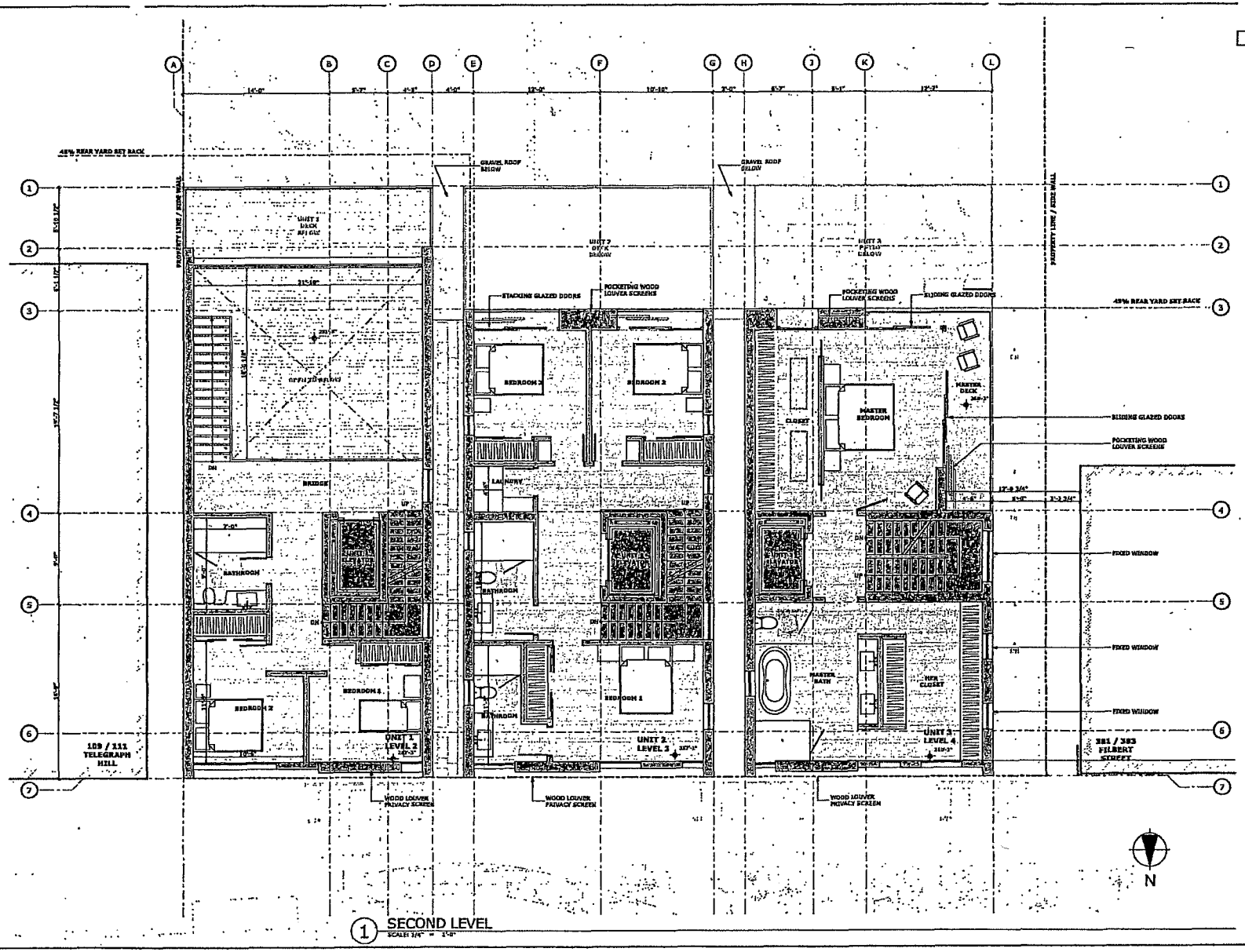
JOB#:	1205
DATE:	AUG. 12, 2013
DRAWN:	SR/DS
CHECKED:	LB
SCALE:	AS NOTED

GROUND LEVEL PROPOSED PLAN

A2.3



1 SECOND LEVEL
SCALE: 1/4" = 1'-0"

BUTLER ARMSDEN ARCHITECTS

115 TELEGRAPH HILL

115 TELEGRAPH HILL BLVD., SAN FRANCISCO, CA, 94133,

2116

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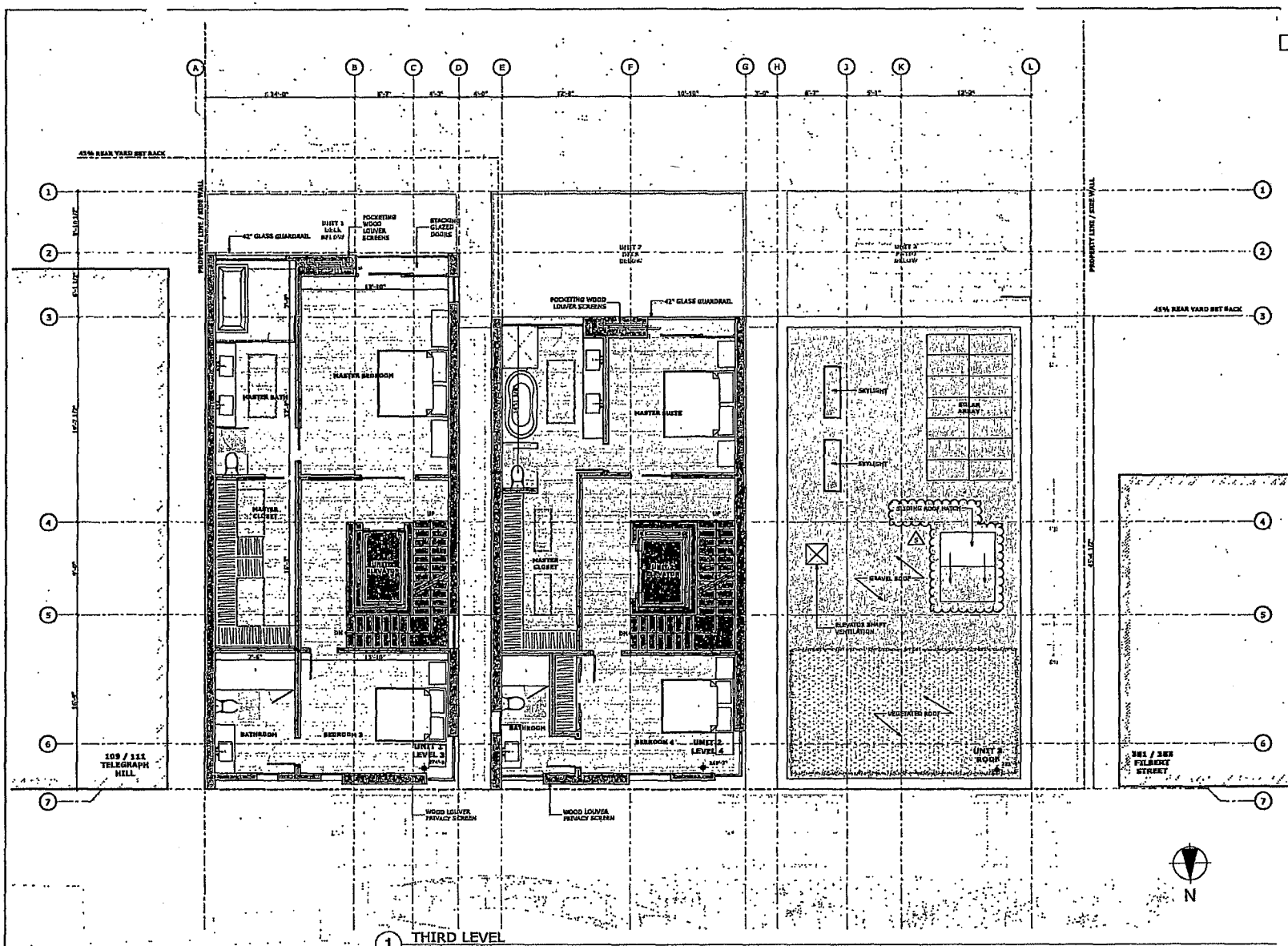
JOB#:	1205
DATE:	AUG. 12, 2013
DRAWN:	SR/DS
CHECKED:	LB
SCALE:	AS NOTED

SECOND LEVEL PROPOSED PLAN

A2.4



1 THIRD LEVEL
SCALE: 1/4" = 1'-0"

BUTLER ARMSDEN ARCHITECTS

115 TELEGRAPH HILL

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2117

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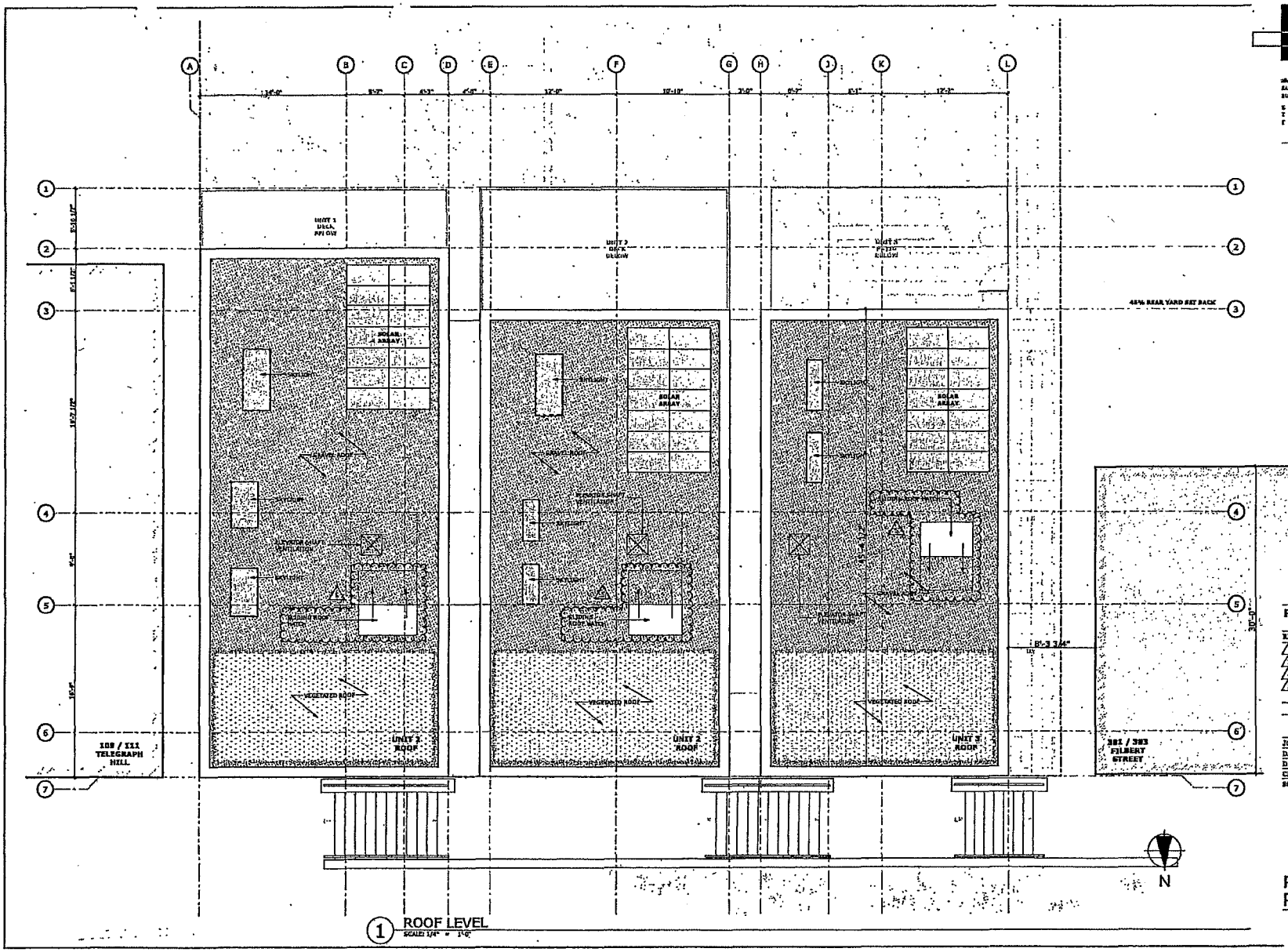
JOB#:	1205
DATE:	AUG. 12, 2013
DRAWN:	SR/DS
CHECKED:	LB
SCALE:	AS NOTED

THIRD LEVEL PROPOSED PLAN

A2.5



1 ROOF LEVEL
SCALE: 1/4" = 1'-0"

BUTLER ARMSDEN ARCHITECTS

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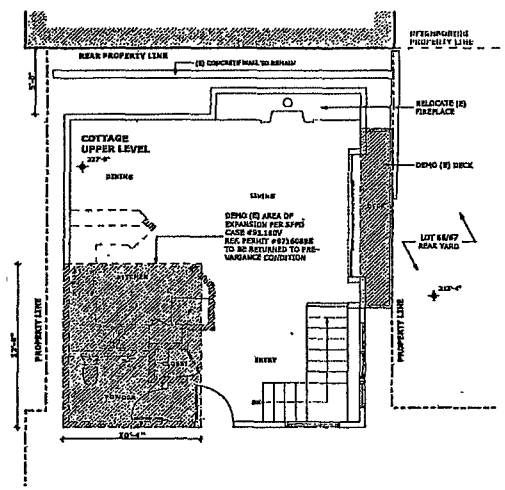
JOB#:	1205
DATE:	AUG. 12, 2013
DRAWN:	SR/DS
CHECKED:	LB
SCALE:	AS NOTED

ROOF LEVEL PROPOSED PLAN

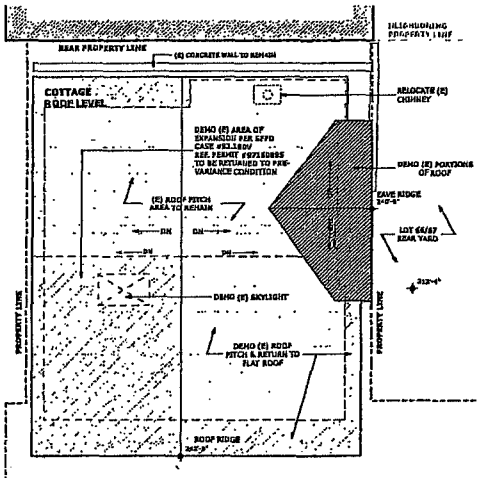
A2.6

GENERAL NOTES

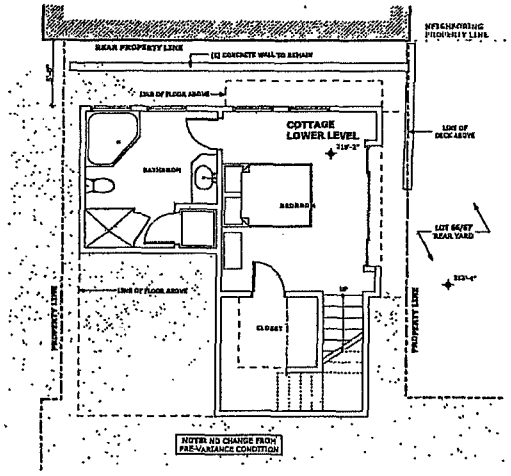
1. REF. PERMIT #9716089S: ORIGINAL REMODELING DESIGN BY THEODORE BROWN & PARTNERS. MODIFICATIONS BY WINKS & ASSOCIATES IN GENERAL CONFORMITY WITH EXHIBIT B TO PLANNING COMMISSION MOTION #1372 (11/12/1997)
2. REF. PERMIT #9925477 FOR UPDATED COTTAGE RENOVATION PLANS & SCOPE OF WORK FROM #97160895 (11/30/1999)
3. REF. SFPC VARIANCE CASE #93.180V



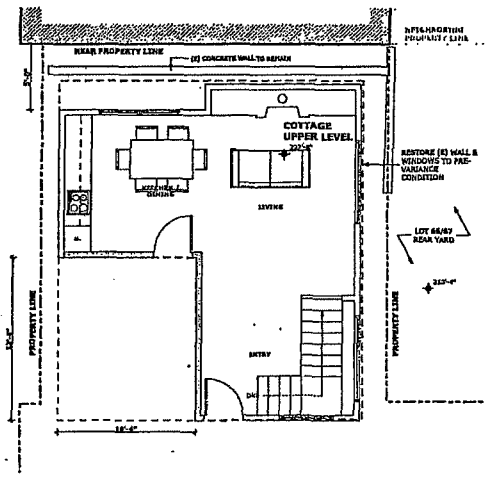
4 DEMO (EXISTING) UPPER LEVEL PLAN
SCALE: 1/4" = 1'-0"



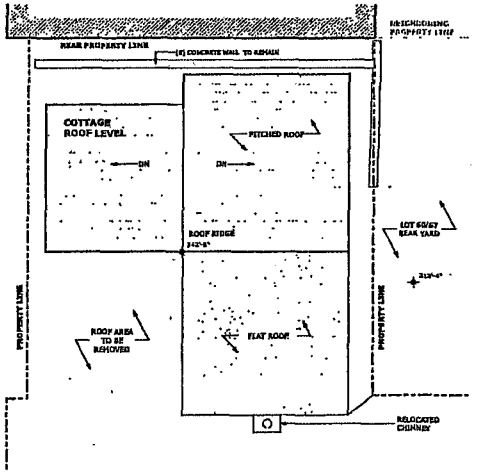
2 DEMO (EXISTING) ROOF PLAN
SCALE: 1/4" = 1'-0"



5 PROPOSED (PRE-VARIANCE) LOWER LEVEL PLAN
SCALE: 1/4" = 1'-0"



3 PROPOSED (PRE-VARIANCE) UPPER LEVEL PLAN
SCALE: 1/4" = 1'-0"



1 PROPOSED (PRE-VARIANCE) ROOF PLAN
SCALE: 1/4" = 1'-0"

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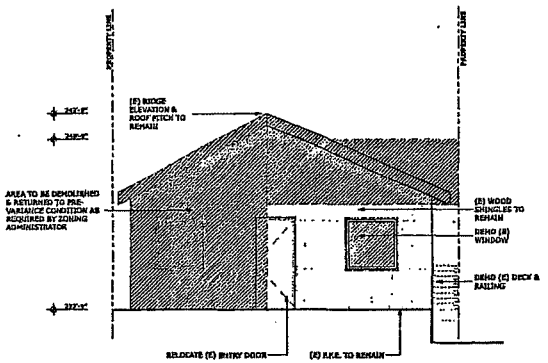
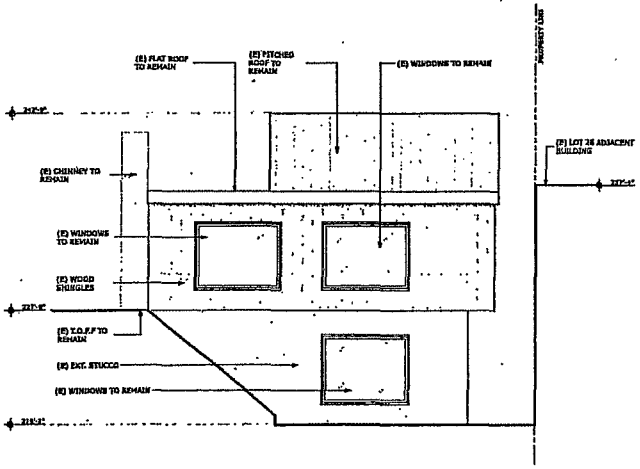
CHECKED:	LB
SCALE:	AS NOTED

COTTAGE PLANS

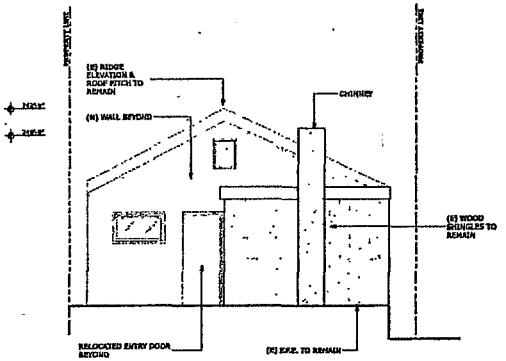
A2.7



2 DEMO (EXISTING) NORTH ELEVATION
SCALE: 1/4" = 1'-0"



1 PROPOSED (PRE-VARIANCE) WEST ELEVATION
SCALE: 1/4" = 1'-0"



1 PROPOSED (PRE-VARIANCE) NORTH ELEVATION
SCALE: 1/4" = 1'-0"

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2120

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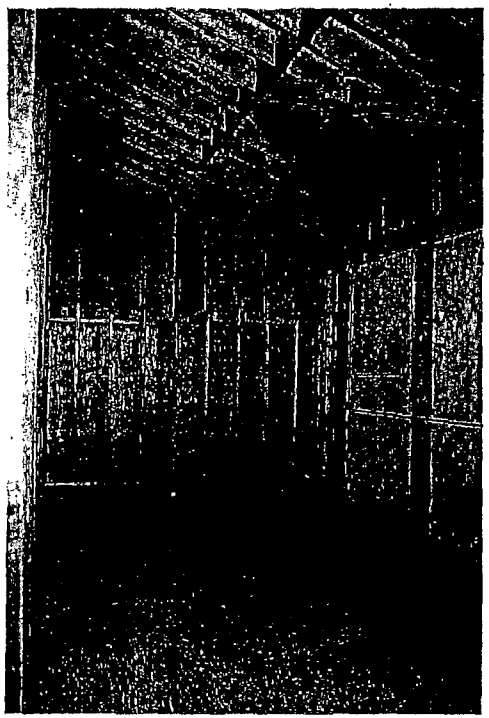
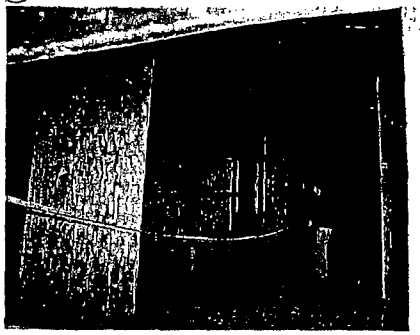
DATE:	AUG. 12, 2013
DRAWN:	SR/DS
CHECKED:	LB
SCALE:	AS NOTED

COTTAGE ELEVATIONS

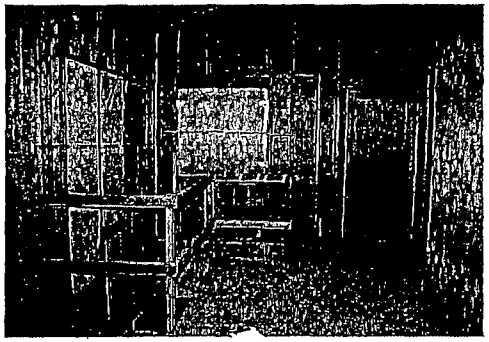
A2.8



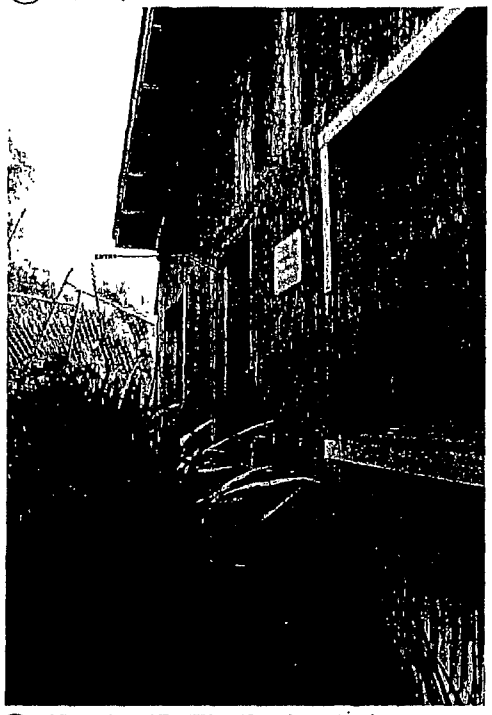
8 COTTAGE: EXISTING UPPER LEVEL LOOKING SOUTH
NOT TO SCALE



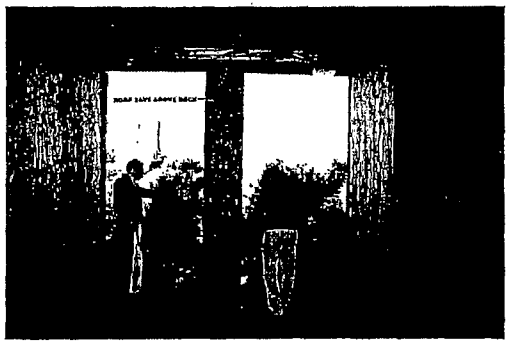
7 COTTAGE: EXISTING UPPER LEVEL LOOKING SOUTH
NOT TO SCALE



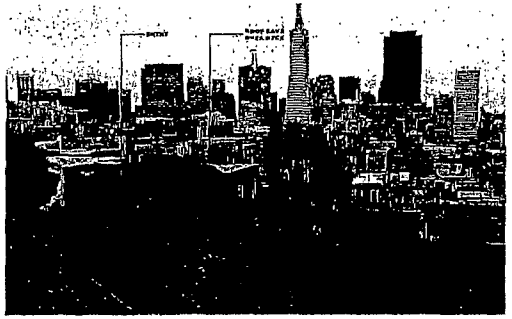
6 COTTAGE: EXISTING UPPER LEVEL LOOKING NORTH
NOT TO SCALE



4 COTTAGE: EXISTING NORTH FACADE
NOT TO SCALE



3 COTTAGE: EXISTING CONDITION
NOT TO SCALE



2 COTTAGE: EXTERIOR VIEW FROM STREET
NOT TO SCALE



1 COTTAGE: EXISTING NORTH FACADE
NOT TO SCALE

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2121

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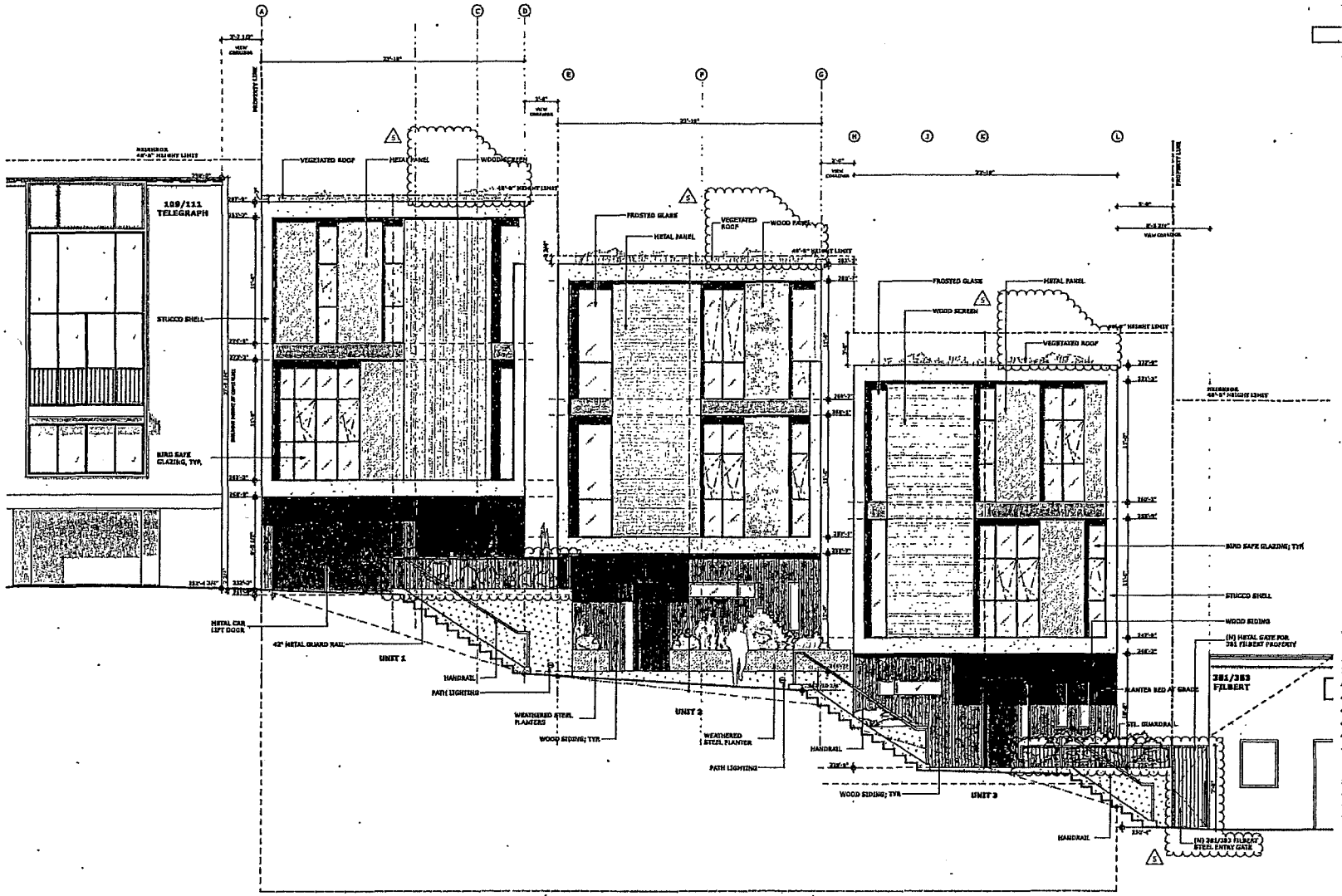
CHECKED:	LB
SCALE:	AS NOTED

COTTAGE: EXISTING CONDITION PHOTOS

A2.9



1 FRONT ELEVATION
SCALE: 1/4" = 1'-0"

BUTLER ARMSDEN ARCHITECTS

115 TELEGRAPH HILL

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2122

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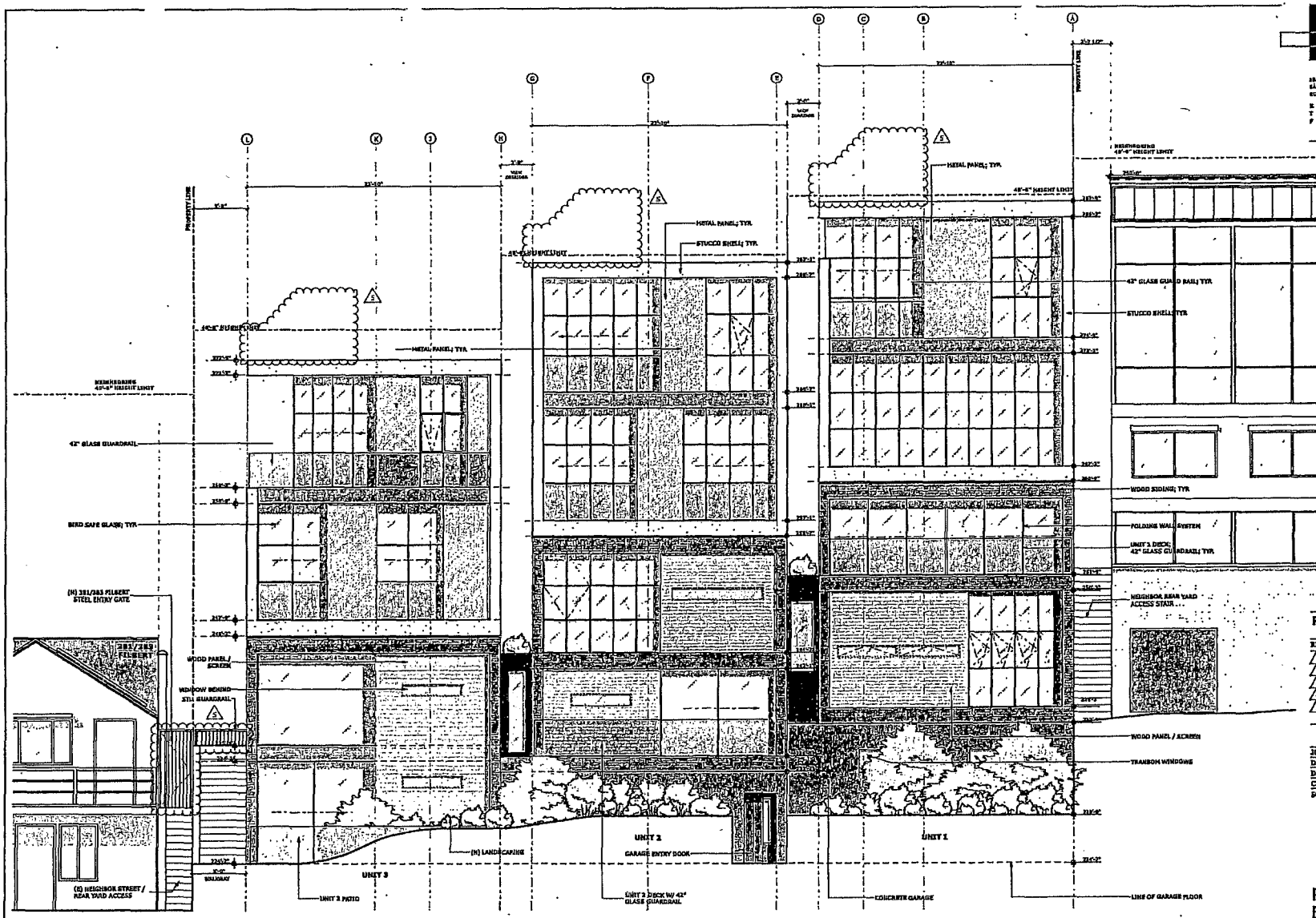
5	REVISION - 09/18/2014	DS / SR

JOB#:	1205
DATE:	AUG. 12, 2013
DRAWN:	SR/DS
CHECKED:	LB
SCALE:	AS NOTED

FRONT ELEVATION

A3.1



1 REAR ELEVATION
SCALE: 1/4" = 1'-0"

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2123

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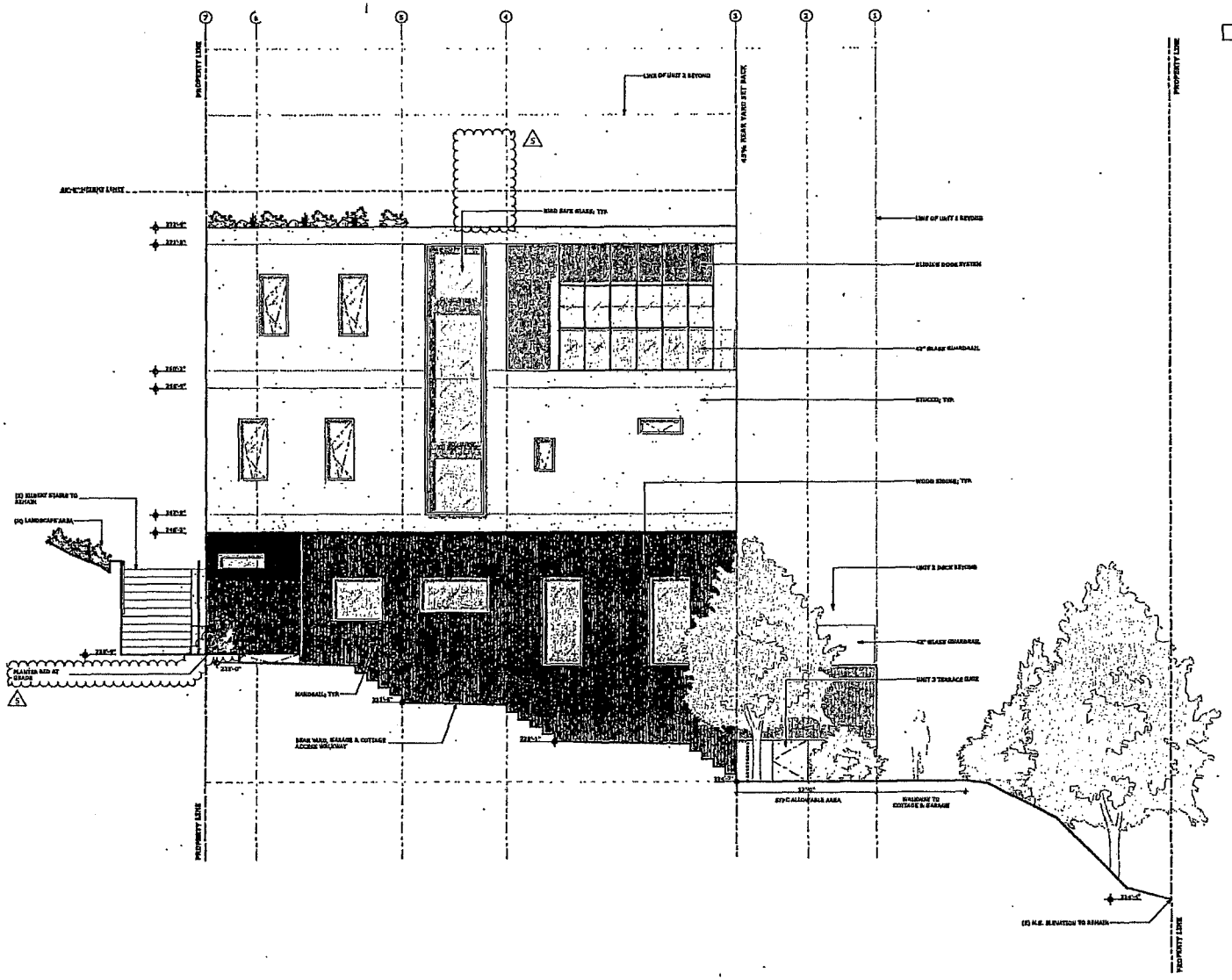
4 REVISION - 08/01/2014	DS / SR
5 REVISION - 08/14/2014	DS / SR

JOB#:	1205
DATE:	AUG. 12, 2013
DRAWN:	SR/DS
CHECKED:	LB
SCALE:	AS NOTED

REAR ELEVATION

A3.2



1 WEST ELEVATION: UNIT 3
SCALE: 1/4" = 1'-0"

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F 415-474-1853

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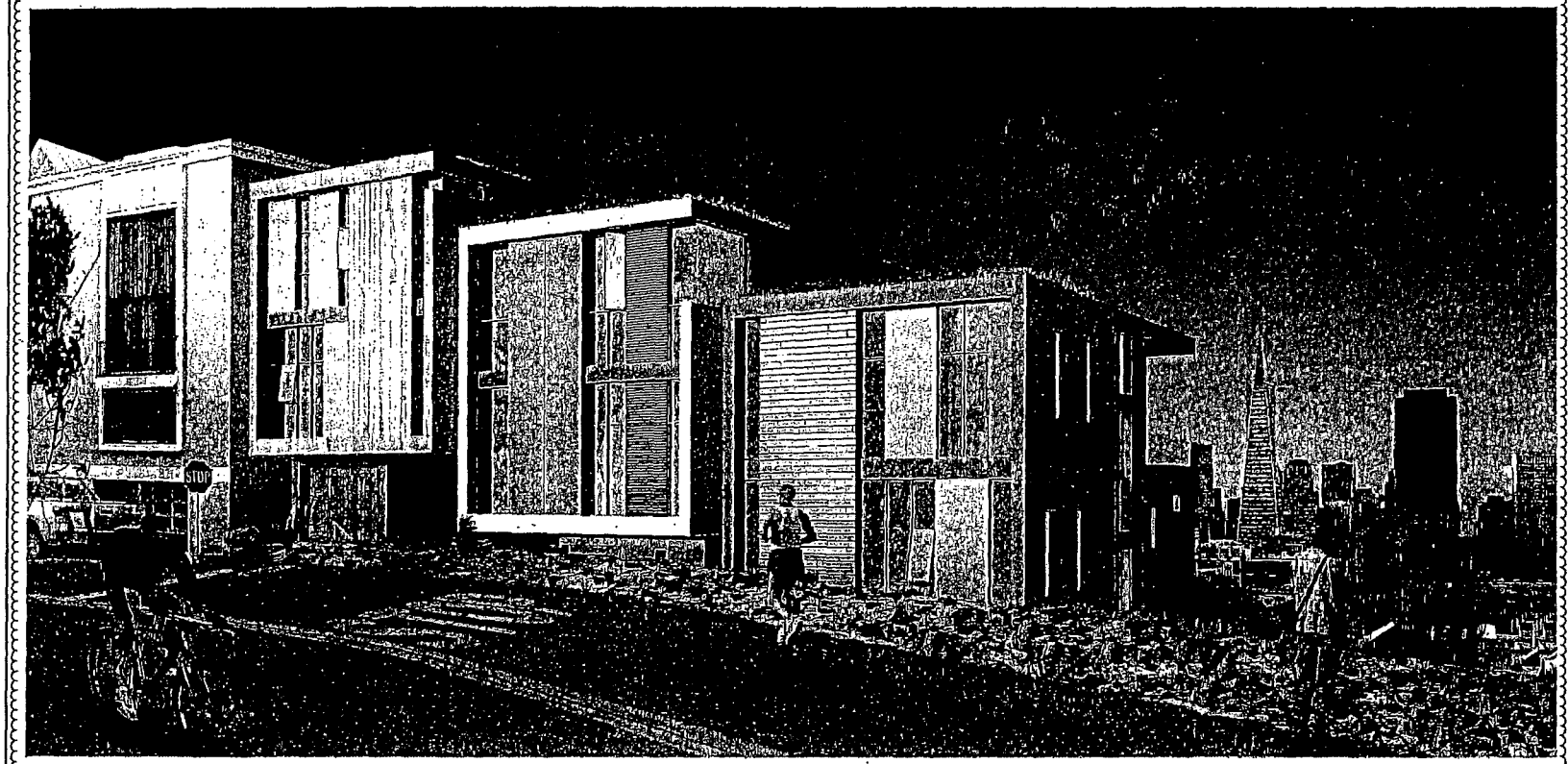
4	REVISION - 08/07/2014	DS / SR
5	REVISION - 09/16/2014	DS / SR

JOB#:	1205
DATE:	AUG. 12, 2013
DRAWN:	SR/DS
CHECKED:	LS
SCALE:	AS NOTED

WEST ELEVATION

A3.3



1 FRONT FACADE LOOKING SOUTHEAST

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DATE:	AUG. 12, 2013
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CHECKED:	LB
SCALE:	AS NOTED

CONCEPTUAL RENDERINGS

A3.8

BUTLER ARMSDEN
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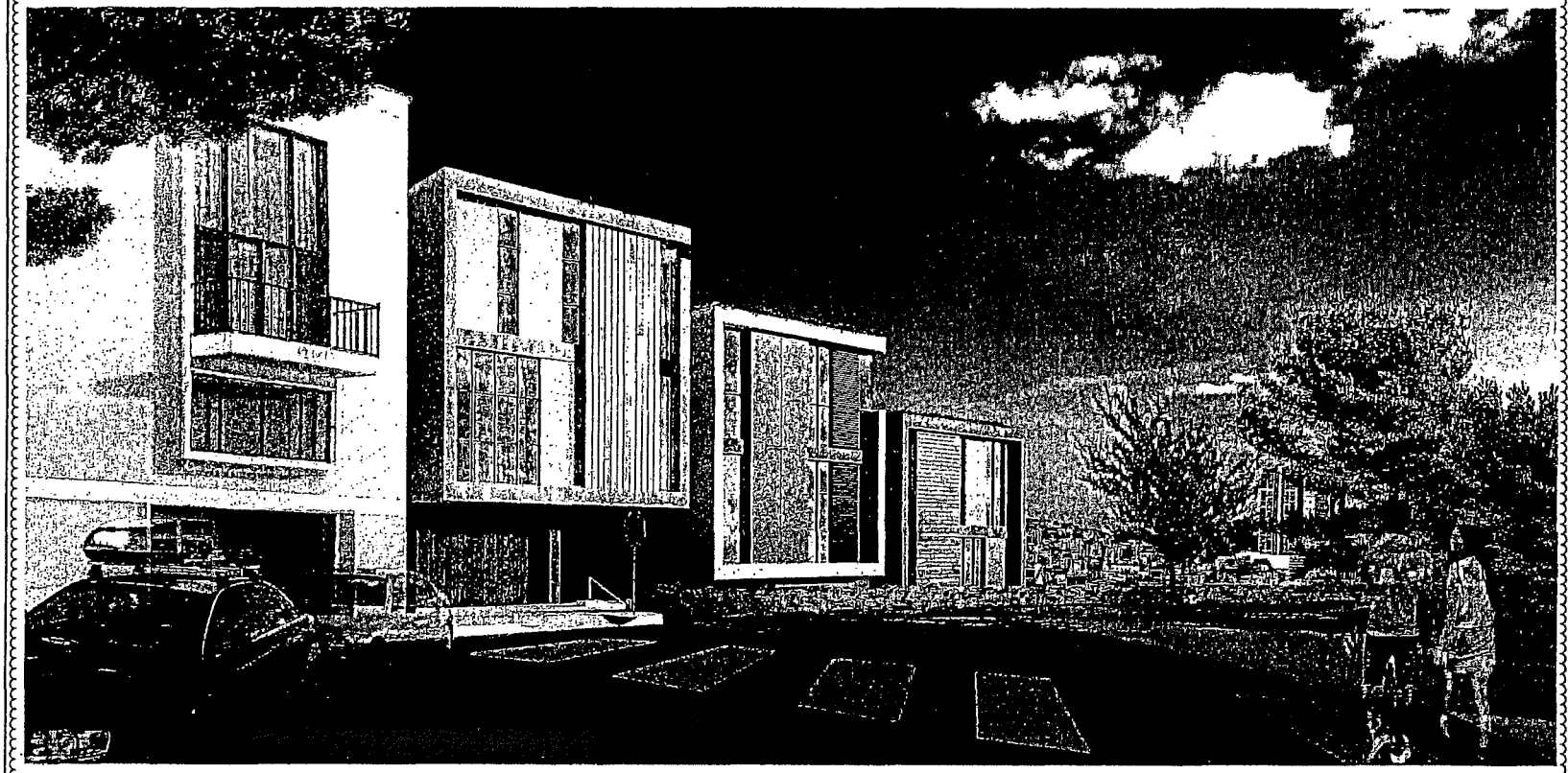

1 FRONT FACADE LOOKING SOUTHWEST

115 TELEGRAPH HILL

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2126

PLANNING PERMIT

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1 NOPDR #1 - 02/13/2014	DS / ES
2 REVISION - 05/16/2014	DS / ES

JOB#:	1205
DATE:	AUG. 12, 2013
DRAWN:	SR/DS
CHECKED:	LB
SCALE:	AS NOTED

CONCEPTUAL RENDERINGS

A3.9

BUTLER ARMSDEN
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SAN FRANCISCO, CA 94115
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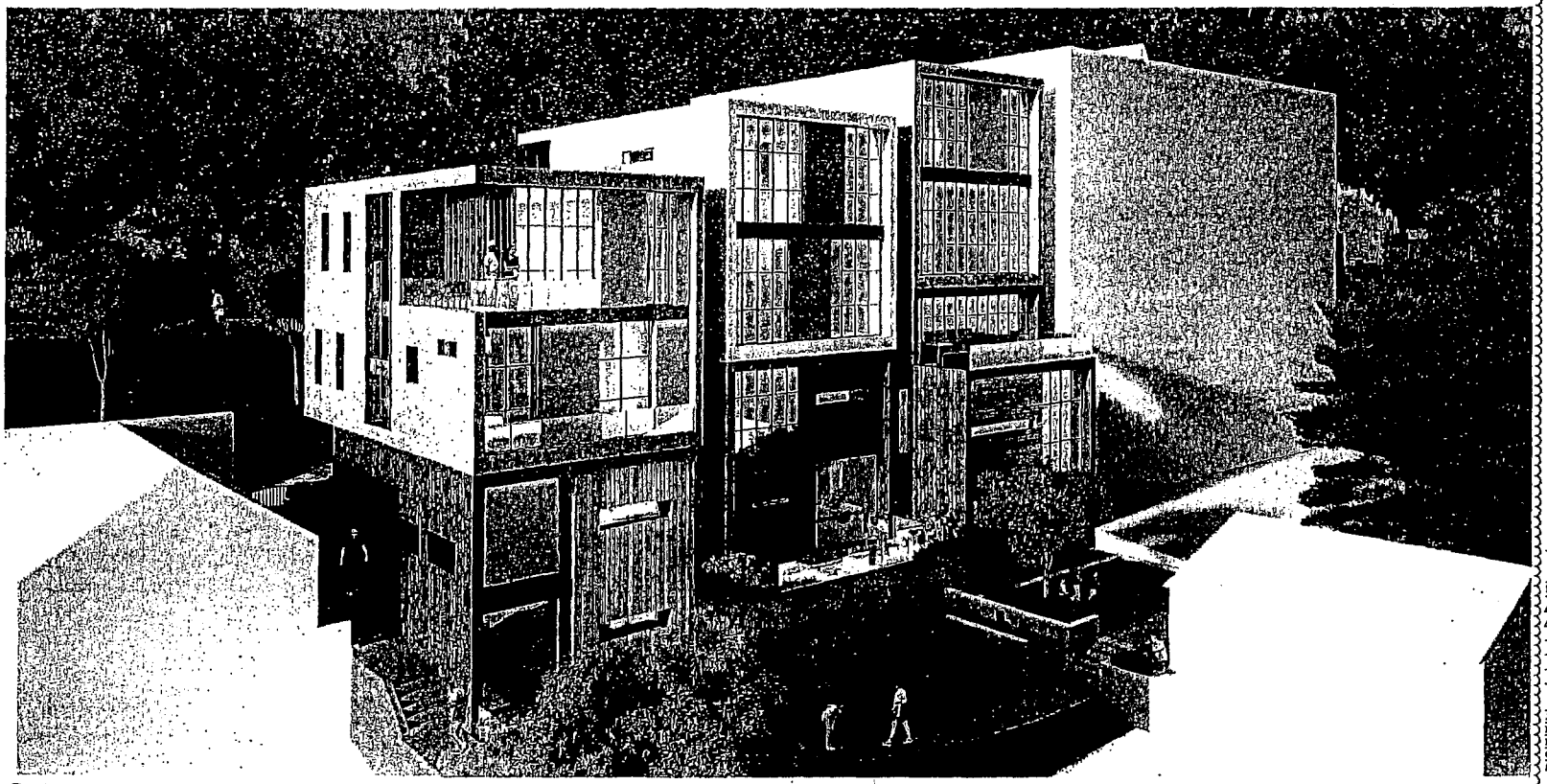

1 REAR FACADE LOOKING NORTH

115 TELEGRAPH HILL

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2127

PLANNING PERMIT

REVISIONS:	BY:
1 NOPDR #1 - 02/13/2014	DS / SR
2 REVISION - 05/16/2014	DS / SR

JOB#:	1205
DATE:	AUG. 12, 2013
DRAWN:	SR/DS
CHECKED:	LB
SCALE:	AS NOTED

CONCEPTUAL RENDERINGS

A3.10



1 VIEW UP FILBERT STREET STAIRS

BUTLER ARMSDEN
ARCHITECTS

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F [illegible]

115 TELEGRAPH HILL

115 TELGRAPH HILL BLVD., SAN FRANCISCO, CA, 94133,

2128

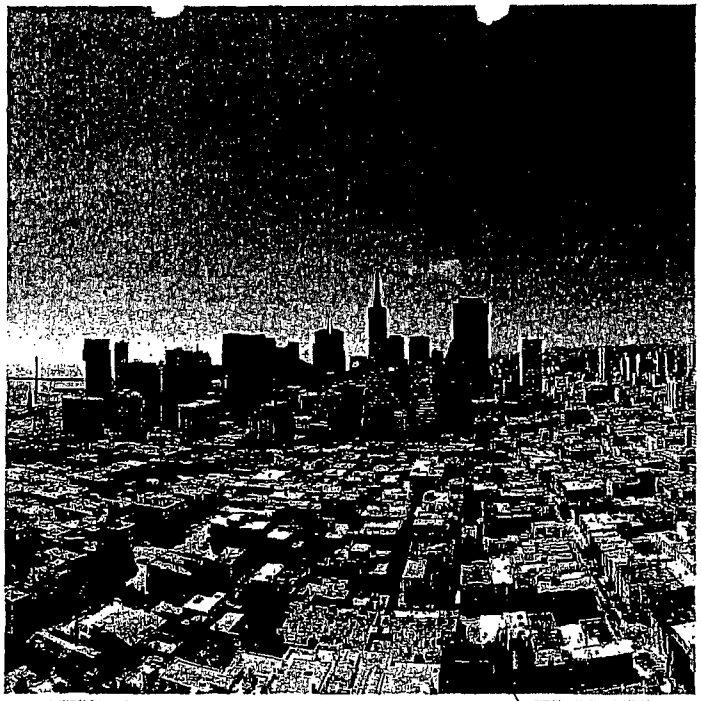
PLANNING PERMIT

REVISIONS:	BY:
5 REVISION - 08/16/2014	DS / SR

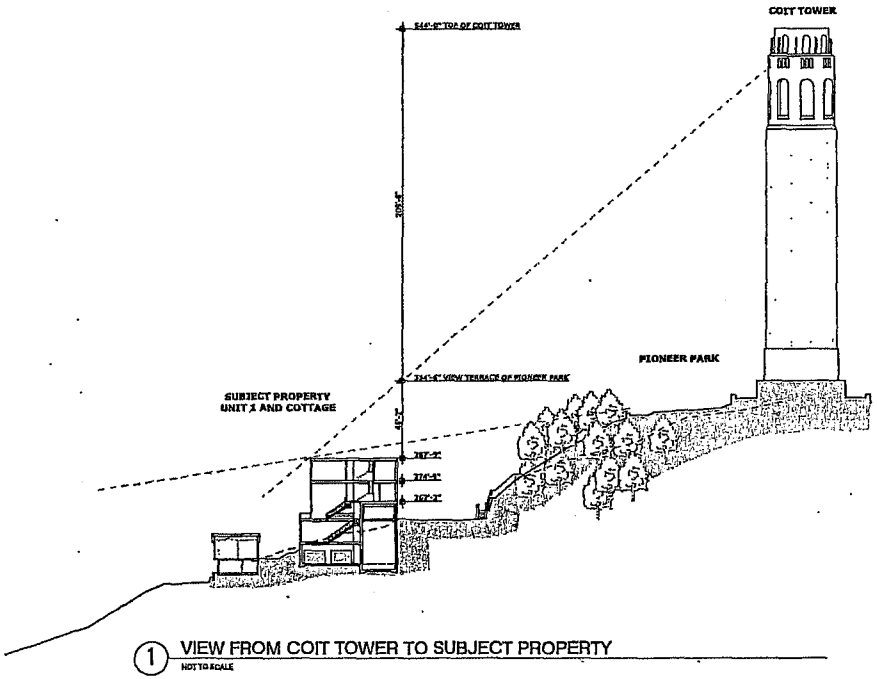
JOB#:	1205
DATE:	AUG. 12, 2013
DRAWN:	SR/DS
CHECKED:	LB
SCALE:	AS NOTED

CONCEPTUAL RENDERINGS

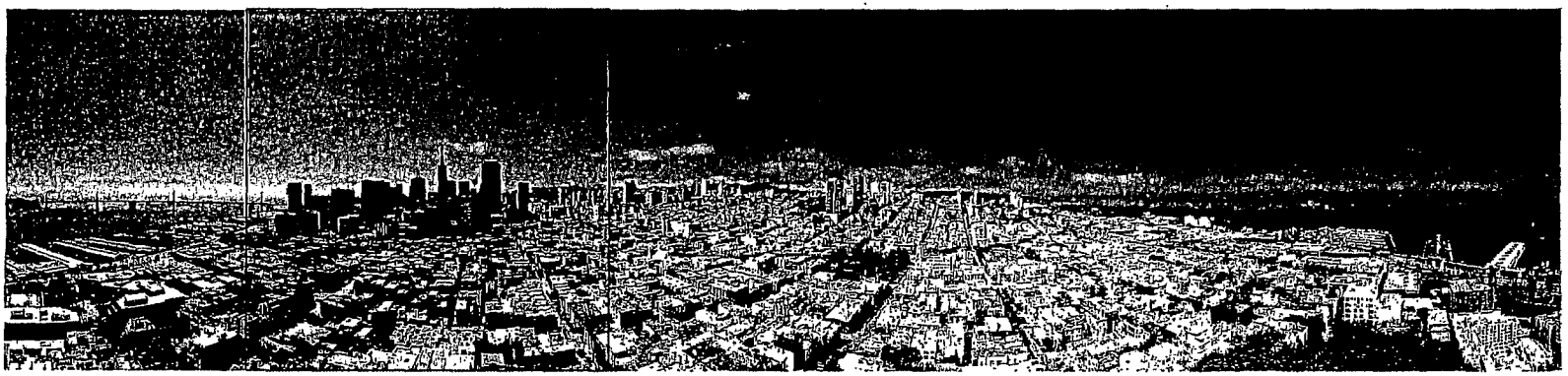
A3.11



2 VIEW FROM COIT TOWER TO SUBJECT PROPERTY
NOT TO SCALE



1 VIEW FROM COIT TOWER TO SUBJECT PROPERTY
NOT TO SCALE



BUTLER ARMSDEN ARCHITECTS

115 TELEGRAPH HILL

115 TELEGRAPH HILL BLVD., SAN FRANCISCO, CA, 94133.

2129

PLANNING PERMIT

REVISIONS:	BY:

JOB#:	1205
DATE:	AUG. 12, 2013
DRAWN:	SR/DS
CHECKED:	LB
SCALE:	AS NOTED

CONTEXT VIEWS

A3.12

SAN FRANCISCO
PLANNING DEPARTMENT

MEMO

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Transmittal

Planning Department Response to the Appeal of the Conditional Use Authorization for 115 Telegraph Hill Blvd.

DATE:	November 10, 2014
TO:	Angela Calvillo, Clerk of the Board of Supervisors
FROM:	Elizabeth Watty, Asst. Director of Current Planning–(415) 558-6620
RE:	BOS File No. 141064 [Case No. 2013.1375C] Appeal of the Conditional Use Authorization for 115 Telegraph Hill Boulevard
HEARING DATE:	November 18, 2014

Pursuant to Planning Code Section 308.1, the Planning Department has prepared a response to the Appeal of the Conditional Use Authorization for 115 Telegraph Hill Boulevard. The Planning Department is transmitting one (1) hard copy of the appeal response. In compliance with San Francisco's Administrative Code Section 8.12.5 "Electronic Distribution of Multi-Page Documents," the Planning Department has submitted a multi-page response to the Appeal of the Conditional Use Authorization for 115 Telegraph Hill Boulevard [BF 141059] in digital format.

If you have any questions regarding this matter, please contact Elizabeth Watty at 558-6620 or Elizabeth.Watty@sfgov.org

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2014 NOV 10 AM 11:40

SAN FRANCISCO
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Information:
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Conditional Use Authorization Appeal

115 Telegraph Hill Blvd.

DATE: November 10, 2014
TO: Angela Calvillo, Clerk of the Board of Supervisors
FROM: John Rahaim, Planning Director – Planning Department (415) 558-6411
Elizabeth Watty, Asst. Director of Current Planning – Planning Dept. (415) 558-6163
RE: File No. 141064 Planning Case No. 2013.1375 EC - Appeal of the approval of Conditional Use Authorization for 115 Telegraph Hill Blvd.
HEARING DATE: November 18, 2014
ATTACHMENTS:

A. Final Motion with Plans
B. Commission Packets
C. Appeal Letter (dated October 14, 2014)

PROJECT SPONSOR: Jeremy Ricks
735 Montgomery Street, Suite 350
San Francisco, CA 94111

APPELLANTS: Vedica Puri, President
Telegraph Hill Dwellers
600 Montgomery Street, 31st Floor, San Francisco, CA 94111; and

Nancy Shanahan, Co-Chair Planning & Zoning Committee
Telegraph Hill Dwellers
224 Filbert Street, San Francisco, CA 94133

INTRODUCTION

This memorandum and the attached documents are a response to the letter of appeal to the Board of Supervisors (the "Board") regarding the Planning Commission's ("Commission") approval of the application for Conditional Use Authorization under Planning Code Section ("Section") 303 (Conditional Use Authorization) to construct a 15,544 sq. ft. three-unit residential building with three-off-street parking spaces on a lot that contains one existing dwelling-unit ("Project").

This response addresses the appeal to the Board filed on October 14, 2014 by Vedica Puri, representing the Telegraph Hill Dwellers ("THD"), referencing the proposed project in Case No. 2013.1375EC. The decision before the Board is whether to uphold or overturn the Planning Commission's ("Commission") approval of a Conditional Use Authorization to allow the construction of the Project.

SITE DESCRIPTION & PRESENT USE

The Property is a 7,517 square-foot lot that is steeply sloped; in 1993, three lots were merged into the one large lot with 82'-6" of frontage in existence today. It once contained five buildings, but four of the five buildings were demolished circa 1997. The lot currently contains a one-story, 844 sf cottage (determined not to be an earthquake shack), which was constructed in 1906, concrete retaining walls, concrete and wood stairways, and fencing. The lot has been vacant – with the exception of the unoccupied cottage – since 1997. In the early 1990s, the Bureau of Building Inspection declared the cottage "unsound" and it is currently uninhabitable. The Property occupies 82'-6" of frontage, including 68'-0" along the Filbert Street steps.

SURROUNDING PROPERTIES AND NEIGHBORHOOD

The Project is located on the south side of Telegraph Hill Boulevard, between Montgomery, and Kearny Streets on Telegraph Hill near Coit Tower. A public concrete stairway follows what was once Filbert Street at the front of the lot, beginning at 115 Telegraph Hill Boulevard and descending west to Kearny Street; there is no vehicular throughway along this portion of Filbert Street. These stairs descend along the western side of Telegraph Hill and are not the historic Filbert Street stairs that are located along the eastern slope of Telegraph Hill, within the Telegraph Hill Historic District. Telegraph Hill Blvd passes to the north of the Property, spiraling up to Coit Tower. The Property is in the North Beach neighborhood, and is located in an RH-3 Zoning District, towards the top of Telegraph Hill near Coit Tower. Properties in the immediate area typically consist of one-, two- and three-family dwellings. Buildings heights are varied, but typically range from two-to-four stories tall at the street, and are scaled at the street to respect the laterally-sloping topography of the hill. To the west is a two-story, two-unit building, and immediately to the east is a four-story, three-unit building.

PROJECT DESCRIPTION

The Project Sponsor proposes to construct a 15,544 sq. ft. three-unit residential building with three-off-street parking spaces on a lot that contains one existing dwelling-unit (a vacant cottage in the southeast corner of the lot). The Project also includes the renovation and restoration of the cottage located at the rear of the property, returning it to its pre-variance (93.180V) building form.

The new building will be designed to appear from the street as three, three-story single-family dwellings that will step down the hill relative to the naturally sloping topography of Telegraph Hill. The new building will include three off-street parking spaces in a shared 3,137 sq. ft. below-grade combined garage/basement, accessed from one garage door that will be located at the top of the Filbert Street stairs along Telegraph Hill Boulevard. The cottage in the rear would be accessed via a designated pedestrian path to the west of Unit #3, as well as through the garage.

The three units will each occupy 23'-10" of frontage. Each unit will contain a green roof deck featuring sustainable native plants, as well as extensive landscaping. Although the rear cottage was authorized to expand as part of Variance Case no. 93.180V, the implementing Building Permit Applications were never finaled by the Department of Building Inspection. Therefore, the variance has expired, and the Project Sponsor must either revert the cottage to the pre-variance building form or seek and justify an additional

variance. The Project Sponsor chose to revert the cottage to the pre-variance building form. Revised plans dated September 16, 2014, approved as part of this Motion (Exhibit B), show this scope of work.

BACKGROUND

2014 – Conditional Use Authorization hearing

At the September 11, 2014 public hearing, the Commission approved the Conditional Use Authorization for density, to allow for a total of four (4) dwelling units on an oversized 7,517 sf lot with 82'-6" of frontage on a lot zoned RH-3 (Residential House, Three Family). Planning Code Section 209.1(h) states that a density ratio up to one dwelling unit for each 1,000 square feet of lot area is permitted in the RH-3 Zoning District, if authorized as a Conditional Use by the Planning Commission. The Property contains 7,517 sq. ft. of lot area, and up to seven (7) units could be approved on the property with a Conditional Use Authorization.

The Project originally proposed four off-street parking spaces, which required a Conditional Use Authorization within the Telegraph Hill – North Beach Residential Special Use District. At the hearing on September 11, 2014, the Project Sponsor revised the Project to eliminate the fourth parking space. With only three off-street parking spaces now part of the Project, the parking is principally permitted and does not require a Conditional Use Authorization under Planning Code Sections 151, 151.1, 249.49, and 303.

CONDITIONAL USE AUTHORIZATION REQUIREMENTS

The Commission approved a Conditional Use Authorization to build four units on a lot where up to seven units could be approved by Conditional Use Authorization. To entitle this Project, the Commission found it complied with Planning Code Section 303.

Section 303 states that the following criteria must be met in order for the Commission to grant approval of an application for Conditional Use Authorization:

1. That the proposed use or feature, at the size and intensity contemplated and at the proposed location, will provide a development that is necessary or desirable for, and compatible with, the neighborhood or the community; and
2. That such use or feature as proposed will not be detrimental to the health, safety, convenience or general welfare of persons residing or working in the vicinity, or injurious to property, improvements or potential development in the vicinity, with respect to aspects including but not limited to the following:
    a. The nature of the proposed site, including its size and shape, and the proposed size, shape and arrangement of structures;
    b. The accessibility and traffic patterns for persons and vehicles, the type and volume of such traffic, and the adequacy of proposed off-street parking and loading and of proposed alternatives to off-street parking, including provisions of car-share parking spaces, as defined in Section 166 of this Code.
    c. The safeguards afforded to prevent noxious or offensive emissions such as noise, glare, dust and odor;

d. Treatment given, as appropriate, to such aspects as landscaping, screening, open spaces, parking and loading areas, service areas, lighting and signs; and

3. That such use or feature as proposed will comply with the applicable provisions of this Code and will not adversely affect the Master Plan.

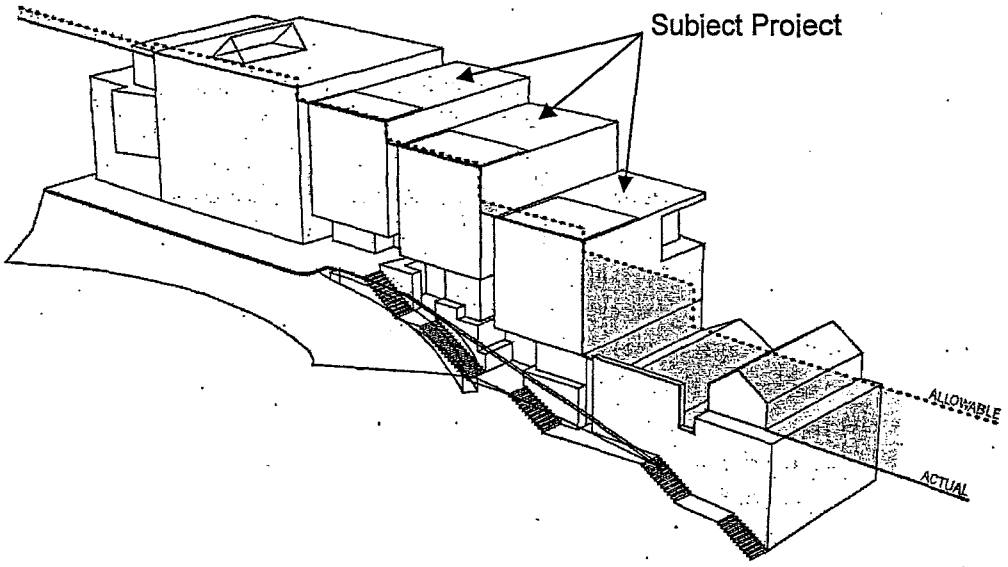
If a proposed Project meets the criteria outlined in Section 303 of the Code, then the Commission may grant Conditional Use Authorization to approve a density up to one unit per 1,000 sf of lot area on a property zoned RH-3.

APPELLANT ISSUES AND PLANNING DEPARTMENT RESPONSES

The concerns raised in the Appeal Letter are cited in a summary below and are followed by the Department's response.

Issue #1: Concern that the Project does not meet the required criteria for authorizing a Conditional Use. Specifically, there is a concern that the Project at the size, intensity, and proposed location are neither necessary or desirable for, nor compatible with, the neighborhood; and that the location of the proposed driveway will impede pedestrian movement and safety, create conflicts with MUNI buses, and will adversely affect traffic congestion in the area.

Response #1: The Planning Commission has determined that the Project meets the required findings outlined in Planning Code Section 303, and that the Project is necessary, desirable, and compatible with the surrounding neighborhood.



The Project is necessary and desirable because it will provide in-fill housing in a residential neighborhood, on a lot that has been vacant (less for a small cottage at the rear of the lot) for over 10 years. The lot previously contained five buildings, but four of those five buildings were demolished in 1997. At present, the vacancy of the Property is a detriment to the neighborhood and creates a gap in the urban fabric that is built along the Filbert Street walkway and stairs. The vacant lot is visually inconsistent

with the character of the surrounding private property, which features housing developments that relate to the topography of the hill. The Project will embody General Plan goals that ask new development to step down hills in an incremental fashion. Instead of presenting a solid mass, the design is improved by breaking up the mass into smaller portions more consistent with San Francisco's typical 25' residential lots. It is compatible with properties that abut a vehicular street, which typically include off-street parking. The Project will also incorporate landscaping to match the surrounding area, and create visual consistency in the neighborhood. As an area that attracts tourists and visitors, the Project is a desirable improvement to the neighborhood over the existing vacant lot.

The appeal states that the size of the three proposed luxury units is incompatible with the surrounding neighborhood, since the average size of units within 300 feet of the property is significantly smaller. The Housing Element of the General Plan emphasizes the need to provide housing at all income levels in a variety of sizes and configuration – including family-sized housing, particularly at infill locations well-served by transit and within walking distance of retail amenities and employment opportunities. Telegraph Hill neighborhood also contains many large expensive homes; the family-sized housing provided within this project is certainly not out of character for the neighborhood.

With regard to the statement that the proposed driveway will create a hazard, it is not unusual for a driveway to cross a pedestrian-only pathway, such as Filbert Street in this location. The project's proposal for a three-car parking garage/basement would result in a low volume of vehicles entering and existing from Telegraph Hill Boulevard. In addition, at the intersection of Filbert Street and Telegraph Hill Boulevard, there is both a stop sign and painted pedestrian cross walk, ensuring that vehicles entering the driveway will be traveling at slow speeds and aware of crossing pedestrians. Furthermore, the garage would be set back from the property line and has been designed to allow cars to face the street when exiting, allowing drivers and pedestrians greater visibility of one another when cars exist the garage. Due to the low volume of vehicles expected to enter and exit the proposed garage, the project will not adversely affect pedestrian movement and safety, create unusual conflicts with MUNI or congestion in the area.

Issue #2: Concern over the Project's consistency with the General Plan Priority Policies [Planning Code Sections 101.1(b)(2), (3), (4), (8)].

Response #2: The Planning Commission found the Project to be on balance, consistent with the General Plan's Priority Policies. The Project will conserve and protect existing housing and neighborhood character by renovating and restoring an existing, vacant, residential building in the neighborhood. The existing small cottage has been unoccupied for approximately 10 years, and is much needed housing that will be brought back on the market as part of this Project. The Project will improve a dilapidated vacant lot with a well-designed, high-quality residential development that is compatible with the scale and mass of surrounding properties. It will include screening and green elements specifically designed to allow the new structure to blend seamlessly into the character and topography of the neighborhood. The Project will incorporate ample landscaping in planters at the front of the Property, and the Sponsors have also committed to working in good faith with DPW and other relevant City agencies on a stewardship and maintenance agreement for the landscaped area to the north of the Filbert Street stairs. The four residential units that will be added to the market as part of this Project will not

generate substantial commuter traffic that would impede MUNI transit service, or overburden the streets or neighborhood parking. Furthermore, by including three off-street parking spaces, the Project would minimize the need for residents to use the limited on-street parking in the neighborhood.

Lastly, the Project will not adversely affect any public parks or open spaces. The Project Site is located below Coit Tower and Pioneer Park on Telegraph Hill. Telegraph Hill is identified in the General Plan's Urban Design Element as an outstanding and unique area. The Special characteristics of the area are identified as the following:

- A hilltop park with the highly visible green of trees from which Coit Tower rises above all else.
- Low, small-scale buildings having predominantly flat roofs and light pastel colors, hugging the topography in a highly articulated form which contrasts with the power of downtown construction.
- Cliffs and complex stairs and walkways on the east side above the waterfront, with buildings perched precariously along the slope and trees interspersed.
- Intimate pedestrian scale and texture of streets and housing, with sudden and dramatic views of the Bay and downtown through narrow openings.

The Project is compatible with the aforementioned special characteristics, in that the buildings are designed to be consistent with the scale and massing of surrounding properties, and include flat, landscaped roofs. The building respects the topography of the street by "stepping-down" the laterally-sloping topography of the Filbert Street steps. The buildings have been designed with a pedestrian scale and texture, incorporating both landscaping as well as side setbacks along the west side of each of the three new units, which provide for views of downtown. The Project will not adversely affect Coit Tower's or Pioneer Park's access to sunlight or public vistas. Instead, the project will preserve pedestrian access along the side of the property for those traveling up the Filbert stairs, crossing Telegraph Boulevard and continuing up to Coit Tower or over towards the more famous portion of the Filbert Stairs that cross Napier Lane.

Issue #3: Concern that the Project is inconsistent with the City's Residential Design Guidelines and the Urban Design Element of the General Plan.

Response #3: The Project has been reviewed by the Department's Residential Design Team and has been found to be consistent with the Residential Design Guidelines, and on balance, consistent with the Urban Design Element of the General Plan. The Residential Design Guidelines ("RDG") seeks to ensure that the General Plan is honored and that the following key design principles are achieved as part of any project, as outlined on page 5 of the RDG:

- Ensure that the building's scale is compatible with surrounding buildings.
- Ensure that the building respects the mid-block open space.
- Maintain light to adjacent properties by providing adequate setbacks.
- Provide architectural features that enhance the neighborhood's character.
- Choose building materials that provide visual interest and texture to a building.

Ensure that the building's scale is compatible with surrounding buildings.
According to the RDG, the design and the scale of the building should be compatible with the height and depth of surrounding buildings. A building that is larger than its neighbors can still be in scale and be compatible with the smaller buildings in the area, if it be made to look smaller by facade articulations and through setbacks to upper floors. Furthermore, as it relates to the scale of the building's façade, the RDG states that the building's facade width should be compatible with those found on surrounding buildings. Most building widths are related to the lot width, and are typically 25 feet. This uniform building width contributes to the overall character of the neighborhood and the scale of buildings within the area. Therefore, it is very important to respect the facade widths typically found in the neighborhood. If a project is located on a site that is wider than usual, as is the case with the proposed Project, the façade should be articulated to respect traditional façade widths found in the neighborhood. The RDG cites as an example that a facade may be broken into separate forms that match the widths of surrounding buildings in a substantive way.

The new building will be designed to appear from the street as three, three-story single-family dwellings, consistent with the rhythm and scale of buildings found in the immediate area. The three building segments will each occupy 23'-10" of frontage, which is consistent with the width of building facades found throughout the neighborhood. The height of the eastern-most portion of the building is consistent with the adjacent three-story-over-garage structure at 109/111 Telegraph Hill Blvd., and each of the proposed building segments to the west step down the street relative to the naturally sloping topography of Telegraph Hill. The eastern-most building segment is approximately 2'-3" shorter in height than the neighbor to the east. The middle building segment is 5'-8" shorter in height than the eastern-most building segment, and the building segment to the west is 9'-4" shorter in height than the middle building segment. The height and scale of the project is compatible with the height and scale of surrounding buildings throughout the neighborhood (RDG, pg. 11, 23-25).

Ensure that the building respects the mid-block open space; maintain light to adjacent properties by providing adequate setbacks.
The new buildings respect the mid-block open space and maintain light to adjacent property through the stepping back of the rear facades and through the provision of side setbacks. The eastern-most building segment is less than 8'-0" deeper than the neighbor to the east at 109/111 Telegraph Hill Blvd at the lowest two levels, but is approximately equal in depth with the adjacent building for all subsequent floors. Each building segment to the west steps back with regard to its building depth. Although the western-most building portion is deeper than the cottage to the west, the project incorporates a 5'-0" side setback along the west property line, for a total separation of 8'-4" separation between buildings. Furthermore, as part of this project, the rear yard cottage on the subject property will be reduced in size, eliminating the portion of the building that was expanded as part of the 1995 variance approval. This reduction to the existing noncomplying rear structure will improve the property's contribution to the mid-block open space. (RDG, pg. 25-27)

Provide architectural features that enhance the neighborhood's character.
The property includes numerous architectural features that enhance the neighborhood's mixed architectural character. The Project provides an attractive, high-quality modern design and form that

compliments and blends with surrounding mixture of architectural styles and building forms without mimicking any particular style. The building entrances have been designed to enhance the connection between the public realm of the street and sidewalk and the private realm of the building by providing recessed entry courts, with landscaping and lighting. The three previously proposed stair penthouses have been removed, eliminating all massing above the roof. Each roof will be finished as a green roof deck featuring sustainable native plants, as well as extensive landscaping, enhancing the compatibility of the building's roof with the surrounding vegetation. (RDG, 31-32, 38-39)

Choose building materials that provide visual interest and texture to a building.
The building will be built with high-quality exterior materials that complement the array of exterior materials that are found on buildings throughout the neighborhood. The building will be built with high-quality exterior materials that complement the array of exterior materials that are found on buildings throughout the neighborhood. The building includes a stucco outer shell, with a mix of weathered steel and Corten steel panels, as well as wood screens and panels in order to create warm highlights that reference the rustic nature of Telegraph Hill. It also includes fixed wood louvers on the front façade to provide visual interest, privacy, and texture to the building.

General Plan's Urban Design Element
The Project is also consistent with the General Plan's Urban Design Element. As noted above, Telegraph Hill is identified in the Urban Design Element as an outstanding and unique area. The Special characteristics of the area are identified as the following:

- A hilltop park with the highly visible green of trees from which Coit Tower rises above all else.
- Low, small-scale buildings having predominantly flat roofs and light pastel colors, hugging the topography in a highly articulated form which contrasts with the power of downtown construction.
- Cliffs and complex stairs and walkways on the east side above the waterfront, with buildings perched precariously along the slope and trees interspersed.
- Intimate pedestrian scale and texture of streets and housing, with sudden and dramatic views of the Bay and downtown through narrow openings.

The Project is compatible with the aforementioned special characteristics, in that the buildings are designed to be consistent with the scale and massing of surrounding properties, and include flat, landscaped roofs. The building respects the topography of the street by "stepping-down" the laterally-sloping topography of the Filbert Street steps. The buildings have been designed with a pedestrian scale and texture, incorporating both landscaping as well as side setbacks along the west side of each of the three new units, which provide for views of downtown.

Urban Design Element: Fundamental Principles for City Pattern

4. **Where large parks occur at tops of hills, lowrise buildings surrounding them will preserve views from the park and maintain visibility of the park from other areas of the city.**

Urban Design Element: Fundamental Principals for Major New Development.

1C. Low, smaller-scale buildings on the slopes of hills, at their base, and in the valleys between complement topographic forms and permit uninterrupted views.

7. Buildings which meet the ground and reflect the slope of the hill relate to the land form.

Contrary to the appellants' brief, the General Plan does not prohibit building around open spaces on hillsides. If development is designed appropriately (low-rise, flat roofs, etc.) it can frame and accentuate the open space at the top. This project does such and emphasizes the natural form by stepping down the hill.

Urban Design Element: Visual Harmony, Height & Bulk

Policy 4: Promote building forms that will respect and improve the integrity of open spaces and other public areas. New buildings should not block significant views of public opens spaces. Buildings near these open spaces should permit visual access and in some cases physical access to them.

The project preserves access to the Filbert Stairs and will improve the experience by replacing a chain-link fence, around a vacant lot with new appropriately-scaled development and landscaping.

The General Plan's Urban Design Element states that driveways across sidewalks should be kept to a practical minimum, with control maintained over the number and width of curb cuts, in order to minimize danger to pedestrians. The Project includes a 10-foot wide curb cut, which is the City standard, and a 12-foot wide garage door, which is comparable with the size of garage doors found on surrounding properties (specifically the two properties to the east). The Project has been designed to include one garage entrance that will serve the vehicle storage for all four units on the Property, thereby minimizing danger to pedestrians. The garage has sufficient space for maneuvering such that exiting vehicles will not need to be backed-out in reverse. The garage door will be recessed 7'-6" from the front Property Line, in order to allow cars to exit the garage and observe pedestrian activity before crossing the sidewalk. As indicated through the Conditions of Approval, the Project Sponsor has also agreed to install warning signs to alert pedestrians on the Filbert Steps to the presence of the driveway, as well as mirrors to enhance the view of drivers exiting the garage.

In summary, the Project is consistent with both the Residential Design Guidelines and the General Plan's Urban Design Element.

Issue #4: Concern that the Project is inconsistent with the Objectives and Policies of the Housing Element of the General Plan.

Response #4: The Project is, on balance, consistent with the City's Housing Element of the General Plan. In addition to the project being compatible with the existing neighborhood character, as described above, the project will create new in-fill housing on a residentially-zoned and substantially vacant lot. The current lot is blighted and creates a gap in the otherwise continuous street wall. The Project includes a well-design renovation of the existing rear yard cottage, and includes new construction that is

compatible with the surrounding scale of buildings at the street and the massing of adjacent buildings, as well as the architectural character of the surrounding neighborhood.

Housing Element Policy 4.1: Develop new housing, and encourage the remodeling of existing housing, for families with children.
The proposed Project would add three units and 12 bedrooms, and rehabilitate the existing cottage on a lot that currently provides one vacant, uninhabitable unit.

Housing Element Policy 10.1: Create certainty in the development entitlement process, by providing clear community parameters for development and consistent application of these regulations.
The Planning Commission found that the Project met the policies of the General Plan and Residential Design Guidelines and conformed to the Planning Code and accordingly approved the Project with some modifications.

Issue #5: Concern that the Planning Commission erred in determining that the pre-variance condition of existing rear yard cottage included only one unit when it was actually a two unit building in its pre-variance form.

Response #5: The determination regarding the legal conditions on the lot is not part of the Conditional Use Authorization and was not before the Planning Commission. Staff consulted with the Zoning Administrator ("ZA") to establish the legal baseline conditions on the lot prior to the Conditional Use hearing. As part of the Project that was approved through a CU in 1994, a Variance in 1995, and the issuance of demolition and new construction permits in 1997, the rear cottage was approved to be converted from two units to one unit. The second unit was accessed through a ship's ladder, and all units on the property at that time were determined by the City to be unsound housing; with the exception of one unit, all units were vacant. The current requirements for the loss of dwelling-units were not in effect at that time, and therefore no additional entitlements were required for the removal of a dwelling unit; it was a principally permitted action. Following the aforementioned approvals, the second unit in the rear cottage was removed and the result is the current condition, which is a one-unit cottage. The Department of Building Inspection's records show the property as containing one legal unit, and the Department concurs that there is one legal unit on the property.

Issue #6: Concerns that that Planning Commission's conditions of approval are inadequate as to the impacts of construction.

Response #6: The Project would not result in any construction related impacts under CEQA. Although concerns about construction are typically not considered Planning-related issues for the approval of entitlements, the Sponsor has agreed to several construction management conditions of approval (13, 14, 15, 16 of the parking and traffic section; as well as items 23-32 in the General Notes Section of the cover page of the approved plans, Exhibit B of motion no. 19232). As is typical with all sites in the City, the sponsor will be required to work with other permitting agencies, including the Department of Building Inspection and Public Works, to determine the best construction management approach for the site. Additionally, the Project Sponsor has incorporated many construction management practices into

their Project that will further minimize the effects of construction on the neighborhood. For example, in addition to providing a pedestrian tunnel to maintain public access of the Filbert stairs during construction, the project sponsor will also permanently station a flag person at the intersection of Filbert Street and Telegraph Hill Boulevard for the duration of construction activities. These additional conditions, in conjunction with the City's existing regulatory requirements for construction management, would further reduce the already less than significant construction impacts of the Project.

As explained in the CEQA Determination and response to the CEQA appeal, the proposed Project's construction activities would be coordinated with the San Francisco Department of Public Works (DPW), the San Francisco Municipal Transportation Agency, and the Transportation Advisory Staff Committee to ensure that construction activities are conducted in a manner that maintains circulation on public rights-of-way, to the maximum extent feasible, while also ensuring the public's safety.

CONCLUSION

For the reasons stated above, the Planning Department recommends that the Board uphold the Planning Commission's decision in approving the Conditional Use Authorization to construct a new three-unit building on the predominantly vacant 7,517 sf lot at 115 Telegraph Hill Boulevard, subject to the conditions of approval contained within Exhibit A of Planning Commission Motion No. 19232, and deny the appeal.

SAN FRANCISCO
PLANNING DEPARTMENT

Subject to: (Select only if applicable)

- ☐ Affordable Housing (Sec. 415)
- ☐ Jobs Housing Linkage Program (Sec. 413)
- ☐ Downtown Park Fee (Sec. 412)
- ☐ First Source Hiring (Admin. Code)
- ☐ Child Care Requirement (Sec. 414)
- ☒ Other - Street Tree In-Lieu Fee (Sec. 428)

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Planning Commission Motion No. 19232

HEARING DATE: SEPTEMBER 11, 2014

Date:	September 23, 2014
Case No.:	**2013.1375 EC**
Project Address:	**115 TELEGRAPH HILL BLVD. (AKA 363 FILBERT STREET)**
Zoning:	RH-3 (Residential House, Three-Family) Telegraph Hill/North Beach Residential Special Use District 40-X Height and Bulk District
Block/Lot:	0105/065
Project Sponsor:	Jeremy Ricks 735 Montgomery Street, Suite 350 San Francisco, CA 94111
Staff Contact:	Elizabeth Watty – (415) 558-6620 Elizabeth.Watty@sfgov.org

ADOPTING FINDINGS RELATING TO THE APPROVAL OF A CONDITIONAL USE AUTHORIZATION PURSUANT TO PLANNING CODE SECTIONS 209.1(h) AND 303, TO ALLOW THE CONSTRUCTION OF THREE NEW DWELLING UNITS (FOR A LOT TOTAL OF FOUR UNITS) WITH THREE OFF-STREET PARKING SPACES WITHIN THE RH-3 (RESIDENTIAL HOUSE, THREE-FAMILY) ZONING DISTRICT, TELEGRAPH HILL – NORTH BEACH RESIDENTIAL SPECIAL USE DISTRICT, AND A 40-X HEIGHT AND BULK DISTRICT.

PREAMBLE

On August 21, 2013, Daniel Frattin, attorney for Jeremy Ricks (hereinafter "Project Sponsor"), filed an application with the Planning Department (hereinafter "Department") for Conditional Use Authorization under Planning Code Sections 151, 151.1, 209.1(h), 249.49, and 303, to allow the construction of three new dwelling-units above four off-street parking spaces on a lot that contains one existing unit within the RH-3 (Residential House, Three-Family) Zoning District, Telegraph Hill – North Beach Residential Special Use District, and a 40-X Height and Bulk District.

On July 17, 2014, the San Francisco Planning Commission (hereinafter "Commission") conducted a duly noticed public hearing at a regularly scheduled meeting on Conditional Use Application No. 2013.1375C.

At that hearing, the Planning Commission continued the hearing to September 11, 2014 so that the Project Sponsor could make revisions to the Project's design and provide additional information about the rear cottage.

On September 11, 2014, the Commission conducted a duly noticed public hearing at a regularly scheduled meeting on Conditional Use Application No. 2013.1375C.

On September 11, 2014, during the duly noticed public hearing on Conditional Use Application No. 2013.1375C, the Project Sponsor verbally withdrew, on-record, the request for a Conditional Use Authorization, pursuant to Planning Code Sections 151, 151.1, and 249.49, to allow a fourth off-street parking space (a one-to-one parking to dwelling-unit ratio), reducing the parking included as part of the Project to three spaces serving four dwelling-units.

On September 3, 2014, the Project was determined to be exempt from the California Environmental Quality Act ("CEQA") as a Class 1 and 3 Categorical Exemption under CEQA as described in the determination contained in the Planning Department files for this Project.

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.

MOVED, that the Commission hereby authorizes the Conditional Use requested in Application No. 2013.1375CE, as amended at the hearing on September 11, 2014, subject to the conditions contained in "EXHIBIT A" of this motion, based on the following findings:

FINDINGS

Having reviewed the materials identified in the preamble above, and having heard all testimony and arguments, this Commission finds, concludes, and determines as follows:

1. The above recitals are accurate and constitute findings of this Commission.

2. **Site Description and Present Use.** The Property is a 7,517 square-foot lot that is steeply sloping; in 1993, three lots were merged into the one large lot in existence today. It once contained five buildings, but four of the five buildings were demolished circa 1997. The lot currently contains a one-story cottage that was constructed in 1906, concrete retaining walls, concrete and wood stairways, and fencing. The lot has been vacant – with the exception of the vacant cottage – since 1997. In the early 1990s, the Bureau of Building Inspection declared the cottage "unsound" and it is currently uninhabitable. The Property occupies 82'-6" of frontage, including 68' along the Filbert Street steps.

3. **Surrounding Properties and Neighborhood.** The Project is located on the south side of Telegraph Hill Boulevard, between Montgomery, and Kearny Streets on Telegraph Hill near Coit Tower. On this portion of the hill, Filbert Street consists of a set of concrete public stairs, but provides no vehicle throughway. Telegraph Hill Blvd passes to the north of the Property,

spiraling up to Coit Tower. The Property is in the North Beach neighborhood, and is located in an RH-3 Zoning District, towards the top of Telegraph Hill near Coit Tower. Properties in the immediate area typically consist of one-, two- and three-family dwellings. Buildings heights are varied, but typically range from two-to-four stories tall at the street, and are scaled at the street to respect the laterally-sloping topography of the hill. To the west is a two-story, two-unit building, and immediately to the east is a four-story, three-unit building.

4. **Project Description.** The Project Sponsor proposes to construct a 15,544 sq. ft. three-unit residential building with three-off-street parking spaces on a lot that contains one existing dwelling-unit (a vacant cottage in the southeast corner of the lot). The Project also includes the renovation and restoration of the cottage located at the rear of the property, returning it to its pre-variance (93.180V) building form.

   The new building will be designed to appear from the street as three, three-story single-family dwellings that will step down the hill relative to the naturally sloping topography of Telegraph Hill. The new building will include three off-street parking spaces in a shared 3,137 sq. ft. below-grade garage/basement, accessed from one garage door that will be located at the top of the Filbert Street stairs along Telegraph Hill Boulevard. The cottage in the rear would be accessed via a designated pedestrian path to the west of Unit #3, as well as through the garage.

   The three units will each occupy 23'-10" of frontage. Each unit will contain a green roof deck featuring sustainable native plants, as well as extensive landscaping. Although the rear cottage was authorized to expand as part of Variance Case no. 93.180V, the implementing Building Permit Applications were never finaled by the Department of Building Inspection. Therefore, the variance has expired, and the Project Sponsor must either revert the cottage to the pre-variance building form or seek and justify an additional variance. The Project Sponsor chose to revert the cottage to the pre-variance building form. Revised plans dated September 16, 2014, approved as part of this Motion (Exhibit B), show this scope of work.

5. **Public Comment.** The Department has received letters of support from 43 people (including the North Beach Neighbors), and letters in opposition to the Project from 41 people (including the Telegraph Hill Dwellers).

6. **Planning Code Compliance:** The Commission finds that the Project is consistent with the relevant provisions of the Planning Code in the following manner:

   A. **Density.** Planning Code Section 209.1(h) states that a density ratio up to one dwelling unit for each 1,000 square feet of lot area is permitted in the RH-3 Zoning District, if authorized as a Conditional Use by the Planning Commission.

      The Property contains 7,517 sq. ft. of lot area and would permit up to seven units with a Conditional Use Authorization. The Project would result in a lot total of four units, and thus is permitted with a Conditional Use Authorization, which is justified in more detail through Section 7, below.

B. **Rear Yard Requirement.** Planning Code Section 134 states that the minimum rear yard depth shall be equal to 45 percent of the total depth of a lot in which it is situated, and based on conditions on the adjacent properties, it may be reduced up to 25 percent of the total depth of the lot, based on the average depths of adjacent buildings.

The Project will be constructed within buildable area of the lot, maintaining a 45 percent rear yard. The existing rear yard cottage is located entirely within the required rear yard; although it will be repaired, remodeled, and reduced to the pre-variance building form, it will not be expanded, and therefore is considered an existing legal noncomplying structure. The Project complies with Planning Code Section 134.

C. **Open Space.** Planning Code Section 135 requires 100 square-feet of usable open space per dwelling unit in the RH-3 Zoning District if privately accessible, or 133 square-feet per unit if the space is commonly accessible.

The Project satisfies the residential open space requirements through a private 132 square-foot deck for Unit #1, a private 300 square-foot deck for Unit #2, a 252 square-foot deck for Unit #3, and through a commonly-accessible 2,266 square-foot, rear yard for the existing rear yard cottage. The Project complies with the open space requirements of Planning Code Section 135.

D. **Street Trees.** Planning Code Section 138.1 requires the provision of street trees with the addition of a new dwelling unit. When street trees are required, one 24-inch box size tree is required for each 20 feet of lot frontage along a street, with any remaining fraction of 10 feet or more of frontage requiring an additional tree. Such trees shall be located either within a setback area on the lot or within the public right-of-way along such lot.

The Property currently contains two street trees along the 82'-6" property frontage, located between the Filbert Street stairs and Telegraph Hill Boulevard. The Property requires installation of 4 trees; however, according to the Department of Public Works, installation of the additional two required street trees is infeasible. As such, the Project Sponsor will pay an in-lieu fee for two street trees.

E. **Bird Safe Glazing.** Planning Code Section 139 allows residential buildings within R-Districts that are less than 45 feet in height and have an exposed facade comprised of less than 50% glass to be exempt from the Location-Related Glazing Standards outlined in Planning Code Section 139(c)(1).

The Property is located within 300-feet of an Urban Bird Refuge; however, the new buildings' exposed facades are comprised of less than unobstructed 50 percent glass, and are therefore exempt from meeting the Location-Related Glazing Standards outlined in Planning Code Section 139(c)(1).

F. **Exposure.** Planning Code Section 140 requires that at least one qualifying room of every dwelling unit must face directly on an open area. The open area may be a street or alley, Code-compliant rear yard, or a qualifying open space.

The three new dwelling-units will face Telegraph Hill Boulevard, which is a qualifying street for the purpose of dwelling-unit exposure. The dwelling-unit located within the existing legal noncomplying structure in the rear yard will face an open space between the buildings that meets the dimensional requirements of Planning Code Section 140(a)(2); the space is no less than 25 feet in every horizontal dimension for the floor at which the dwelling unit in question is located and the floor immediately above it, with an increase of five feet in every horizontal dimension at each subsequent floor. The Project complies with the dwelling unit exposure requirements of Planning Code Section 140.

G. **Telegraph Hill – North Beach Residential Special Use District.** Planning Code Section 249.49 establishes the Telegraph Hill – North Beach Residential Special Use District (SUD). The purpose of this SUD, as it relates to new construction projects, is to regulate off-street parking in order to ensure that it does not significantly increase the level of automobile traffic, increase pollution, or impair pedestrian use on narrow public rights-of-way in the District. Although the RH-3 Zoning District would typically require one parking space per dwelling unit (a one-to-one parking ratio), this SUD requires a Conditional Use, along with related findings outlined in Section 151.1(g), to achieve the same parking ratio.

The Project is located within the Telegraph Hill – North Beach Residential Special Use District. Although the original Project proposed four off-street parking spaces, which required a Conditional Use Authorization, the Project was revised during the hearing to eliminate the fourth parking space. With only three off-street parking spaces now part of the Project, the parking is considered principally permitted, and no longer requires a Conditional Use Authorization under Sections 151, 151.1, and 249.49.

7. **Planning Code Section 303** establishes criteria for the Planning Commission to consider when reviewing applications for Conditional Use approval. On balance, the project does comply with said criteria in that:

A. The proposed new uses and building, at the size and intensity contemplated and at the proposed location, will provide a development that is necessary or desirable, and compatible with, the neighborhood or the community.

The Project is necessary and desirable because it will provide much needed family-sized in-fill housing in a residential neighborhood, on a lot that has been vacant (less for a small cottage at the rear of the lot) for over 10 years. The lot previously contained five buildings, but four of those five buildings were demolished in 1997. At present, the vacancy of the Property is a detriment to the neighborhood and creates a gap in the urban fabric that is built along the Filbert Street walkway and stairs. The vacant lot is visually inconsistent with the character of the surrounding private property, which features housing developments that relate to the topography of the hill. The Project is compatible with properties that abut a vehicular street, which typically include off-street parking. The Project will also incorporate landscaping to match the surrounding area, and create visual consistency in the neighborhood. As an area that attracts tourists and visitors, the Project is a desirable improvement to the neighborhood over the existing vacant lot.

The Project will provide three new family-sized dwelling units, and will renovate an existing cottage that is in disrepair in order to make it suitable for occupancy. In-fill sites in developed residential neighborhoods, such as Telegraph Hill, should be developed with new housing.

B. The proposed project will not be detrimental to the health, safety, convenience or general welfare of persons residing or working in the vicinity. There are no features of the project that could be detrimental to the health, safety or convenience of those residing or working the area, in that:

i. Nature of proposed site, including its size and shape, and the proposed size, shape and arrangement of structures;

The 7,517 square-foot Property is located in a relatively low-density area; the lot is large for the neighborhood. In 1993, three lots were merged into the one large lot in existence today. Prior to that merger, up to nine dwelling units would have been principally permitted (approvable without a Conditional Use Authorization); now, only three units would be principally permitted, and four-to-seven units would be permitted with a Conditional Use Authorization.

This large vacant lot is an appropriate location for a three-unit in-fill development (for a total of four units on the lot). Due to the relatively low density development of the surrounding area, the Project will create housing at an appropriate scale in a desirable urban area without overcrowding the neighborhood. Although the three units are technically located within one building, they appear as three single-family dwellings, each with approximately 23'-10" wide building facades that are located at the front property line, which is typical of residential properties in the surrounding area. The existing and proposed uses are consistent with the neighborhood uses, and the proposed design is compatible with the immediate vicinity.

ii. The accessibility and traffic patterns for persons and vehicles, the type and volume of such traffic, and the adequacy of proposed off-street parking and loading;

The Property is located in a relatively low-density area. The addition of three new dwelling-units will have negligible adverse effect on traffic in the neighborhood, and it is anticipated that the Project will generate traffic volumes and patterns compatible with those of existing surrounding uses, particularly those properties with off-street parking. The Project will provide three off-street parking spaces in a below-grade basement garage, which will be sufficient to serve the residents at the property.

iii. The safeguards afforded to prevent noxious or offensive emissions such as noise, glare, dust and odor;

The Project consists of the construction of a new three-unit residential building with three off-street parking spaces, and the renovation of one existing cottage. The Project will comply with all City codes regarding construction hours, noise, and dust, and it will not produce, or include, any permanent uses that would emit noxious or offensive emissions such as noise, glare, dust and odor.

iv. Treatment given, as appropriate, to such aspects as landscaping, screening, open spaces, parking and loading areas, service areas, lighting and signs;

The Project will improve the exterior appearance of the Property by upgrading landscaping and creating an attractive, Code-compliant housing development. The Project will incorporate ample landscaping in planters at the front of the Property, and the area surrounding the new development will be landscaped to allow the development to blend into, and complement, the surrounding hillside. The Project Sponsors have also committed to working in good faith with DPW and other relevant City agencies on a stewardship and maintenance agreement for the landscaped area to the north of the Filbert Street stairs.

C. That the use as proposed will comply with the applicable provisions of the Planning Code and will not adversely affect the General Plan.

The Project complies with all relevant requirements and standards of the Planning Code and is consistent with Objectives and Policies of the General Plan, as detailed below.

8. **General Plan Compliance.** The Project is, on balance, consistent with the following Objectives and Policies of the General Plan:

HOUSING ELEMENT

Objectives and Policies

OBJECTIVE 2:
RETAIN EXISTING HOUSING UNITS, AND PROMOTE SAFETY AND MAINTENANCE STANDARDS, WITHOUT JEOPARDIZING AFFORDABILITY.

Policy 2.4:
Promote improvements and continued maintenance to existing units to ensure long term habitation and safety.

The Project includes the renovation of the existing rear yard cottage, which is in poor condition, in order to make it suitable for occupancy.

OBJECTIVE 4:
FOSTER A HOUSING STOCK THAT MEETS THE NEEDS OF ALL RESIDENTS ACROSS LIFECYCLES.

Policy 4.1:
Develop new housing, and encourage the remodeling of existing housing, for families with children.

The Project includes the renovation of the existing rear yard cottage, which is in poor condition, in order to make it suitable for occupancy, and includes the development of three new family-sized units.

OBJECTIVE 11:
SUPPORT AND RESPECT THE DIVERSE AND DISTRINT CHARACTER OF SAN FRANCISCO'S NEIGHBORHOODS.

Policy 11.1:
Promote the construction and rehabilitation of well-designed housing that emphasizes beauty, flexibility, and innovative design, and respects the existing neighborhood character.

Policy 11.2:
Ensure implementation of acceptable design standards in project approvals.

Policy 11.3:
Ensure growth is accommodated without substantially and adversely impacting existing residential neighborhood character.

The Project includes a well-design renovation of the existing rear yard cottage, and includes new construction that is compatible with the surrounding scale of buildings at the street and the massing of adjacent buildings, as well as the architectural character of the surrounding neighborhood.

TRANSPORTATION ELEMENT

Objectives and Policies

OBJECTIVE 1:
MEET THE NEEDS OF ALL RESIDENTS AND VISITORS FOR SAFE, CONVENIENT AND INEXPENSIVE TRANVEL WITHIN SAN FRANCISCO AND BETWEEN THE CITY AND OTHER PART S OF THE REGION WHILE MAINTAINING THE HIGH QULAITY LIVING ENVIRONMENT OF THE BAY AREA.

Policy 1.3:
Give priority to public transit and other alternatives to the private automotive as the means of meeting San Francisco's transportation needs, particularly those of commuters.

OBJECTIVE 2:
USE THE TRANSPORTATION SYSTEM AS A MEANS FOR GUIDING DEVELOPMENT AND IMPROVING THE ENVIRONMENT.

Policy 2.2:
Reduce pollution, noise and energy consumption.

The Project's central location to the City's downtown and its proximity to public transportation make it an ideal location for new housing. Residents will have a variety of options connecting them to the rest of the

City and beyond. Due to the Property's central location, residents will be able to commute to jobs and access much of San Francisco by transit, foot or bicycle.

URBAN DESIGN ELEMENT

Objectives and Policies

OBJECTIVE 2
CONSERVATION OF RESOURCES WHICH PROVIDE A SENSE OF NATURE, CONTINUITY WITH THE PAST, AND FREEDOM FROM OVERCROWDING.

Policy 2.7:
Recognize and protect outstanding and unique areas that contribute in an extraordinary degree to San Francisco's visual form and character.

Telegraph Hill is identified in the General Plan's Urban Design Element as an outstanding and unique area. The Special characteristics of the area are identified as the following:

- *A hilltop park with the highly visible green of trees from which Coit Tower rises above all else.*
- *Low, small-scale buildings having predominantly flat roofs and light pastel colors, hugging the topography in a highly articulated form which contrasts with the power of downtown construction.*
- *Cliffs and complex stairs and walkways on the east side above the waterfront, with buildings perched precariously along the slope and trees interspersed.*
- *Intimate pedestrian scale and texture of streets and housing, with sudden and dramatic views of the Bay and downtown through narrow openings.*

The Project is compatible with the aforementioned special characteristics, in that the buildings are designed to be consistent with the scale and massing of surrounding properties, and include flat, landscaped roof. The buildings respect the topography of the street by "stepping-down" the laterally-sloping topography of the Filbert Street steps. The buildings have been designed with a pedestrian scale and texture, incorporating both landscaping as well as side setbacks along the west side of each of the three new units, which provide for views of downtown.

OBJECTIVE 3:
MODERATION OF MAJOR NEW DEVELOPMENT TO COMPLEMENT THE CITY PATTERN, THE RESOURCES TO BE CONSERVED, AND THE NEIGHBORHOOD ENVIRONMENT.

Policy 3.1:
Promote harmony in the visual relationships and transitions between new and older buildings.

Policy 3.6:
Relate the bulk of buildings to the prevailing scale of development to avoid an overwhelming or dominating appearance in new construction.

The Project provides an attractive modern design and form that compliments and blends with surrounding structures without mimicking them. This creates a visually dynamic and harmonious neighborhood with an appropriate mixture of building styles.

OBJECTIVE 4
IMPROVEMENT OF THE NEIGHBORHOOD ENVIRONMENT TO INCREASE PERSONAL SAFETY, COMFORT, PRIDE AND OPPORTUNITY

Policy 4.4
Design walkways and parking facilities to minimize danger to pedestrians.

This General Plan states that driveways across sidewalks should be kept to a practical minimum, with control maintained over the number and width of curb cuts, in order to minimize danger to pedestrians. The Project includes a 10-foot wide curb cut, which is the City standard, and a 12-foot wide garage door, which is comparable with the size of garage doors found on surrounding properties (specifically the two properties to the east). The Project has been designed to include one garage entrance that will serve the vehicle storage for all four units on the Property, thereby minimizing danger to pedestrians. The garage has sufficient space for maneuvering such that exiting vehicles will not need to be backed-out in reverse. The garage door will be recessed 7'-6" from the front Property Line, in order to allow cars to exit the garage and observe pedestrian activity before crossing the sidewalk. As indicated through the Conditions of Approval, the Project Sponsor has also agreed to install warning signs to alert pedestrians on the Filbert Steps to the presence of the driveway, as well as mirrors to enhance the view of drivers exiting the garage.

9. **Planning Code Section 101.1(b)** establishes eight priority-planning policies and requires review of permits for consistency with said policies. On balance, the project does comply with said policies in that:

   A. That existing neighborhood-serving retail uses be preserved and enhanced and future opportunities for resident employment in and ownership of such businesses be enhanced.

   The Project includes the re-use of the existing vacant residential cottage at the rear of the property, and the addition of three residential units on a largely vacant lot. It will not displace any neighborhood serving retail uses or have any adverse effect on future opportunities for resident employment and ownership of retail uses.

   B. That existing housing and neighborhood character be conserved and protected in order to preserve the cultural and economic diversity of our neighborhoods.

   The Project will conserve and protect existing housing and neighborhood character by renovating and restoring an existing building in the neighborhood. It will improve a dilapidated vacant lot with a well-designed, high-quality residential development that is compatible with the scale and mass of surrounding properties. It will include screening and green elements specifically designed to allow the new structure to blend seamlessly into the character of the neighborhood.

C. That the City's supply of affordable housing be preserved and enhanced,

The Project includes the rehabilitation and preservation of an existing vacant rear cottage, which based on its size, will be relatively affordable for the Telegraph Hill neighborhood.

D. That commuter traffic not impede MUNI transit service or overburden our streets or neighborhood parking.

With four residential units within walking distance of the City's employment core and public transit (MUNI #39), the Project will not generate substantial commuter traffic that will impede MUNI transit service, or overburden the streets or neighborhood parking. Furthermore, by including three off-street parking spaces, the Project will minimize the need for residents to use the limited on-street parking in the neighborhood.

E. That a diverse economic base be maintained by protecting our industrial and service sectors from displacement due to commercial office development, and that future opportunities for resident employment and ownership in these sectors be enhanced.

The Project is a small residential development located on a nearly vacant lot in a residential neighborhood. No office use is proposed, and no industrial uses will be displaced.

F. That the City achieve the greatest possible preparedness to protect against injury and loss of life in an earthquake.

The Project will conform to the structural and seismic requirements of the San Francisco Building Code, and thus meets this requirement.

G. That landmarks and historic buildings be preserved.

The Project is not located in any Conservation or Historic District. The Project will not adversely alter any landmark building, contributory building, or architecturally significant building on the Property or in the vicinity.

H. That our parks and open space and their access to sunlight and vistas be protected from development.

The Project includes the in-fill development of three new dwelling-units on a largely vacant lot in a residential neighborhood. The Project will not adversely affect any public parks or open spaces. It is located below Coit Tower and Pioneer Park on Telegraph Hill, and will incorporate green rooftops to ensure that the Project blends with the hillside when viewed from above. It will not adversely affect Coit Tower's access to sunlight or public vistas.

10. The Project is consistent with and would promote the general and specific purposes of the Code provided under Section 101.1(b) in that, as designed, the Project would contribute to the character and stability of the neighborhood and would constitute a beneficial development.

11. The Commission hereby finds that approval of the Conditional Use Authorization would promote the health, safety and welfare of the City.

DECISION

That based upon the Record, the submissions by the Applicant, the staff of the Department and other interested parties, the oral testimony presented to this Commission at the public hearings, and all other written materials submitted by all parties, the Commission hereby **APPROVES Conditional Use Application No. 2013.1375CE, as revised at the hearing on September 11, 2014,** subject to the following conditions attached hereto as "EXHIBIT A" in general conformance with plans on file, revised and dated September 16, 2014, and stamped "EXHIBIT B", which is incorporated herein by reference as though fully set forth.

APPEAL AND EFFECTIVE DATE OF MOTION: Any aggrieved person may appeal this Conditional Use Authorization to the Board of Supervisors within thirty (30) days after the date of this Motion No. 19232. The effective date of this Motion shall be the date of this Motion if not appealed (After the 30-day period has expired) OR the date of the decision of the Board of Supervisors if appealed to the Board of Supervisors. For further information, please contact the Board of Supervisors at (415) 554-5184, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102.

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 ADOPTED the foregoing Motion on September 11, 3014.

Jonas P. Ionin
Commission Secretary

AYES: Commissioners Antonini, Fong, Hillis, Johnson, Richards

NAYS: Commissioners Moore, Wu

ABSENT: N/A

ADOPTED: September 11, 2014

EXHIBIT A

AUTHORIZATION

This authorization is for a Conditional Use to allow the construction of three new dwelling-units on a lot that contains one existing unit, including three off-street parking spaces located at 115 Telegraph Hill Boulevard, Block 0105, and Lot 065 pursuant to Planning Code Sections 209.1(h) and 303, within the RH-3 (Residential House, Three-Family) Zoning District, Telegraph Hill – North Beach Residential Special Use District, and a 40-X Height and Bulk District; in general conformance with plans, revised and dated **September 16, 2014**, and stamped "EXHIBIT B" included in the docket for Case No. **2013.1375C** and subject to conditions of approval reviewed and approved by the Commission on **September 11, 2014** under Motion No. **19232**. This authorization and the conditions contained herein run with the property and not with a particular Project Sponsor, business, or operator.

RECORDATION OF CONDITIONS OF APPROVAL

Prior to the issuance of the building permit or commencement of use for the Project the Zoning Administrator shall approve and order the recordation of a Notice in the Official Records of the Recorder of the City and County of San Francisco for the subject property. This Notice shall state that the project is subject to the conditions of approval contained herein and reviewed and approved by the Planning Commission on **September 11, 2014** under Motion No. **19232**.

PRINTING OF CONDITIONS OF APPROVAL ON PLANS

The conditions of approval under the 'Exhibit A' of this Planning Commission Motion No. **19232**shall be reproduced on the Index Sheet of construction plans submitted with the Site or Building permit application for the Project. The Index Sheet of the construction plans shall reference to the Conditional Use authorization and any subsequent amendments or modifications.

SEVERABILITY

The Project shall comply with all applicable City codes and requirements. If any clause, sentence, section or any part of these conditions of approval is for any reason held to be invalid, such invalidity shall not affect or impair other remaining clauses, sentences, or sections of these conditions. This decision conveys no right to construct, or to receive a building permit. "Project Sponsor" shall include any subsequent responsible party.

CHANGES AND MODIFICATIONS

Changes to the approved plans may be approved administratively by the Zoning Administrator. Significant changes and modifications of conditions shall require Planning Commission approval of a new Conditional Use Authorization.

Conditions of Approval, Compliance, Monitoring, and Reporting

PERFORMANCE

1. **Validity.** The authorization and right vested by virtue of this action is valid for three (3) years from the effective date of the Motion. The Department of Building Inspection shall have issued a Building Permit or Site Permit to construct the project and/or commence the approved use within this three-year period.
   For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

2. **Expiration and Renewal.** Should a Building or Site Permit be sought after the three (3) year period has lapsed, the project sponsor must seek a renewal of this Authorization by filing an application for an amendment to the original Authorization or a new application for Authorization. Should the project sponsor decline to so file, and decline to withdraw the permit application, the Commission shall conduct a public hearing in order to consider the revocation of the Authorization. Should the Commission not revoke the Authorization following the closure of the public hearing, the Commission shall determine the extension of time for the continued validity of the Authorization.
   For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

3. **Diligent pursuit.** Once a Site or Building Permit has been issued, construction must commence within the timeframe required by the Department of Building Inspection and be continued diligently to completion. Failure to do so shall be grounds for the Commission to consider revoking the approval if more than three (3) years have passed since this Authorization was approved.
   For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

4. **Extension.** All time limits in the preceding three paragraphs may be extended at the discretion of the Zoning Administrator where implementation of the project is delayed by a public agency, an appeal or a legal challenge and only by the length of time for which such public agency, appeal or challenge has caused delay.
   For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

5. **Conformity with Current Law.** No application for Building Permit, Site Permit, or other entitlement shall be approved unless it complies with all applicable provisions of City Codes in effect at the time of such approval.
   For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

DESIGN

6. **Final Materials.** Final materials, window details, glazing, color, texture, landscaping, and general detailing shall be subject to Department staff review and approval. The architectural addenda shall be reviewed and approved by the Planning Department prior to issuance.
For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org

7. **Garbage, composting and recycling storage.** Space for the collection and storage of garbage, composting, and recycling shall be provided within enclosed areas on the property and clearly labeled and illustrated on the building permit plans. Space for the collection and storage of recyclable and compostable materials that meets the size, location, accessibility and other standards specified by the San Francisco Recycling Program shall be provided at the ground level of the buildings.
For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org

8. **Street Trees.** Pursuant to Planning Code Section 138.1, the Project Sponsor shall submit a site plan to the Planning Department prior to Planning approval of the Site or Building Permit Application indicating that the two existing street trees will remain. The Sponsor will pay an in-lieu fee for the remaining two require street trees in accordance with Planning Code Section 428, and as outlined in more detailed below.
For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org

9. **Garage Door.** As shown on plans, revised and dated September 16, 2014, and stamped "EXHIBIT B", the garage door shall be recessed a total of 7'-6" from the front property line in order to allow drivers exiting the garage the ability to stop and view pedestrian traffic before crossing the sidewalk.
For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org

10. **Stair Penthouse.** Rooftop stair penthouses shall not be permitted. Revised plans dated September 16, 2014, and stamped "EXHIBIT B", show roof access hatches that are flush with the roof, rather than the previously proposed stair penthouses.
For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org

PARKING AND TRAFFIC

11. **Bicycle Parking.** The Project shall provide no fewer than **four (4)** Class 1 bicycle parking spaces as required by Planning Code Sections 155.1 and 155.5.
For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

12. **Parking Maximum.** Pursuant to Planning Code Section 151.1 and 249.49, the Project shall provide no more than **three (3)** off-street parking spaces.
For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

13. **Construction Parking.** The Project Sponsor shall require of the general contractor that construction workers shall park legally and shall not park in the Coit Tower parking lot. *For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org*

14. **Construction Management Plan.** A Construction Management Plan is required, as provided for under items 23-32 of the "General Notes" section of the Title Sheet of the revised plans, dated September 16, 2014, and stamped "EXHIBIT B".
For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org

15. **Managing Traffic During Construction.** The Project Sponsor and construction contractor(s) shall coordinate with the Traffic Engineering and Transit Divisions of the San Francisco Municipal Transportation Agency (SFMTA), the Police Department, the Fire Department, the Planning Department, and other construction contractor(s) for any concurrent nearby Projects to manage traffic congestion and pedestrian circulation effects during construction of the Project. Prior to commencing construction, the Project Sponsor shall consult with the affected neighbors on Assessor's Block 105 before finalizing the construction staging and traffic plan, including:

    a. A schedule of delivery times and dates during which the construction materials are expected to arrive; and
    b. Methods to be used to monitor truck movement into and out of the building site so as to minimize traffic conflicts on Telegraph Hill Boulevard.

    There shall be no queuing of construction trucks along Telegraph Hill Boulevard. All trucks waiting to unload material shall be staged at a location offsite. Deliveries shall be made between the hours of 7:30 a.m. and 5 p.m. on weekdays, exclusive of legal holidays. The Project Sponsor shall employ full-time flag persons to direct traffic during excavation and concrete placement phases of construction. During other construction phases, all truck movement into and out of the Project Site shall be monitored by flag persons to minimize any traffic conflict.
    For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

16. **Garage Safety Features.** The Project Sponsor shall post signs or other devices to alert pedestrians to vehicles exiting the garage. Parabolic mirrors shall be installed at the garage exit to enhance the view of exiting drivers.
For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

PROVISIONS

17. **Street Tree In-Lieu Fee.** The Zoning Administrator waived the requirement for installation of two of the required four street trees under Planning Code Section 138.1 based on DPW's recommendation. Pursuant to Planning Code Section 428, the Project Sponsor shall comply with Planning Code Section 138.1 through payment of an in-lieu Fee pursuant to Section 428.
For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org

MONITORING

18. **Enforcement.** Violation of any of the Planning Department conditions of approval contained in this Motion or of any other provisions of Planning Code applicable to this Project shall be subject to the enforcement procedures and administrative penalties set forth under Planning Code Section 176 or Section 176.1. The Planning Department may also refer the violation complaints to other city departments and agencies for appropriate enforcement action under their jurisdiction.
For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

19. **Revocation due to Violation of Conditions.** Should implementation of this Project result in complaints from interested property owners, residents, or commercial lessees which are not resolved by the Project Sponsor and found to be in violation of the Planning Code and/or the specific conditions of approval for the Project as set forth in Exhibit A of this Motion, the Zoning Administrator shall refer such complaints to the Commission, after which it may hold a public hearing on the matter to consider revocation of this authorization.
For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

OPERATION

20. **Sidewalk Maintenance.** The Project Sponsor shall maintain the main entrance to the building and all public sidewalks and stairways abutting the subject property in a clean and sanitary condition in compliance with the Department of Public Works Streets and Sidewalk Maintenance Standards.
For information about compliance, contact Bureau of Street Use and Mapping, Department of Public Works, 415-695-2017, http://sfdpw.org

21. **Filbert Street Stewardship.** The Project Sponsor will work in good faith with DPW and other relevant City Agencies to establish a stewardship and maintenance agreement for the landscaped area to the north of the Filbert Street stairs, between Kearny Street and the Project Site.
For information about compliance, contact Bureau of Street Use and Mapping, Department of Public Works, 415-695-2017, http://sfdpw.org

22. **Community Liaison.** Prior to issuance of a building permit to construct the project and implement the approved use, the Project Sponsor shall appoint a community liaison officer to deal with the issues of concern to owners and occupants of nearby properties. The Project Sponsor shall provide the Zoning Administrator with written notice of the name, business address, and telephone number of the community liaison. Should the contact information change, the Zoning Administrator shall be made aware of such change. The community liaison shall report to the Zoning Administrator what issues, if any, are of concern to the community and what issues have not been resolved by the Project Sponsor.
For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

ABBREVIATIONS

&	AND	F.D.	FLOOR DRAIN	P.G.	PAINT GRADE
∠	ANGLE	F.F. & E.	FURNITURE, FIXTURES & EQUIP.	PL.	PLATE
@	AT			PLAM.	PLASTIC LAMINATE
℄	CENTERLINE	F.F.	FINISH FLOOR	PLWD.	PLYWOOD
ø	DIAMETER	FIN.	FINISH	PR.	PAIR
#	NUMBER	F.L.R.	FLOOR	PROP.L.N.	PROPERTY LINE
(D)	DEMOLISH	FLUOR.	FLUORESCENT	P.T.	PRESSURE TREATED
(E)	EXISTING	FIXT.	FIXTURE		
(N)	NEW	F.O.	FACE OF	R.	RISER
(R)	REMOVE	F.O.C.	FACE OF CONCRETE	RAD.	RADIUS
		F.O.F.	FACE OF FINISH	R.D.	ROOF DRAIN
A.B.	ANCHOR BOLT	F.O.S.	FACE OF STUD	REDWD.	REDWOOD
ABV.	ABOVE	FNDN.	FOUNDATION	REF.	REFERENCE
ADJ.	ADJACENT	FT.	FOOT OR FEET	REFR.	REFRIGERATOR
A.F.F.	ABOVE FINISHED FLOOR	FTG.	FOOTING	REINF.	REINFORCED
AGGR.	AGGREGATE	FURN.	FURNING	REQ.	REQUIRED
ALIN.	ALIGN			RESIL.	RESILIENT
ALUM.	ALUMINUM	GALV.	GALVANIZED	R.L.	RAIN LEADER
APPROX.	APPROXIMATE	GA.	GAGE	RM.	ROOM
ARCH.	ARCHITECTURAL	G.F.I.C.	GROUND FAULT INTERCEPTOR CIRCUIT	R.O.	ROUGH OPENING
AV.	AUDIO VISUAL		GLASS	S.	SOUTH
BD.	BOARD	GR.	GRADE	S.C.	SOLID CORE
BLDG.	BUILDING	GRND.	GROUND	SCHED.	SCHEDULE
BLK.	BLOCK	GSM.	GALVANIZED SHEET METAL	SD	SMOKE DETECTOR
BLKG.	BLOCKING	GYP.	GYPSUM	SECT.	SECTION
BM.	BEAM			SHR.	SHOWER
B.O.	BOTTOM OF	H.B.	HOSE BIB	SHT.	SHEET
B.U.R.	BUILT UP ROOFING	H.C.	HOLLOW CORE	SIM.	SIMILAR
B/W	BETWEEN	HDWD.	HARDWOOD	SL.	SLOPE
		HDWR.	HARDWARE	S.L.D.	SEE LANDSCAPE DRAWINGS
CAB.	CABINET	HGT.	HEIGHT	SPEC.	SPECIFICATION
CEM.	CEMENT	HORIZ.	HORIZONTAL	SQ.	SQUARE
CER.	CERAMIC	HR.	HOUR	S.S.D.	SEE STRUCTURAL DRAWINGS
CLG.	CEILING			STD.	STANDARD
CLKG.	CAULKING	INSUL.	INSULATION	STL.	STEEL
CLR.	CLEAR	INT.	INTERIOR	STOR.	STORAGE
C.M.U.	CONC. MASONRY UNIT			STRUC.	STRUCTURAL
C.O.	CENTER OF	LAM.	LAMINATE	SYM.	SYMMETRICAL
COL.	COLUMN	LAV.	LAVATORY		
CONC.	CONCRETE	L.O.	LOCATION OF	T.	TREAD
CONT.	CONTINUOUS	LT.	LIGHT	TB.	TOWEL BAR
				TEL.	TELEPHONE
DBL.	DOUBLE	MAX.	MAXIMUM	T&G.	TONGUE AND GROVE
DTL.	DETAIL	MED. CAB.	MEDICINE CABINET	THK.	THICK
DIA.	DIAMETER	MECH.	MECHANICAL	TMPRL.	TEMPERED
DIM.	DIMENSION	MEMB.	MEMBRANE	T.O.	TOP OF
DN.	DOWN	METL.	METAL	TOC.	TOP OF CONCRETE
DR.	DOOR	MTD.	MOUNTED	TOP.	TOP OF PAVEMENT
DS.	DOWNSPOUT	MFR.	MANUFACTURER	T.O.W.	TOP OF WALL
DWG.	DRAWING	MIN.	MINIMUM	TS.	TUBULAR STEEL
DWR.	DRAWER	MIR.	MIRROR	T.V.	TELEVISION
		MISC.	MISCELLANEOUS	TYP.	TYPICAL
E.	EAST	N.	NORTH		
EA.	EACH	N.I.C.	NOT IN CONTRACT	U.O.N.	UNLESS OTHERWISE NOTED
ELEC.	ELECTRICAL	NO.	NUMBER		
ELEV.	ELEVATION	NOM.	NOMINAL	V.C.T.	VINYL COMPOSITION TILE
ENCL.	ENCLOSURE	N.T.S.	NOT TO SCALE	VERT.	VERTICAL
EQUAL	EQUAL			V.I.F.	VERIFY IN FIELD
EQUIP.	EQUIPMENT	O/	OVER		
EXT.	EXTERIOR	O.A.	OVERALL	W.	WEST
		OBS.	OBSCURE	W/	WITH
		O.C.	ON CENTER	WD.	WOOD
		O.D.	OUTSIDE DIAMETER	W/O	WITHOUT
		OPNG.	OPENING	W.P.	WATERPROOFING
		OPP.	OPPOSITE	WT.	WEIGHT

SYMBOLS

- DRAWING/DETAIL REFERENCE TAG — DRAWING OR DETAIL / SHEET WHERE DRAWING/DETAIL OCCURS
- SECTION REFERENCE TAG — BUILDING SECTION / SHEET WHERE SECTION OCCURS
- INTERIOR ELEVATION REFERENCE TAG — INTERIOR ELEVATION / SHEET WHERE INTERIOR ELEVATION OCCURS
- ALIGN
- HIDDEN LINE
- STUD WALL (UNLESS NOTED OTHERWISE)
- CONCRETE STRUCTURE, S.S.D.
- INSULATION IN SECTION (BATT)
- INSULATION IN SECTION (RIGID)
- LATH AND PLASTER IN SECTION
- GYPSUM BOARD IN SECTION
- PLYWOOD IN SECTION
- FINISH WOOD IN SECTION
- GLASS IN SECTION
- DOOR TAG
- WINDOW TAG
- PLUMBING FIXTURE TAG / PLUMBING FITTING TAG
- APPLIANCE TAG
- EQUIPMENT TAG
- REVISION TAG
- MATCHLINE
- WORKPOINT OR DATUM
- WALL TYPE TAG
- THRESHOLD

GENERAL NOTES

1. ALL WORK SHALL BE IN COMPLIANCE WITH ALL APPLICABLE LOCAL BUILDING CODES AND REGULATIONS. CONTRACTOR SHALL BE RESPONSIBLE FOR PERMITS APPLICABLE TO SPECIFIC TRADES OR SUBCONTRACTORS.
2. CONTRACTOR WILL HAVE EXAMINED THE PREMISES AND SITE SO AS TO COMPARE THEM WITH THE DRAWINGS AND WILL HAVE SATISFIED HIMSELF AS TO THE CONDITION OF EXISTING WORK AND ADJACENT PROPERTY PRIOR TO SUBMISSION OF BID. NO ALLOWANCES WILL SUBSEQUENTLY BE MADE ON BEHALF OF THE CONTRACTOR BY REASON OF ANY OMISSION ON HIS PART TO INCLUDE THE COSTS OF ALL ITEMS OF WORK, EITHER LABOR OR MATERIALS, WHETHER THEY ARE OR ARE NOT ESPECIALLY OR PARTICULARLY SHOWN OR NOTED BUT WHICH ARE IMPLIED OR REQUIRED TO ATTAIN THE COMPLETED CONDITIONS PROPOSED BY THE DRAWINGS.
3. ALL SUBCONTRACTORS TO THE GENERAL CONTRACTOR SHALL INSPECT THE SITE AND SHALL CONVEY ANY QUESTIONS REGARDING DESIGN INTENT AND SCOPE OF WORK TO THE ARCHITECT PRIOR TO SUBMITTING BID AND PRIOR TO COMMENCING WORK.
4. CONTRACTOR SHALL COORDINATE THE WORK OF THE VARIOUS TRADES AND SUBCONTRACTORS AND SHALL BE RESPONSIBLE FOR ANY ACTS, OMISSIONS, OR ERRORS OF THE SUBCONTRACTORS AND OF PERSONS DIRECTLY OR INDIRECTLY EMPLOYED BY THEM.
5. CONTRACTOR TO ASSUME SOLE RESPONSIBILITY FOR JOB SITE CONDITIONS INCLUDING SAFETY OF PERSONS AND PROPERTY FOR THE DURATION OF THE PROJECT.
6. CONTRACTOR TO CONFORM TO HOMEOWNERS ASSOCIATION RULES AND GUIDELINES.
7. CONTRACTOR TO NOTIFY ARCHITECT IMMEDIATELY AND PRIOR TO ORDERING OF ALL LONG LEAD ITEMS AND OF APPROXIMATE DELIVERY DATES.
8. ALL CONSTRUCTION MATERIALS AND SUPPLIES TO BE STORED, HANDLED, AND INSTALLED ACCORDING TO MANUFACTURERS' RECOMMENDATIONS.
9. IF ERRORS OR OMISSIONS ARE FOUND IN THE DRAWINGS THEY SHALL BE BROUGHT TO THE ATTENTION OF THE ARCHITECT BEFORE PROCEEDING WITH THE WORK.
10. DRAWINGS SCHEMATICALLY INDICATE NEW CONSTRUCTION. THE CONTRACTOR SHOULD ANTICIPATE, BASED ON EXPERIENCE, A REASONABLE NUMBER OF ADJUSTMENTS NECESSARY TO MEET THE DESIGN OBJECTIVES AND SHOULD CONSIDER SUCH ADJUSTMENTS AS INCLUDED IN THE SCOPE OF WORK.
11. WHEN SPECIFIC FEATURES OF CONSTRUCTION ARE NOT FULLY SHOWN ON THE DRAWINGS OR CALLED FOR IN THE GENERAL NOTES, THEIR CONSTRUCTION SHALL BE OF THE SAME CHARACTER AS SIMILAR CONDITIONS.
12. ALL DIMENSIONS TO BE TAKEN FROM NUMERIC DESIGNATIONS ONLY; DIMENSIONS ARE NOT TO BE SCALED OFF DRAWINGS.
13. THESE NOTES TO APPLY TO ALL DRAWINGS AND GOVERN UNLESS MORE SPECIFIC REQUIREMENTS ARE INDICATED. APPLICABLE TO PARTICULAR DIVISIONS OF THE WORK. SEE SPECIFICATIONS AND GENERAL NOTES IN THE SUBSECTIONS OF THESE DRAWINGS.
14. ALL DIMENSIONS ARE TO FACE OF FINISH, U.O.N.
15. WEATHER STRIP ALL DOORS LEADING FROM HEATED TO UNHEATED AREAS. PROVIDE VINYL BEAD TYPE WEATHER STRIPPING AT THESE DOORS AND WINDOWS. ALL SIDES OF THE DOOR MUST BE WEATHERSTRIPPED, INCLUDING THE THRESHOLD.
16. CAULK AND SEAL OPENINGS IN BUILDING EXTERIOR 1/8" OR GREATER TO PREVENT AIR INFILTRATION.
17. WINDOWS TO BE OPERABLE AND CLEANED, U.O.N.
18. ALL WALL FRAMING SHALL BE 2x4 @ 16" O.C. MINIMUM, U.O.N.
19. ALL GYPSUM BOARD SHALL BE 5/8" THICK, TYPE 'X', U.O.N.
20. ALL GYPSUM AND/OR PLASTER SURFACES SHALL BE SMOOTH, CONTINUOUS, FREE OF IMPERFECTIONS, AND WITH NO VISIBLE JOINTS.
21. STUCCO OVER WOOD SHEATHING SHALL INCLUDE TWO LAYERS OF GRADE 'D' BUILDING PAPER.
22. STRUCTURAL WOOD MEMBERS ADJACENT TO CONCRETE ARE TO BE PRESSURE TREATED DOUGLAS FIR.
23. ALONG THE FILBERT STREET STAIR FRONTAGE OF THE PROPERTY, A WELL-LIT AND NATURALLY VENTILATED PEDESTRIAN TUNNEL PROVIDING SAFETY TO PERSONS USING THE STAIRS SHALL BE ERECTED FOR THE DURATION OF THE CONSTRUCTION PERIOD.
24. A FLAG-PERSON SHALL BE PERMANENTLY STATIONED AT THE TOP OF THE FILBERT STAIRS AT THE ENTRY POINT TO THE SITE. THIS PERSON IS RESPONSIBLE FOR HANDING AND HARKING CONSTRUCTION EQUIPMENT AS WELL AS PEDESTRIAN AND VEHICULAR TRAFFIC TO MINIMIZE POTENTIAL CONFLICTS.
25. ALL TRUCKS WAITING TO UNLOAD MATERIAL SHALL BE STAGED AT A LOCATION OFFSITE TO AVOID QUEUING OF CONSTRUCTION TRUCKS ON TELEGRAPH HILL BOULEVARD. DELIVERIES SHALL BE MADE BETWEEN THE HOURS OF 9:00 AM AND 3:30 PM ON WEEKDAYS, EXCLUSIVE OF LEGAL HOLIDAYS.
26. CONSTRUCTION VEHICLES SHALL USE THE STAGING AREA PROVIDED ON SITE AS A MEANS TO TURN AROUND, AVOIDING USE OF THE COIT TOWER PARKING LOT BY CONSTRUCTION EQUIPMENT AND TRUCKS.
27. ALL APPLICABLE WEIGHT LIMITS ON ACCESS ROADS TO AND FROM THE SITE SHALL BE OBSERVED AND ADHERED TO.
28. NO CONSTRUCTION ACTIVITY OVER A DBA SHALL BE PERMITTED BETWEEN 8:00 PM AND 7:00 AM THE FOLLOWING DAY PER SAN FRANCISCO NOISE CONTROL ORDINANCE.
29. NO TRADESPERSON SHALL UTILIZE THE COIT TOWER PARKING LOT FOR PERSONAL USE, AND WILL INSTEAD PARK AT DESIGNATED PARKING GARAGES AND BE SHUTTLED TO AND FROM THE JOB SITE.
30. PRIOR TO COMMENCING CONSTRUCTION THE CONTRACTOR & SPONSOR SHALL COORDINATE WITH TRAFFIC ENGINEERING AND TRANSIT DIVISION OF SFMTA, POLICE DEPARTMENT, FIRE DEPARTMENT, PLANNING DEPARTMENT, AND OTHER CONSTRUCTION CONTRACTORS FOR ANY CONCURRENT NEARBY PROJECTS TO MANAGE TRAFFIC CONGESTION AND PEDESTRIAN CIRCULATION EFFECTS DURING CONSTRUCTION OF THE PROJECT.
31. PRIOR TO COMMENCING CONSTRUCTION, THE PROJECT SPONSOR SHALL CONSULT WITH AFFECTED NEIGHBORS ON ASSESSORS BLOCK 105 BEFORE FINALIZING A CONSTRUCTION STAGING AND TRAFFIC PLAN, INCLUDING (A) A SCHEDULE OF DELIVERY TIMES AND DATES DURING WHICH CONSTRUCTION MATERIALS ARE EXPECTED TO ARRIVE; AND (B) METHODS TO BE USED TO MONITOR TRUCK MOVEMENT IN AND OUT OF THE BUILDING SITE SO AS TO MINIMIZE TRAFFIC CONFLICTS ON TELEGRAPH HILL BOULEVARD.
32. ACCESS TO COIT TOWER SHALL BE MAINTAINED THROUGHOUT CONSTRUCTION.
33. STEWARDSHIP OF LANDSCAPE AREA IN THE PUBLIC DOMAIN AND THE FILBERT STREET STAIRS ALONG THE PROPERTY FRONTAGE SHALL BE MAINTAINED BY THE SUBJECT PROPERTY, WITH THE PERMISSION OF SF PARKS & RECREATION, DPW, AND DBI.

PROJECT TEAM

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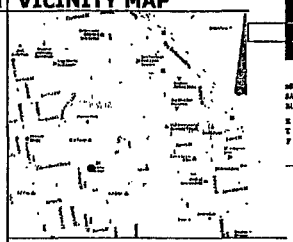
VICINITY MAP



PROJECT DATA

BLOCK: 0105
LOT: 065
LOT SIZE: 7,521 sq.ft.
ZONED: RH-3
HEIGHT LIMIT: 40'-0"
OCCUPANCY: R3

	PARKING LEVEL	BASEMENT LEVEL	GROUND LEVEL	SECOND LEVEL	THIRD LEVEL	UNIT TOTAL
UNIT 1	0	1,180	575	735	1,227	3,817
UNIT 2	0	1,155	562	1,081	1,081	4,279
UNIT 3	487	1,036	1,081	1,081	0	3,688
COTTAGE	406	438	0	0	0	844
PARKING	3,137	330	300	0	0	3,767
TOTAL BY LEVEL	4,030	4,139	3,018	2,897	2,308	16,395 TOTAL PROJECT AREA

CONSTRUCTION CLASSIFICATION:
Type V-B

CODES

2010 CA BLDG. CODE
2010 S.F. BLDG. CODE & AMENDMENTS
2010 CA ENERGY CODE
2010 S.F. ELECTRICAL CODE
2010 S.F. MECHANICAL CODE
2010 S.F. PLUMBING CODE
2010 S.F. FIRE CODE

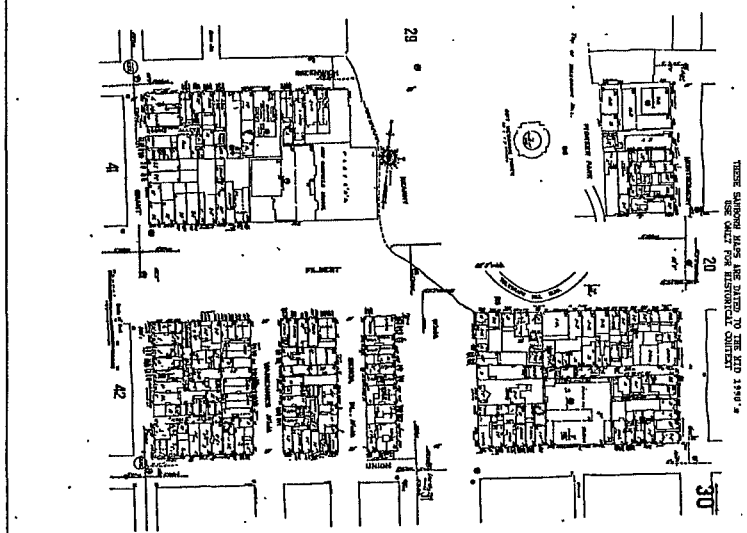
SCOPE OF WORK

NEW 3-UNIT RESIDENTIAL DEVELOPMENT, PRIVATE RESIDENTIAL GARAGE, MAINTAIN EXISTING 1-UNIT COTTAGE, SITE GRADING AND DRAINAGE AS REQUIRED

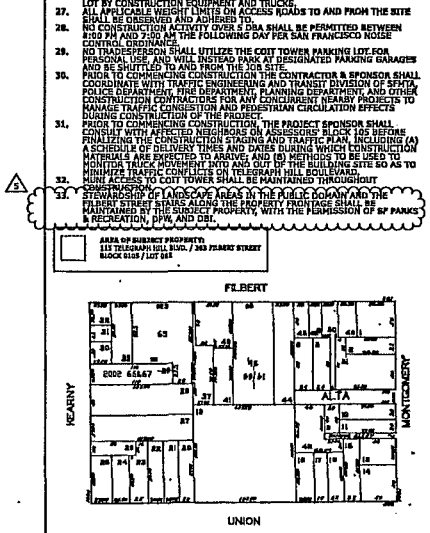
SHEET INDEX

ARCHITECTURAL

		SUBMITTAL 06/12/2013	NOPDR #1 02/22/2014	NOPDR #2 05/19/2014	REVISION #3 07/17/2014	REVISION #4 09/02/2014	REVISION #5 09/16/2014
A0.0	TITLE SHEET	■	■	■	□	□	□
A0.1	SITE SURVEY	■	■	■	□	□	□
A0.2	SITE PHOTOS	■	■	■	□	□	□
A0.3	SITE PHOTOS	■	■	■	□	□	□
A0.4	SITE PHOTOS	■	■	■	□	□	□
A0.5	EXISTING SITE PLAN	■	■	■	□	□	□
A0.6	PROPOSED SITE PLAN	■	■	■	□	□	□
A2.1	BASEMENT LEVEL	■	■	■	□	□	□
A2.2	PARKING LEVEL	■	■	■	□	□	□
A2.3	MAIN LEVEL	■	■	■	□	□	□
A2.4	SECOND LEVEL	■	■	■	□	□	□
A2.5	THIRD LEVEL	■	■	■	□	□	□
A2.6	ROOF LEVEL	■	■	■	□	□	□
A2.7	COTTAGE: PLANS	□	□	□	□	□	□
A2.8	COTTAGE: ELEVATIONS	□	□	□	□	□	□
A2.9	COTTAGE: EXISTING PHOTOS	□	□	□	□	□	□
A3.1	FRONT ELEVATION	■	■	■	□	□	□
A3.2	REAR ELEVATION	■	■	■	□	□	□
A3.3	WEST ELEVATION: UNIT 3	■	■	■	□	□	□
~~A3.4~~	~~LONGITUDINAL SECTION~~	■	■	■	□	□	□
~~A3.5~~	~~UNIT 1 LATERAL SECTION~~	■	■	■	□	□	□
~~A3.6~~	~~UNIT 2 LATERAL SECTION~~	■	■	■	□	□	□
~~A3.7~~	~~UNIT 3 LATERAL SECTION~~	■	■	■	□	□	□
							OMITTED & VOIDED PRIOR RESUBMISSION
A3.8	CONCEPTUAL RENDERINGS	■	■	■	□	□	□
A3.9	CONCEPTUAL RENDERINGS	■	■	■	□	□	□
A3.10	CONCEPTUAL RENDERINGS	■	■	■	□	□	□
A3.11	CONCEPTUAL RENDERINGS	■	■	■	□	□	□
A3.12	CONTEXT VIEWS	■	■	■	□	□	□



1 SANBORN MAP
SCALE: 1"=70'



2 ASSESSOR BLOCK 0105
NOT TO SCALE

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115 TELEGRAPH HILL

115 TELEGRAPH HILL BLVD., SAN FRANCISCO, CA, 94133.

2162

PLANNING PERMIT

REVISIONS:	BY:
1 NOPDR #1 - 02/22/2014	DS / SR
2 NOPDR #2 - 05/19/2014	DS / SR
3 REVISION - 07/17/2014	DS / SR
4 REVISION - 09/02/2014	DS / SR
5 REVISION - 09/16/2014	DS / SR

JOB#:	1205
DATE:	AUG. 12, 2013
DRAWN:	SR/DS
CHECKED:	LB
SCALE:	AS NOTED

EXHIBIT B

TITLE SHEET

A0.0

BUTLER ARMSDEN ARCHITECTS
1218 CALIFORNIA STREET
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115 TELEGRAPH HILL

115 TELEGRAPH HILL BLVD., SAN FRANCISCO, CA, 94133,

2163

PLANNING PERMIT

REVISIONS:	BY:
1 NOPDR #1 - 02/13/2014	DR / BA

JOB#:	1203
DATE:	AUG. 12, 2013
DRAWN:	SR/DS
CHECKED:	LB
SCALE:	AS NOTED

GENERAL NOTES

(1) ALL DISTANCES (RECORD) = MEASURED UNLESS OTHERWISE NOTED. IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO NOTIFY ALL THE UTILITIES COVERED BY THE RESPECTIVE UTILITY COMPANY PRIOR TO CONSTRUCTION.

(2) PRIOR TO ANY EXCAVATION, CALL U.F.B.A. (1-800-642-2444) AT LEAST 48 HOURS IN ADVANCE TO HAVE EXISTING UNDERGROUND UTILITIES MARKED.

(3) GROUND CONDITIONS SHOWN HEREON REFLECT CONDITIONS ON THE DATE OF THE SURVEY.

(4) ENCROACHMENT UPON AND BY THE ADJOINING PRIVATE PROPERTY(IES) ARE HEREBY NOTED AND IT SHALL BE THE RESPONSIBILITY OF THE PROPERTY OWNER HEREIN TO RESOLVE ANY ISSUE WHICH MAY ARISE HEREFROM.

(5) SINCE A CURRENT POLICY OF TITLE INSURANCE WAS NOT AVAILABLE AT THE TIME OF THIS SURVEY, THE CONSULTANT IS NOT RESPONSIBLE FOR THE UNKNOWN EXISTENCE OF ANY FACTS WHICH WOULD NORMALLY BE DISCLOSED BY SUCH A POLICY.

(6) ROOF/EAVE OVERHANGS WERE TAKEN AT HIGHEST RELEVANT POINT(S) VISIBLE FROM THE GROUND.

(7) THIS IS A BOUNDARY SURVEY.

(8) THESE WERE LOCATED BY ESTABLISHING THE CENTER OF THE EAST WALL OF THE BUILDING AS SHOWN ON THE RECORD OF SURVEY MAP AND MEASURING AT RIGHT ANGLES TO SAID WALL.

(9) ONLY ACCESSIBLE SURFACE UTILITIES VISIBLE ON THE DATE OF THIS SURVEY WERE SHOWN. THIS SURVEY DOES NOT SHOW THE LOCATION OF ANY ENCROACHMENTS BY ADJACENT PROPERTIES, EXCEPT FOUNDATIONS AND/OR BASEMENTS OF BUILDINGS. ALL USERS ARE ADVISED TO CONDUCT SPECIALIZED SEARCH FOR ANY UNDERGROUND UTILITY LOCATION COMPANY AND TO INCLUDE PUBLIC, QUASI-PUBLIC AND CO UTILITY DATA SOURCES IF THEY HAVE NOT ALREADY DONE SO.

(10) THE BUILDING FOOTPRINT SHOWN IS AT GROUND LEVEL UNLESS OTHERWISE NOTED.

BASIS OF SURVEY

OMEGA TITLE COMPANY PRELIMINARY REPORT ORDER TITLE NO. 08-1600760-A-ML DATED 10-04-2008

BASIS OF ELEVATION

FOUND + CUT MAG NAIL IN 24" WEST AND 6" NORTH OF THE SOUTH WEST CORNER OF FILBERT AND FILBERT STREETS. ELEVATION = 308.828' CITY AND COUNTY OF SAN FRANCISCO VERTICAL DATUM.

MAP REFERENCES

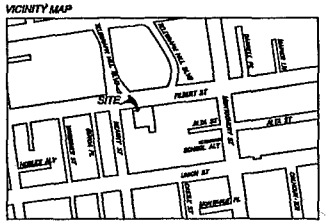
(A) PARCEL MAP RECORDED IN BOOK 43 OF PARCEL MAPS PAGES 105-107, SAN FRANCISCO.

(B) CITY AND COUNTY OF SAN FRANCISCO MONUMENT MAP NO. 4 IS ON FILE IN THE OFFICE OF THE COUNTY SURVEYOR, CITY AND COUNTY OF SAN FRANCISCO.

LEGEND

AC	ASPHALT CONCRETE
BLD	BUILDING
BOS	BOTTOM OF STEP
BW	BOTTOM OF WALL
CATV	CABLE TV
CB	CONCRETE
CONC	CONCRETE
CP	CONTROL POINT
EC	EDGE OF CONCRETE
EL	ELEVATION
EP	EDGE OF PAVEMENT
FF	FINISHED FLOOR
FL	FLOWLINE
GV	GAS VALVE
NG	NATURAL GROUND
P	PAC BELL MANHOLE
PAC	PAC BELL BOX
POB	POINT OF BEGINNING
SW	SIDEWALK
TC	TOP OF CURB
TOS	TOP OF STEP
TW	TOP OF WALL
WM	WATER METER
	PROPERTY LINE
	OVERHANG
	FLOWLINE
	FENCE
WM	WATER METER
GV	GAS VALVE
PAC	PAC BELL BOX
POB	POB BOX
P	PAC BELL MANHOLE
STOP	STOP SIGN
10.00	SPOT ELEVATION
6"	TREE (WITH TRUNK DIAMETER)

VICINITY MAP



FORESIGHT
LAND SURVEYING
1388 SUTTER STREET, SUITE 12
SAN FRANCISCO, CA 94109
415.735.0180

SITE SURVEY
363 FILBERT STREET
SAN FRANCISCO, CA
BLOCK 105 LOT 65

SHEET 1 OF 1 SHEETS
JOB No. #13024

SITE SURVEY.

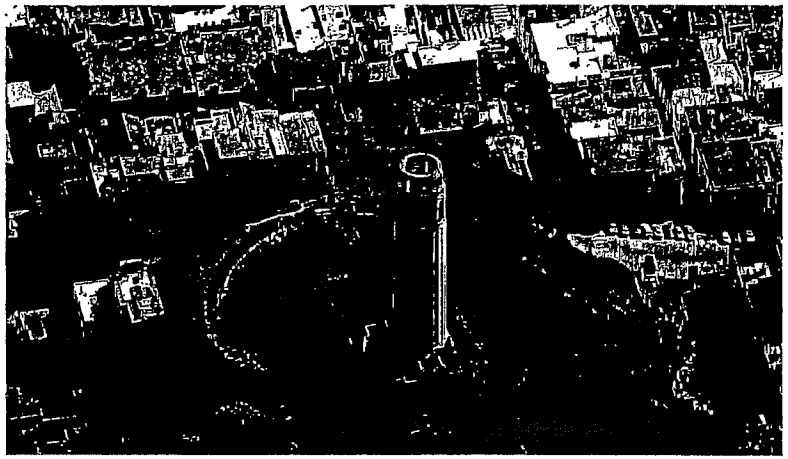
A0.1



4 AERIAL VIEW LOOKING NORTH
SCALE: 1:1.17



2 AERIAL VIEW LOOKING EAST
SCALE: 1:1.17



3 AERIAL VIEW LOOKING SOUTH
SCALE: 1:1.17



1 AERIAL VIEW LOOKING WEST
SCALE: 1:1.17

AREA OF SUBJECT PROPERTY:
115 TELEGRAPH HILL BLVD. / 363 FILBERT STREET
LOT AREA = 7,521

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115 TELEGRAPH HILL

115 TELEGRAPH HILL BLVD., SAN FRANCISCO, CA, 94133.

PLANNING PERMIT

REVISIONS:	BY:
1 NOPDR #1 - 02/13/2014	DS / SR

JOB#:	1205
DATE:	AUG. 12, 2013
DRAWN:	SR/DS
CHECKED:	LB
SCALE:	AS NOTED

SITE PHOTOS

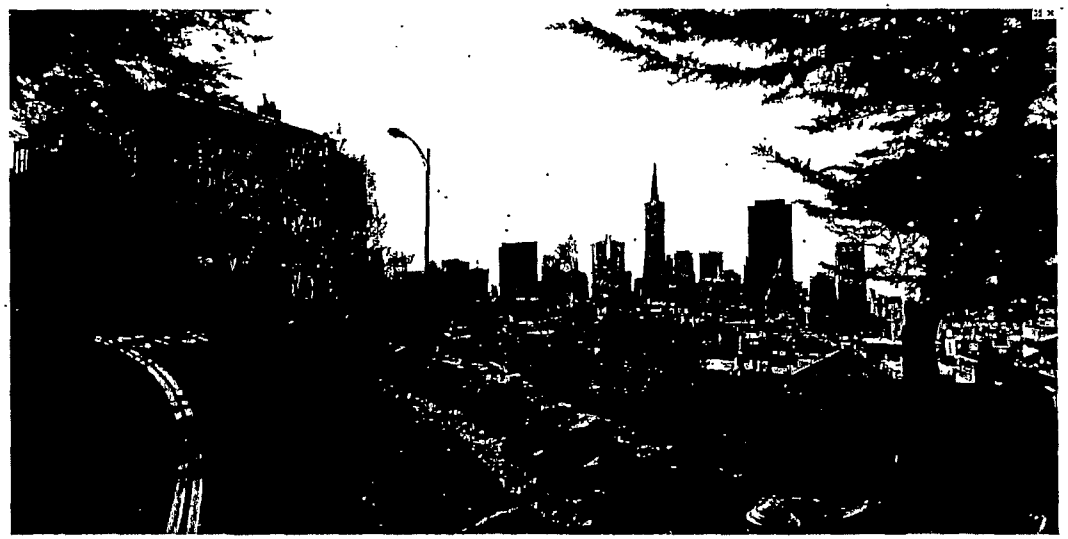
A0.2



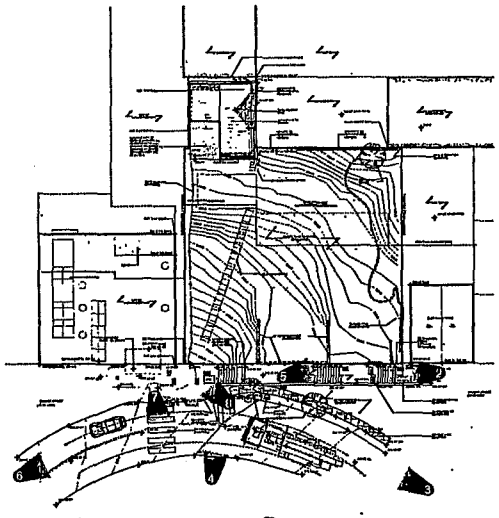
4 VIEW SOUTH FROM ACCROSS TELEGRAPH HILL BLVD.



2 VIEW UP FILBERT STREET STEPS



3 VIEW UP TELEGRAPH HILL BLVD. TO SITE



1 PHOTO KEY PLAN

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115 TELEGRAPH HILL

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2165

PLANNING PERMIT

REVISIONS:	BY:
1 NOPDR #1 - 03/13/2014	DS / ER

JOB#:	1205
DATE:	AUG. 12, 2013
DRAWN:	SR/DS
CHECKED:	LB
SCALE:	AS NOTED

SITE PHOTOS

A0.3



8 109/111 TELEGRAPH HILL BLVD.
SCALE: 1" = 1'-0"



6 ADJACENT CONTEXT TO EAST OF SUBJECT PROPERTY
SCALE: 1:1.50



7 STREETSCAPE OPPOSITE OF SUBJECT PROPERTY
SCALE: 1" = 1'-0"



5 VIEW DOWN FILBERT STREET STEPS
SCALE: 1:1.83

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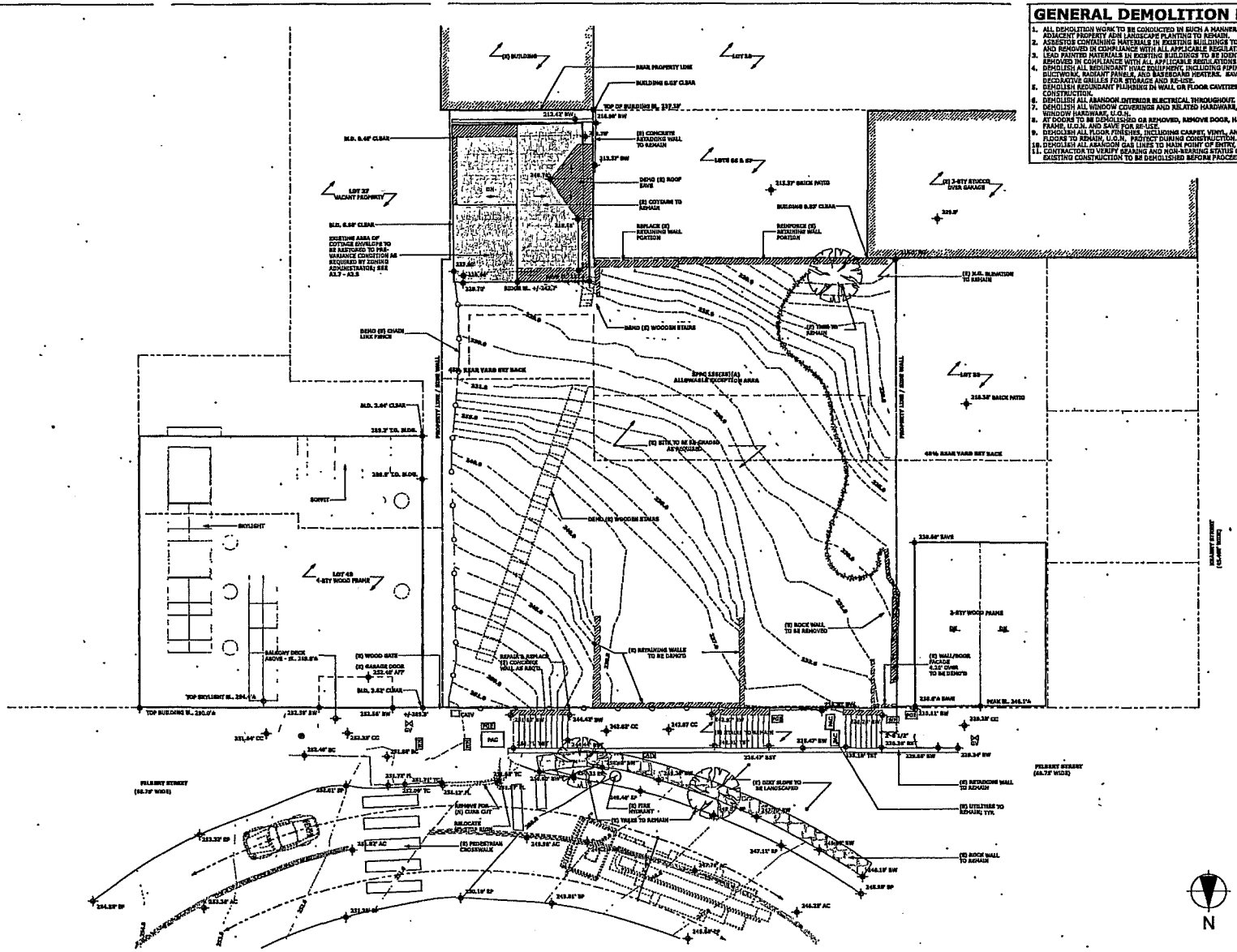
PLANNING PERMIT

REVISIONS:	BY:
1 NOPDR #1 - 02/13/2014	DS / SR

JOB#:	1205
DATE:	AUG. 12, 2013
DRAWN:	SR/DS
CHECKED:	LB
SCALE:	AS NOTED

SITE PHOTOS

A0.4



1 EXISTING SITE PLAN
SCALE: 1/8" = 1'-0"

GENERAL DEMOLITION NOTES

1. ALL DEMOLITION WORK TO BE CONDUCTED IN SUCH A MANNER AS TO PROTECT ADJACENT PROPERTY AND LANDSCAPE PLANTING TO REMAIN.
2. ASBESTOS CONTAINING MATERIALS IN EXISTING BUILDINGS TO BE IDENTIFIED AND REMOVED IN COMPLIANCE WITH ALL APPLICABLE REGULATIONS.
3. LEAD PAINTED MATERIALS IN EXISTING BUILDINGS TO BE IDENTIFIED AND REMOVED IN COMPLIANCE WITH ALL APPLICABLE REGULATIONS.
4. DEMOLISH ALL REDUNDANT HVAC EQUIPMENT, INCLUDING PIPING, DUCTWORK, RADIANT PANELS, AND BASEBOARD HEATERS. SAVE AND CATALOGUE DECORATIVE GRILLES FOR STORAGE AND RE-USE.
5. DEMOLISH REDUNDANT PLUMBING IN WALL OR FLOOR CAVITIES OPENED FOR CONSTRUCTION.
6. DEMOLISH ALL ABANDON INTERIOR ELECTRICAL THROUGHOUT.
7. DEMOLISH ALL WINDOW COVERINGS AND RELATED HARDWARE, REMOVE WINDOW HARDWARE, U.O.N.
8. AT DOORS TO BE DEMOLISHED OR REMOVED, REMOVE DOOR, HARDWARE, AND FRAME, U.O.N. AND SAVE FOR RE-USE.
9. DEMOLISH ALL FLOOR FINISHES, INCLUDING CARPET, VINYL, AND TILE. WOOD FLOORS TO REMAIN, U.O.N. PROTECT DURING CONSTRUCTION.
10. DEMOLISH ALL ABANDON GAS LINES TO MAIN POINT OF ENTRY, U.O.N.
11. CONTRACTOR TO VERIFY BEARING AND NON-BEARING STATUS OF EXISTING CONSTRUCTION TO BE DEMOLISHED BEFORE PROCEEDING WITH WORK.

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2167

PLANNING PERMIT

REVISIONS:		BY:
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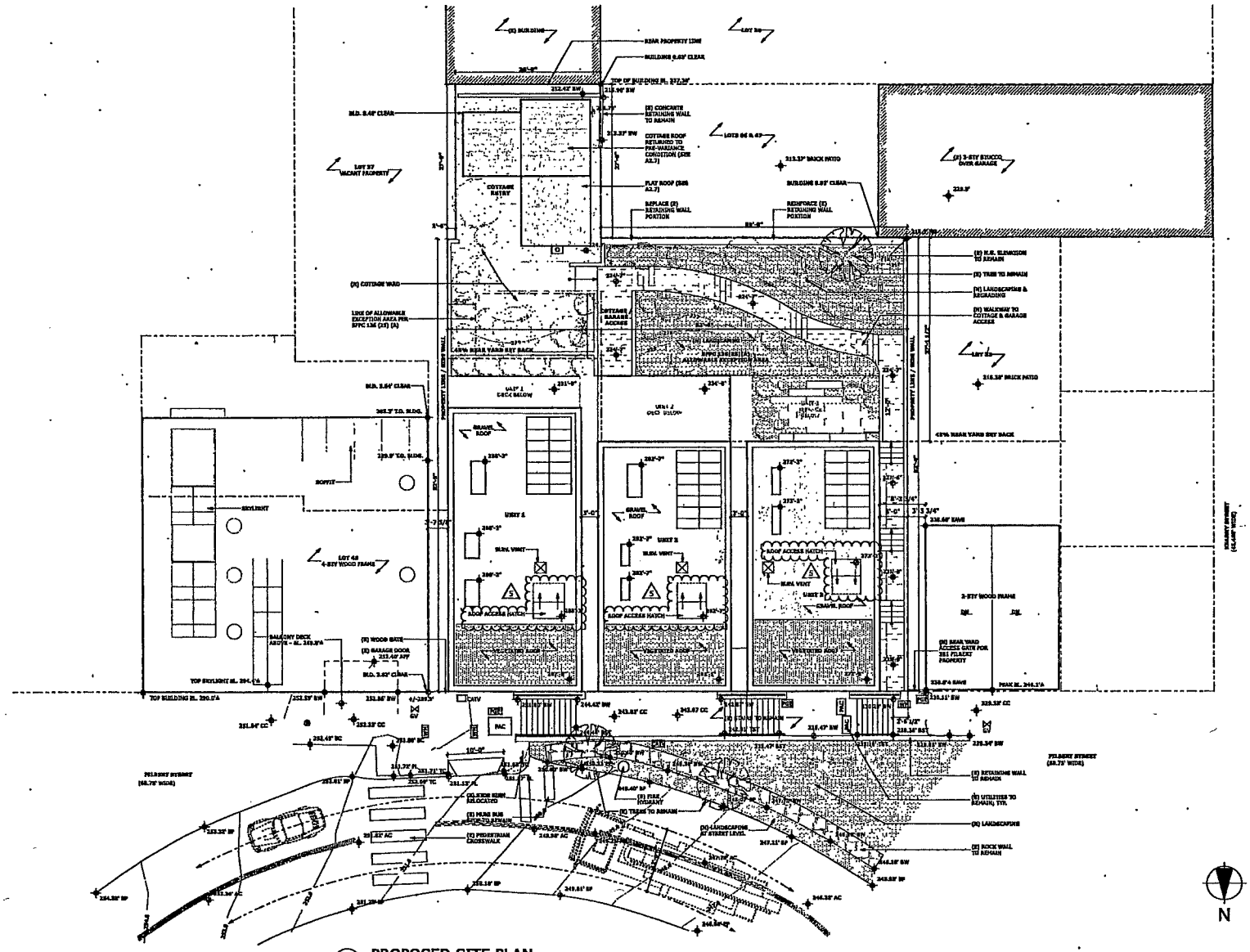
2	NOPOR #2 - 05/19/2014	DS / SR
3	REVISION - 07/17/2014	DS / SR
4	REVISION - 09/02/2014	DS / SR

JOB#:	1205
DATE:	AUG. 12, 2013
DRAWN:	SR/DS
CHECKED:	LB
SCALE:	AS NOTED

EXISTING SITE PLAN

A0.5



1 PROPOSED SITE PLAN
SCALE: 1/8" = 1'-0"

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115 TELEGRAPH HILL

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PLANNING PERMIT

REVISIONS:		BY:
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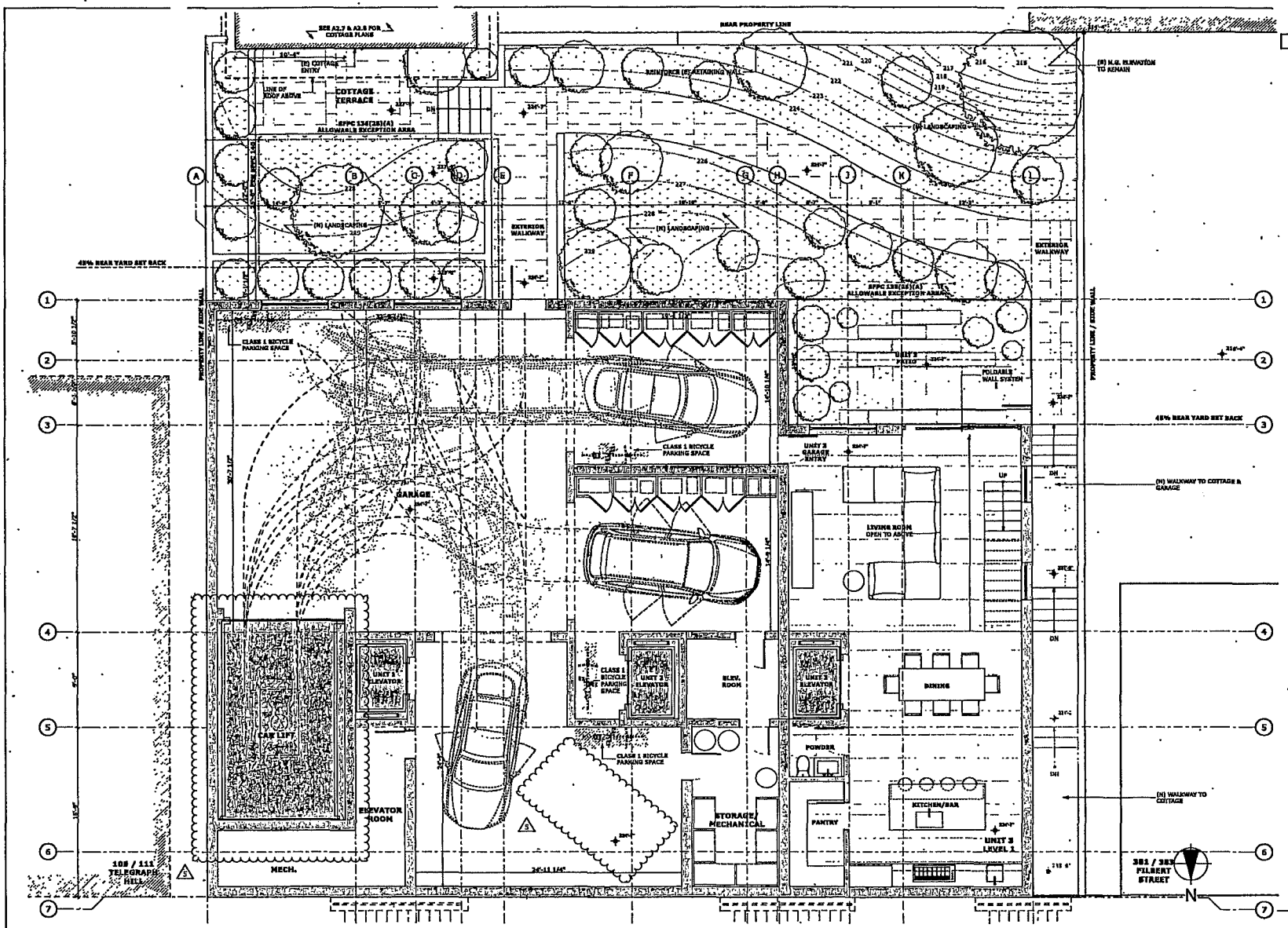
3	REVISION - 07/17/2014	DS / SR
4	REVISION - 08/02/2014	DS / SR
5	REVISION - 09/16/2014	DS / SR

JOB#:	1205
DATE:	AUG. 12, 2013
DRAWN:	SR/DS
CHECKED:	LB
SCALE:	AS NOTED

PROPOSED SITE PLAN

A0.6



1 PARKING LEVEL
SCALE: 1/4" = 1'-0"

BUTLER ARMSDEN ARCHITECTS

2169

115 TELEGRAPH HILL

115 TELGRAPH HILL BLVD., SAN FRANCISCO, CA, 94133

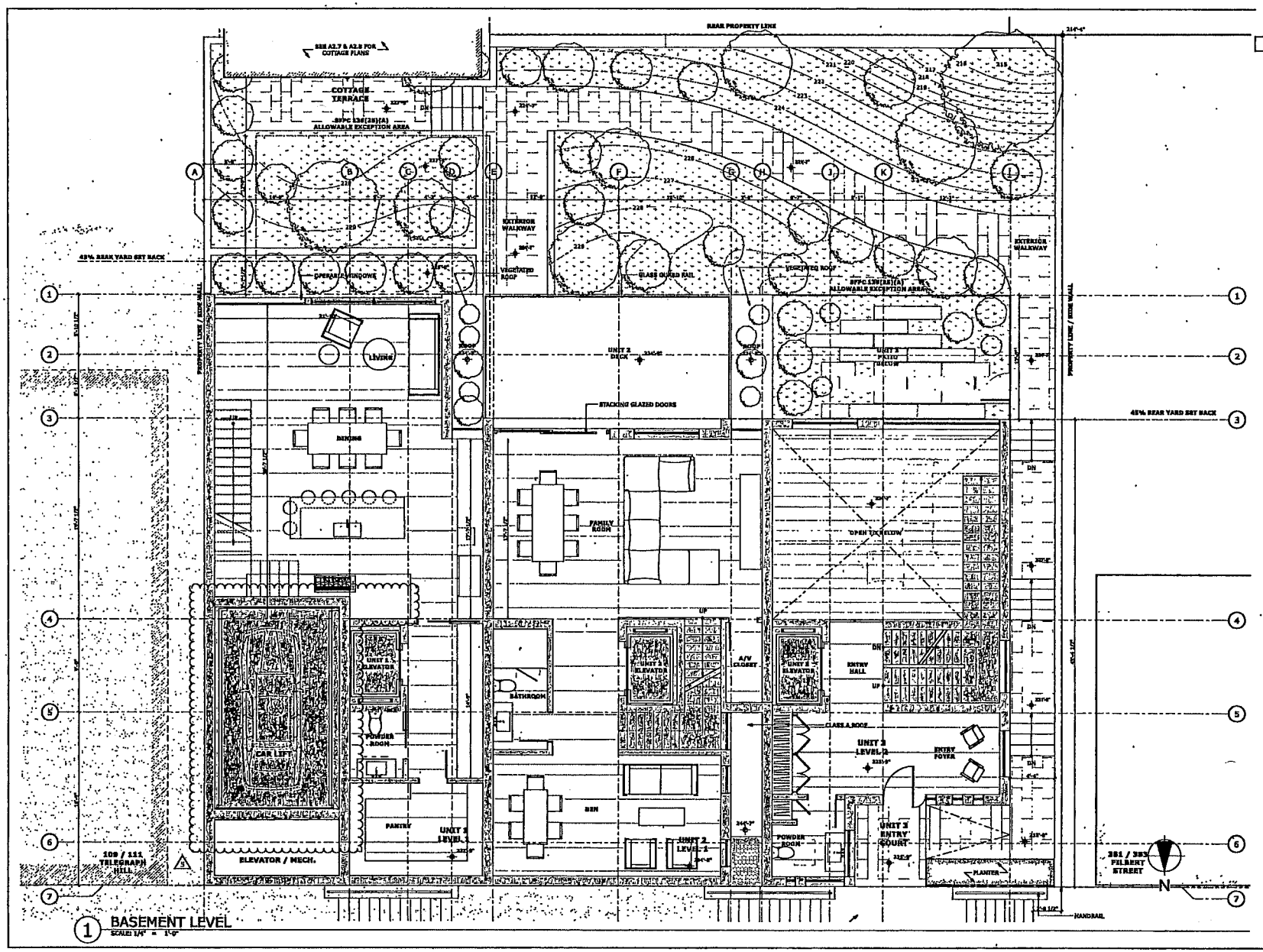
PLANNING PERMIT

REVISIONS:	BY:
1 NOPDR #1 - 02/13/2014	DS / SR
2 NOPDR #2 - 03/19/2014	DS / SR
4 REVISION - 05/02/2014	DS / SR
5 REVISION - 09/16/2014	DS / SR

JOB#:	1205
DATE:	AUG. 12, 2013
DRAWN:	SR/DS
CHECKED:	LB
SCALE:	AS NOTED

PARKING LEVEL PROPOSED PLAN

A2.1



1 BASEMENT LEVEL
SCALE: 1/4" = 1'-0"

BUTLER ARMSDEN ARCHITECTS

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115 TELEGRAPH HILL

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2170

PLANNING PERMIT

REVISIONS:	BY:
1 NOPDR #1 - 02/13/2014	DS / SR
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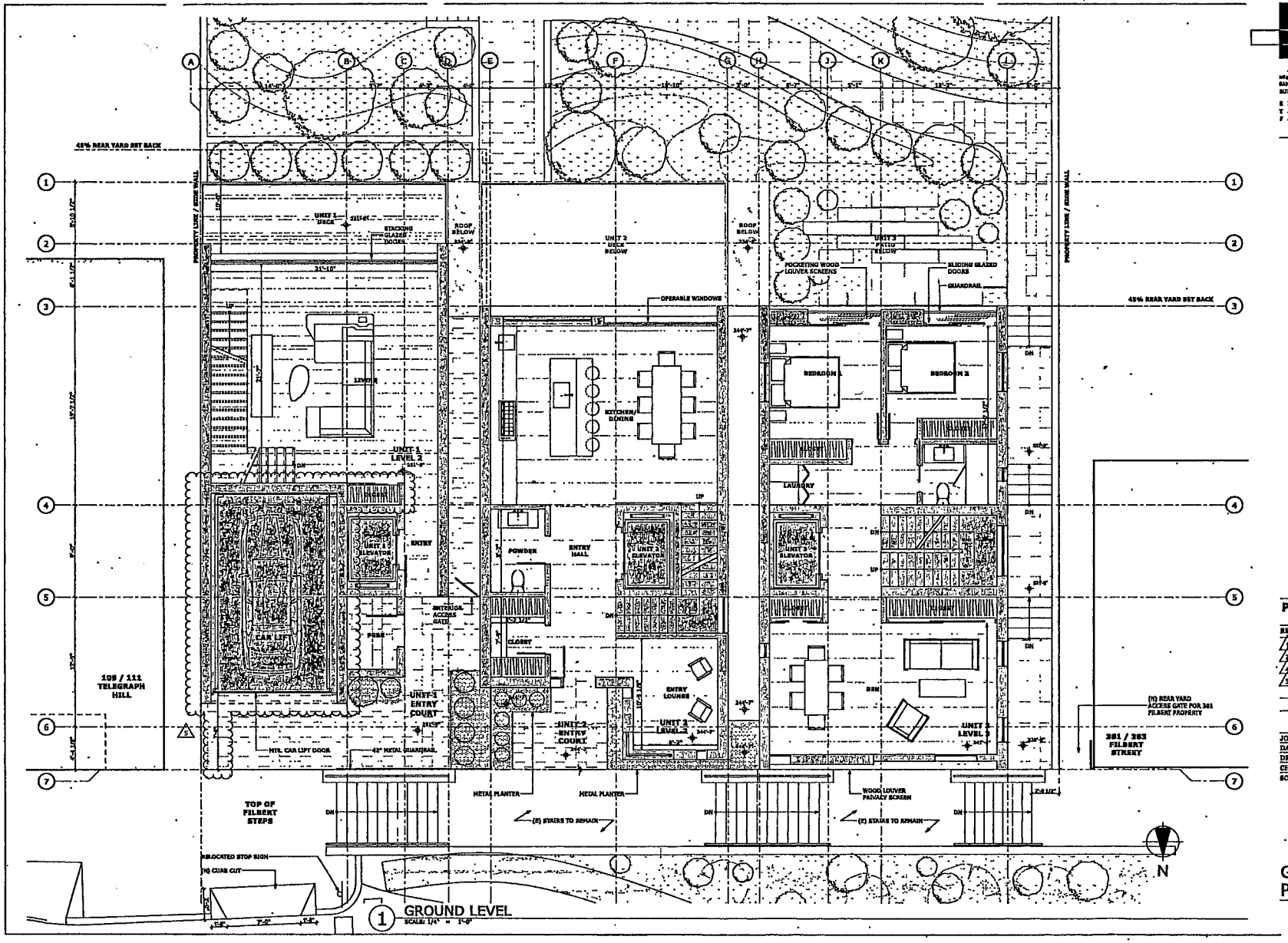
3 REVISION - 08/02/2014	DS / SR
5 REVISION - 09/16/2014	DS / SR

JOB#:	1205
DATE:	AUG. 12, 2013
DRAWN:	SR/DS
CHECKED:	LB
SCALE:	AS NOTED

BASEMENT LEVEL PROPOSED PLAN

A2.2



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115 TELEGRAPH HILL

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2171

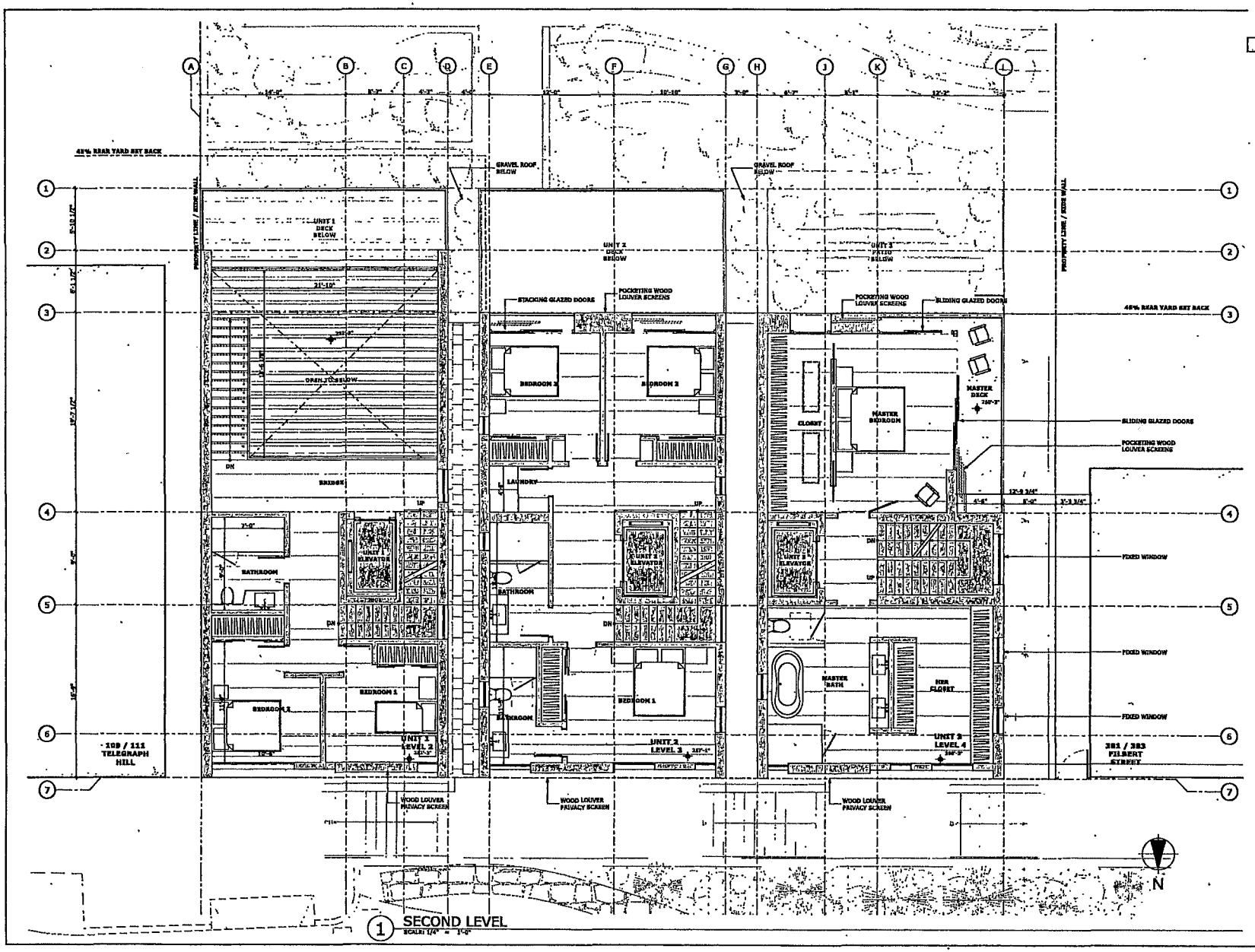
PLANNING PERMIT

REVISIONS:	BY:
1 NOPDR #1 - 02/13/2014	DS / SR
2 NOPDR #2 - 05/19/2014	DS / SR
3 REVISION - 09/03/2014	DS / SR
4 REVISION - 09/16/2014	DS / SR

JOB#:	1208
DATE:	AUG. 12, 2013
DRAWN:	SR/DS
CHECKED:	LB
SCALE:	AS NOTED

GROUND LEVEL PROPOSED PLAN

A2.3



1 SECOND LEVEL
SCALE: 1/4" = 1'-0"

BUTLER ARMSDEN ARCHITECTS

115 TELEGRAPH HILL

115 TELEGRAPH HILL BLVD., SAN FRANCISCO, CA, 94133.

PLANNING PERMIT

REVISIONS:	BY:
1 NOPDR #1 - 02/13/2014	DS / SR
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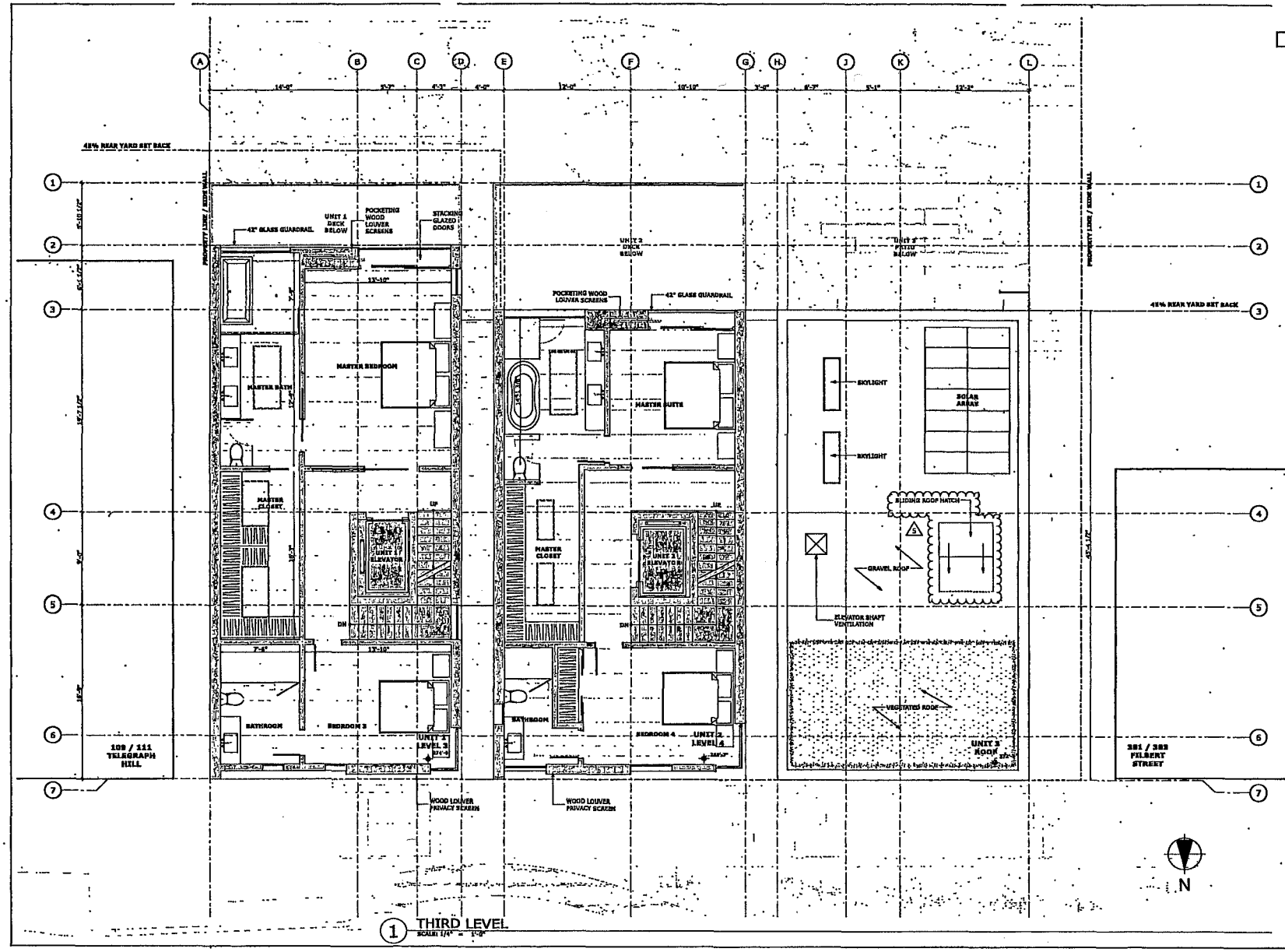
4 REVISION - 09/02/2014	DS / SR

JOB#:	1205
DATE:	AUG. 12, 2013
DRAWN:	SR/DS
CHECKED:	LB
SCALE:	AS NOTED

SECOND LEVEL PROPOSED PLAN

A2.4



1 THIRD LEVEL
SCALE: 1/4" = 1'-0"

BUTLER ARMSDEN ARCHITECTS

115 TELEGRAPH HILL

115 TELEGRAPH HILL BLVD., SAN FRANCISCO, CA, 94133.

2173

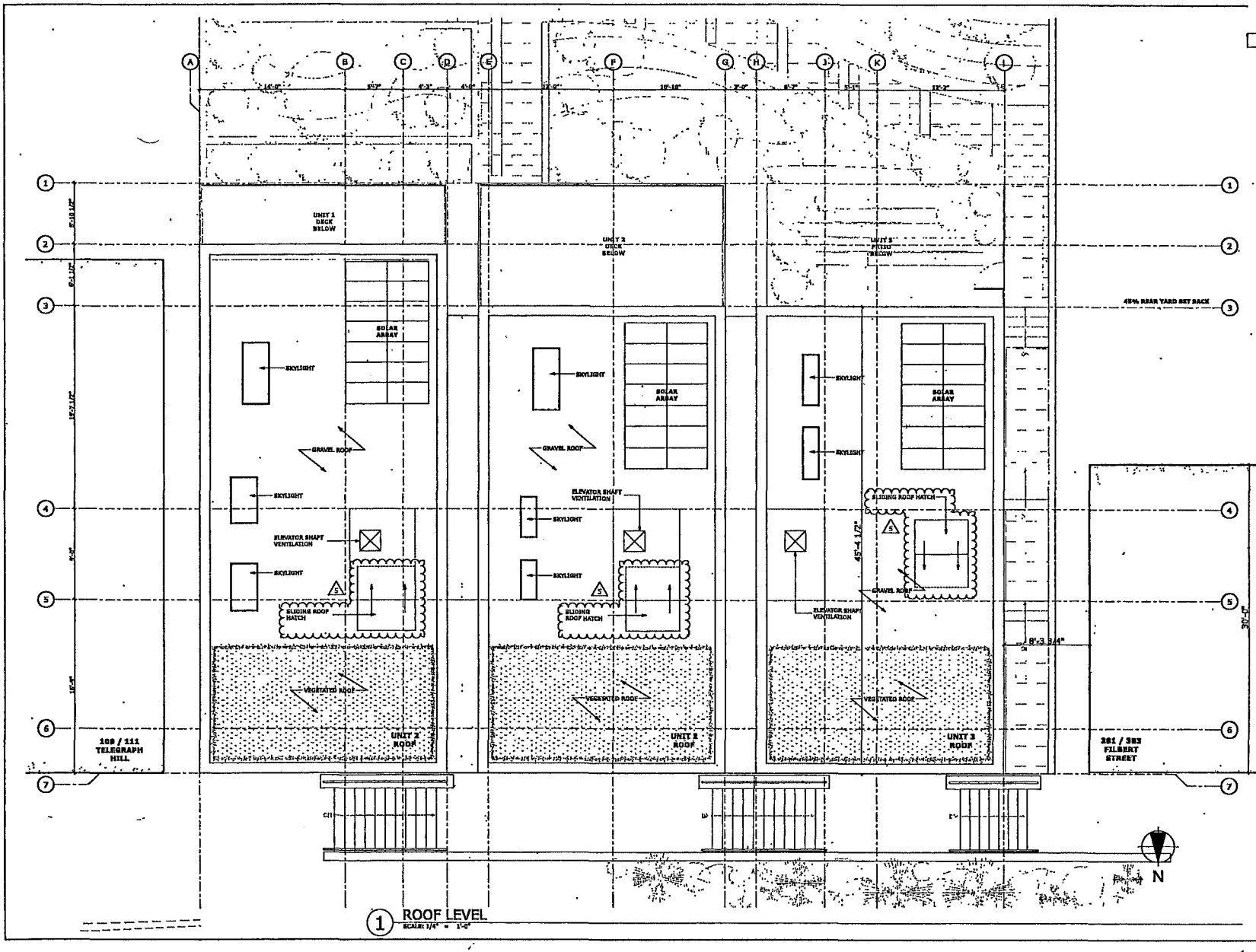
PLANNING PERMIT

REVISIONS:	BY:
1 NOPDR #1 - 02/13/2014	DS / SR
2 NOPDR #2 - 03/18/2014	DS / SR
4 REVISION - 08/02/2014	DS / SR
5 REVISION - 08/18/2014	DS / SR

JOB#:	1205
DATE:	AUG. 12, 2013
DRAWN:	SR/DS
CHECKED:	LB
SCALE:	AS NOTED

THIRD LEVEL PROPOSED PLAN

A2.5



1 ROOF LEVEL
SCALE: 1/4" = 1'-0"

BUTLER ARMSDEN ARCHITECTS

115 TELEGRAPH HILL

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REVISIONS:	BY:
1 NOPDR #1 - 02/13/2014	DS / SR
2 NOPDR #2 - 05/18/2014	DS / SR
4 REVISION - 09/02/2014	DS / SR
5 REVISION - 09/16/2014	DS / SR

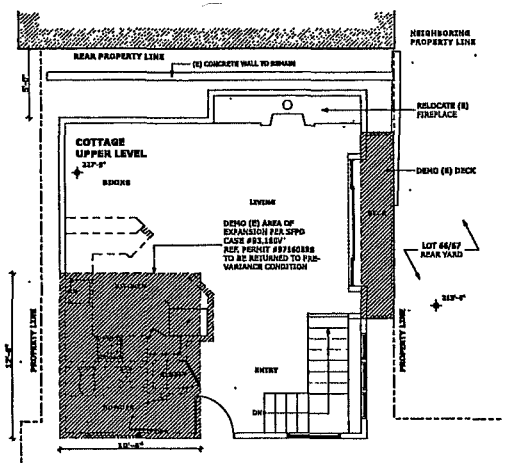
JOB#:	1205
DATE:	AUG. 12, 2013
DRAWN:	SR/DS
CHECKED:	LB
SCALE:	AS NOTED

ROOF LEVEL PROPOSED PLAN

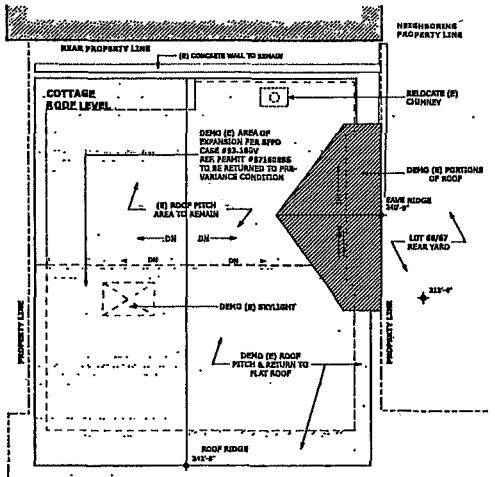
A2.6

GENERAL NOTES

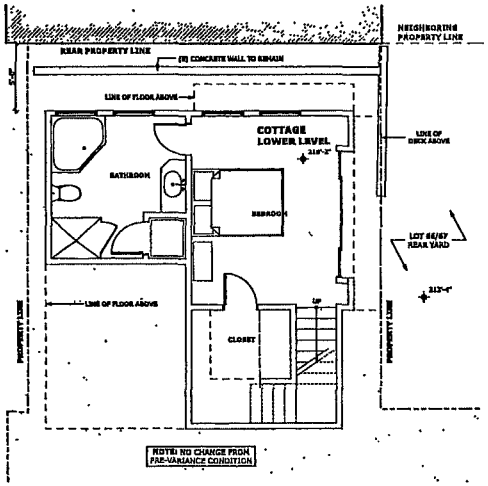
1. REF. PERMIT #97160895: ORIGINAL REMODELING DESIGN BY THEODORE BROWN & PARTNERS. MODIFICATIONS BY WINKS & ASSOCIATES IN GENERAL CONFORMITY WITH EXHIBIT B TO PLANNING COMMISSION MOTION #1372 (11/12/1997)
2. REF. PERMIT #9925477 FOR UPDATED COTTAGE RENOVATION PLANS & SCOPE OF WORK FROM #97160895 (11/30/1999)
3. REF. SFPC VARIANCE CASE #93.180V



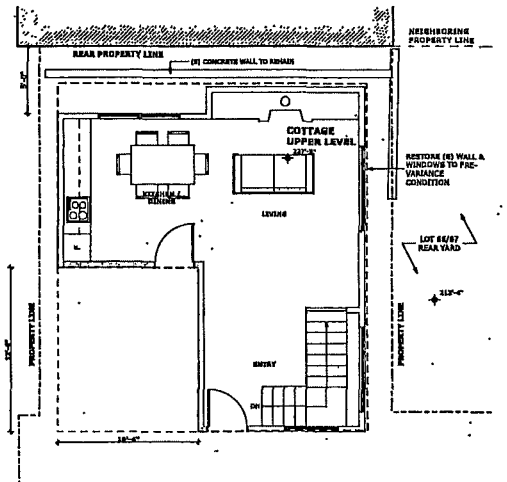
4 DEMO (EXISTING) UPPER LEVEL PLAN
SCALE: 1/4" = 1'-0"



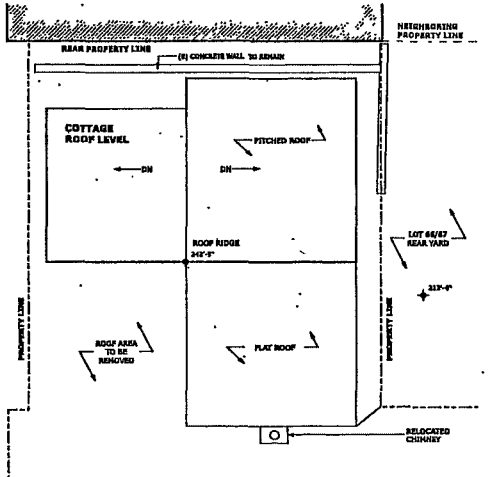
2 DEMO (EXISTING) ROOF PLAN
SCALE: 1/4" = 1'-0"



5 PROPOSED (PRE-VARIANCE) LOWER LEVEL PLAN
SCALE: 1/4" = 1'-0"



3 PROPOSED (PRE-VARIANCE) UPPER LEVEL PLAN
SCALE: 1/4" = 1'-0"



1 PROPOSED (PRE-VARIANCE) ROOF PLAN
SCALE: 1/4" = 1'-0"

BUTLER ARMSDEN ARCHITECTS

115 TELEGRAPH HILL

115 TELEGRAPH HILL BLVD., SAN FRANCISCO, CA, 94133

2175

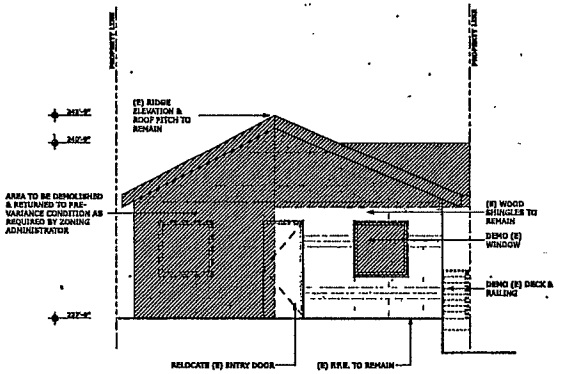
PLANNING PERMIT

REVISIONS:	BY:
1 REVISION - 09/02/2014	DS / ER

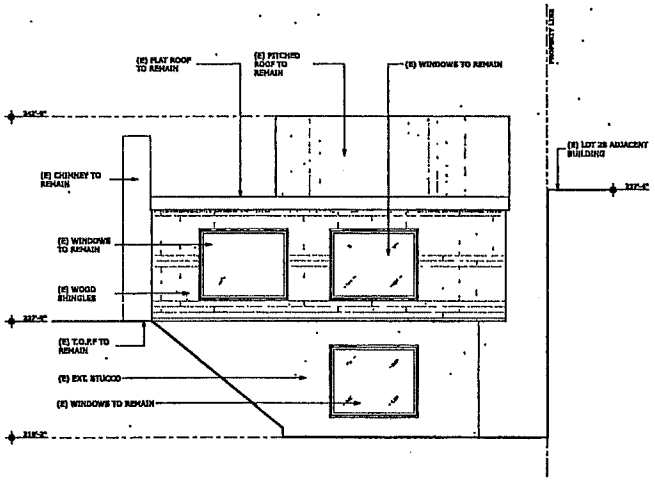
JOB#:	1205
DATE:	AUG. 12, 2013
DRAWN:	SR/DS
CHECKED:	LB
SCALE:	AS NOTED

COTTAGE PLANS

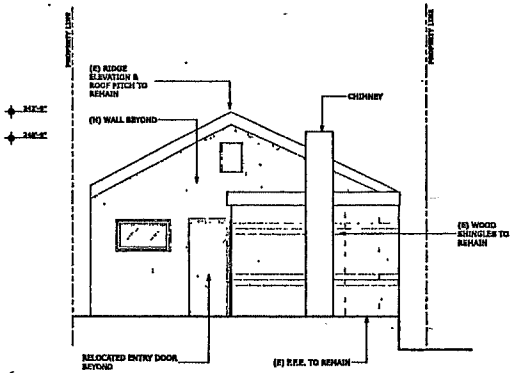
A2.7



2 DEMO (EXISTING) NORTH ELEVATION
SCALE: 1/4" = 1'-0"



1 PROPOSED (PRE-VARIANCE) WEST ELEVATION
SCALE: 1/4" = 1'-0"



1 PROPOSED (PRE-VARIANCE) NORTH ELEVATION
SCALE: 1/4" = 1'-0"

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115 TELEGRAPH HILL

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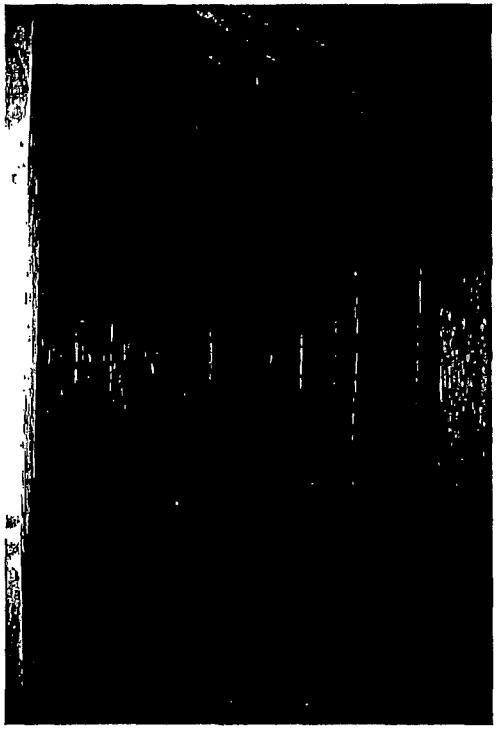
PLANNING PERMIT

REVISIONS:	BY:
4 REVISION - 03/02/2014	DS / SR

JOB#:	1205
DATE:	AUG. 12, 2013
DRAWN:	SR/DS
CHECKED:	LB
SCALE:	AS NOTED

COTTAGE ELEVATIONS

A2.8



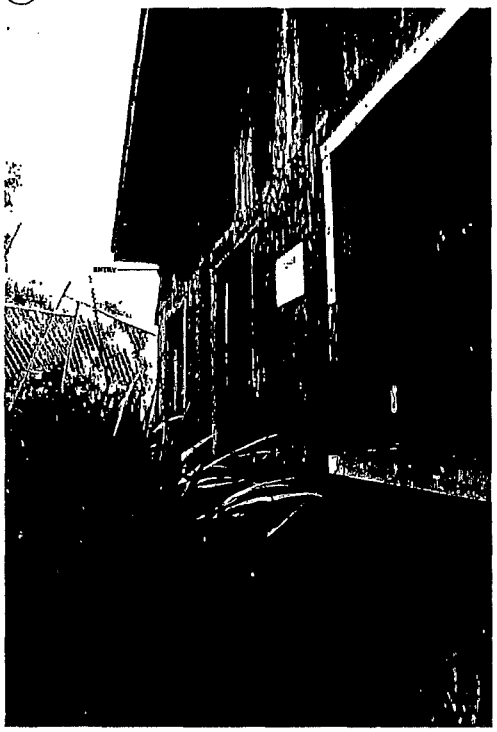
8 COTTAGE: EXISTING UPPER LEVEL LOOKING SOUTH
NOT TO SCALE



7 COTTAGE: EXISTING UPPER LEVEL LOOKING SOUTH
NOT TO SCALE



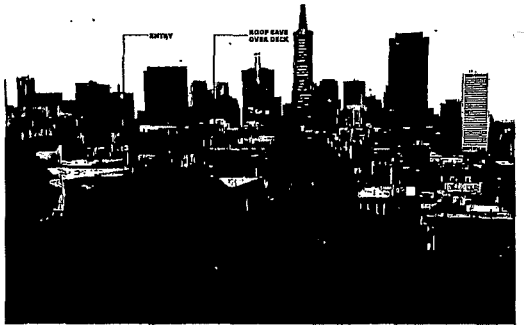
6 COTTAGE: EXISTING UPPER LEVEL LOOKING NORTH
NOT TO SCALE



4 COTTAGE: EXISTING NORTH FACADE
NOT TO SCALE



3 COTTAGE: EXISTING CONDITION
NOT TO SCALE



2 COTTAGE: EXTERIOR VIEW FROM STREET
NOT TO SCALE



1 COTTAGE: EXISTING NORTH FACADE
NOT TO SCALE

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115 TELEGRAPH HILL

115 TELEGRAPH HILL BLVD., SAN FRANCISCO, CA, 94133.

2177

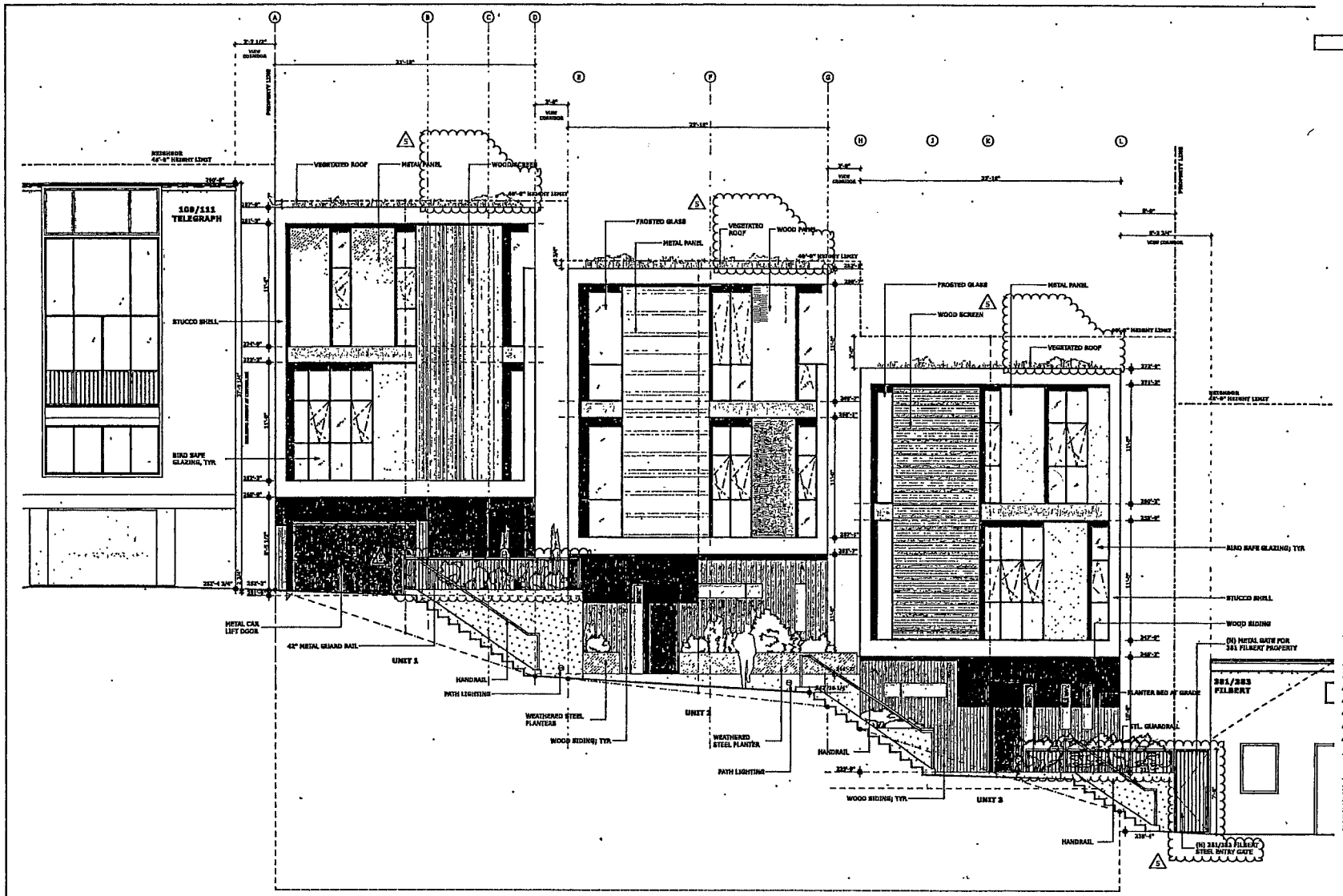
PLANNING PERMIT

REVISIONS:	BY:
4 REVISION - 08/02/2014	DS / SR

JOB#:	1205
DATE:	AUG. 12, 2013
DRAWN:	SR/DS
CHECKED:	LB
SCALE:	AS NOTED

COTTAGE: EXISTING CONDITION PHOTOS

A2.9



1 FRONT ELEVATION
SCALE: 1/4" = 1'-0"

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115 TELEGRAPH HILL

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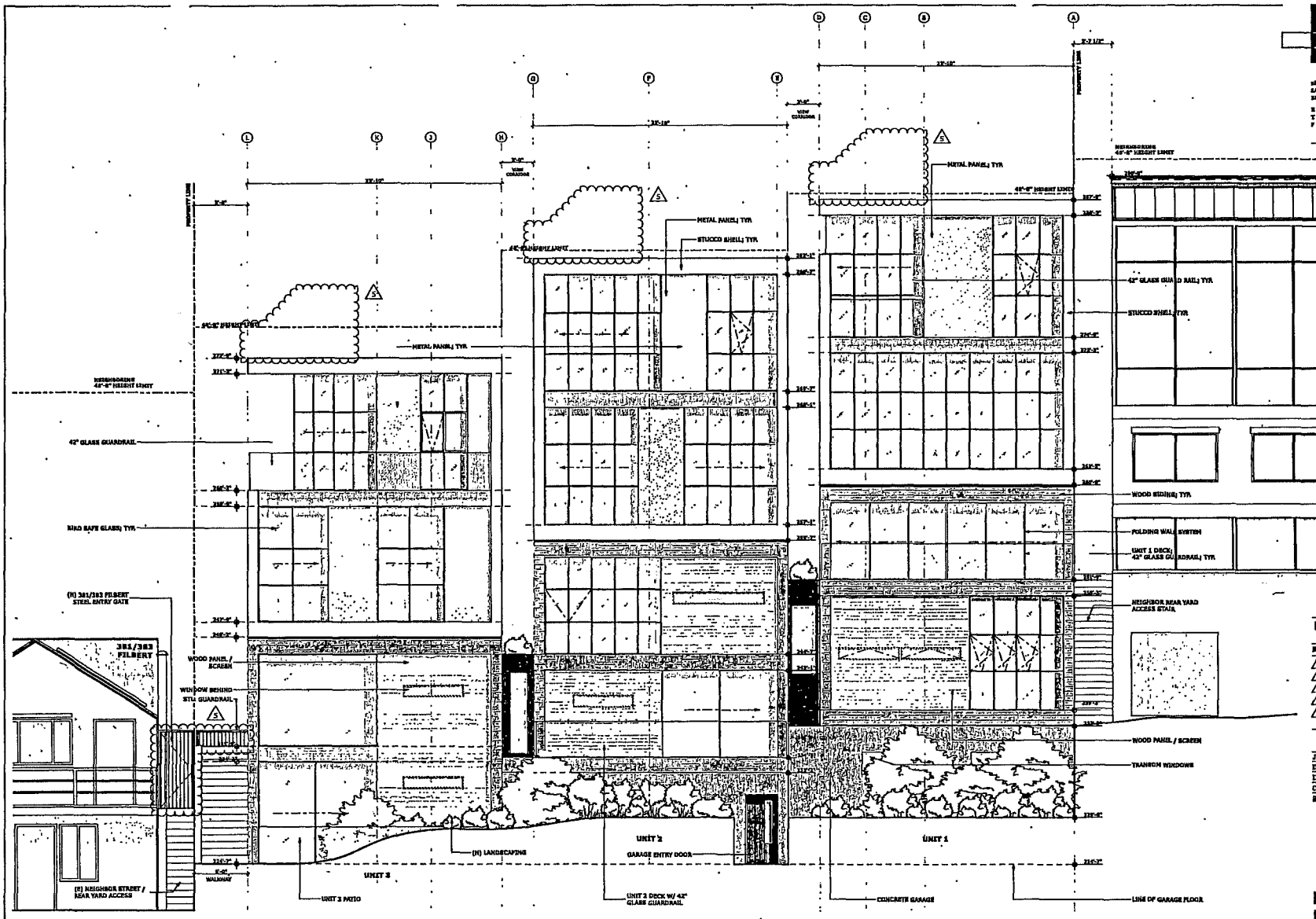
PLANNING PERMIT

REVISIONS:	BY:
1 NOPDR #1 - 02/13/2014	DS / SR
2 NOPDR #2 - 05/19/2014	DS / SR
3 REVISION - 07/17/2014	DS / SR
4 REVISION - 08/02/2014	DS / SR
5 REVISION - 08/16/2014	DS / SR

JOB#:	1205
DATE:	AUG. 12, 2013
DRAWN:	SR/DS
CHECKED:	LB
SCALE:	AS NOTED

FRONT ELEVATION

A3.1



1 REAR ELEVATION
SCALE: 1/4" = 1'-0"

BUTLER ARMSDEN ARCHITECTS

115 TELEGRAPH HILL

115 TELGRAPH HILL BLVD., SAN FRANCISCO, CA, 94133,

2179

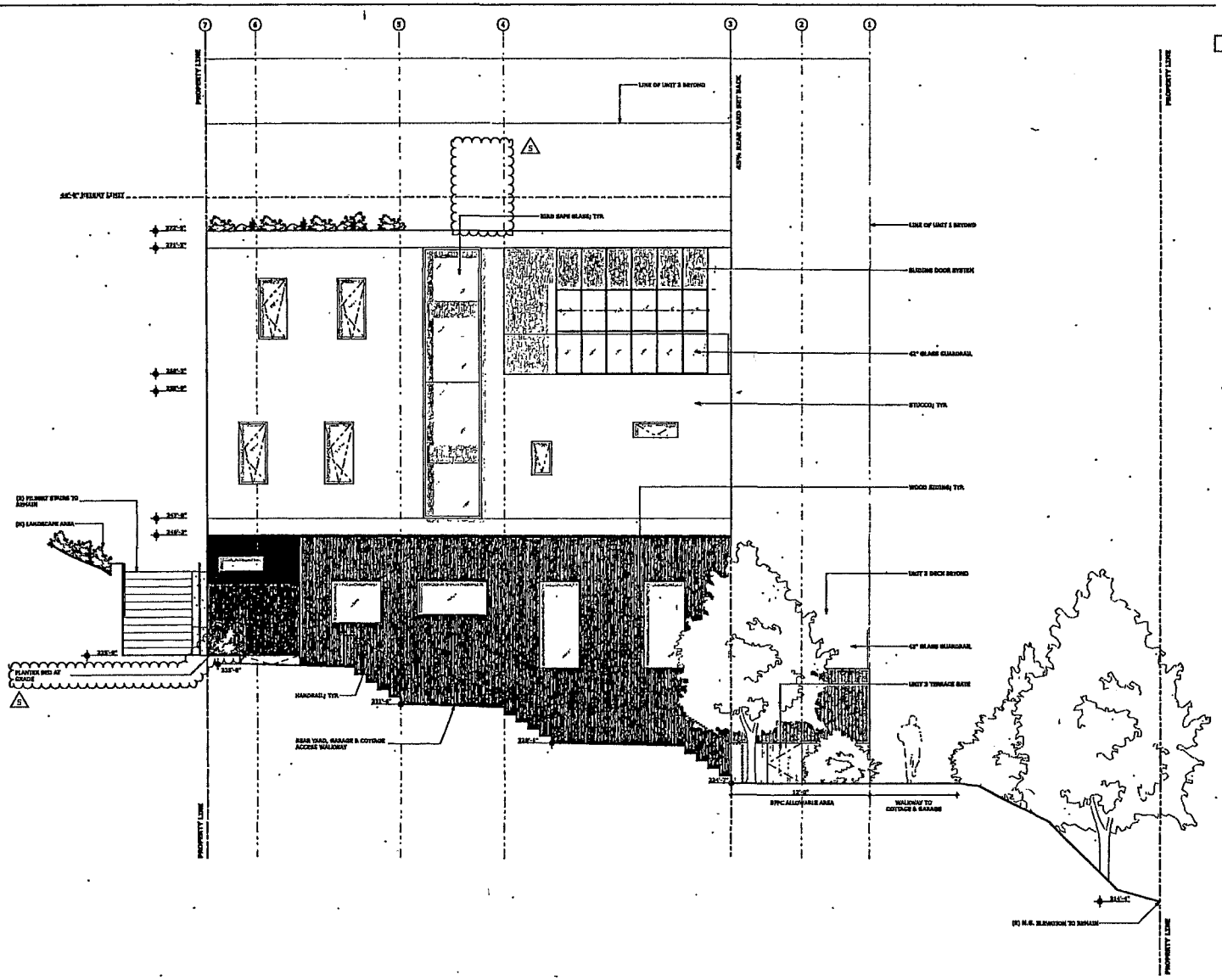
PLANNING PERMIT

REVISIONS:	BY:
1 NOPDR #1 - 02/13/2014	DS / SR
2 NOPDR #2 - 05/19/2014	DS / SR
3 REVISION - 07/17/2014	DS / SR
4 REVISION - 09/02/2014	DS / SR
5 REVISION - 09/16/2014	DS / SR

JOB#:	1205
DATE:	AUG. 12, 2013
DRAWN:	SR/DS
CHECKED:	LB
SCALE:	AS NOTED

REAR ELEVATION

A3.2



1 WEST ELEVATION: UNIT 3
SCALE: 1/4" = 1'-0"

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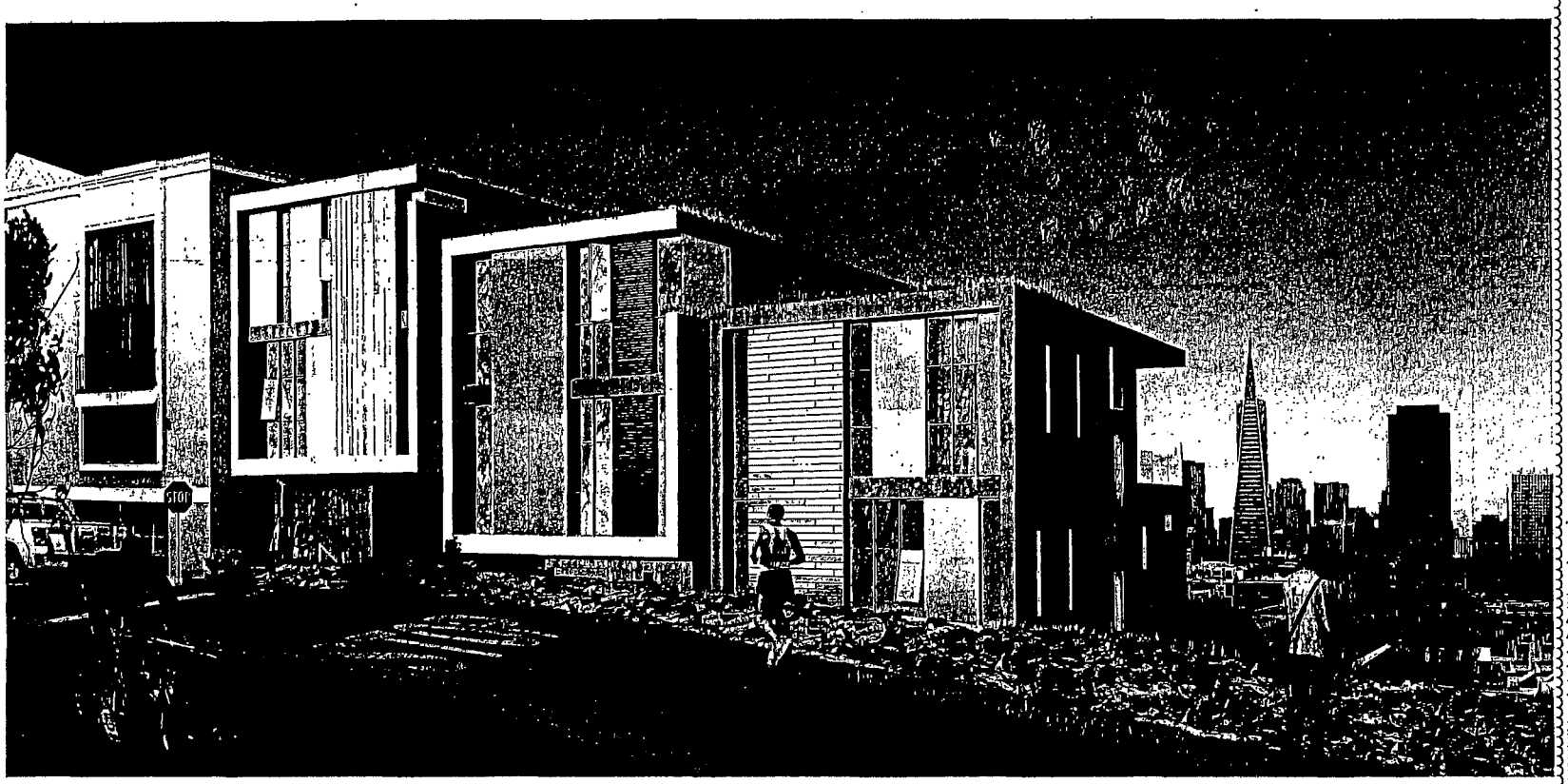
PLANNING PERMIT

REVISIONS:	BY:
4 REVISION - 09/02/2014	DS / SR
5 REVISION - 09/18/2014	DS / SR

JOB#:	1205
DATE:	AUG. 12, 2013
DRAWN:	SR/DS
CHECKED:	LB
SCALE:	AS NOTED

WEST ELEVATION

A3.3



1 FRONT FACADE LOOKING SOUTHEAST

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2181

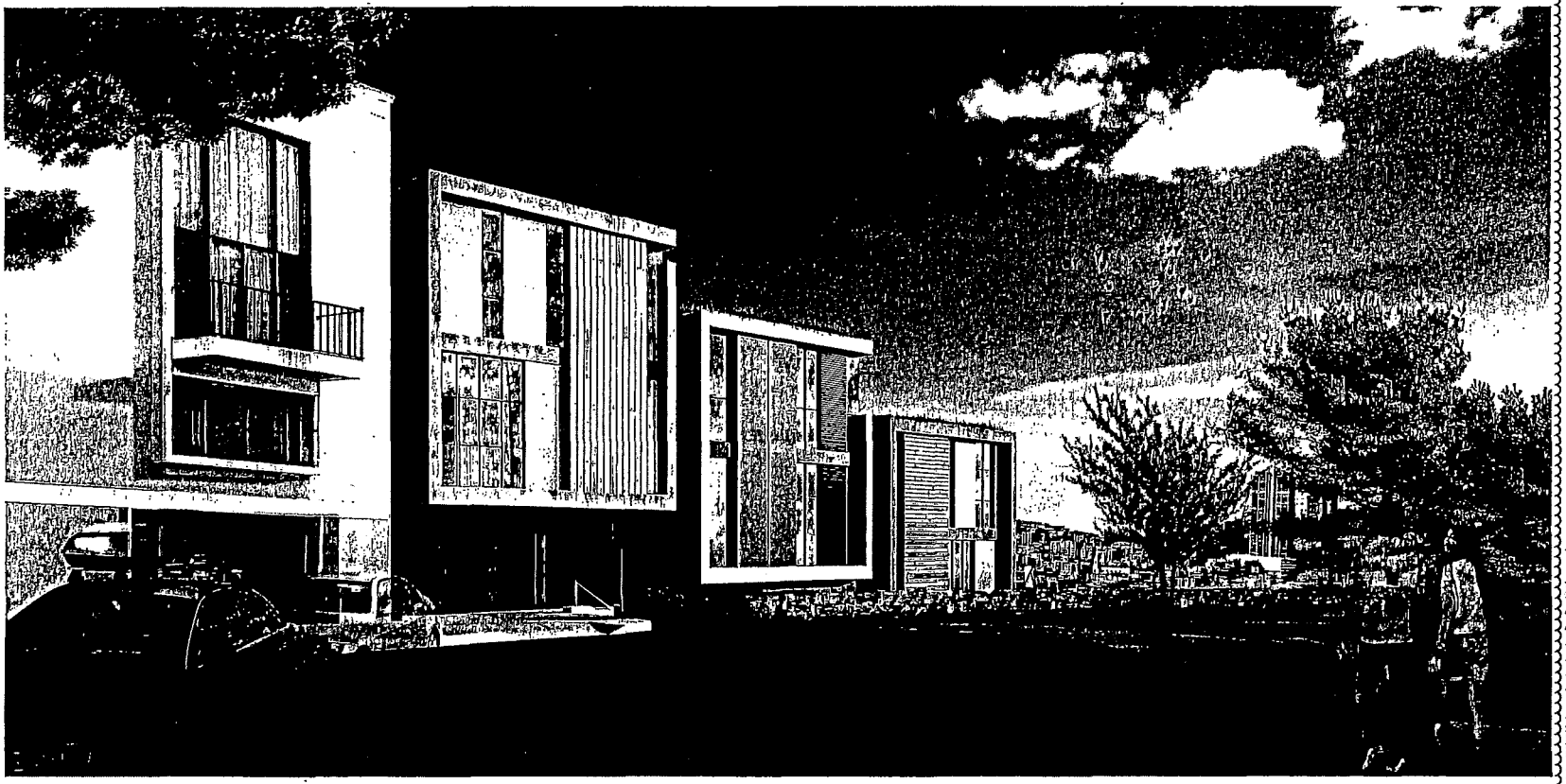
PLANNING PERMIT

REVISIONS:	BY:
1 NOPDR #1 - 02/13/2014	DS / SR
5 REVISION - 09/16/2014	DS / SR

JOB#:	1205
DATE:	AUG. 12, 2013
DRAWN:	SR/DS
CHECKED:	LB
SCALE:	AS NOTED

CONCEPTUAL RENDERINGS

A3.8



1 FRONT FACADE LOOKING SOUTHWEST

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2182

PLANNING PERMIT

REVISIONS:	BY:
1 NOPDR #1 - 02/13/2014	DS / SR
2 REVISION - 09/16/2014	DS / SR

JOB#:	1205
DATE:	AUG. 12, 2013
DRAWN:	SR/DS
CHECKED:	LB
SCALE:	AS NOTED

CONCEPTUAL RENDERINGS

A3.9

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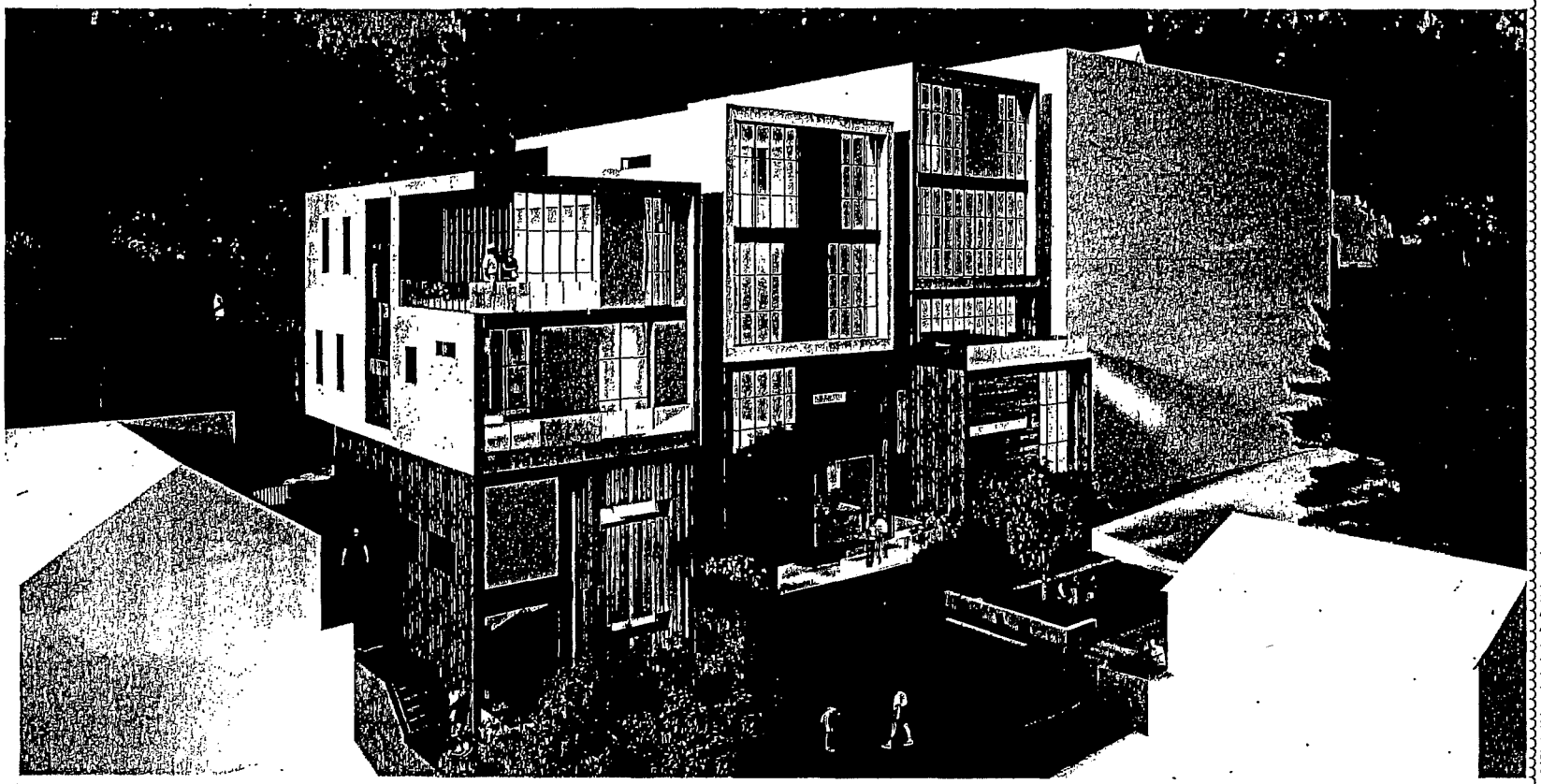

1 REAR FACADE LOOKING NORTH

115 TELEGRAPH HILL

115 TELEGRAPH HILL BLVD., SAN FRANCISCO, CA, 94133.

2183

PLANNING PERMIT

REVISIONS:	BY:
1 NOPDR #1 - 02/13/2014	DB / SR
2 REVISION - 08/15/2014	DB / SR

JOB#:	1205
DATE:	AUG. 12, 2013
DRAWN:	SR/DS
CHECKED:	LB
SCALE:	AS NOTED

CONCEPTUAL RENDERINGS

A3.10

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1 VIEW UP FILBERT STREET STAIRS

PLANNING PERMIT

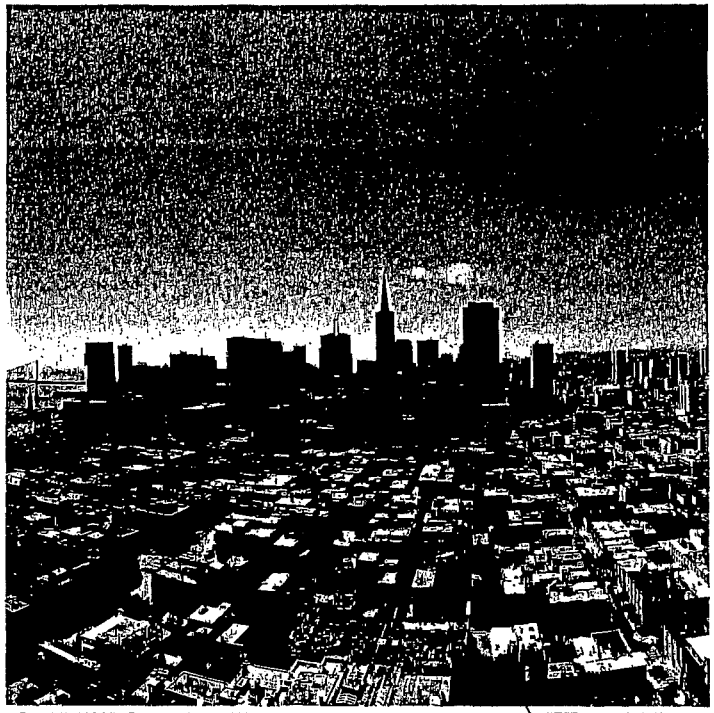
REVISIONS:	BY:
5 REVISION - 09/16/2014	DS / SR

JOB#:	1205
DATE:	AUG. 12, 2013
DRAWN:	SR/DS
CHECKED:	LB
SCALE:	AS NOTED

CONCEPTUAL RENDERINGS

A3.11

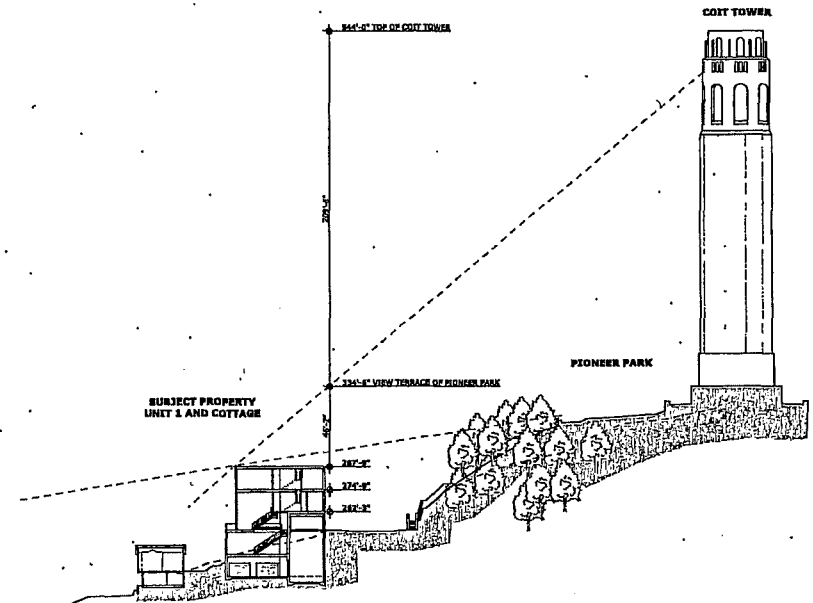
2184



2 VIEW FROM COIT TOWER TO SUBJECT PROPERTY

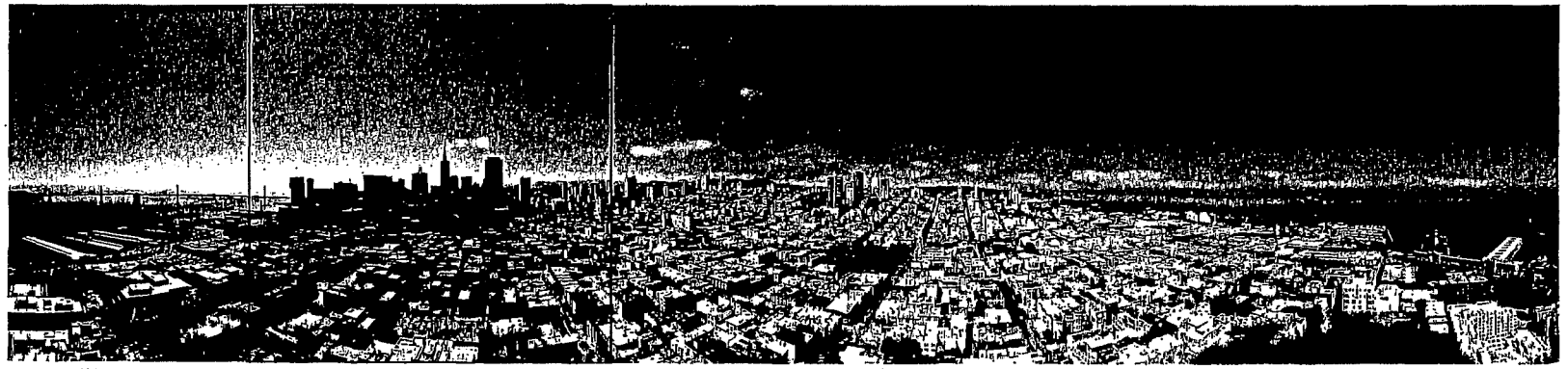
NOT TO SCALE

OUTLINE OF PROPOSAL SHOWN



1 VIEW FROM COIT TOWER TO SUBJECT PROPERTY

NOT TO SCALE



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2185

PLANNING PERMIT

REVISIONS:	BY:

JOB#:	1205
DATE:	AUG. 12, 2013
DRAWN:	SR/DS
CHECKED:	LB
SCALE:	AS NOTED

CONTEXT VIEWS

A3.12

SAN FRANCISCO
PLANNING DEPARTMENT

Memo to the Planning Commission

HEARING DATE: SEPTEMBER 11, 2014
Continued from the July 10, 2014 Hearing

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CA 94103-2479

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Planning
Information:
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Date:	September 4, 2014
Case No.:	**2013.1375 EC**
Project Address:	**115 TELEGRAPH HILL BLVD. (AKA 363 FILBERT STREET)**
Zoning:	RH-3 (Residential House, Three-Family) Telegraph Hill/North Beach Residential Special Use District 40-X Height and Bulk District
Block/Lot:	0105/065
Project Sponsor:	Jeremy Ricks 735 Montgomery Street, Suite 350 San Francisco, CA 94111
Staff Contact:	Elizabeth Watty – (415) 558-6620 Elizabeth.Watty@sfgov.org
Recommendation:	**Approval with Conditions**

BACKGROUND

The Project Sponsor proposes to construct a three-unit residential building with four off-street parking spaces on a lot that contains one existing dwelling-unit (a vacant cottage in the southeast corner of the lot), which will be renovated and restored as part of the Project. The Property is located in the RH-3 (Residential House, Three-Family) Zoning District, Telegraph Hill – North Beach Residential Special Use District, and a 40-X Height and Bulk District.

The proposed Project was heard before the Planning Commission on July 17, 2014. After significant public testimony, both in support and opposition to the Project, the Planning Commission continued the item to September 11, 2014. Although there were a variety of suggestions made during the course of the hearing, the primary changes requested included:

- Creation of side spacing between all three buildings so that they read as detached structures
- Reduce the size of the buildings' stair penthouses
- Provide pedestrian-scale lighting along the Filbert steps
- Provide articulation and detailing along the side wall of unit #3, which is visible from the bottom of the Filbert Street stairs.

The Commission also requested that plans of the rear cottage be included as part of the submittal to the Commission, since it will be renovated and restored to its pre-variance form as part of this Project.

CURRENT PROPOSAL

The following changes have been made in response to the Commission's concerns:

- All buildings have been reduced in width from 25'-0" to an equal 23'-10" to create an 8'-3 ¾" view corridor at the bottom of the Project Site (between 115 Telegraph Hill and 381 Filbert Street), in addition to a 3'-0" clear spacing between each unit.
- The west façade of Unit 3 has been set back 5'-0" from the West property line. Windows and a deck have been added to the west façade of Unit 3 to provide articulation and detailing to the exposed façade, and to allow for a large view corridor between 115 Telegraph Hill and 381 Filbert Street.
- Stair penthouses on all units have been reduced from 8'-0" to 7'-0" to minimize their appearance while enabling use of the roofs for open space.
- Unit 1 has been reduced in overall height by 6". The unit has been reduced in size by 261 sq. ft.
- Unit 2 has been reduced in overall height by 5". The unit has been reduced in size by 308 sq.ft.
- Unit 3 has been reduced in overall height by 5". The unit has been reduced in size by 497 sq. ft.
- The rear yard has been reconfigured. Pedestrian access to the rear yard, cottage and garage has been relocated to the bottom of the Filbert Street stairs (between 115 Telegraph Hill and 381 Filbert Street).
- New landscaping has been incorporated along the wall of the Filbert Street stairs to improve the pedestrian experience walking-up the steps.
- The curb cut has shifted east 1'-6" to further minimize potential pedestrian and vehicular conflicts.
- Title sheet has been revised to include language regarding updated construction stipulations, staging, and sequencing.
- The cottage plans are included, and the form of the building will be returned to the pre-variance condition.

The Department received three additional letters of opposition to the Project since the hearing on July 17, 2014: one from an individual who previously submitted a letter in opposition to the Project, one from Telegraph Hill Dwellers who remain in opposition to the Project, and one from Gerry Crowley, who lives 7 Fielding Street. The Department has in total, received correspondence from 43 people in support for the project, including a letter from the North Beach Neighbors, and correspondence from 41 people in opposition to the project, including two letters from the Telegraph Hill Dwellers.

REQUIRED COMMISSION ACTION

In order for the Project to proceed, the Commission must grant Conditional Use Authorization for density and parking to allow a total of four units with four off-street parking spaces in the RH-3 (Residential House, Three-Family) Zoning District, Telegraph Hill – North Beach Residential Special Use District, and a 40-X Height and Bulk, pursuant to Planning Code Sections 151, 151.1, 209.1(h), 249.49, and 303.

BASIS FOR RECOMMENDATION

- The Project Sponsor has made several changes to the project to address the concerns expressed at the July 17, 2014 hearing, including the addition of side setbacks between each building.
- The Project Sponsor has provided additional information relating to their construction management plans.
- The proposal has been discussed with the Fire Department, and they have no concerns about fire access throughout Telegraph Hill, so long as a 10' wide fire lane is maintained during construction. The proejct will maintain a 10' fire lane at all times during construction, thus the Fire Department has no concerns about their vehicular acess on Telegraph Hill as a result of this Project.
- The Project is a well-designed residential in-fill development in an established residential neighborhood.
- The scale and mass of the three new dwelling-units are contextual and compatible with the surrounding neighborhood character.
- The parking for the devleopment is accessed through one minimal curb cut and garage door, and will be located in a shared, subterranean basement garage that is not visible from the street.
- The Project is consistent with adopted City policy and the General Plan.
- The Project is Code-complying and meets all other applicable requirements of the Planning Code.
- The Project is desirable for, and compatible with the surrounding neighborhood.

RECOMMENDATION:	**Approve with Conditions**

Attachments:
Revised Plans
Revised Draft Motion
New Public Comment

**If Commissioners need copies of the previous staff report, please contact staff ASAP.*

SAN FRANCISCO
PLANNING DEPARTMENT

Subject to: (Select only if applicable)

- ☐ Affordable Housing (Sec. 415)
- ☐ Jobs Housing Linkage Program (Sec. 413)
- ☐ Downtown Park Fee (Sec. 412)
- ☐ First Source Hiring (Admin. Code)
- ☐ Child Care Requirement (Sec. 414)
- ☒ Other - Street Tree In-Lieu Fee (Sec. 428)

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CA 94103-2479

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Information:
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Planning Commission Draft Motion

HEARING DATE: ~~JULY 17, 2014~~SEPTEMBER 11, 2014

Date:	~~July 10, 2014~~September 4, 2014
Case No.:	2013.1375 EC
Project Address:	115 TELEGRAPH HILL BLVD. (AKA 363 FILBERT STREET)
Zoning:	RH-3 (Residential House, Three-Family) Telegraph Hill/North Beach Residential Special Use District 40-X Height and Bulk District
Block/Lot:	0105/065
Project Sponsor:	Jeremy Ricks 735 Montgomery Street, Suite 350 San Francisco, CA 94111
Staff Contact:	Elizabeth Watty – (415) 558-6620 Elizabeth.Watty@sfgov.org

ADOPTING FINDINGS RELATING TO THE APPROVAL OF A CONDITIONAL USE AUTHORIZATION PURSUANT TO PLANNING CODE SECTIONS 151, 151.1, 209.1(h), 249.49, AND 303, TO ALLOW THE CONSTRUCTION OF THREE NEW DWELLING UNITS (FOR A LOT TOTAL OF FOUR UNITS) WITH FOUR OFF-STREET PARKING SPACES WITHIN THE RH-3 (RESIDENTIAL HOUSE, THREE-FAMILY) ZONING DISTRICT, TELEGRAPH HILL – NORTH BEACH RESIDENTIAL SPECIAL USE DISTRICT, AND A 40-X HEIGHT AND BULK DISTRICT.

PREAMBLE

On August 21, 2013, Daniel Frattin, attorney for Jeremy Ricks (hereinafter "Project Sponsor"), filed an application with the Planning Department (hereinafter "Department") for Conditional Use Authorization under Planning Code Sections 151, 151.1, 209.1(h), 249.49, and 303, to allow the construction of three new dwelling-units above four off-street parking spaces on a lot that contains one existing unit within the RH-3 (Residential House, Three-Family) Zoning District, Telegraph Hill – North Beach Residential Special Use District, and a 40-X Height and Bulk District.

On July 17, 2014, the San Francisco Planning Commission (hereinafter "Commission") conducted a duly noticed public hearing at a regularly scheduled meeting on Conditional Use Application No. 2013.1375C. At that hearing, the Planning Commission continued the hearing to September 11, 2014 so that the Project

Sponsor could make revisions to the Project's design and provide additional information about the rear cottage.

On September 11, 2014, the Commission conducted a duly noticed public hearing at a regularly scheduled meeting on Conditional Use Application No. 2013.1375C.

On ~~June 10, 2014~~September 3, 2014, the Project was determined to be exempt from the California Environmental Quality Act ("CEQA") as a Class 1 and 3 Categorical Exemption under CEQA as described in the determination contained in the Planning Department files for this Project.

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.

MOVED, that the Commission hereby authorizes the Conditional Use requested in Application No. 2013.1375CE, subject to the conditions contained in "EXHIBIT A" of this motion, based on the following findings:

FINDINGS

Having reviewed the materials identified in the preamble above, and having heard all testimony and arguments, this Commission finds, concludes, and determines as follows:

1. The above recitals are accurate and constitute findings of this Commission.

2. **Site Description and Present Use.** The Property is a 7,517 square-foot lot that is steeply sloping; in 1993, three lots were merged into the one large lot in existence today. It once contained five buildings, but four of the five buildings were demolished circa 1997. The lot currently contains a one-story cottage that was constructed in 1906, concrete retaining walls, concrete and wood stairways, and fencing. The lot has been vacant – with the exception of the vacant cottage – since 1997. In the early 1990s, the Bureau of Building Inspection declared the cottage "unsound" and it is currently uninhabitable. The Property occupies 82'-6" of frontage, including 68' along the Filbert Street steps.

3. **Surrounding Properties and Neighborhood.** The Project is located on the south side of Telegraph Hill Boulevard, between Montgomery, and Kearny Streets on Telegraph Hill near Coit Tower. On this portion of the hill, Filbert Street consists of a set of concrete public stairs, but provides no vehicle throughway. Telegraph Hill Blvd passes to the north of the Property, spiraling up to Coit Tower. The Property is in the North Beach neighborhood, and is located in an RH-3 Zoning District, towards the top of Telegraph Hill near Coit Tower. Properties in the immediate area typically consist of one-, two- and three-family dwellings. Buildings heights are varied, but typically range from two-to-four stories tall at the street, and are scaled at the street to respect the laterally-sloping topography of the hill. To the west is a two-story, two-unit building, and immediately to the east is a four-story, three-unit building.

4. **Project Description.** The Project Sponsor proposes to construct a 17,645 sq. ft. three-unit residential building with four-off-street parking spaces on a lot that contains one existing dwelling-unit (a vacant cottage in the southeast corner of the lot). The Project also includes the renovation and restoration of the cottage located at the rear of the property, returning it to its pre-variance (93.180V) building form ~~with no expansion of the existing buildilng envelope~~.

   The new building will be designed to appear as three single-family dwellings, each approximately 40-feet tall that will step down the hill relative to the naturally sloping topography of Telegraph Hill. Each unit – including the cottage – will have one off-street parking space in a shared ~~3,742~~3,137 sq. ft. below-grade garage/basement, accessed from one garage door that will be located at the top of the Filbert Street stairs along Telegraph Hill Boulevard. The cottage in the rear would be accessed via a designated pedestrian path ~~between~~ to the west of Unit ~~#1 and #2~~3, as well as through the garage.

   The three units will each occupy ~~between 25' to 27'~~23'-10" of frontage, each appearing as single-family dwellings. Each unit will contain a green roof deck featuring sustainable native plants, as well as extensive landscaping. Although the rear cottage was authorized to expand as part of Variance Case no. 93.180V, the implementing Building Permit Applications were never finaled by the Department of Building Inspection. Therefore, the variance has expired, and the Project Sponsor must either revert the cottage to the pre-variance design or seek and justify an additional variance. The Project Sponsors have decided to revert the cottage to the pre-variance condition. Revised plans dated September 2, 2014, approved as part of this Motion (Exhibit B), include this scope of work.

5. **Public Comment.** The Department has received ~~32~~ letters of support from 43 people (including the North Beach Neighbors), and ~~36~~ letters in opposition to the Project from 41 people (including ~~one from~~ the Telegraph Hill Dwellers).

6. **Planning Code Compliance:** The Commission finds that the Project is consistent with the relevant provisions of the Planning Code in the following manner:

   A. **Density.** Planning Code Section 209.1(h) states that a density ratio up to one dwelling unit for each 1,000 square feet of lot area is permitted in the RH-3 Zoning District, if authorized as a Conditional Use by the Planning Commission.

      The Property contains 7,517 sq. ft. of lot area and would permit up to seven units with a Conditional Use Authorization. The Project would result in a lot total of four units, and thus is permitted with a Conditional Use Authorization, which is justified in more detail through Section 7, below.

   B. **Rear Yard Requirement.** Planning Code Section 134 states that the minimum rear yard depth shall be equal to 45 percent of the total depth of a lot in which it is situated, and based on conditions on the adjacent properties, it may be reduced up to 25 percent of the total depth of the lot, based on the average depths of adjacent buildings.

The Project will be constructed within buildable area of the lot, maintaining a 45 percent rear yard. The existing rear yard cottage is located entirely within the required rear yard; although it will be repaired, ~~and~~ remodeled, and reduced to the pre-variance condition, it will not be expanded, and therefore is considered an existing legal noncomplying structure. The Project complies with Planning Code Section 134.

C. **Open Space.** Planning Code Section 135 requires 100 square-feet of usable open space per dwelling unit in the RH-3 Zoning District if privately accessible, or 133 square-feet per unit if the space is commonly accessible.

The Project satisfies the residential open space requirements through a private 132 square-foot deck for Unit #1, a private 300 square-foot deck for Unit #2, a 252 square-foot deck for Unit #3, and through a commonly-accessible 2,266 square-foot, terraced rear yard for the existing rear yard cottage. The three new buildings also contain privately-accessible roof decks. The Project complies with the open space requirements of Planning Code Section 135.

D. **Street Trees.** Planning Code Section 138.1 requires the provision of street trees with the addition of a new dwelling unit. When street trees are required, one 24-inch box size tree is required for each 20 feet of lot frontage along a street, with any remaining fraction of 10 feet or more of frontage requiring an additional tree. Such trees shall be located either within a setback area on the lot or within the public right-of-way along such lot.

The Property currently contains two street trees along the 82'-6" property frontage, located between the Filbert Street stairs and Telegraph Hill Boulevard. The Property requires installation of 4 trees; however, according to the Department of Public Works, installation of the additional two required street trees is infeasible. As such, the Project Sponsor will pay an in-lieu fee for two street trees.

E. **Bird Safe Glazing.** Planning Code Section 139 allows residential buildings within R- Districts that are less than 45 feet in height and have an exposed facade comprised of less than 50% glass to be exempt from the Location-Related Glazing Standards outlined in Planning Code Section 139(c)(1).

The Property is located within 300-feet of an Urban Bird Refuge; however, the new buildings' exposed façades are comprised of less than unobstructed 50 percent glass, and are therefore exempt from meeting the Location-Related Glazing Standards outlined in Planning Code Section 139(c)(1). Unit #1's exposed façade is comprised of approximately 30 percent unobstructed glass; Unit #2's exposed façade is comprised of approximately 20.5 percent unobstructed glass; and Unit #3's exposed façade is comprised of approximately 17 percent unobstructed glass. Furthermore, the Project's rooftop glass railings are broken into glazed segments of less than 24 square feet and are thus not considered feature-related hazards.

F. **Exposure.** Planning Code Section 140 requires that at least one qualifying room of every dwelling unit must face directly on an open area. The open area may be a street or alley, Code-compliant rear yard, or a qualifying open space.

The three new dwelling units will all face Telegraph Hill Boulevard, which is a qualifying street. The dwelling unit located within the existing legal noncomplying structure in the rear yard will face an open space between the buildings that meets the dimensional requirements of Planning Code Section 140(a)(2); the space is no less than 25 feet in every horizontal dimension for the floor at which the dwelling unit in question is located and the floor immediately above it, with an increase of five feet in every horizontal dimension at each subsequent floor. The Project complies with the dwelling unit exposure requirements of Planning Code Section 140.

G. **Telegraph Hill – North Beach Residential Special Use District.** Planning Code Section 249.49 establishes the Telegraph Hill – North Beach Residential Special Use District (SUD). The purpose of this SUD, as it relates to new construction projects, is to regulate off-street parking in order to ensure that it does not significantly increase the level of automobile traffic, increase pollution, or impair pedestrian use on narrow public rights-of-way in the District. Although the RH-3 Zoning District would typically require one parking space per dwelling unit (a one-to-one parking ratio), this SUD requires a Conditional Use, along with related findings outlined in Section 151.1(g), to achieve the same parking ratio.

The Project is located within the Telegraph Hill – North Beach Residential Special Use District. Since the Project proposes four off-street parking spaces, a Conditional Use Authorization is required.

Planning Code Sections 151.1(g) and 249.49 require the Planning Commission to make the following affirmative findings according to the uses to which the proposed parking is accessory, before approving residential off-street parking at a ratio of one parking space for each dwelling unit in the SUD.

Vehicle movement on or around the Project does not unduly impact pedestrian spaces or movement, transit service, bicycle movement, or the overall traffic movement in the district;

The Project is located in a low-density neighborhood, and includes four new parking spaces: one for each dwelling unit on the Property. All parking spaces will be located in a shared basement garage accessed from Telegraph Hill Boulevard. The addition of four new parking spaces on the Property is expected to have minimal effect on the overall traffic volumes and movement in the district. It will have minimal effect on any pedestrian spaces, transit or bicycle movement, due to the low volume of trips to-and-from the garage. There are several stop signs along Telegraph Hill Boulevard, including one located at its intersection with the Filbert Street walkway and stairs. This ensures that cars, including those moving in and out of the garage, will be traveling at slow speeds, thereby minimizing conflicts between vehicles and pedestrian, cyclists, and people using public transit.

Accommodating excess accessory parking does not degrade the overall urban design quality of the Project;

The four parking spaces will have no adverse effect on the overall urban design quality of the Project. The parking spaces will be located in a shared basement garage under the proposed structure, which is not readily visible from the public right-of-way. The garage will be accessed through Unit #1 from a

driveway on Telegraph Hill Boulevard. The garage door will be powder coated dark steel to match the proposed window mullions, and will recede visually with the surrounding dark materials of the building. The building includes a concrete structural shell, with weathered steel and Corten steel panels to create warm highlights and reference the rustic nature of Historic Telegraph Hill. The Project also includes fixed wood louvers on the front façade. The garage door will be approximately 12-feet wide, which is in-keeping with the size of the garage doors found throughout the neighborhood, including on the adjacent two buildings to the east (one of which also abuts the Filbert Street walkway and stairs).

All above-grade parking is architecturally screened and lined with active uses according to the standards of Section 145.1, and the project sponsor is not requesting any exceptions or variances requiring such treatments elsewhere in this Code;

The Project includes a mechanical car lift that takes all cars down to a below-grade parking garage; there is no above-grade parking as part of this Project.

Excess accessory parking does not diminish the quality and viability of existing or planned streetscape enhancements.

The existing streetscape will be maintained and enhanced by the Project. No trees will be removed, and the parking will not diminish the viability of any street trees, or any other streetscape enhancements.

7. **Planning Code Section 303** establishes criteria for the Planning Commission to consider when reviewing applications for Conditional Use approval. On balance, the project does comply with said criteria in that:

   A. The proposed new uses and building, at the size and intensity contemplated and at the proposed location, will provide a development that is necessary or desirable, and compatible with, the neighborhood or the community.

   The Project is necessary and desirable because it will provide much needed family-sized in-fill housing in a residential neighborhood, on a lot that has been vacant (less for a small cottage at the rear of the lot) for over 10 years. The lot previously contained five buildings, but four of those five buildings were demolished in 1997. At present, the vacancy of the Property is a detriment to the neighborhood and creates a gap in the urban fabric that is built along the Filbert Street walkway and stairs. The vacant lot is visually inconsistent with the character of the surrounding private property, which features housing developments that relate to the topography of the hill. The Project is compatible with properties that abut a vehicular street, which typically include off-street parking. The Project will also incorporate landscaping to match the surrounding area, and create visual consistency in the neighborhood. As an area attracts a large number of tourists and visitors, the Project is a desirable improvement to the neighborhood over the existing vacant lot.

The Project will provide three new family-sized dwelling units, and will renovate an existing cottage that is in disrepair in order to make it suitable for occupancy. In-fill sites in developed residential neighborhoods, such as Telegraph Hill, should be developed with new housing.

B. The proposed project will not be detrimental to the health, safety, convenience or general welfare of persons residing or working in the vicinity. There are no features of the project that could be detrimental to the health, safety or convenience of those residing or working the area, in that:

i. Nature of proposed site, including its size and shape, and the proposed size, shape and arrangement of structures;

The 7,517 square-foot Property is located in a relatively low-density area; the lot is large for the neighborhood. In 1993, three lots were merged into the one large lot in existence today. Prior to that merger, up to nine dwelling units would have been principally permitted (approvable without a Conditional Use Authorization); now, only three units would be principally permitted, and four-to-seven units would be permitted with a Conditional Use Authorization.

This large vacant lot is an appropriate location for a three-unit in-fill development (for a total of four units on the lot). Due to the relatively low density development of the surrounding area, the Project will create housing at an appropriate scale in a desirable urban area without overcrowding the neighborhood. Although the three units are technically located within one building, they appear as three single-family dwellings, each with approximately 25-foot wide building facades that are located at the front property line, which is typical of residential properties in the surrounding area. The existing and proposed uses are consistent with the neighborhood uses, and the proposed design is compatible with the immediate vicinity.

ii. The accessibility and traffic patterns for persons and vehicles, the type and volume of such traffic, and the adequacy of proposed off-street parking and loading;

The Property is located in a relatively low-density area. The addition of three new dwelling units will have negligible adverse effect on traffic in the neighborhood, and it is anticipated that the Project will generate traffic volumes and patterns compatible with those of existing surrounding uses, particularly those properties with off-street parking. The Project will provide four off-street parking spaces in a below-grade basement garage, which will be sufficient to serve the residents at the property.

iii. The safeguards afforded to prevent noxious or offensive emissions such as noise, glare, dust and odor;

The Project consists of the construction of a new three-unit residential building with off-street parking, and the renovation of one existing cottage. The Project will comply with all City codes regarding construction hours, noise, and dust, and it will not produce, or include, any permanent uses that would emit noxious or offensive emissions such as noise, glare, dust and odor.

iv. Treatment given, as appropriate, to such aspects as landscaping, screening, open spaces, parking and loading areas, service areas, lighting and signs;

The Project will improve the exterior appearance of the Property by upgrading landscaping and creating an attractive, Code-compliant housing development. The Project will incorporate ample landscaping in planters at the front of the Property, and the area surrounding the new development will be landscaped to allow the development to blend into, and complement, the surrounding hillside. The Project will also incorporate green roof spaces so that when viewed from above, the Project will complement the character of Telegraph Hill and seamlessly blend into its surroundings.

C. That the use as proposed will comply with the applicable provisions of the Planning Code and will not adversely affect the General Plan.

The Project complies with all relevant requirements and standards of the Planning Code and is consistent with Objectives and Policies of the General Plan, as detailed below.

8. **General Plan Compliance.** The Project is, on balance, consistent with the following Objectives and Policies of the General Plan:

HOUSING ELEMENT

Objectives and Policies

OBJECTIVE 2:
RETAIN EXISTING HOUSING UNITS, AND PROMOTE SAFETY AND MAINTENANCE STANDARDS, WITHOUT JEOPARDIZING AFFORDABILITY.

Policy 2.4:
Promote improvements and continued maintenance to existing units to ensure long term habitation and safety.

The Project includes the renovation of the existing rear yard cottage, which is in poor condition, in order to make it suitable for occupancy.

OBJECTIVE 4:
FOSTER A HOUSING STOCK THAT MEETS THE NEEDS OF ALL RESIDENTS ACROSS LIFECYCLES.

Policy 4.1:
Develop new housing, and encourage the remodeling of existing housing, for families with children.

The Project includes the renovation of the existing rear yard cottage, which is in poor condition, in order to make it suitable for occupancy, and includes the development of three new family-sized units.

OBJECTIVE 11:
SUPPORT AND RESPECT THE DIVERSE AND DISTRINT CHARACTER OF SAN FRANCISCO'S NEIGHBORHOODS.

Policy 11.1:
Promote the construction and rehabilitation of well-designed housing that emphasizes beauty, flexibility, and innovative design, and respects the existing neighborhood character.

Policy 11.2:
Ensure implementation of acceptable design standards in project approvals.

Policy 11.3:
Ensure growth is accommodated without substantially and adversely impacting existing residential neighborhood character.

The Project includes a well-design renovation of the existing rear yard cottage, and includes new construction that is compatible with the surrounding scale of buildings at the street and the massing of adjacent buildings, as well as the architectural character of the surrounding neighborhood.

TRANSPORTATION ELEMENT

Objectives and Policies

OBJECTIVE 1:
MEET THE NEEDS OF ALL RESIDENTS AND VISITORS FOR SAFE, CONVENIENT AND INEXPENSIVE TRANVEL WITHIN SAN FRANCISCO AND BETWEEN THE CITY AND OTHER PART S OF THE REGION WHILE MAINTAINING THE HIGH QULAITY LIVING ENVIRONMENT OF THE BAY AREA.

Policy 1.3:
Give priority to public transit and other alternatives to the private automotive as the means of meeting San Francisco's transportation needs, particularly those of commuters.

OBJECTIVE 2:
USE THE TRANSPORTATION SYSTEM AS A MEANS FOR GUIDING DEVELOPMENT AND IMPROVING THE ENVIRONMENT.

Policy 2.2:
Reduce pollution, noise and energy consumption.

The Project's central location to the City's downtown and its proximity to public transportation make it an ideal location for new family-sized housing. Residents will have a variety of options connecting them to the

rest of the City and beyond. Due to the Property's central location, it is anticipated that residents will be able to commute to jobs and access much of San Francisco by transit, foot or bicycle; it is expected that the garage will be used primarily as vehicle storage.

URBAN DESIGN ELEMENT

Objectives and Policies

OBJECTIVE 2
CONSERVATION OF RESOURCES WHICH PROVIDE A SENSE OF NATURE, CONTINUITY WITH THE PAST, AND FREEDOM FROM OVERCROWDING.

Policy 2.7:
Recognize and protect outstanding and unique areas that contribute in an extraordinary degree to San Francisco's visual form and character.

Telegraph Hill is identified in the General Plan's Urban Design Element as an outstanding and unique area. The Special characteristics of the area are identified as the following:

- *A hilltop park with the highly visible green of trees from which Coit Tower rises above all else.*
- *Low, small-scale buildings having predominantly flat roofs and light pastel colors, hugging the topography in a highly articulated form which contrasts with the power of downtown construction.*
- *Cliffs and complex stairs and walkways on the east side above the waterfront, with buildings perched precariously along the slope and trees interspersed.*
- *Intimate pedestrian scale and texture of streets and housing, with sudden and dramatic views of the Bay and downtown through narrow openings.*

The Project is compatible with the aforementioned special characteristics, in that the buildings are designed to be consistent with the scale and massing of surrounding properties, and include flat, landscaped roof. The buildings respect the topography of the street by "stepping-down" the laterally-sloping topography of the Filbert Street steps. The buildings have been designed with a pedestrian scale and texture, incorporating both landscaping as well as a narrow opening between Unit #1 and #2 for views of downtown.

OBJECTIVE 3:
MODERATION OF MAJOR NEW DEVELOPMENT TO COMPLEMENT THE CITY PATTERN, THE RESOURCES TO BE CONSERVED, AND THE NEIGHBORHOOD ENVIRONMENT.

Policy 3.1:
Promote harmony in the visual relationships and transitions between new and older buildings.

Policy 3.6:
Relate the bulk of buildings to the prevailing scale of development to avoid an overwhelming or dominating appearance in new construction.

The Project provides an attractive modern design and form that compliments and blends with surrounding structures without mimicking them. This creates a visually dynamic and harmonious neighborhood with an appropriate mixture of building styles.

OBJECTIVE 4
IMPROVEMENT OF THE NEIGHBORHOOD ENVIRONMENT TO INCREASE PERSONAL SAFETY, COMFORT, PRIDE AND OPPORTUNITY

Policy 4.4
Design walkways and parking facilities to minimize danger to pedestrians.

This General Plan states that driveways across sidewalks should be kept to a practical minimum, with control maintained over the number and width of curb cuts, in order to minimize danger to pedestrians. The Project includes a 10-foot wide curb cut, which is the City standard, and a 12-foot wide garage door, which is comparable with the size of garage doors found on surrounding properties (specifically the two properties to the east). The Project has been designed to include one garage entrance that will serve the vehicle storage for all four units on the Property, thereby minimizing danger to pedestrians. The garage has sufficient space for maneuvering such that exiting vehicles will not need to be backed-out in reverse. As indicated through the Conditions of Approval, the Project Sponsor has agreed to install warning signs to alert pedestrians on the Filbert Steps to the presence of the driveway, as well as mirrors to enhance the view of drivers exiting the garage.

9. **Planning Code Section 101.1(b)** establishes eight priority-planning policies and requires review of permits for consistency with said policies. On balance, the project does comply with said policies in that:

   A. That existing neighborhood-serving retail uses be preserved and enhanced and future opportunities for resident employment in and ownership of such businesses be enhanced.

   The Project includes the re-use of the existing vacant residential cottage at the rear of the property, and the addition of three residential units on a largely vacant lot. It will not displace any neighborhood serving retail uses or have any adverse effect on future opportunities for resident employment and ownership of retail uses.

   B. That existing housing and neighborhood character be conserved and protected in order to preserve the cultural and economic diversity of our neighborhoods.

   The Project will conserve and protect existing housing and neighborhood character by renovating and restoring an existing building in the neighborhood. It will improve a dilapidated vacant lot with a well-designed, high-quality residential development that is compatible with the scale and mass of surrounding properties. It will include screening and green elements specifically designed to allow the new structure to blend seamlessly into the character of the neighborhood.

   C. That the City's supply of affordable housing be preserved and enhanced,

The Project includes the rehabilitation and preservation of an existing vacant rear cottage, which based on its size, will be relatively affordable for the Telegraph Hill neighborhood.

D. That commuter traffic not impede MUNI transit service or overburden our streets or neighborhood parking.

With four residential units within walking distance of the City's employment core and public transit (MUNI #39), the Project will not generate substantial commuter traffic that will impede MUNI transit service, or overburden the streets or neighborhood parking. Furthermore, by including four off-street parking spaces, the Project will minimize the need for residents to use the limited on-street parking in the neighborhood.

E. That a diverse economic base be maintained by protecting our industrial and service sectors from displacement due to commercial office development, and that future opportunities for resident employment and ownership in these sectors be enhanced.

The Project is a small residential development located on a nearly vacant lot in a residential neighborhood. No office use is proposed, and no industrial uses will be displaced.

F. That the City achieve the greatest possible preparedness to protect against injury and loss of life in an earthquake.

The Project will conform to the structural and seismic requirements of the San Francisco Building Code, and thus meets this requirement.

G. That landmarks and historic buildings be preserved.

The Project is not located in any Conservation or Historic District. The Project will not adversely alter any landmark building, contributory building, or architecturally significant building on the Property or in the vicinity.

H. That our parks and open space and their access to sunlight and vistas be protected from development.

The Project includes the in-fill development of three new dwelling units on a largely vacant lot in a residential neighborhood. The Project will not adversely affect any public parks or open spaces. It is located below Coit Tower and Pioneer Park on Telegraph Hill, and will incorporate green rooftop terraces to ensure that the Project blends with the hillside when viewed from above. It will not adversely affect he tower's access to sunlight or public vistas.

10. The Project is consistent with and would promote the general and specific purposes of the Code provided under Section 101.1(b) in that, as designed, the Project would contribute to the character and stability of the neighborhood and would constitute a beneficial development.

11. The Commission hereby finds that approval of the Conditional Use Authorization would promote the health, safety and welfare of the City.

DECISION

That based upon the Record, the submissions by the Applicant, the staff of the Department and other interested parties, the oral testimony presented to this Commission at the public hearings, and all other written materials submitted by all parties, the Commission hereby APPROVES **Conditional Use Application No. 2013.1375CE** subject to the following conditions attached hereto as "EXHIBIT A" in general conformance with plans on file, revised and dated ~~May 19, 2014~~September 2, 2014, and stamped "EXHIBIT B", which is incorporated herein by reference as though fully set forth.

APPEAL AND EFFECTIVE DATE OF MOTION: Any aggrieved person may appeal this Conditional Use Authorization to the Board of Supervisors within thirty (30) days after the date of this Motion No. XXXXX. The effective date of this Motion shall be the date of this Motion if not appealed (After the 30-day period has expired) OR the date of the decision of the Board of Supervisors if appealed to the Board of Supervisors. For further information, please contact the Board of Supervisors at (415) 554-5184, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102.

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 ADOPTED the foregoing Motion on ~~July 17, 2014~~September 11, 3014.

Jonas P. Ionin
Commission Secretary

AYES:

NAYS:

ABSENT:

ADOPTED: ~~July 17, 2014~~September 11, 2014

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EXHIBIT A

AUTHORIZATION

This authorization is for a Conditional Use to allow the construction of three new dwelling-units on a lot that contains one existing unit, including four off-street parking spaces located at 115 Telegraph Hill Boulevard, Block 0105, and Lot 065 pursuant to Planning Code Sections 151, 151.1, 209.1(h), 249.49, and 303, within the RH-3 (Residential House, Three-Family) Zoning District, Telegraph Hill – North Beach Residential Special Use District, and a 40-X Height and Bulk District; in general conformance with plans, revised and dated ~~May 19, 2014~~September 2, 2014, and stamped "EXHIBIT B" included in the docket for Case No. 2013.1375C and subject to conditions of approval reviewed and approved by the Commission on ~~July 17, 2014~~September 11, 2014 under Motion No. XXXXXX. This authorization and the conditions contained herein run with the property and not with a particular Project Sponsor, business, or operator.

RECORDATION OF CONDITIONS OF APPROVAL

Prior to the issuance of the building permit or commencement of use for the Project the Zoning Administrator shall approve and order the recordation of a Notice in the Official Records of the Recorder of the City and County of San Francisco for the subject property. This Notice shall state that the project is subject to the conditions of approval contained herein and reviewed and approved by the Planning Commission on ~~July 17, 2014~~September 11, 2014 under Motion No XXXXXX.

PRINTING OF CONDITIONS OF APPROVAL ON PLANS

The conditions of approval under the 'Exhibit A' of this Planning Commission Motion No. XXXXXX shall be reproduced on the Index Sheet of construction plans submitted with the Site or Building permit application for the Project. The Index Sheet of the construction plans shall reference to the Conditional Use authorization and any subsequent amendments or modifications.

SEVERABILITY

The Project shall comply with all applicable City codes and requirements. If any clause, sentence, section or any part of these conditions of approval is for any reason held to be invalid, such invalidity shall not affect or impair other remaining clauses, sentences, or sections of these conditions. This decision conveys no right to construct, or to receive a building permit. "Project Sponsor" shall include any subsequent responsible party.

CHANGES AND MODIFICATIONS

Changes to the approved plans may be approved administratively by the Zoning Administrator. Significant changes and modifications of conditions shall require Planning Commission approval of a new Conditional Use Authorization.

Conditions of Approval, Compliance, Monitoring, and Reporting

PERFORMANCE

1. **Validity.** The authorization and right vested by virtue of this action is valid for three (3) years from the effective date of the Motion. The Department of Building Inspection shall have issued a Building Permit or Site Permit to construct the project and/or commence the approved use within this three-year period.
   For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

2. **Expiration and Renewal.** Should a Building or Site Permit be sought after the three (3) year period has lapsed, the project sponsor must seek a renewal of this Authorization by filing an application for an amendment to the original Authorization or a new application for Authorization. Should the project sponsor decline to so file, and decline to withdraw the permit application, the Commission shall conduct a public hearing in order to consider the revocation of the Authorization. Should the Commission not revoke the Authorization following the closure of the public hearing, the Commission shall determine the extension of time for the continued validity of the Authorization.
   For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

3. **Diligent pursuit.** Once a Site or Building Permit has been issued, construction must commence within the timeframe required by the Department of Building Inspection and be continued diligently to completion. Failure to do so shall be grounds for the Commission to consider revoking the approval if more than three (3) years have passed since this Authorization was approved.
   For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org .

4. **Extension.** All time limits in the preceding three paragraphs may be extended at the discretion of the Zoning Administrator where implementation of the project is delayed by a public agency, an appeal or a legal challenge and only by the length of time for which such public agency, appeal or challenge has caused delay.
   For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

5. **Conformity with Current Law.** No application for Building Permit, Site Permit, or other entitlement shall be approved unless it complies with all applicable provisions of City Codes in effect at the time of such approval.
   For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

DESIGN

1. **Final Materials.** Final materials, window details, glazing, color, texture, landscaping, and general detailing shall be subject to Department staff review and approval. The architectural addenda shall be reviewed and approved by the Planning Department prior to issuance.
   For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org

2. **Garbage, composting and recycling storage.** Space for the collection and storage of garbage, composting, and recycling shall be provided within enclosed areas on the property and clearly labeled and illustrated on the building permit plans. Space for the collection and storage of recyclable and compostable materials that meets the size, location, accessibility and other standards specified by the San Francisco Recycling Program shall be provided at the ground level of the buildings.
   For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org

3. **Street Trees.** Pursuant to Planning Code Section 138.1, the Project Sponsor shall submit a site plan to the Planning Department prior to Planning approval of the Site or Building Permit Application indicating that the two existing street trees will remain. The Sponsor will pay an in-lieu fee for the remaining two require street trees in accordance with Planning Code Section 428, and as outlined in more detailed below.
   For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org

PARKING AND TRAFFIC

1. **Bicycle Parking.** The Project shall provide no fewer than **four (4)** Class 1 bicycle parking spaces as required by Planning Code Sections 155.1 and 155.5.
   For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

2. **Parking Maximum.** Pursuant to Planning Code Section 151.1 and 249.49, the Project shall provide no more than **four (4)** off-street parking spaces.
   For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

3. **Construction Parking.** The Project Sponsor shall require of the general contractor that construction workers shall park legally and shall not park in the Coit Tower parking lot. *For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org*

4. **Managing Traffic During Construction.** The Project Sponsor and construction contractor(s) shall coordinate with the Traffic Engineering and Transit Divisions of the San Francisco

Municipal Transportation Agency (SFMTA), the Police Department, the Fire Department, the Planning Department, and other construction contractor(s) for any concurrent nearby Projects to manage traffic congestion and pedestrian circulation effects during construction of the Project. Prior to commencing construction, the Project Sponsor shall consult with the affected neighbors on Assessor's Block 105 before finalizing the construction staging and traffic plan, including:

a. A schedule of delivery times and dates during which the construction materials are expected to arrive; and
b. Methods to be used to monitor truck movement into and out of the building site so as to minimize traffic conflicts on Telegraph Hill Boulevard.

5. There shall be no queuing of construction trucks along Telegraph Hill Boulevard. All trucks waiting to unload material shall be staged at a location offsite. Deliveries shall be made between the hours of 7:30 a.m. and 5 p.m. on weekdays, exclusive of legal holidays. The Project Sponsor shall employ full-time flag persons to direct traffic during excavation and concrete placement phases of construction. During other construction phases, all truck movement into and out of the Project Site shall be monitored by flag persons to minimize any traffic conflict.
For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

6. **Garage Safety Features.** The Project Sponsor shall post signs or other devices to alert pedestrians to vehicles exiting the garage. Parabolic mirrors shall be installed at the garage exit to enhance the view of exiting drivers.
For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

PROVISIONS

7. **Street Tree In-Lieu Fee.** The Zoning Administrator waived the requirement for installation of two of the required four street trees under Planning Code Section 138.1 based on DPW's recommendation. Pursuant to Planning Code Section 428, the Project Sponsor shall comply with Planning Code Section 138.1 through payment of an in-lieu Fee pursuant to Section 428.
For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org

MONITORING

1. **Enforcement.** Violation of any of the Planning Department conditions of approval contained in this Motion or of any other provisions of Planning Code applicable to this Project shall be subject to the enforcement procedures and administrative penalties set forth under Planning Code Section 176 or Section 176.1. The Planning Department may also refer the violation complaints to other city departments and agencies for appropriate enforcement action under their jurisdiction.

For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

2. **Revocation due to Violation of Conditions.** Should implementation of this Project result in complaints from interested property owners, residents, or commercial lessees which are not resolved by the Project Sponsor and found to be in violation of the Planning Code and/or the specific conditions of approval for the Project as set forth in Exhibit A of this Motion, the Zoning Administrator shall refer such complaints to the Commission, after which it may hold a public hearing on the matter to consider revocation of this authorization.
For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

OPERATION

1. **Sidewalk Maintenance.** The Project Sponsor shall maintain the main entrance to the building and all public sidewalks and stairways abutting the subject property in a clean and sanitary condition in compliance with the Department of Public Works Streets and Sidewalk Maintenance Standards.
For information about compliance, contact Bureau of Street Use and Mapping, Department of Public Works, 415-695-2017, http://sfdpw.org

2. **Community Liaison.** Prior to issuance of a building permit to construct the project and implement the approved use, the Project Sponsor shall appoint a community liaison officer to deal with the issues of concern to owners and occupants of nearby properties. The Project Sponsor shall provide the Zoning Administrator with written notice of the name, business address, and telephone number of the community liaison. Should the contact information change, the Zoning Administrator shall be made aware of such change. The community liaison shall report to the Zoning Administrator what issues, if any, are of concern to the community and what issues have not been resolved by the Project Sponsor.
For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

SAN FRANCISCO
PLANNING DEPARTMENT

Certificate of Determination
Exemption from Environmental Review

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

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

Case No.:	**2013.1375E**
Project Title:	**115 Telegraph Hill Boulevard**
Zoning:	RH-3 (Residential – House, Three Family) Use District Telegraph Hill – North Beach Residential Special Use District 40-X Height and Bulk District
Block/Lot:	0105/065
Lot Size:	7,517 square feet
Project Sponsor:	Daniel Frattin, Reuben, Junius, & Rose, LLP, (415) 567-9000
Staff Contact:	Jessica Range – (415) 575-9018, Jessica. Range@sfgov.org

PROJECT DESCRIPTION:

The proposed project would allow the construction of a three-unit residential building and an approximately 160 square foot (sf) demolition and exterior renovation of an existing 1,000-square-foot, two-story cottage constructed in 1906. The existing cottage would be modified to remove an approximately 160-sf addition in the northeast corner of the cottage that was permitted by the granting of a variance by the Planning Department's Zoning Administrator in 1995 (Planning Department case file no. 93.180v). Access to the cottage would be provided via a pedestrian walkway along Filbert Street.[1]

(Continued on next page.)

EXEMPT STATUS:

Categorical Exemption, Class 1 (California Environmental Quality Act (CEQA) Guidelines Section 15301(d) and Class 3 CEQA Guidelines Section 15303(b)

REMARKS:

See next page.

DETERMINATION:

I do hereby certify that the above determination has been made pursuant to State and local requirements.

Sarah Jones
Environmental Review Officer

September 3, 2014
Date

cc: Daniel Frattin, Project Sponsor
Virna Byrd, M. D. F
Supervisor David Chiu, District 3
Distribution List

[1] This is a separate pedestrian walkway from the Filbert Street Steps that extend from Sansome to Montgomery streets.

PROJECT DESCRIPTION (CONTINUED):

The three new residential units would be located in a three-story over basement building with unit sizes ranging from approximately 3,700 to 4,200 square feet. A new curb cut would be provided along Telegraph Hill Boulevard to allow access to a proposed 3,700 square foot basement area providing four off-street parking spaces. The maximum height of the building would be about 40 feet, as measured in accordance with the San Francisco Planning Code. No change would be made to the height of the existing cottage. The new three-unit building would be constructed at the front of the lot, adjacent to Telegraph Hill Boulevard and the walkway along Filbert Street, while the existing cottage would remain in its current location at the rear of the lot. The project also includes landscaping, repair and, where necessary, replacement in kind of a portion of the concrete sidewalk, steps, and retaining walls of the Filbert Street walkway along the parcel's northern frontage. The project is located within the Telegraph Hill neighborhood on the south side of Telegraph Hill Boulevard between Kearney and Montgomery Streets.

PROJECT APPROVALS:

- Conditional Use Authorization by the Planning Commission for residential density above three units per lot and four off-street parking spaces per Section 151 and the Telegraph Hill – North Beach Residential Special Use District of the San Francisco Planning Code.
- Building Permit from the San Francisco Department of Building Inspection.
- Permits from the Department of Public Works and San Francisco Municipal Transportation Agency (SFMTA) for construction within the public right-of-way.
- Approval from the SFMTA to relocate an existing stop sign.

Approval Action: The proposed project is subject to Planning Commission approval of a conditional use (CU) authorization for the off-street parking spaces and for residential density above three units per lot. The CU is the approval action for the project. The Approval Action date establishes the start of the 30-day appeal period for this CEQA exemption determination pursuant to Section 31.04(h) of the San Francisco Administrative Code.

REMARKS:

Historic Resource. The existing cottage was constructed in 1906 and is classified as a Category "B", or potential historic resource, in the Planning Department's records. A Category B rating indicates that additional information is necessary to make a determination as to whether the site is an historic resource or not. In order for a building to be deemed a historic resource for purposes of CEQA Section 21084.1, it must be listed in or determined to be eligible for listing in the California Register of Historical Resources (CRHR), or included in a local register of historic resources.

Based on a historic resource evaluation (HRE) prepared by Page & Turnbull[2] and subsequent evaluation by the Planning Department Preservation Planning staff,[3] the project site was determined to not be

[2] Page & Turnbull, *115 Telegraph Hill Boulevard Historic Resource Analysis, San Francisco, California.* February 19, 2014. A copy of this document is available for public review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, as part of Case File No. 2013.1375E.

eligible for listing in the CRHR nor was it included on a local register of historic resources. The extant cottage is a common example of a vernacular building and has been extensively altered such that it no longer represents its original 1906 construction.

In order for a project to be deemed eligible for listing in the CRHR, the project must be shown to meet any one of the National Register of Historic Places' four criteria: Criterion 1 (Event), Criterion 2 (Persons), Criterion 3 (Architecture), or Criterion 4 (Information Potential). The Planning Department concurs with the findings of the HRE that the subject property is not eligible for listing in the California Register under any criteria, specifically: no known historic events occurred at the property (Criterion 1), none of the owners or occupants have been identified as important to history (Criterion 2), the building is not architecturally distinct and represents its alteration circa 1997 (Criterion 3). Based upon a review of information in the Department's records, the subject property is not significant under Criterion 4, which is typically associated with archaeological resources. Furthermore, the subject property is not likely significant under Criterion 4, since this significance criterion typically applies to rare construction types when involving the built environment. The subject property is not an example of a rare construction type. The surrounding neighborhood contains a mix of architectural styles, building sizes, and a defined period of development; therefore, the project site does not appear to be located in a potential historic district.

Preservation Planning staff determined that the site does not meet any of these four criteria. Therefore, the site was determined to not be eligible for listing individually or as part of a potential or existing historic district in the CRHR and the site is not an historic resource for purposes of CEQA. The proposed modifications to the existing building and new construction project does not directly or indirectly involve any historic resources and will not cause a significant adverse impact upon a historic resource as defined by CEQA.

Geotechnical. The project site is on an approximately 80-foot-wide by 80-foot-deep, downhill-sloped lot with a slope from the east to west side of the lot. The elevation at the highest point along the street (northeast corner) is 251 feet (above sea level) and 214 feet at the rear lot line (southwest corner). The existing cottage is constructed in the southeastern corner of the lot at an elevation of 229 feet. The proposed three-unit residential building would be constructed at the front of the lot along Telegraph Hill Boulevard with its lowest pad elevation at approximately 224 feet. Removal of the approximately 160 sf portion of the existing cottage at the rear of the lot would require minimal alterations to the building foundation to support its new exterior walls. The foundation for the new three-unit building would be constructed using drilled concrete pier and grade beam foundation, requiring excavation up to 25 feet in depth.

[3] Hilyard, Gretchen, *Preservation Team Review Form for 115 Telegraph Hill Boulevard.* May 1, 2014. A copy of this document is available for public review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, as part of Case File No. 2013.1375E.

A geotechnical report was prepared for the proposed project at 115 Telegraph Hill Boulevard[4] and includes information gathered from a site reconnaissance by the geotechnical engineer and four soil borings conducted on the project site. The borings encountered 6 inches to 4 feet six inches of loose to dense clayey sand with varying amounts of silt and gravel to stiff, sandy silty clay, overlaying sandstone bedrock. No groundwater was encountered, though based on the hillside location it is possible that groundwater could be encountered near the surface following rain or upslope irrigation.

The geotechnical report evaluated the project site for potential liquefaction, surface rupture, lateral spreading, densification, and landslides and found the potential for risk to be low. The project site is in an area that would be exposed to strong earthquake shaking, though adherence to the recommendations in the 2013 San Francisco Building Code would reduce potential damage to the structure. The 2013 San Francisco Building Code (Building Code) requires Site Classification and Values of Site Coefficients for the design of earthquake resistant structures to minimize damage from earthquakes. The geotechnical report includes seismic design parameters for use by the structural engineer for the project in complying with the Building Code during the Department of Building Inspection (DBI) building permit plancheck process.

The geotechnical report found that the proposed structure's foundation could be safely supported using a drilled concrete pier and grade beam foundation, provided adherence to site preparation and foundation design recommendations in the project geotechnical report.

The project sponsor has agreed to adhere to the recommendations of the geotechnical report and include the report's design recommendations into the plans submitted for the building permit plancheck process, subject to final review by DBI. Thus, the proposed project would have no significant geotechnical impacts.

Construction. The proposed project would require construction activities within the public right-of-way. These activities would be coordinated with the San Francisco Department of Public Works, SFMTA, and the Transportation Advisory Staff Committee to ensure that construction activities are conducted in a manner that maintains circulation on public rights-of-way, to the maximum extent feasible. The project sponsor is developing a construction plan pursuant to the permitting requirements for construction within the public right-of-way. Any temporary, short-term, delay to vehicular or pedestrian travel would not be a significant impact.

Exemption Class. Under State CEQA Guidelines Section 15301(d), or Class 1(d), exterior renovations to an existing single-family residence that is not a historic resource, as defined for purposes of CEQA, is exempt from environmental review. The proposed project involves the exterior renovation of the existing 1,000-square-foot cottage at the rear of the property. Under State CEQA Guidelines Section 15303(b), or Class 3(b), construction of a multi-family residential structure with up to four dwelling units in a residential zone is exempt from environmental review. In urbanized areas, this exemption applies to apartments, duplexes, and similar structures designed for not more than six dwelling units. The proposed

[4] Earth Mechanics Consulting Engineers, *Report Geotechnical Investigation Planned Improvements at 115 Telegraph Hill Boulevard, San Francisco, California,* May 12, 2013. A copy of this document is available for public review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, as part of Case File No. 2013.1375E.

project includes the construction of three dwelling units in a residential zoning district. Therefore, the proposed project would be exempt from environmental review under Class 1(d) and Class 3(b).

Summary. State CEQA Guidelines Section 15300.2 states that a categorical exemption shall not be used for an activity where there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances. There are no unusual circumstances surrounding the current proposal that would suggest a reasonable possibility of a significant effect. The proposed project would not have significant geotechnical or historical resource impacts. The proposed project would have no significant environmental effects. The project would be exempt under the above-cited classifications. For the above reasons, the proposed project is appropriately exempt from environmental review.

SAN FRANCISCO
PLANNING DEPARTMENT

PRESERVATION TEAM REVIEW FORM

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

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

Preservation Team Meeting Date:		Date of Form Completion	5/1/2014

PROJECT INFORMATION:		
Planner:	Address:	
Gretchen Hilyard	115 Telegraph Hill Blvd.	
Block/Lot:	Cross Streets:	
0105/065	Kearny Street	
CEQA Category:	Art. 10/11:	BPA/Case No.:
B	n/a	2013.1375E

PURPOSE OF REVIEW:			PROJECT DESCRIPTION:	
(•) CEQA	( ) Article 10/11	( ) Preliminary/PIC	(•) Alteration	( ) Demo/New Construction

DATE OF PLANS UNDER REVIEW:	08/12/2013

PROJECT ISSUES:	
☒	Is the subject Property an eligible historic resource?
☒	If so, are the proposed changes a significant impact?
	Additional Notes:

Submitted: Historic Resource Evaluation for 115 Telegraph Hill Boulevard prepared by Page & Turnbull, dated February 19, 2014.

Proposed project: Retention of the existing cottage at the rear of property and construction of three new buildings at the front of the lot.

PRESERVATION TEAM REVIEW:			
Historic Resource Present	( ) Yes	(•) No *	( ) N/A

Individual	Historic District/Context
Property is individually eligible for inclusion in a California Register under one or more of the 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
Criterion 2 -Persons: ( ) Yes (•) No	Criterion 2 -Persons: ( ) Yes (•) No
Criterion 3 - Architecture: ( ) Yes (•) No	Criterion 3 - Architecture: ( ) Yes (•) No
Criterion 4 - Info. Potential: ( ) Yes (•) No	Criterion 4 - Info. Potential: ( ) Yes (•) No
Period of Significance:	Period of Significance:
	( ) Contributor ( ) Non-Contributor

Complies with the Secretary's Standards/Art 10/Art 11:	○ Yes	○ No	◉ N/A
CEQA Material Impairment:	○ Yes	◉ No	
Needs More Information:	○ Yes	◉ No	
Requires Design Revisions:	○ Yes	◉ No	
Defer to Residential Design Team:	◉ Yes	○ No	

* If No is selected for Historic Resource per CEQA, a signature from Senior Preservation Planner or Preservation Coordinator is required.

PRESERVATION TEAM COMMENTS:

According to the Historic Resource Evaluation (HRE) prepared by Page & Turnbull (dated February 19, 2014) and information found in the Planning Department files, the subject property at 115 Telegraph Hill Boulevard is set on a steeply sloping lot that once contained five buildings. The existing property contains concrete retaining walls, concrete and wood stairways, fencing and a one-story vernacular cottage that was constructed in 1906 and designed by an unknown architect. The cottage is known as 323D Filbert Street or 367-369 Filbert Street. Known alterations to the property include: demolition of four buildings on the parcel (ca. 1997), and complete renovation/rebuilding of the cottage (ca. 1997). The extant cottage is a common example of a vernacular building and has been extensively altered such that it no longer represents its original construction in 1906. All materials of the extant building date to its reconstruction in ca. 1997. The Department concurs with the findings of the HRE that the subject property is not eligible for listing in the California Register under any criteria, specifically: No known historic events occurred at the property (Criterion 1), none of the owners or occupants have been identified as important to history (Criterion 2), and the building is not architecturally distinct and represents its alteration in ca. 1997 (Criterion 3). Therefore, the subject property is not eligible for listing in the California Register under any criteria individually or as part of a historic district.

The Department agrees with the findings of the HRE that the proposed new construction project does not directly or indirectly involve any historic resources and will not cause a significant adverse impact upon a historic resource as defined by CEQA.

Signature of a Senior Preservation Planner / Preservation Coordinator:	Date:
Jmata	5-2-2014

September 1, 2014

Cindy Wu, President
Planning Commission
City and County of San Francisco
1650 Mission Street, Suite 400
San Francisco, CA 94103

Re: Case No. 3013.1375CE
115 Telegraph Hill Blvd.
Environmental Review Required

Dear President Wu and Commissioners,

I write to urge you to not approve the proposed three-unit condominium project at 115 Telegraph Hill Boulevard, including its 3,742 square foot parking garage (the "Project") because the Certificate of Determination of Exemption from Environmental Review issued by the Planning Department on June 10, 2014, is legally inadequate for the Project as proposed. As set forth in greater detail below, the Project is not exempt from environmental review.

The Planning Department has issued a categorical exemption under classes 1 and 3 of the CEQA Guidelines. These categories are designed for minor, environmentally benign projects involving existing facilities, new construction, and conversions of small structures and minor alterations, because such projects normally have no significant environmental impacts.

Importantly, CEQA provides that all categorical exemptions are rebuttable and *shall not be used* for a project that *may* have any potentially significant environmental impact due to its particular circumstances. (CEQA Guideline § 15300.2) The particular circumstances in this case are several, including the remarkably unique and special setting of the Project on the Filbert Steps and Telegraph Hill Boulevard immediately across from Pioneer Park, and the topography and geological nature of the Project site where massive excavation for the proposed parking garage will be necessary.

Unique Location of the Project Site. The Project Site is located at a very important intersection of the Filbert Steps and Telegraph Hill Boulevard, the only vehicular access to Coit Tower. The narrow Filbert Steps that comprise most of the northern boundary of the Project Site is a key and primary pedestrian access point from North Beach to Pioneer Park and Coit Tower and is therefore used by hundreds of people daily. Based on San Francisco Recreation and Parks Department data, as cited in the San Francisco Chronicle (May 14, 2014), over 200,000 people visit Coit Tower each year, and many more visit Pioneer Park. More than half of all visitors to Coit Tower/Pioneer Park come by foot or by bus.

The Project site touches Telegraph Hill Boulevard at its northeast corner for only 13 feet, a narrow slot where the driveway and curb cut for the Project's proposed parking garage will be located right at the top of the Filbert Steps where pedestrians stop to catch their breath, where the 39 Coit bus stops to let MUNI passengers disembark. All pedestrians have to cross the driveway to reach the mid-block pedestrian crosswalk connecting the Filbert Steps and bus stop to the stairway in Pioneer Park leading up to Coit Tower.

Topography and Geological Nature of the Project Site. Lawrence B. Karp holds a doctorate in civil engineering and an Earthquake Engineering Certificate from UC Berkeley and is a licensed civil engineer, geotechnical engineer and architect in California. Mr. Karp has over 45 years experience in design and construction with specialization in stability evaluation of excavations and slopes, site development and construction logistics. After reviewing the geotechnical report prepared for the proposed Project, Mr. Karp has opined that, in his professional opinion, the "Geotechnical Investigation" report prepared by Earth Mechanics Consulting Engineers (6/22/13) used by the Planning Department to evaluate the Project pursuant to CEQA is totally inadequate in its analysis of the site's geotechnical characteristics. As Mr. Karp points out in his letter dated July 16, 2014 (copy attached), Earth Mechanics' report fails to discuss the 33-foot deep vertical excavation required for the car lift and parking garage shaft at the edge of the Filbert Steps and "comes nowhere near the standard-of-care for a proper report of geotechnical investigation for the intended project." Based on Mr. Karp's expert opinion as to the inadequacy of the Earth Mechanics report, the Planning Department did not have sufficient information upon which to base its finding that the Project would have no significant geotechnical impacts.

Excavation and Construction Impacts. While construction impacts are not normally considered to be unusual as they are temporary in nature, the unique setting of the Project and its relationship to public use and amenities demands analysis of the potentially significant impacts on traffic, MUNI service and pedestrians from construction and construction-related activities including impacts from the following: (1) extraction and disposal of huge amounts of rock and soil from the 33-foot deep excavation necessitated by the car lift and garage shaft with only an approximately 13' street frontage at the top of the Filbert Steps for construction staging, (2) shoring and underpinning of the historic Filbert Steps and Telegraph Hill Boulevard, (3) closing the Filbert Steps during construction, (4) impeding Muni service and other vehicular travel on Telegraph Hill Boulevard to stage and provide access to the construction site, (5) moving construction equipment on and off of the site, (6) staging of trucks during concrete pours, and (7) dust and noise impacts associated with construction.

Based on computer modeling of the proposed plans for the Project, it is estimated that 2,546 cubic yards (over 4,328 tons) of rock and dirt will have to be removed from the site. Assuming the existing 3-ton limit on Telegraph Hill Boulevard is waived for the Project and that each load will be 8 tons, this would require 541 loads or 1,082 trips (1 in-bound and 1 out-bound)

using a 26-foot long/25-foot wide superdump truck. If the existing 3-ton limit on Telegraph Hill Boulevard is adhered to, the excavation would require over 6,000 truck trips in smaller trucks.

These truck load numbers do not include the loads required to pour the concrete for the mat foundation (an estimated additional 252 trips based on 8-ton loads), the truck loads required to import soil to be compacted before pouring the mat foundation, or the truck trips required to bring lumber and other construction materials to the site. The impacts of this number of truck trips on pedestrian travel by hundreds of people who use the Filbert Steps, on vehicular traffic on Telegraph Hill Boulevard, including MUNI service to Coit Tower, and on fire and emergency services, were not considered by the Planning Department in finding the project exempt for all environmental review.

The Fair Argument Standard. Even if the Project is aligned with an exemption category as claimed by the Department, the standard of review as to whether an exception may defeat the exemption is the "fair argument" standard. If the record before the City includes a fair argument that the Project may have a significant environmental impact, the exemption fails.

The fair argument standard triggers an EIR if any substantial evidence in the record – that is, facts or reasonable assumptions/expert opinions based on facts – supports a fair argument that significant impacts may occur, even if a different conclusion may also be well supported. This standard markedly differs from the deferential review normally enjoyed by agencies:

> ... if a lead agency is presented with a fair argument that a project may have a significant effect on the environment, the lead agency shall prepare an EIR even though it may also be presented with other substantial evidence that the project will not have a significant effect.

(Guideline § 15064, subd.(f), subd.(l).) Importantly, if there is a dispute among experts, the City must defer to the evidence in favor of environmental review. (*E.g.*, Guideline § 15064, subd. (f).) In this case there is a substantial difference in opinion regarding the potential impacts of performing the deep excavation of the Project site.

Substantial Evidence Defeats the Categorical Exemption. The information before the Planning Department and Commission more than fulfills the low-threshold requirement for the requisite "fair argument" that the proposed Project may have environmental impacts based on, among other things:

- Massive, unstudied excavation of the steep site for the 33-foot deep vertical excavation required for the car lift shaft and other geotechnical impacts;

- Traffic impacts related to construction on MUNI service, pedestrian and vehicular travel and fire and emergency services;

- Transportation impacts, especially vehicular/pedestrian conflicts from the driveway and garage at the top of the Filbert Steps;

- Inconsistencies with City land use plans and policies related to preserving public views from public parks and public open spaces, as the Project would block views from the pedestrian stairways and landings of Pioneer Park across the Filbert Steps;

- Impacts related to pedestrian safety from proposed new driveway location between the top of the Filbert Steps and the pedestrian cross walk to Pioneer Park due to the lack of any landing at the top of the Filbert Steps requiring pedestrians to step onto the driveway for the proposed garage;

- Potential damage to the historic Filbert Steps during construction and/or potential relocation or reconstruction of these steps;

- Neighborhood character incompatibility based on mass, scale and design;

- Failure to consult with DPW, DPT (MUNI), Recreation and Parks Department, and the Fire Department;

- Failure to require environmental review of new off-street parking in the Telegraph Hill/North Beach area pursuant to Board of Supervisors File No. 10-0638;

- The need to reconfigure the sidewalk and bus stop and relocate the bus stop to accommodate the proposed driveway requiring removal of a portion of the historic stone wall separating the Telegraph Hill Boulevard and the Filbert Steps;

- Noise and light impacts associated with the flashing lights and/or beeping sounds of warning signals that will be required for automobile ingress and egress from the garage to alert pedestrian walking up the Filbert Steps;

- Cars accessing the garage must cross a double yellow line on a blind curve by making a sharp right hand turn;

- Failure to timely consult with DPW to determine conditions of approval required to ensure the safety of pedestrians on the Filbert Steps; and

- If DPW requires the Filbert Steps to be relocated or reconstructed, additional environmental and project review will be required (i.e. the project description may be incomplete and CEQA review segmented).

Conclusion. The discussion above clearly shows that the Certificate of Determination of Exemption from Environmental Review issued by the Planning Department on June 10, 2014 is legally insufficient. Therefore, I urge the Commission to disapprove the Project or continue this matter with directions to the Department to prepare a new legally adequate environmental review document for the Project to assess the impacts set forth above.

Sincerely,

Gerry Crowley
7 Fielding St.
San Francisco, CA 94133

cc: Jonas P. Ionin, Commission Secretary
Supervisor David Chiu
Commissioner Rodney Fong
Commissioner Michael Antonini
Commissioner Rich Hillis
Commissioner Christine Johnson
Commissioner Kathrin Moore
Commissioner Dennis Richards
John Rahaim, Director of Planning Department
Elizabeth Watty, Case Planner

From:	Peter Dwares
To:	Watty, Elizabeth (CPC)
Subject:	115 Telegraph Hill Boulevard 17,000 plus sq. ft. Development on Filbert Steps
Date:	Tuesday, September 02, 2014 3:48:03 PM
Attachments:	stan tenig drawing.pdf

September 2, 2014

TO: San Francisco Planning Commission - Elizabeth.Watty@sfgov.org
RE: 115 Telegraph Hill Boulevard 17,000 plus sq. ft. Development on Filbert Steps

This is a follow up to my earlier letter. Let me be clear. I am in favor of a development on 115 Telegraph Hill Boulevard. Just not this one.

Firstly, this is not about the Developers. They appear to be professional people. It's about the special land, the Neighbors, Tourists, the views and the light from the Filbert Steps, not just from Coit Tower.

I must say this is not a "family friendly housing" buzz words the Developer represents for support. In fact, they will likely be sold to a high tech mogul or a second home for a foreign oligarch. It's three new approximately 5,000 plus ft., buildings and a fourth existing to be redone, totaling 17,000 or more sq. ft. that the broker will sell between $1,500-$2,000 a foot or well over $30 million. The Developer's objective is to maximize profits. Under other circumstances I would support that, I am a businessman. But this is my neighborhood for forty years. I love it. So do the Tourists who have no voice and the Neighbors.

The buildings on the Developer's plan are a maximum build out of the lot. The thousands of visitors to San Francisco's Coit Tower everyday (accessed by walking the world famous Filbert Steps, now look out at the City and enjoy sunlight views or the evening lighted downtown. See photos attached. They will lose that privilege to three or four very well heeled lucky owners if this plan passes. We will as neighbors lose the entire view from the Steps, and the light. We will look at what I see as an "in your face " façade." See their exhibit A 3.7 attached.

Personally, I will have to look at it every day as I walk by. To me it has no charm and blocks entirely a world class view.

This special land view area of Telegraph Hill is unique. It's like a "baseball team", i.e. quasi private/quasi public.

I can speak for myself and other neighbors who feel as I do. But the millions of Tourists who

walk these Steps over time have no advocate but us.

To those who support this because you are tired of a decaying empty lot with a chain link fence, I empathize. However Tourist views from the Filbert Steps and charming buildings can be compatible. Instead of four buildings over 17,000 sq. ft. i.e. neighborhood Shopping Center Size, there could be two charming new buildings set back plus the expanded existing building. The scale could be like Upper Alta Street Buildings which are next to the development. They will be on lower grade so City views would be protected.

Just look at the attached façade on Exhibit A3.7. Visualize it you walk up Filbert Steps. No set back. Little charm. Takes away sunlight from Filbert Steps walkway, darkens the experience for neighbors and Tourists alike.

This project appears rushed; many neighbors have not gotten notice. I who have owned on the Filbert Steps since 1977, just heard of it several months ago. Eric Breisacher, who lives two doors down said he had no notice.

Some of supporters' letters are from the Developer's interested service providers and family members. This is understandable. Some other letters are from people tired of an unkempt lot. Also understandable.

Opponents of the project have real concerns about removing views, light, lack of charm, and possible destruction of a delicate Telegraph Hill substructure, an issue for over one hundred years.

Please walk up and look at the City from the Steps, then look at Developers Exhibit A 3.7, part of submission. The facts speak for themselves.

Two additional smaller and set back structures with charm added to the existing expanded structure is a win win.

Sincerely,

Peter Dwares, Esq.
331 Filbert Street

Peter Dwares
Dwares Group
331 Filbert Street
San Francisco, CA 94133
415-986-5885
415-986-5893 fax

415-260-6530 cell

***Dictated but not reviewed.**

ORIGINAL

TELEGRAPH HILL DWELLERS

September 3, 2014
VIA EMAIL (cwu.planning@gmail.com)

Cindy Wu, President
Planning Commission
City and County of San Francisco
1650 Mission Street, Suite 400
San Francisco, CA 94103

Re: Case No. 3013.1375CE
115 Telegraph Hill Blvd.

Dear President Wu and Commissioners,

On behalf of the Telegraph Hill Dwellers (THD), I thank the Planning Commission for continuing this matter on July 17, 2014 with direction to the project sponsor to explore design alternatives to address the public interest and the specific and challenging conditions at the top of the Filbert Street Steps at this most iconic site. For the sake of brevity, THD's letter to the Planning Commission dated September 9, 2014, including all attachments thereto, and the report prepared by Lawrence B. Karp, Geotechnical Engineer, dated July 16, 2014 (Karp Letter), which addresses the inadequacies of the "Geotechnical Investigation" prepared by Earth Mechanics Consulting Engineers (6/22/13), used by the Planning Department to evaluate the Project pursuant to CEQA are incorporated herein by reference as though fully set forth.[1]

Suggestions offered by Commissioners included the following:

1) Preserve significant public views (from the top of the Filbert Steps and from the stairways and landings within Pioneer Park) by adding a view corridor of at least 13 feet 5 inches along the eastern edge of the property by specifically suggesting 23 feet width for each of the three townhouse units;
2) Reduce the scale and massing;
3) Step down the southern (rear) façade of the buildings by incorporating decks and terraces, to provide articulation and to avoid a massive rear façade;
4) Redesign the front façade so the project has the character of 3 distinct residences that reflect the scale and mass of the existing development patterns typical for the slopes of Telegraph Hill;

[1] Copies of the Karp Letter were hand-delivered to the Commission at the July 17, 2014 hearing.

5) Remove the stair penthouses and replace them with of roof hatches or eliminate roof decks; and
6) Several Commissioners provided additional design suggestions:
   - Eliminate the driveway and garage from the project to avoid conflicts between vehicular, pedestrian and public transit at this location at the top of the Filbert Steps, adjacent to a Muni bus stop and a mid-block pedestrian crosswalk heavily utilized by persons accessing the Pioneer Park stairs to Coit Tower via the Filbert Steps and the 39 Coit bus;
   - The 3,742 sq. ft. devoted to parking is excessively large for three or four cars;
   - Consider an alternative project with higher density and smaller units on the site – noting that the site previously provided 11 units of housing and that unit sizes in excess of 4,000 sq. ft. is unnecessarily large for family housing.

While the project sponsor's latest design represents *an* attempt to respond to Commissioners' suggestions, it fails to address those suggestions in a thoughtful and material manner. The new plans presented to the Planning Department **(1)** still fail to reduce the height, mass and scale in any meaningful way, **(2)** fail to provide meaningful view corridors, and (3) fail to properly consider or ignore entirely important urban design principles for this unique site.

Most significantly, public views from the Filbert Steps and from the Pioneer Park stairs across from the site will be completely obliterated. The two 3-ft. slots shown on the revised plans as "view corridors" and the 5 ft. set back from the east property line, which was touted as an 8 ft.-3 inch view corridor by the project sponsor in his e-mail to the planner, provide no actual view corridors for the following reasons:

1) The Project is only set back 5 feet from the western property line. The additional 3 feet 3 inches belongs to the downhill neighbor to the west. A partial proposed site plan, basement plan and elevations are attached hereto respectively as Exhibits 1, 2 and 3. (Exhibits 1-3 as attached to this letter are "partial plans"; in other words, we have enlarged parts of the plans to so that you can view the numbers stated on the plans (which are otherwise illegible). The full plans are in the hard copy file with the Planning Department.)
2) The revised plans clearly show that their new "view corridor" at the western 5 feet of the property will provide no public views from the Filbert Steps landing at this point. The elevation of the Filbert Steps landing at this point is at 230.3 feet SF Datum, whereas the eave line of the downhill cottage is at 238.6 feet SF Datum or 8.3 feet above this landing. Furthermore, the landing is about 5 feet lower than the top of the stairs leading to the project's rear yard, which is at 235 feet SF Datum. By the time the height of the planter is added, the top of the planter will be about 237 feet plus SF Datum and would block any view. Therefore, no real view corridor will exist at the bottom landing of the Filbert Steps. See Exhibit 3. It is also worth noting

that these revised plans include adding a new steel entry gate on the neighboring property to the west.

3) As can be seen from the partial elevation (see Exhibit 3), the two 3-foot separations between the townhouses do not create view corridors. These so-called "view corridors" are actually narrow slots – 3 feet wide and approximately 50 feet deep. Furthermore, at the top of the Filbert Steps, the 3 foot 6 inch slot to the east of the project site is not on the project site but part of a separate lot belonging to another individual.

The revised project also ignores other design suggestions by Commissioners in that:

1) It fails to address the conflict between vehicles entering and exiting the garage, pedestrian traffic and Muni line #39. This Muni route has two trips in front of the proposed driveway every 20 minutes seven days a week;
2) It does not address elimination of the garage, which if eliminated would automatically reduce the height of the two eastern units one story by turning the garage level into habitable space;
3) Alternatively, it does not reduce the size of the garage;
4) It fails to significantly reduce the project height;
5) It fails to increase the unit density to provide additional units and smaller units that would be more affordable;
6) It fails to replace the roof penthouses with roof hatches or otherwise eliminate the roof decks;
7) It fails to revise the façade design from that previously presented to the Commission and ignores the Commission's concerns regarding compatibility of the project with the character, scale and massing of the existing buildings of Telegraph Hill; and
8) It fails to redesign the project to step the building to the south to reflect the slope of the lot thereby ignoring the Commission's request for appropriate massing.

As we testified at the July 17, 2014 hearing, the Telegraph Hill Dwellers spent innumerable hours during 2012 working with the project sponsor and architects to address public interest issues associated with the development of this unique site. This latest scheme ignores both THD's previous suggestions and Commissioners' suggestions for redesign.

There is no reason why the site cannot be developed in a manner that preserves public interest and achieves compatibility with neighborhood character. To that end, the architectural firm of EHDD has been engaged to prepare massing studies and alternative site plans that incorporate the following design principles, including those suggested by Commissioners:

- Design a project that addresses the urban design principles as articulated in the Urban Design Element of the San Francisco General to ensure compatibility with the special characteristics of outstanding and unique areas including Telegraph Hill;

- Design a project that complies with the Residential Design Guidelines;
- Step the development to reflect the slope of the site in both directions;
- Minimize excavation and construction impacts;
- Reduce the mass and scale of the project;
- Explore options with and without parking; and
- Explore options with additional units that would still provide family-sized units.

The studies presented to the Commission will include a preferred alternative that represents the *maximum* height, massing and scale acceptable to THD. THD is still concerned that the exterior architectural design of the proposed building would be incompatible with the character of Telegraph Hill. As directed by the Commission at its July 17 hearing, the front façade should be designed so the project has the character of 3 distinct residences that reflect the existing development patterns and cladding typical for the slopes of Telegraph Hill. We urge the Commission to require the project sponsor to work with the neighbors and Department staff to achieve such a design.

We agree with Commissioner Antonini's comments of July 17 wherein he suggested that project approval be conditioned to assure that impacts to the Filbert Steps and Telegraph Hill Boulevard be minimized during construction. In response to Commissioner Antonini's comments, Lewis Butler, the project architect, stated that a construction platform would be built on the project site and all excavation and construction would be staged from that platform while keeping Telegraph Hill Boulevard and the Filbert Steps open. If this Commission approves any project at this site, we respectfully suggest that Mr. Butler's statement related to these construction logistics be made one of the conditions of the conditional use authorization.

Finally, we again request that this Commission continue any decision on this project until the Department has contacted the Fire Department, the SFMTA and the Department of Public Works regarding any comments or concerns they may have as to transportation, pedestrian safety and emergency vehicle access during and after construction.

We respectfully urge you to seriously consider THD's preferred option.

Sincerely,

Vedica Puri
President

cc: (All by hard copy, hand delivery)
Commissioner Michael Antonini wordweaver21@aol.com
Commissioner Rodney Fong planning@rodneyfong.com

Commissioner Richard Hillis richhillissf@yahoo.com
Commissioner Kathrin Moore mooreurban@aol.com
Commissioner Christine Johnson christine.johnson@sfgov.org
Commissioner Dennis Richards drichards@salesforce.com
Jonas P. Ionin, Commission Secretary Commissions.Secretary@sfgov.org
John Rahaim, Director of Planning John.Rahaim@sfgov.org
Scott Sanchez, Zoning Administrator Scott.Sanchez@sfgov.org
Elizabeth Watty, Planner Elizabeth.Watty@sfgov.org

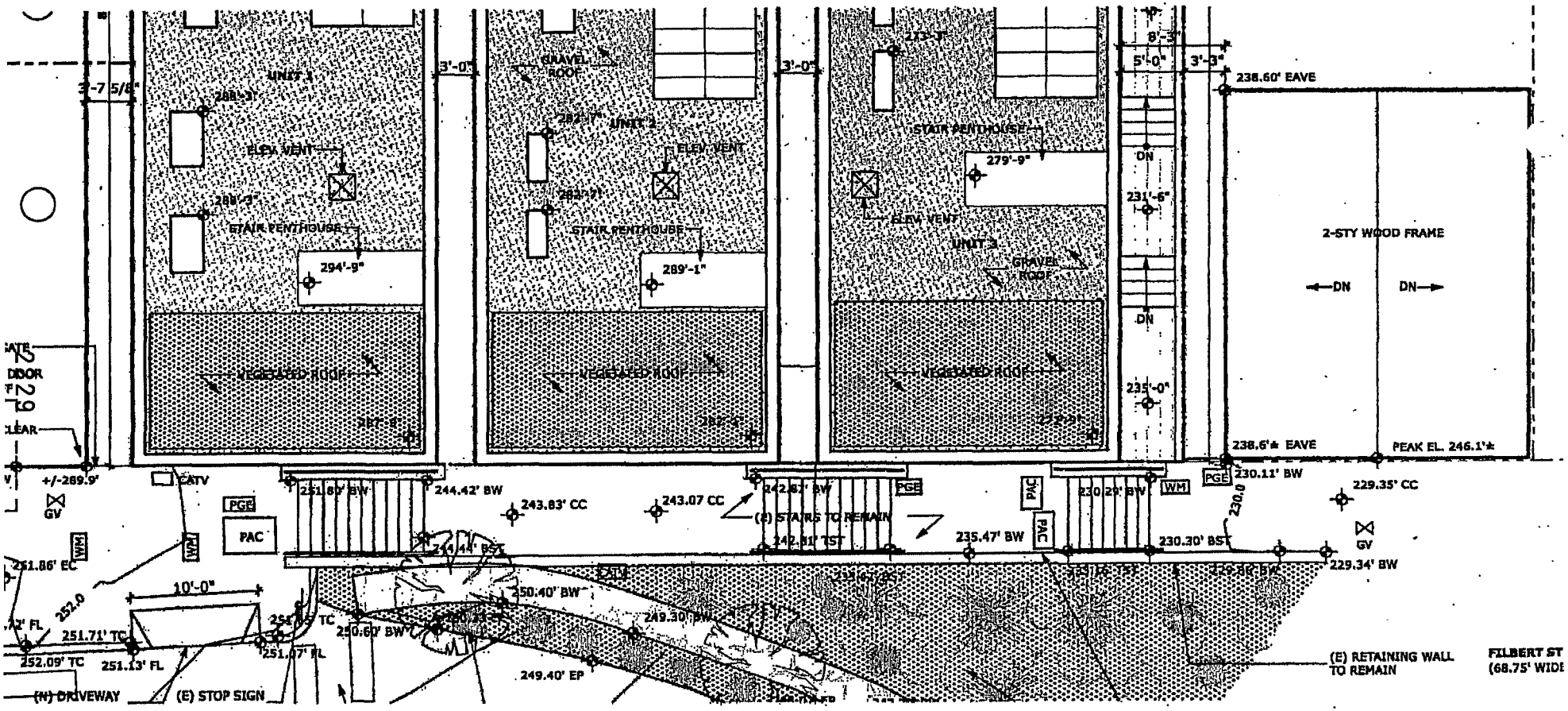

UNIT 1
UNIT 2
UNIT 3
ELEV. VENT
STAIR PENTHOUSE
GRAVEL ROOF
VEGETATED ROOF
294'-9"
289'-1"
279'-9"
231'-6"
235'-0"
238.60' EAVE
238.6'± EAVE
PEAK EL. 246.1'±
2-STY WOOD FRAME
DN
3'-0"
5'-0"
3'-3"
8'-3"
3'-7 5/8"
+/-289.9'
CATV
GV
PGE
PAC
WM
244.42' BW
243.83' CC
243.07 CC
(E) STAIRS TO REMAIN
235.47' BW
230.30' BST
230.11' BW
229.35' CC
229.34' BW
10'-0"
252.0
251.86' EC
251.71' TC
252.09' TC
251.13' FL
251.07' FL
250.40' BW
250.60' BW
249.30' BW
249.40' EP
(N) DRIVEWAY
(E) STOP SIGN
(E) RETAINING WALL TO REMAIN
FILBERT ST (68.75' WIDE

Exhibit 1

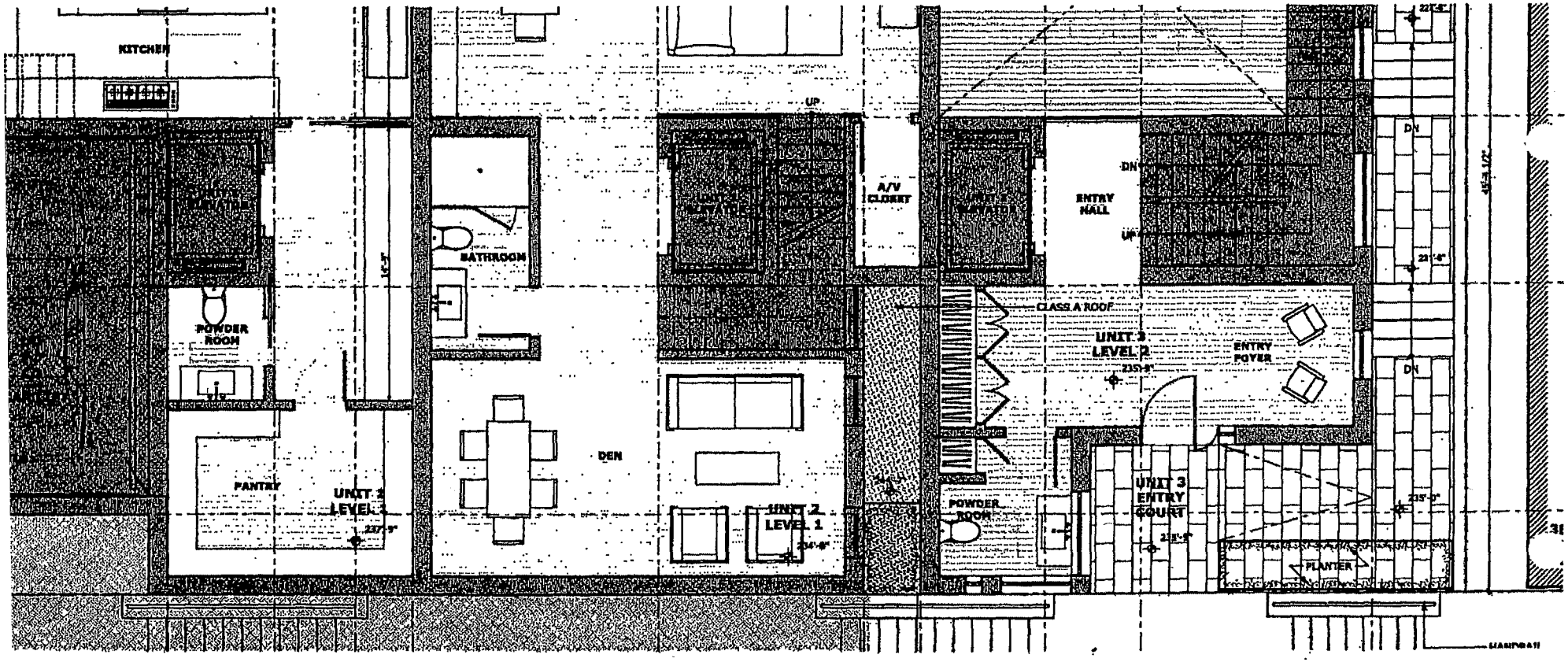
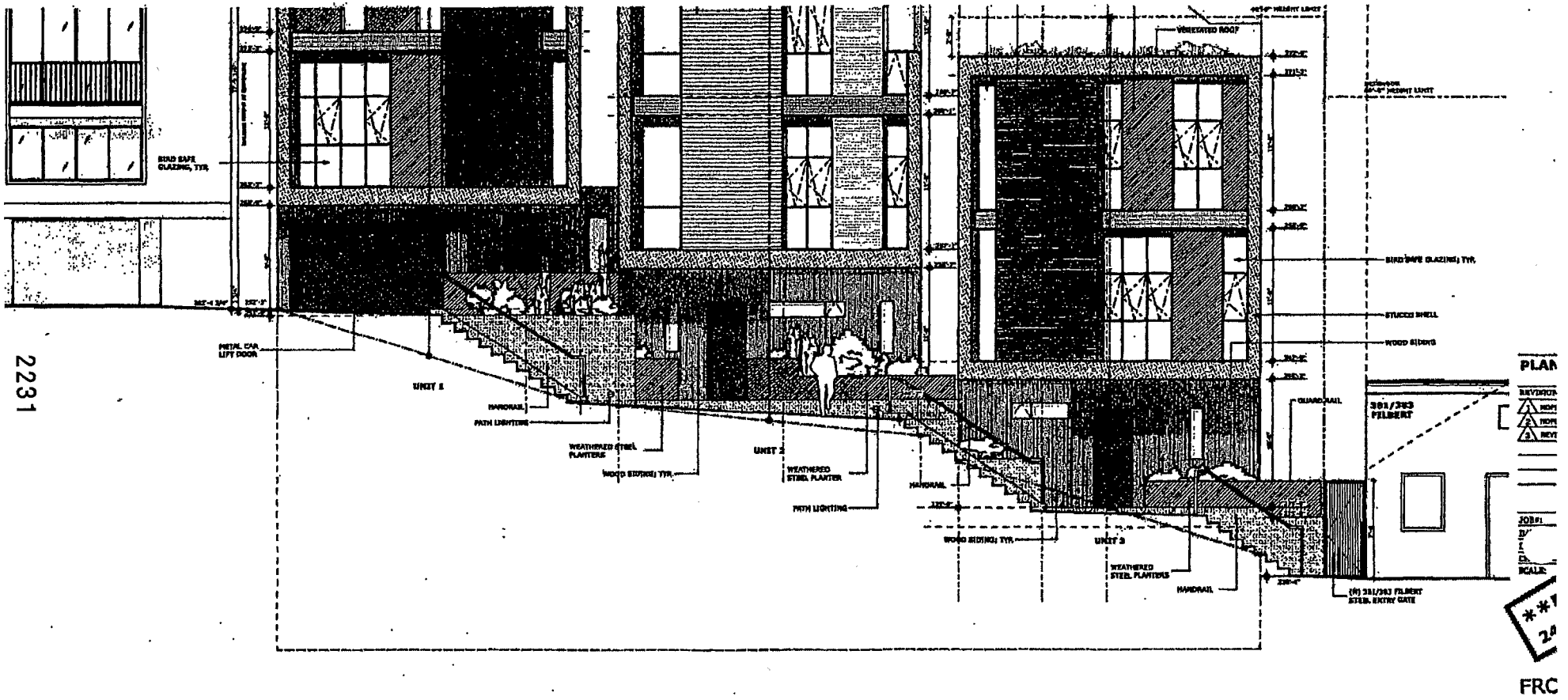

KITCHEN
UP
A/V CLOSET
ENTRY HALL
DN
UP
BATHROOM
POWDER ROOM
CLASS A ROOF
UNIT 3 LEVEL 2
ENTRY FOYER
DEN
PANTRY
UNIT 2 LEVEL 1
UNIT 3 LEVEL 1
POWDER ROOM
UNIT 3 ENTRY COURT
PLANTER

Exhibit 2



2231

PLAN

FRC

Exhibit 3

SAN FRANCISCO
PLANNING DEPARTMENT

Executive Summary
Conditional Use
HEARING DATE: JULY 17, 2014

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

Reception:
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Fax:
415.558.6409

Planning
Information:
415.558.6377

Date:	July 10, 2014
Case No.:	**2013.1375 EC**
Project Address:	**115 TELEGRAPH HILL BLVD. (AKA 363 FILBERT STREET)**
Zoning:	RH-3 (Residential House, Three-Family) Telegraph Hill/North Beach Residential Special Use District 40-X Height and Bulk District
Block/Lot:	0105/065
Project Sponsor:	Jeremy Ricks 735 Montgomery Street, Suite 350 San Francisco, CA 94111
Staff Contact:	Elizabeth Watty – (415) 558-6620 Elizabeth.Watty@sfgov.org
Recommendation:	**Approval with Conditions**

PROJECT DESCRIPTION

The Project Sponsor proposes to construct a 17,645 sq. ft. three-unit residential building with four off-street parking spaces on a lot that contains one existing dwelling-unit (a vacant cottage in the southeast corner of the lot). The Project also includes the renovation and restoration of the cottage located at the rear of the property with no expansion of the existing building envelope.

The new building will be designed to appear as three single-family dwellings, each approximately 40-feet tall that will step down the hill relative to the naturally sloping topography of Telegraph Hill. Each unit – including the cottage – will have one off-street parking space in a shared 3,742 sq. ft. below-grade garage/basement, accessed from one garage door that will be located at the top of the Filbert Street stairs along Telegraph Hill Boulevard. The cottage in the rear would be accessed via a designated pedestrian path between Unit #1 and #2, as well as through the garage.

The three units will each occupy between 25'-to-27' of frontage, each appearing as single-family dwellings. Each unit will contain a green roof deck featuring sustainable native plants, as well as extensive landscaping.

SITE DESCRIPTION AND PRESENT USE

The Property is a 7,517 square-foot lot that is steeply sloping; in 1993, three lots were merged into the one large lot in existence today. It once contained five buildings, but four of the five buildings were demolished circa 1997. The lot currently contains a one-story, one-unit cottage that was constructed in 1906; concrete retaining walls, concrete and wood stairways, and fencing. The lot has been vacant – with

the exception of the vacant cottage – since 1997. The Property occupies 82'-6" of frontage, including 68' along the steps on Filbert Street.

SURROUNDING PROPERTIES AND NEIGHBORHOOD

The Project is located on the south side of Telegraph Hill Boulevard, between Montgomery, and Kearny Streets on Telegraph Hill near Coit Tower. On this portion of the hill, Filbert Street consists of a set of concrete public stairs, but provides no vehicle throughway. Telegraph Hill Blvd passes to the north of the Property, spiraling up to Coit Tower. The Property is in the North Beach neighborhood, and is located in an RH-3 Zoning District, towards the top of Telegraph Hill near Coit Tower. Properties in the immediate area typically consist of one-, two- and three-family dwellings. Buildings heights are varied, but typically range from two-to-four stories tall at the street, and are scaled at the street to respect the laterally-sloping topography of the hill. To the west is a two-story, two-unit building, and immediately to the east is a four-story, three-unit building.

ENVIRONMENTAL REVIEW

The Project is exempt from the California Environmental Quality Act ("CEQA") as a Class 1 and 3 categorical exemption.

HEARING NOTIFICATION

TYPE	REQUIRED PERIOD	REQUIRED NOTICE DATE	ACTUAL NOTICE DATE	ACTUAL PERIOD
Classified News Ad	20 days	June 27, 2014	June 25, 2014	22 days
Posted Notice	20 days	June 27, 2014	June 27, 2014	20 days
Mailed Notice	10 days	July 07, 2014	June 25, 2014	22 days

The proposal requires a Section 311-neighborhood notification, which was conducted in conjunction with the Conditional Use Authorization process.

PUBLIC COMMENT

- The Department has received 32 letters of support, and 36 letters in opposition to the Project (including one from the Telegraph Hill Dwellers).

ISSUES AND OTHER CONSIDERATIONS

- The Housing Element of the General Plan encourages construction of new housing to accommodate families with children. Furthermore, the City is currently experiencing a housing crisis due in part to a shortage of housing supply. The proposed Project creates three new family-sized units on an in-fill lot in a centrally-located part of the City, without the demolition of any existing housing.

- The Project is compatible with the surrounding residential properties in terms of scale and massing, and includes a well-designed vernacular that uses high-quality materials.

- Due to the central location of the Property and its close proximity to public transit, the off-street parking will likely be used more as vehicle storage, rather than for daily commuter parking.

REQUIRED COMMISSION ACTION

In order for the Project to proceed, the Commission must grant Conditional Use Authorization for density and parking to allow a total of four units with four off-street parking spaces in the RH-3 (Residential House, Three-Family) Zoning District, Telegraph Hill – North Beach Residential Special Use District, and a 40-X Height and Bulk, pursuant to Planning Code Sections 151, 151.1, 209.1(h), 249.49, and 303.

BASIS FOR RECOMMENDATION

- The Project Sponsor has agreed to several additional conditions of apporval to addresss some of the neighobrhood's concerns about the potential for pedestrian conflicts with the proposed garage and the overall effects of construction.
- The Project is a well-designed residential in-fill development in an established residential neighborhood.
- The scale and mass of the three new dwelling-units are contextual and compatible with the surrounding neighborhood character.
- The creation of new family-sized housing on vacant land in an established residential neighborhood is desirable given the City's current housing crisis.
- The parking for the devleopment is accessed through one minimal curb cut and garage door, and will stored in a shared, subterranean basement garage that is not visible from the street.
- The Project is consistent with adopted City policy and the General Plan.
- The Project is Code-complying and meets all other applicable requirements of the Planning Code.
- The Project is desirable for, and compatible with the surrounding neighborhood.

RECOMMENDATION:	Approval with Conditions

Attachments:
Residential Pipeline
Environmental Determination
Parcel Map
Sanborn Map
Zoning Map
Aerial Photographs
Public Correspondence (see also Project Sponsor Submittal)
Project Sponsor Submittal, including:
- Sponsor's Brief
- Correspondence in Support
- Site Photographs
- Reduced Plans
- Renderings

Attachment Checklist

- ☒ Executive Summary
- ☒ Draft Motion
- ☒ Environmental Determination
- ☒ Zoning District Map
- ☒ Parcel Map
- ☒ Sanborn Map
- ☒ Aerial Photo
- ☒ Context Photos
- ☒ Site Photos

- ☒ Project sponsor submittal

Drawings: Existing Conditions

- ☒ Check for legibility

Drawings: Proposed Project

- ☒ Check for legibility

3-D Renderings (new construction or significant addition)

- ☒ Check for legibility
- ☒ Residential Pipeline

Exhibits above marked with an "X" are included in this packet EW

Planner's Initials

EW: G:\Documents\PLANNER WORK\CUs\115 Telegraph Hill\PC Documents\Executive Summary.doc

SAN FRANCISCO
PLANNING DEPARTMENT

Subject to: (Select only if applicable)

- ☐ Affordable Housing (Sec. 415)
- ☐ Jobs Housing Linkage Program (Sec. 413)
- ☐ Downtown Park Fee (Sec. 412)
- ☐ First Source Hiring (Admin. Code)
- ☐ Child Care Requirement (Sec. 414)
- ☒ Other - Street Tree In-Lieu Fee (Sec. 428)

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Planning
Information:
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Planning Commission Draft Motion

HEARING DATE: JULY 17, 2014

Date:	July 10, 2014
Case No.:	**2013.1375 EC**
Project Address:	**115 TELEGRAPH HILL BLVD. (AKA 363 FILBERT STREET)**
Zoning:	RH-3 (Residential House, Three-Family) Telegraph Hill/North Beach Residential Special Use District 40-X Height and Bulk District
Block/Lot:	0105/065
Project Sponsor:	Jeremy Ricks 735 Montgomery Street, Suite 350 San Francisco, CA 94111
Staff Contact:	Elizabeth Watty – (415) 558-6620 Elizabeth.Watty@sfgov.org

ADOPTING FINDINGS RELATING TO THE APPROVAL OF A CONDITIONAL USE AUTHORIZATION PURSUANT TO PLANNING CODE SECTIONS 151, 151.1, 209.1(h), 249.49, AND 303, TO ALLOW THE CONSTRUCTION OF THREE NEW DWELLING UNITS (FOR A LOT TOTAL OF FOUR UNITS) WITH FOUR OFF-STREET PARKING SPACES WITHIN THE RH-3 (RESIDENTIAL, HOUSE, THREE-FAMILY) ZONING DISTRICT, TELEGRAPH HILL – NORTH BEACH RESIDENTIAL SPECIAL USE DISTRICT, AND A 40-X HEIGHT AND BULK DISTRICT.

PREAMBLE

On August 21, 2013, Daniel Frattin, attorney for Jeremy Ricks (hereinafter "Project Sponsor"), filed an application with the Planning Department (hereinafter "Department") for Conditional Use Authorization under Planning Code Sections 151, 151.1, 209.1(h), 249.49, and 303, to allow the construction of three new dwelling-units above four off-street parking spaces on a lot that contains one existing unit within the RH-3 (Residential House, Three-Family) Zoning District, Telegraph Hill – North Beach Residential Special Use District, and a 40-X Height and Bulk District.

On July 17, 2014, the San Francisco Planning Commission (hereinafter "Commission") conducted a duly noticed public hearing at a regularly scheduled meeting on Conditional Use Application No. 2013.1375C.

On June 10, 2014, the Project was determined to be exempt from the California Environmental Quality Act ("CEQA") as a Class 1 and 3 Categorical Exemption under CEQA as described in the determination contained in the Planning Department files for this Project.

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.

MOVED, that the Commission hereby authorizes the Conditional Use requested in Application No. 2013.1375CE, subject to the conditions contained in "EXHIBIT A" of this motion, based on the following findings:

FINDINGS

Having reviewed the materials identified in the preamble above, and having heard all testimony and arguments, this Commission finds, concludes, and determines as follows:

1. The above recitals are accurate and constitute findings of this Commission.

2. **Site Description and Present Use.** The Property is a 7,517 square-foot lot that is steeply sloping; in 1993, three lots were merged into the one large lot in existence today. It once contained five buildings, but four of the five buildings were demolished circa 1997. The lot currently contains a one-story cottage that was constructed in 1906, concrete retaining walls, concrete and wood stairways, and fencing. The lot has been vacant – with the exception of the vacant cottage – since 1997. In the early 1990s, the Bureau of Building Inspection declared the cottage "unsound" and it is currently uninhabitable. The Property occupies 82'-6" of frontage, including 68' along the Filbert Street steps.

3. **Surrounding Properties and Neighborhood.** The Project is located on the south side of Telegraph Hill Boulevard, between Montgomery, and Kearny Streets on Telegraph Hill near Coit Tower. On this portion of the hill, Filbert Street consists of a set of concrete public stairs, but provides no vehicle throughway. Telegraph Hill Blvd passes to the north of the Property, spiraling up to Coit Tower. The Property is in the North Beach neighborhood, and is located in an RH-3 Zoning District, towards the top of Telegraph Hill near Coit Tower. Properties in the immediate area typically consist of one-, two- and three-family dwellings. Buildings heights are varied, but typically range from two-to-four stories tall at the street, and are scaled at the street to respect the laterally-sloping topography of the hill. To the west is a two-story, two-unit building, and immediately to the east is a four-story, three-unit building.

4. **Project Description.** The Project Sponsor proposes to construct a 17,645 sq. ft. three-unit residential building with four-off-street parking spaces on a lot that contains one existing dwelling-unit (a vacant cottage in the southeast corner of the lot). The Project also includes the renovation and restoration of the cottage located at the rear of the property with no expansion of the existing buildilng envelope.

The new building will be designed to appear as three single-family dwellings, each approximately 40-feet tall that will step down the hill relative to the naturally sloping topography of Telegraph Hill. Each unit – including the cottage – will have one off-street parking space in a shared 3,742 sq. ft. below-grade garage/basement, accessed from one garage door that will be located at the top of the Filbert Street stairs along Telegraph Hill Boulevard. The cottage in the rear would be accessed via a designated pedestrian path between Unit #1 and #2, as well as through the garage.

The three units will each occupy between 25'-to-27' of frontage, each appearing as single-family dwellings. Each unit will contain a green roof deck featuring sustainable native plants, as well as extensive landscaping.

5. **Public Comment.** The Department has received 32 letters of support, and 36 letters in opposition to the Project (including one from the Telegraph Hill Dwellers).

6. **Planning Code Compliance:** The Commission finds that the Project is consistent with the relevant provisions of the Planning Code in the following manner:

   A. **Density.** Planning Code Section 209.1(h) states that a density ratio up to one dwelling unit for each 1,000 square feet of lot area is permitted in the RH-3 Zoning District, if authorized as a Conditional Use by the Planning Commission.

   The Property contains 7,517 sq. ft. of lot area and would permit up to seven units with a Conditional Use Authorization. The Project would result in a lot total of four units, and thus is permitted with a Conditional Use Authorization, which is justified in more detail through Section 7, below.

   B. **Rear Yard Requirement.** Planning Code Section 134 states that the minimum rear yard depth shall be equal to 45 percent of the total depth of a lot in which it is situated, and based on conditions on the adjacent properties, it may be reduced up to 25 percent of the total depth of the lot, based on the average depths of adjacent buildings.

   The Project will be constructed within buildable area of the lot, maintaining a 45 percent rear yard. The existing rear yard cottage is located entirely within the required rear yard; although it will be repaired and remodeled, it will not be expanded, and therefore is considered an existing legal noncomplying structure. The Project complies with Planning Code Section 134.

   C. **Open Space.** Planning Code Section 135 requires 100 square-feet of usable open space per dwelling unit in the RH-3 Zoning District if privately accessible, or 133 square-feet per unit if the space is commonly accessible.

   The Project satisfies the residential open space requirements through a private 132 square-foot deck for Unit #1, a private 300 square-foot deck for Unit #2, a 252 square-foot deck for Unit #3, and through a commonly-accessible 2,266 square-foot, terraced rear yard for the existing rear yard cottage. The three

new buildings also contain privately-accessible roof decks. The Project complies with the open space requirements of Planning Code Section 135.

D. **Street Trees.** Planning Code Section 138.1 requires the provision of street trees with the addition of a new dwelling unit. When street trees are required, one 24-inch box size tree is required for each 20 feet of lot frontage along a street, with any remaining fraction of 10 feet or more of frontage requiring an additional tree. Such trees shall be located either within a setback area on the lot or within the public right-of-way along such lot.

The Property currently contains two street trees along the 82'-6" property frontage, located between the Filbert Street stairs and Telegraph Hill Boulevard. The Property requires installation of 4 trees; however, according to the Department of Public Works, installation of the additional two required street trees is infeasible. As such, the Project Sponsor will pay an in-lieu fee for two street trees.

E. **Bird Safe Glazing.** Planning Code Section 139 allows residential buildings within R- Districts that are less than 45 feet in height and have an exposed facade comprised of less than 50% glass to be exempt from the Location-Related Glazing Standards outlined in Planning Code Section 139(c)(1).

The Property is located within 300-feet of an Urban Bird Refuge; however, the new buildings' exposed facades are comprised of less than unobstructed 50 percent glass, and are therefore exempt from meeting the Location-Related Glazing Standards outlined in Planning Code Section 139(c)(1). Unit #1's exposed façade is comprised of approximately 30 percent unobstructed glass; Unit #2's exposed façade is comprised of approximately 20.5 percent unobstructed glass; and Unit #3's exposed façade is comprised of approximately 17 percent unobstructed glass. Furthermore, the Project's rooftop glass railings are broken into glazed segments of less than 24 square feet and are thus not considered feature-related hazards.

F. **Exposure.** Planning Code Section 140 requires that at least one qualifying room of every dwelling unit must face directly on an open area. The open area may be a street or alley, Code-compliant rear yard, or a qualifying open space.

The three new dwelling units will all face Telegraph Hill Boulevard, which is a qualifying street. The dwelling unit located within the existing legal noncomplying structure in the rear yard will face an open space between the buildings that meets the dimensional requirements of Planning Code Section 140(a)(2); the space is no less than 25 feet in every horizontal dimension for the floor at which the dwelling unit in question is located and the floor immediately above it, with an increase of five feet in every horizontal dimension at each subsequent floor. The Project complies with the dwelling unit exposure requirements of Planning Code Section 140.

G. **Telegraph Hill – North Beach Residential Special Use District.** Planning Code Section 249.49 establishes the Telegraph Hill – North Beach Residential Special Use District (SUD). The purpose of this SUD, as it relates to new construction projects, is to regulate off-street parking in order to ensure that it does not significantly increase the level of automobile

traffic, increase pollution, or impair pedestrian use on narrow public rights-of-way in the District. Although the RH-3 Zoning District would typically require one parking space per dwelling unit (a one-to-one parking ratio), this SUD requires a Conditional Use, along with related findings outlined in Section 151.1(g), to achieve the same parking ratio.

The Project is located within the Telegraph Hill – North Beach Residential Special Use District. Since the Project proposes four off-street parking spaces, a Conditional Use Authorization is required.

Planning Code Sections 151.1(g) and 249.49 require the Planning Commission to make the following affirmative findings according to the uses to which the proposed parking is accessory, before approving residential off-street parking at a ratio of one parking space for each dwelling unit in the SUD.

Vehicle movement on or around the Project does not unduly impact pedestrian spaces or movement, transit service, bicycle movement, or the overall traffic movement in the district;

The Project is located in a low-density neighborhood, and includes four new parking spaces: one for each dwelling unit on the Property. All parking spaces will be located in a shared basement garage accessed from Telegraph Hill Boulevard. The addition of four new parking spaces on the Property is expected to have minimal effect on the overall traffic volumes and movement in the district. It will have minimal effect on any pedestrian spaces, transit or bicycle movement, due to the low volume of trips to-and-from the garage. There are several stop signs along Telegraph Hill Boulevard, including one located at its intersection with the Filbert Street walkway and stairs. This ensures that cars, including those moving in and out of the garage, will be traveling at slow speeds, thereby minimizing conflicts between vehicles and pedestrian, cyclists, and people using public transit.

Accommodating excess accessory parking does not degrade the overall urban design quality of the Project;

The four parking spaces will have no adverse effect on the overall urban design quality of the Project. The parking spaces will be located in a shared basement garage under the proposed structure, which is not readily visible from the public right-of-way. The garage will be accessed through Unit #1 from a driveway on Telegraph Hill Boulevard. The garage door will be powder coated dark steel to match the proposed window mullions, and will recede visually with the surrounding dark materials of the building. The building includes a concrete structural shell, with weathered steel and Corten steel panels to create warm highlights and reference the rustic nature of Historic Telegraph Hill. The Project also includes fixed wood louvers on the front façade. The garage door will be approximately 12-feet wide, which is in-keeping with the size of the garage doors found throughout the neighborhood, including on the adjacent two buildings to the east (one of which also abuts the Filbert Street walkway and stairs).

All above-grade parking is architecturally screened and lined with active uses according to the standards of Section 145.1, and the project sponsor is not requesting any exceptions or variances requiring such treatments elsewhere in this Code;

The Project includes a mechanical car lift that takes all cars down to a below-grade parking garage; there is no above-grade parking as part of this Project.

Excess accessory parking does not diminish the quality and viability of existing or planned streetscape enhancements.

The existing streetscape will be maintained and enhanced by the Project. No trees will be removed, and the parking will not diminish the viability of any street trees, or any other streetscape enhancements.

7. **Planning Code Section 303** establishes criteria for the Planning Commission to consider when reviewing applications for Conditional Use approval. On balance, the project does comply with said criteria in that:

   A. The proposed new uses and building, at the size and intensity contemplated and at the proposed location, will provide a development that is necessary or desirable, and compatible with, the neighborhood or the community.

   The Project is necessary and desirable because it will provide much needed family-sized in-fill housing in a residential neighborhood, on a lot that has been vacant (less for a small cottage at the rear of the lot) for over 10 years. The lot previously contained five buildings, but four of those five buildings were demolished in 1997. At present, the vacancy of the Property is a detriment to the neighborhood and creates a gap in the urban fabric that is built along the Filbert Street walkway and stairs. The vacant lot is visually inconsistent with the character of the surrounding private property, which features housing developments that relate to the topography of the hill. The Project is compatible with properties that abut a vehicular street, which typically include off-street parking. The Project will also incorporate landscaping to match the surrounding area, and create visual consistency in the neighborhood. As an area attracts a large number of tourists and visitors, the Project is a desirable improvement to the neighborhood over the existing vacant lot.

   The Project will provide three new family-sized dwelling units, and will renovate an existing cottage that is in disrepair in order to make it suitable for occupancy. In-fill sites in developed residential neighborhoods, such as Telegraph Hill, should be developed with new housing.

   B. The proposed project will not be detrimental to the health, safety, convenience or general welfare of persons residing or working in the vicinity. There are no features of the project that could be detrimental to the health, safety or convenience of those residing or working the area, in that:

      i. Nature of proposed site, including its size and shape, and the proposed size, shape and arrangement of structures;

      The 7,517 square-foot Property is located in a relatively low-density area; the lot is large for the neighborhood. In 1993, three lots were merged into the one large lot in existence today. Prior to that merger, up to nine dwelling units would have been principally permitted (approvable without

a Conditional Use Authorization); now, only three units would be principally permitted, and four-to-seven units would be permitted with a Conditional Use Authorization.

This large vacant lot is an appropriate location for a three-unit in-fill development (for a total of four units on the lot). Due to the relatively low density development of the surrounding area, the Project will create housing at an appropriate scale in a desirable urban area without overcrowding the neighborhood. Although the three units are technically located within one building, they appear as three single-family dwellings, each with approximately 25-foot wide building facades that are located at the front property line, which is typical of residential properties in the surrounding area. The existing and proposed uses are consistent with the neighborhood uses, and the proposed design is compatible with the immediate vicinity.

ii. The accessibility and traffic patterns for persons and vehicles, the type and volume of such traffic, and the adequacy of proposed off-street parking and loading;

The Property is located in a relatively low-density area. The addition of three new dwelling units will have negligible adverse effect on traffic in the neighborhood, and it is anticipated that the Project will generate traffic volumes and patterns compatible with those of existing surrounding uses, particularly those properties with off-street parking. The Project will provide four off-street parking spaces in a below-grade basement garage, which will be sufficient to serve the residents at the property.

iii. The safeguards afforded to prevent noxious or offensive emissions such as noise, glare, dust and odor;

The Project consists of the construction of a new three-unit residential building with off-street parking, and the renovation of one existing cottage. The Project will comply with all City codes regarding construction hours, noise, and dust, and it will not produce, or include, any permanent uses that would emit noxious or offensive emissions such as noise, glare, dust and odor.

iv. Treatment given, as appropriate, to such aspects as landscaping, screening, open spaces, parking and loading areas, service areas, lighting and signs;

The Project will improve the exterior appearance of the Property by upgrading landscaping and creating an attractive, Code-compliant housing development. The Project will incorporate ample landscaping in planters at the front of the Property, and the area surrounding the new development will be landscaped to allow the development to blend into, and complement, the surrounding hillside. The Project will also incorporate green roof spaces so that when viewed from above, the Project will complement the character of Telegraph Hill and seamlessly blend into its surroundings.

C. That the use as proposed will comply with the applicable provisions of the Planning Code and will not adversely affect the General Plan.

The Project complies with all relevant requirements and standards of the Planning Code and is consistent with Objectives and Policies of the General Plan, as detailed below.

8. **General Plan Compliance.** The Project is, on balance, consistent with the following Objectives and Policies of the General Plan:

HOUSING ELEMENT

Objectives and Policies

OBJECTIVE 2:
RETAIN EXISTING HOUSING UNITS, AND PROMOTE SAFETY AND MAINTENANCE STANDARDS, WITHOUT JEOPARDIZING AFFORDABILITY.

Policy 2.4:
Promote improvements and continued maintenance to existing units to ensure long term habitation and safety.

The Project includes the renovation of the existing rear yard cottage, which is in poor condition, in order to make it suitable for occupancy.

OBJECTIVE 4:
FOSTER A HOUSING STOCK THAT MEETS THE NEEDS OF ALL RESIDENTS ACROSS LIFECYCLES.

Policy 4.1:
Develop new housing, and encourage the remodeling of existing housing, for families with children.

The Project includes the renovation of the existing rear yard cottage, which is in poor condition, in order to make it suitable for occupancy, and includes the development of three new family-sized units.

OBJECTIVE 11:
SUPPORT AND RESPECT THE DIVERSE AND DISTRINT CHARACTER OF SAN FRANCISCO'S NEIGHBORHOODS.

Policy 11.1:
Promote the construction and rehabilitation of well-designed housing that emphasizes beauty, flexibility, and innovative design, and respects the existing neighborhood character.

Policy 11.2:
Ensure implementation of acceptable design standards in project approvals.

Policy 11.3:

Ensure growth is accommodated without substantially and adversely impacting existing residential neighborhood character.

The Project includes a well-design renovation of the existing rear yard cottage, and includes new construction that is compatible with the surrounding scale of buildings at the street and the massing of adjacent buildings, as well as the architectural character of the surrounding neighborhood.

TRANSPORTATION ELEMENT

Objectives and Policies

OBJECTIVE 1:
MEET THE NEEDS OF ALL RESIDENTS AND VISITORS FOR SAFE, CONVENIENT AND INEXPENSIVE TRANVEL WITHIN SAN FRANCISCO AND BETWEEN THE CITY AND OTHER PART S OF THE REGION WHILE MAINTAINING THE HIGH QULAITY LIVING ENVIRONMENT OF THE BAY AREA.

Policy 1.3:
Give priority to public transit and other alternatives to the private automotive as the means of meeting San Francisco's transportation needs, particularly those of commuters.

OBJECTIVE 2:
USE THE TRANSPORTATION SYSTEM AS A MEANS FOR GUIDING DEVELOPMENT AND IMPROVING THE ENVIRONMENT.

Policy 2.2:
Reduce pollution, noise and energy consumption.

The Project's central location to the City's downtown and its proximity to public transportation make it an ideal location for new family-sized housing. Residents will have a variety of options connecting them to the rest of the City and beyond. Due to the Property's central location, it is anticipated that residents will be able to commute to jobs and access much of San Francisco by transit, foot or bicycle; it is expected that the garage will be used primarily as vehicle storage.

URBAN DESIGN ELEMENT

Objectives and Policies

OBJECTIVE 2
CONSERVATION OF RESOURCES WHICH PROVIDE A SENSE OF NATURE, CONTINUITY WITH THE PAST, AND FREEDOM FROM OVERCROWDING.

Policy 2.7:
Recognize and protect outstanding and unique areas that contribute in an extraordinary degree to San Francisco's visual form and character.

Telegraph Hill is identified in the General Plan's Urban Design Element as an outstanding and unique area. The Special characteristics of the area are identified as the following:

- *A hilltop park with the highly visible green of trees from which Coit Tower rises above all else.*
- *Low, small-scale buildings having predominantly flat roofs and light pastel colors, hugging the topography in a highly articulated form which contrasts with the power of downtown construction.*
- *Cliffs and complex stairs and walkways on the east side above the waterfront, with buildings perched precariously along the slope and trees interspersed.*
- *Intimate pedestrian scale and texture of streets and housing, with sudden and dramatic views of the Bay and downtown through narrow openings.*

The Project is compatible with the aforementioned special characteristics, in that the buildings are designed to be consistent with the scale and massing of surrounding properties, and include flat, landscaped roof. The buildings respect the topography of the street by "stepping-down" the laterally-sloping topography of the Filbert Street steps. The buildings have been designed with a pedestrian scale and texture, incorporating both landscaping as well as a narrow opening between Unit #1 and #2 for views of downtown.

OBJECTIVE 3:
MODERATION OF MAJOR NEW DEVELOPMENT TO COMPLEMENT THE CITY PATTERN, THE RESOURCES TO BE CONSERVED, AND THE NEIGHBORHOOD ENVIRONMENT.

Policy 3.1:
Promote harmony in the visual relationships and transitions between new and older buildings.

Policy 3.6:
Relate the bulk of buildings to the prevailing scale of development to avoid an overwhelming or dominating appearance in new construction.

The Project provides an attractive modern design and form that compliments and blends with surrounding structures without mimicking them. This creates a visually dynamic and harmonious neighborhood with an appropriate mixture of building styles.

OBJECTIVE 4
IMPROVEMENT OF THE NEIGHBORHOOD ENVIRONMENT TO INCREASE PERSONAL SAFETY, COMFORT, PRIDE AND OPPORTUNITY

Policy 4.4
Design walkways and parking facilities to minimize danger to pedestrians.

This General Plan states that driveways across sidewalks should be kept to a practical minimum, with control maintained over the number and width of curb cuts, in order to minimize danger to pedestrians. The Project includes a 10-foot wide curb cut, which is the City standard, and a 12-foot wide garage door, which is comparable with the size of garage doors found on surrounding properties (specifically the two

properties to the east). The Project has been designed to include one garage entrance that will serve the vehicle storage for all four units on the Property, thereby minimizing danger to pedestrians. The garage has sufficient space for maneuvering such that exiting vehicles will not need to be backed-out in reverse. As indicated through the Conditions of Approval, the Project Sponsor has agreed to install warning signs to alert pedestrians on the Filbert Steps to the presence of the driveway, as well as mirrors to enhance the view of drivers exiting the garage.

9. **Planning Code Section 101.1(b)** establishes eight priority-planning policies and requires review of permits for consistency with said policies. On balance, the project does comply with said policies in that:

   A. That existing neighborhood-serving retail uses be preserved and enhanced and future opportunities for resident employment in and ownership of such businesses be enhanced.

   The Project includes the re-use of the existing vacant residential cottage at the rear of the property, and the addition of three residential units on a largely vacant lot. It will not displace any neighborhood serving retail uses or have any adverse effect on future opportunities for resident employment and ownership of retail uses.

   B. That existing housing and neighborhood character be conserved and protected in order to preserve the cultural and economic diversity of our neighborhoods.

   The Project will conserve and protect existing housing and neighborhood character by renovating and restoring an existing building in the neighborhood. It will improve a dilapidated vacant lot with a well-designed, high-quality residential development that is compatible with the scale and mass of surrounding properties. It will include screening and green elements specifically designed to allow the new structure to blend seamlessly into the character of the neighborhood.

   C. That the City's supply of affordable housing be preserved and enhanced,

   The Project includes the rehabilitation and preservation of an existing vacant rear cottage, which based on its size, will be relatively affordable for the Telegraph Hill neighborhood.

   D. That commuter traffic not impede MUNI transit service or overburden our streets or neighborhood parking.

   With four residential units within walking distance of the City's employment core and public transit (MUNI #39), the Project will not generate substantial commuter traffic that will impede MUNI transit service, or overburden the streets or neighborhood parking. Furthermore, by including four off-street parking spaces, the Project will minimize the need for residents to use the limited on-street parking in the neighborhood.

E. That a diverse economic base be maintained by protecting our industrial and service sectors from displacement due to commercial office development, and that future opportunities for resident employment and ownership in these sectors be enhanced.

The Project is a small residential development located on a nearly vacant lot in a residential neighborhood. No office use is proposed, and no industrial uses will be displaced.

F. That the City achieve the greatest possible preparedness to protect against injury and loss of life in an earthquake.

The Project will conform to the structural and seismic requirements of the San Francisco Building Code, and thus meets this requirement.

G. That landmarks and historic buildings be preserved.

The Project is not located in any Conservation or Historic District. The Project will not adversely alter any landmark building, contributory building, or architecturally significant building on the Property or in the vicinity.

H. That our parks and open space and their access to sunlight and vistas be protected from development.

The Project includes the in-fill development of three new dwelling units on a largely vacant lot in a residential neighborhood. The Project will not adversely affect any public parks or open spaces. It is located below Coit Tower and Pioneer Park on Telegraph Hill, and will incorporate green rooftop terraces to ensure that the Project blends with the hillside when viewed from above. It will not adversely affect he tower's access to sunlight or public vistas.

10. The Project is consistent with and would promote the general and specific purposes of the Code provided under Section 101.1(b) in that, as designed, the Project would contribute to the character and stability of the neighborhood and would constitute a beneficial development.

11. The Commission hereby finds that approval of the Conditional Use Authorization would promote the health, safety and welfare of the City.

DECISION

That based upon the Record, the submissions by the Applicant, the staff of the Department and other interested parties, the oral testimony presented to this Commission at the public hearings, and all other written materials submitted by all parties, the Commission hereby **APPROVES Conditional Use Application No. 2013.1375CE** subject to the following conditions attached hereto as "EXHIBIT A" in general conformance with plans on file, dated May 19, 2014, and stamped "EXHIBIT B", which is incorporated herein by reference as though fully set forth.

APPEAL AND EFFECTIVE DATE OF MOTION: Any aggrieved person may appeal this Conditional Use Authorization to the Board of Supervisors within thirty (30) days after the date of this Motion No. XXXXX. The effective date of this Motion shall be the date of this Motion if not appealed (After the 30-day period has expired) OR the date of the decision of the Board of Supervisors if appealed to the Board of Supervisors. For further information, please contact the Board of Supervisors at (415) 554-5184, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102.

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 ADOPTED the foregoing Motion on July 17, 2014.

Jonas P. Ionin
Commission Secretary

AYES:

NAYS:

ABSENT:

ADOPTED: July 17, 2014

EXHIBIT A

AUTHORIZATION

This authorization is for a Conditional Use to allow the construction of three new dwelling-units on a lot that contains one existing unit, including four off-street parking spaces located at 115 Telegraph Hill Boulevard, Block 0105, and Lot 065 pursuant to Planning Code Sections 151, 151.1, 209.1(h), 249.49, and 303, within the RH-3 (Residential House, Three-Family) Zoning District, Telegraph Hill – North Beach Residential Special Use District, and a 40-X Height and Bulk District; in general conformance with plans, dated **May 19, 2014**, and stamped "EXHIBIT B" included in the docket for Case No. **2013.1375C** and subject to conditions of approval reviewed and approved by the Commission on **July 17, 2014** under Motion No. **XXXXXX**. This authorization and the conditions contained herein run with the property and not with a particular Project Sponsor, business, or operator.

RECORDATION OF CONDITIONS OF APPROVAL

Prior to the issuance of the building permit or commencement of use for the Project the Zoning Administrator shall approve and order the recordation of a Notice in the Official Records of the Recorder of the City and County of San Francisco for the subject property. This Notice shall state that the project is subject to the conditions of approval contained herein and reviewed and approved by the Planning Commission on **July 17, 2014** under Motion No **XXXXXX**.

PRINTING OF CONDITIONS OF APPROVAL ON PLANS

The conditions of approval under the 'Exhibit A' of this Planning Commission Motion No. **XXXXXX** shall be reproduced on the Index Sheet of construction plans submitted with the Site or Building permit application for the Project. The Index Sheet of the construction plans shall reference to the Conditional Use authorization and any subsequent amendments or modifications.

SEVERABILITY

The Project shall comply with all applicable City codes and requirements. If any clause, sentence, section or any part of these conditions of approval is for any reason held to be invalid, such invalidity shall not affect or impair other remaining clauses, sentences, or sections of these conditions. This decision conveys no right to construct, or to receive a building permit. "Project Sponsor" shall include any subsequent responsible party.

CHANGES AND MODIFICATIONS

Changes to the approved plans may be approved administratively by the Zoning Administrator. Significant changes and modifications of conditions shall require Planning Commission approval of a new Conditional Use Authorization.

Conditions of Approval, Compliance, Monitoring, and Reporting

PERFORMANCE

1. **Validity.** The authorization and right vested by virtue of this action is valid for three (3) years from the effective date of the Motion. The Department of Building Inspection shall have issued a Building Permit or Site Permit to construct the project and/or commence the approved use within this three-year period.
   For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

2. **Expiration and Renewal.** Should a Building or Site Permit be sought after the three (3) year period has lapsed, the project sponsor must seek a renewal of this Authorization by filing an application for an amendment to the original Authorization or a new application for Authorization. Should the project sponsor decline to so file, and decline to withdraw the permit application, the Commission shall conduct a public hearing in order to consider the revocation of the Authorization. Should the Commission not revoke the Authorization following the closure of the public hearing, the Commission shall determine the extension of time for the continued validity of the Authorization.
   For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

3. **Diligent pursuit.** Once a Site or Building Permit has been issued, construction must commence within the timeframe required by the Department of Building Inspection and be continued diligently to completion. Failure to do so shall be grounds for the Commission to consider revoking the approval if more than three (3) years have passed since this Authorization was approved.
   For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

4. **Extension.** All time limits in the preceding three paragraphs may be extended at the discretion of the Zoning Administrator where implementation of the project is delayed by a public agency, an appeal or a legal challenge and only by the length of time for which such public agency, appeal or challenge has caused delay.
   For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

5. **Conformity with Current Law.** No application for Building Permit, Site Permit, or other entitlement shall be approved unless it complies with all applicable provisions of City Codes in effect at the time of such approval.
   For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

DESIGN

1. **Final Materials.** Final materials, window details, glazing, color, texture, landscaping, and general detailing shall be subject to Department staff review and approval. The architectural addenda shall be reviewed and approved by the Planning Department prior to issuance.
   For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org

2. **Garbage, composting and recycling storage.** Space for the collection and storage of garbage, composting, and recycling shall be provided within enclosed areas on the property and clearly labeled and illustrated on the building permit plans. Space for the collection and storage of recyclable and compostable materials that meets the size, location, accessibility and other standards specified by the San Francisco Recycling Program shall be provided at the ground level of the buildings.
   For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org

3. **Street Trees.** Pursuant to Planning Code Section 138.1, the Project Sponsor shall submit a site plan to the Planning Department prior to Planning approval of the Site or Building Permit Application indicating that the two existing street trees will remain. The Sponsor will pay an in-lieu fee for the remaining two require street trees in accordance with Planning Code Section 428, and as outlined in more detailed below.
   For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org

PARKING AND TRAFFIC

1. **Bicycle Parking.** The Project shall provide no fewer than **four (4)** Class 1 bicycle parking spaces as required by Planning Code Sections 155.1 and 155.5.
   For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

2. **Parking Maximum.** Pursuant to Planning Code Section 151.1 and 249.49, the Project shall provide no more than **four (4)** off-street parking spaces.
   For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

3. **Construction Parking.** The Project Sponsor shall require of the general contractor that construction workers shall park legally and shall not park in the Coit Tower parking lot. *For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org*

4. **Managing Traffic During Construction.** The Project Sponsor and construction contractor(s) shall coordinate with the Traffic Engineering and Transit Divisions of the San Francisco

Municipal Transportation Agency (SFMTA), the Police Department, the Fire Department, the Planning Department, and other construction contractor(s) for any concurrent nearby Projects to manage traffic congestion and pedestrian circulation effects during construction of the Project. Prior to commencing construction, the Project Sponsor shall consult with the affected neighbors on Assessor's Block 105 before finalizing the construction staging and traffic plan, including:

a. A schedule of delivery times and dates during which the construction materials are expected to arrive; and
b. Methods to be used to monitor truck movement into and out of the building site so as to minimize traffic conflicts on Telegraph Hill Boulevard.

5. There shall be no queuing of construction trucks along Telegraph Hill Boulevard. All trucks waiting to unload material shall be staged at a location offsite. Deliveries shall be made between the hours of 7:30 a.m. and 5 p.m. on weekdays, exclusive of legal holidays. The Project Sponsor shall employ full-time flag persons to direct traffic during excavation and concrete placement phases of construction. During other construction phases, all truck movement into and out of the Project Site shall be monitored by flag persons to minimize any traffic conflict.
For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

6. **Garage Safety Features.** The Project Sponsor shall post signs or other devices to alert pedestrians to vehicles exiting the garage. Parabolic mirrors shall be installed at the garage exit to enhance the view of exiting drivers.
For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

PROVISIONS

7. **Street Tree In-Lieu Fee.** The Zoning Administrator waived the requirement for installation of two of the required four street trees under Planning Code Section 138.1 based on DPW's recommendation. Pursuant to Planning Code Section 428, the Project Sponsor shall comply with Planning Code Section 138.1 through payment of an in-lieu Fee pursuant to Section 428.
For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org

MONITORING

1. **Enforcement.** Violation of any of the Planning Department conditions of approval contained in this Motion or of any other provisions of Planning Code applicable to this Project shall be subject to the enforcement procedures and administrative penalties set forth under Planning Code Section 176 or Section 176.1. The Planning Department may also refer the violation complaints to other city departments and agencies for appropriate enforcement action under their jurisdiction.

For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

2. **Revocation due to Violation of Conditions.** Should implementation of this Project result in complaints from interested property owners, residents, or commercial lessees which are not resolved by the Project Sponsor and found to be in violation of the Planning Code and/or the specific conditions of approval for the Project as set forth in Exhibit A of this Motion, the Zoning Administrator shall refer such complaints to the Commission, after which it may hold a public hearing on the matter to consider revocation of this authorization.
For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

OPERATION

1. **Sidewalk Maintenance.** The Project Sponsor shall maintain the main entrance to the building and all public sidewalks and stairways abutting the subject property in a clean and sanitary condition in compliance with the Department of Public Works Streets and Sidewalk Maintenance Standards.
For information about compliance, contact Bureau of Street Use and Mapping, Department of Public Works, 415-695-2017, http://sfdpw.org

2. **Community Liaison.** Prior to issuance of a building permit to construct the project and implement the approved use, the Project Sponsor shall appoint a community liaison officer to deal with the issues of concern to owners and occupants of nearby properties. The Project Sponsor shall provide the Zoning Administrator with written notice of the name, business address, and telephone number of the community liaison. Should the contact information change, the Zoning Administrator shall be made aware of such change. The community liaison shall report to the Zoning Administrator what issues, if any, are of concern to the community and what issues have not been resolved by the Project Sponsor.
For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

SAN FRANCISCO
PLANNING DEPARTMENT

MEMO

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

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

RESIDENTIAL PIPELINE
ENTITLED HOUSING UNITS 2007 to 2014 Q1

State law requires each city and county to adopt a Housing Element as a part of its general plan. The State Department of Housing and Community Development (HCD) determines a Regional Housing Need (RHNA) that the Housing Element must address. The need is the minimum number of housing units that a region must plan for in each RHNA period.

This table represents completed units and development projects in the current residential pipeline to the first quarter of 2014 (Q1). The total number of entitled units is tracked by the San Francisco Planning Department and is updated quarterly in coordination with the *Quarterly Pipeline Report.* Subsidized housing units – including moderate and low income units – as well as inclusionary units are tracked by the Mayor's Office of Housing; these are also updated quarterly.

2014 QUARTER 1	RHNA Allocation 2007 - 2014	Units Built 2007 - 2014 Q1	Units Entitled in 2014 Q1 Pipeline*	Percent Built and Entitled
Total Units	**31,193**	**18,078**	**16,733**	**111.6%**
Above Moderate (> 120% AMI)	12,315	11,993	14,073	211.7%
Moderate Income (80 - 120% AMI)	6,754	1,107	753	27.5%
Low Income (< 80% AMI)	12,124	4,978	1,907	56.8%

**These totals do not include three entitled major development projects with a total of 23,714 net new units: Hunters' Point, Treasure Island and ParkMerced. While entitled, these projects are not expected to be completed during the 2007-2014 RHNA reporting period.*

SAN FRANCISCO
PLANNING DEPARTMENT

Certificate of Determination
Exemption from Environmental Review

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

Reception:
415.558.6378

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Information:
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Case No.:	2013.1375E
Project Title:	**115 Telegraph Hill Boulevard**
Zoning:	RH-3 (Residential – House, Two Family) Use District Telegraph Hill – North Beach Residential Special Use District 40-X Height and Bulk District
Block/Lot:	0105/065
Lot Size:	7,517 square feet
Project Sponsor:	Daniel Frattin, Reuben, Junius, & Rose, LLP, (415) 567-9000
Staff Contact:	Heidi Kline – (415) 575-9043, Heidi.Kline@sfgov.org

PROJECT DESCRIPTION:

The proposed project would allow the construction of a three-unit residential building and the exterior renovation (no increase in building area) of an existing 1,000-square-foot, two-story cottage constructed in 1906. The three new residential units would be located in a three-story over basement building with unit sizes ranging from 4,100 to 4,600 square feet. Three off-street parking spaces would be provided for the new units in a 3,000-square-foot area in the basement. The maximum height of the building would be 40 feet, as measured in accordance with the San Francisco Planning Code. No change would be made to the height of the existing cottage. The new three-unit building would be constructed at the front of the lot, adjacent to Telegraph Hill Boulevard, while the existing cottage would remain in its current location at the rear of the lot. A portion of the concrete sidewalk and steps (Filbert Steps) along the parcel's frontage would be replaced in kind. The project is located within the Telegraph Hill neighborhood on the south side of Telegraph Hill Boulevard between Kearney and Montgomery Streets.

EXEMPT STATUS:

Categorical Exemption, Class 1 (California Environmental Quality Act (CEQA) Guidelines Section 15301(d) and Class 3 CEQA Guidelines Section 15303(b)

REMARKS:

See next page.

DETERMINATION:

I do hereby certify that the above determination has been made pursuant to State and local requirements.

Sarah Jones
Environmental Review Officer

June 10, 2014
Date

cc: Daniel Frattin, Project Sponsor

Supervisor David Chiu, District 3

PROJECT APPROVALS

- Conditional Use Authorization by the Planning Commission for residential density above three units per lot and the off-street parking spaces per Section 151 and the Telegraph Hill – North Beach Residential Special Use District of the San Francisco Planning Code.
- Building Permit from the San Francisco Department of Building Inspection.
- Permit from the Department of Public Works for construction within the public right-of-way.
- Approval from the San Francisco Municipal Transportation Agency (SFMTA) to relocate an existing stop sign.

Approval Action: The proposed project is subject to Planning Commission approval of a conditional use CU authorization for the off-street parking spaces and for residential density above three units per lot. This CU is the approval action for the project. The Approval Action date establishes the start of the 30-day appeal period for this CEQA exemption determination pursuant to Section 31.04(h) of the San Francisco Administrative Code.

REMARKS:

Historic Resource. The existing cottage was constructed in 1906 and is classified as a Category "B", or potential historic resource, in the Planning Department's records. A Category B rating indicates that additional information is necessary to make a determination as to whether the site is an historic resource or not. In order for a building to be deemed a historic resource for purposes of CEQA Section 21084.1, it must be listed in or determined to be eligible for listing in the California Register of Historical Resources (CRHR), or included in a local register of historic resources.

Based on a historic resource evaluation (HRE) prepared by Page & Turnbull[1] and subsequent evaluation by the Planning Department Preservation Planning staff,[2] the project site was determined to not be eligible for listing in the CRHR nor was it included on a local register of historic resources. The extant cottage is a common example of a vernacular building and has been extensively altered such that it no longer represents its original 1906 construction.

In order for a project to be deemed eligible for listing in the CRHR, the project must be shown to meet any one of the National Register of Historic Places' four criteria: Criterion 1 (Event), Criterion 2 (Persons), Criterion 3 (Architecture), or Criterion 4 (Information Potential). The Planning Department concurs with

[1] Page & Turnbull, *115 Telegraph Hill Boulevard Historic Resource Analysis, San Francisco, California.* February 19, 2014. A copy of this document is available for public review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, as part of Case File No. 2013.1375E.

[2] Hilyard, Gretchen, *Preservation Team Review Form for 115 Telegraph Hill Boulevard.* May 1, 2014. A copy of this document is available for public review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, as part of Case File No. 2013.1375E.

the findings of the HRE that the subject property is not eligible for listing in the California Register under any criteria, specifically: No known historic events occurred at the property (Criterion 1), none of the owners or occupants have been identified as important to history (Criterion 2), the building is not architecturally distinct and represents its alteration circa 1997 (Criterion 3). Based upon a review of information in the Departments records, the subject property is not significant under Criterion 4, which is typically associated with archaeological resources. Furthermore, the subject property is not likely significant under Criterion 4, since this significance criterion typically applies to rare construction types when involving the built environment. The subject property is not an example of a rare construction type. The surrounding neighborhood contains a mix of architectural styles, building sizes, and a defined period of development; therefore, it does not appear to be a potential historic district.

Preservation Planning staff determined that the site does not meet any of these four criteria. Therefore, the site was determined to not be eligible for listing individually or as part of a potential or existing historic district in the CRHR and the site is not an historic resource for purposes of CEQA. The proposed new construction project does not directly or indirectly involve any historic resources and will not cause a significant adverse impact upon a historic resource as defined by CEQA.

Geotechnical. The project site is on an approximately 80-foot-wide by 80-foot-deep, downhill-sloped lot with a slope from the east to west side of the lot. The elevation at the highest point along the street (northeast corner) is 251 feet (above sea level) and 214 feet at the rear lot line (southwest corner). The existing cottage is constructed in the southeastern corner of the lot at an elevation of 229 feet. The proposed three-unit residential building would be constructed at the front of the lot along Telegraph Hill Boulevard with a pad elevation at approximately 224 feet. The existing cottage at the rear of the lot would be renovated and no changes made to the existing poured concrete foundation. The foundation for the new building would be constructed using drilled concrete pier and grade beam foundation, requiring excavation up to 25 feet in depth.

A geotechnical report was prepared for the proposed project at 115 Telegraph Hill Boulevard[3] and includes information gathered from a site reconnaissance by the geotechnical engineer and four soil borings conducted on the project site. The borings encountered 6 inches to 4 feet six inches of loose to dense clayey sand with varying amounts of silt and gravel to stiff, sandy silty clay, overlaying sandstone bedrock. No groundwater was encountered, though based on the hillside location it is possible that groundwater could be encountered near the surface following rain or upslope irrigation.

The geotechnical report evaluated the project site for potential liquefaction, surface rupture, lateral spreading, densification, and landslides and found the potential for risk to be low. The project site is in an area that would be exposed to strong earthquake shaking, though adherence to the recommendations in the 2013 San Francisco Building Code would reduce potential damage to the structure. The 2013 San Francisco Building Code (Building Code) requires Site Classification and Values of Site Coefficients for the design of earthquake resistant structures to minimize damage from earthquakes. The geotechnical

[3] Earth Mechanics Consulting Engineers, *Report Geotechnical Investigation Planned Improvements at 115 Telegraph Hill Boulevard, San Francisco, California,* May 12, 2013. A copy of this document is available for public review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, as part of Case File No. 2013.1375E.

report includes seismic design parameters for use by the structural engineer for the project in complying with the Building Code during the Department of Building Inspection (DBI) building permit plancheck process.

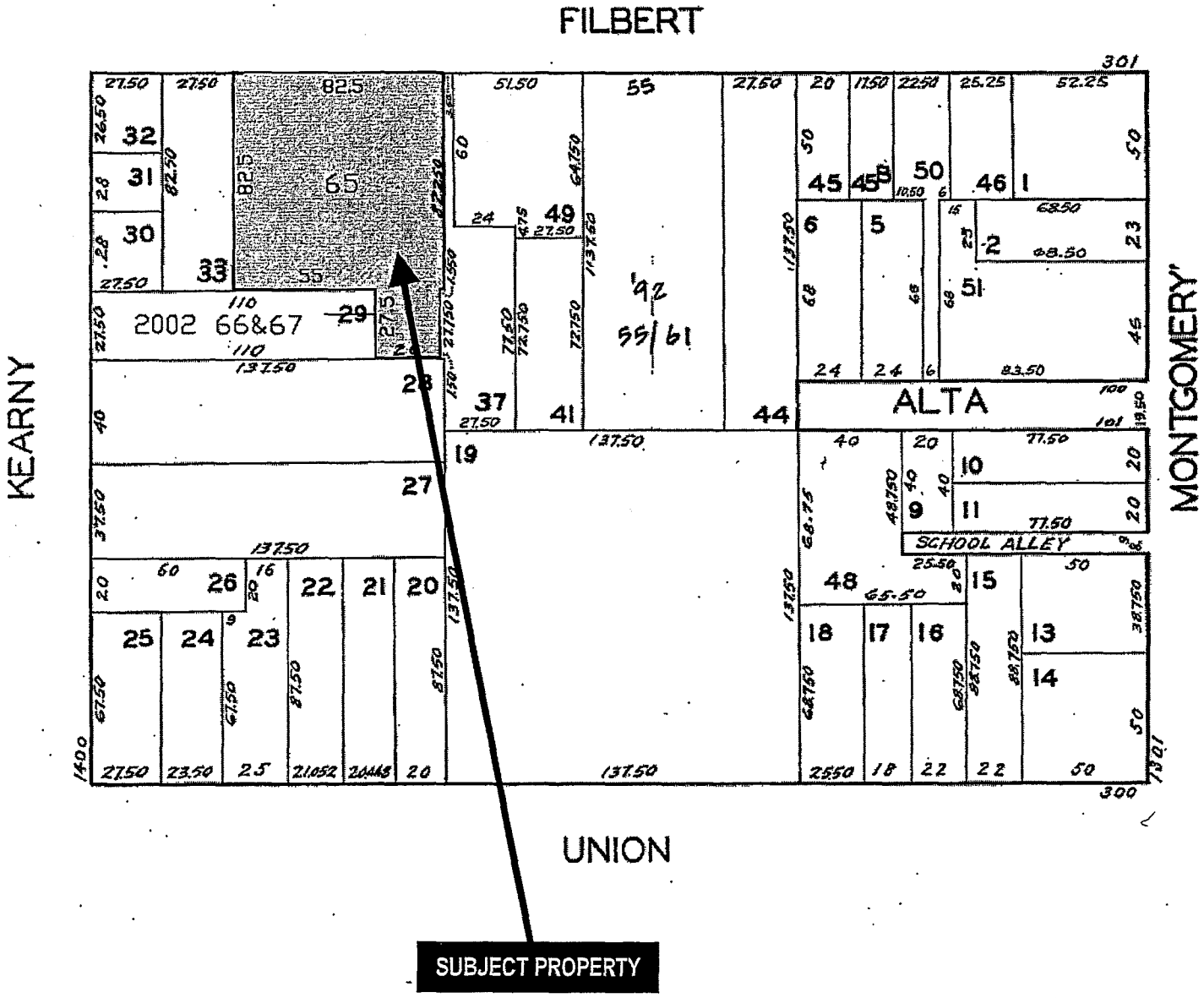
The geotechnical report found that the proposed structure's foundation could be safely supported using a drilled concrete pier and grade beam foundation, provided adherence to site preparation and foundation design recommendations in the project geotechnical report.

The project sponsor has agreed to adhere to the recommendations of the geotechnical report and include the report's design recommendations into the plans submitted for the building permit plancheck process, subject to final review by DBI. Thus, the proposed project would have no significant geotechnical impacts.

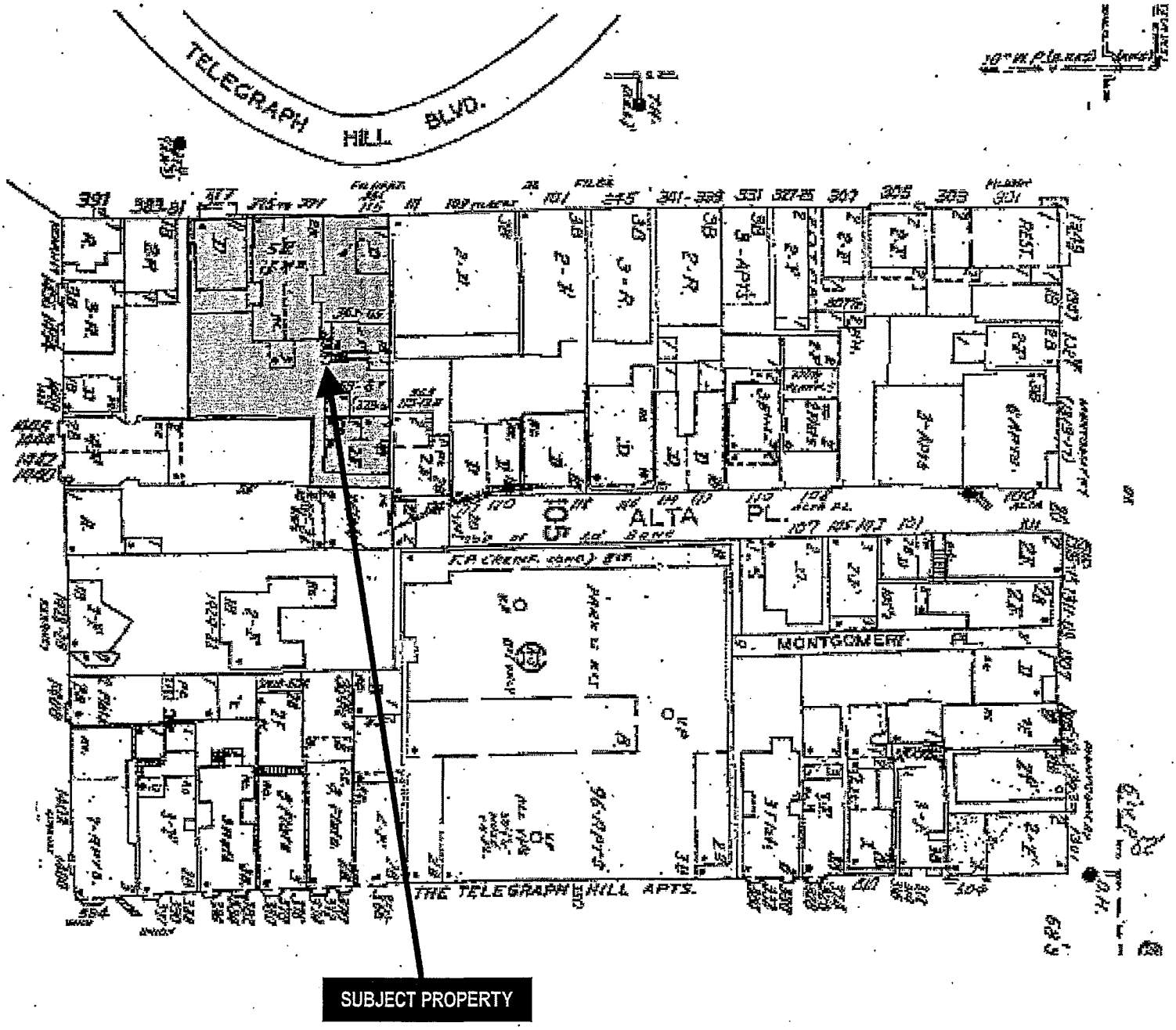
Exemption Class. Under CEQA State Guidelines Section 15301(d), or Class 1(d), exterior renovations to an existing single-family residence that is not a historic resource, as defined for purposes of CEQA, is exempt from environmental review. The proposed project involves the exterior renovation of the existing 1,000-square-foot cottage at the rear of the property. Under CEQA State Guidelines Section 15303(b), or Class 3(b), construction of a multi-family residential structure with up to four dwelling units in a residential zone is exempt from environmental review. In urbanized areas, this exemption applies to apartments, duplexes, and similar structures designed for not more than six dwelling units. The proposed project includes the construction of a multi-family residential structure with three dwelling units in a residential zoning district. Therefore, the proposed project would be exempt from environmental review under Class 1(d) and Class 3(b).

Summary. CEQA State Guidelines Section 15300.2 states that a categorical exemption shall not be used for an activity where there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances. There are no unusual circumstances surrounding the current proposal that would suggest a reasonable possibility of a significant effect. The proposed project would not have significant geotechnical or historical resource impacts. The proposed project would have no significant environmental effects. The project would be exempt under the above-cited classifications. For the above reasons, the proposed project is appropriately exempt from environmental review.

Parcel Map


FILBERT
KEARNY
MONTGOMERY
UNION
ALTA
SCHOOL ALLEY
SUBJECT PROPERTY

Sanborn Map*

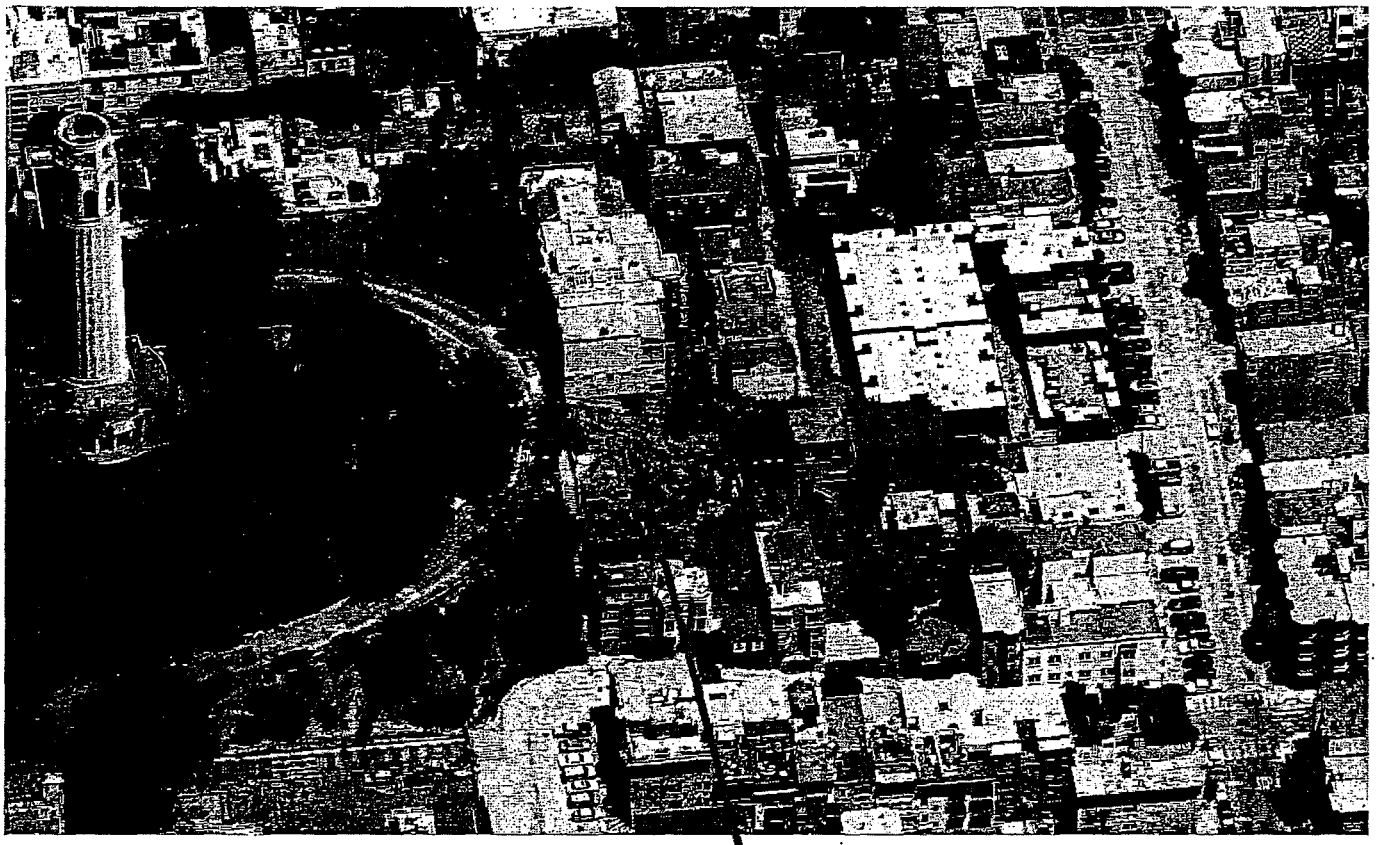


*The Sanborn Maps in San Francisco have not been updated since 1998, and this map may not accurately reflect existing conditions.

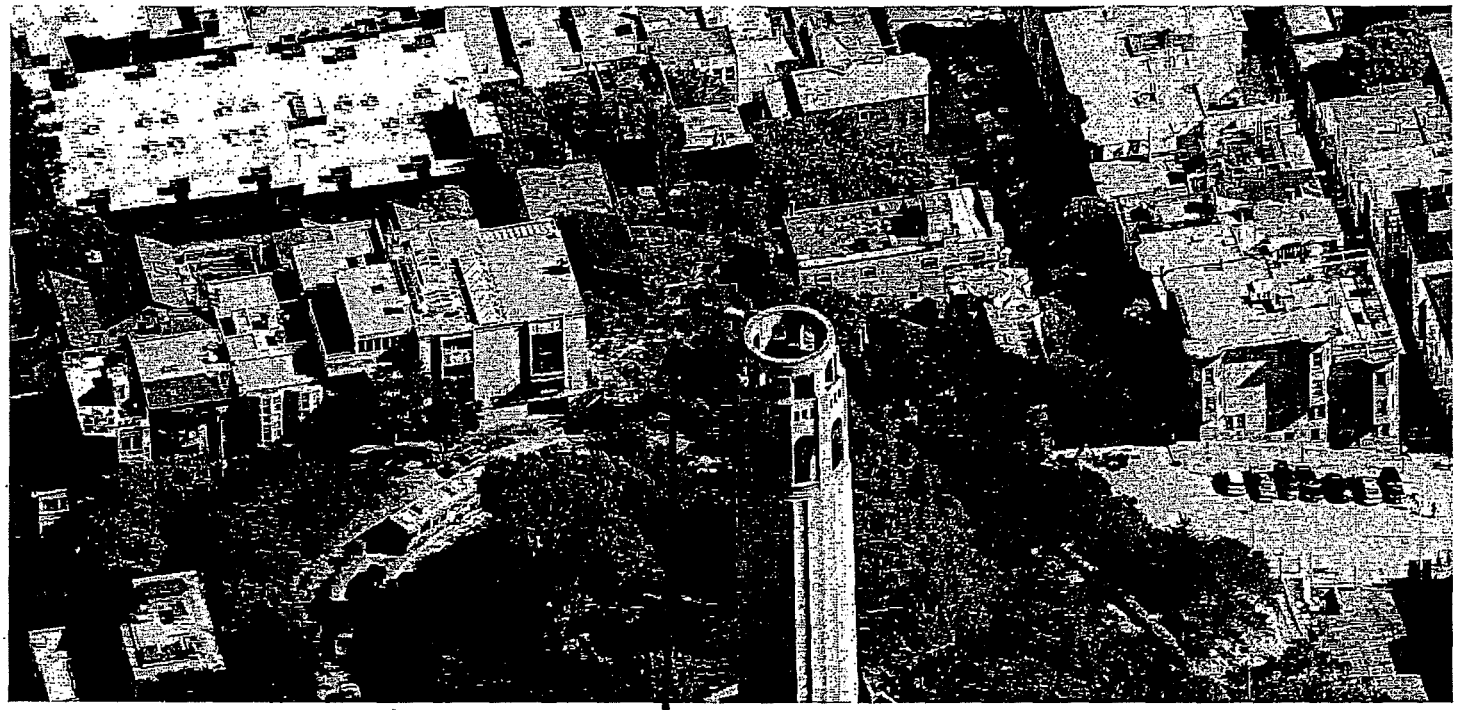
Aerial Photo



Aerial Photo



Aerial Photo

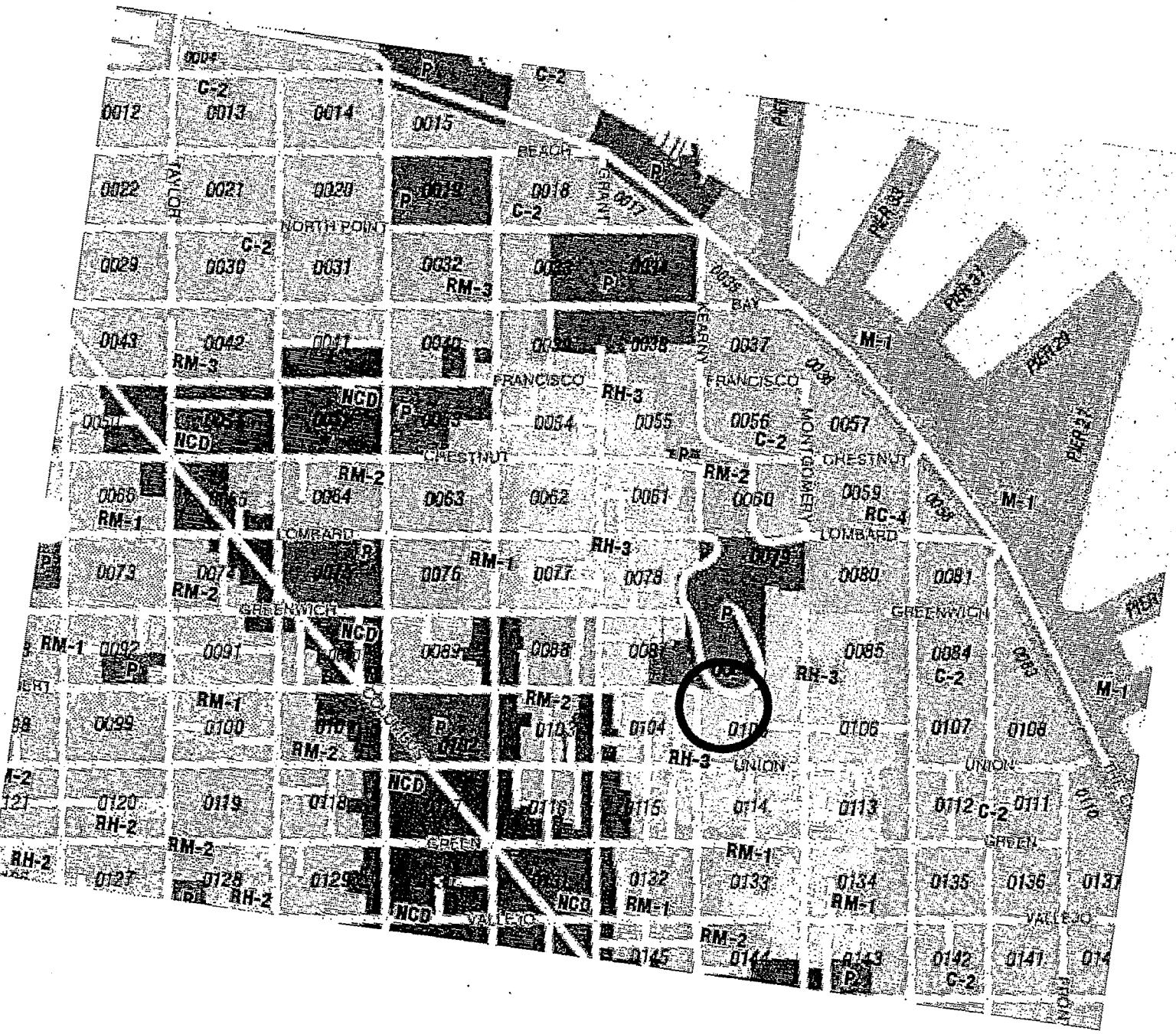


SUBJECT PROPERTY

Aerial Photo



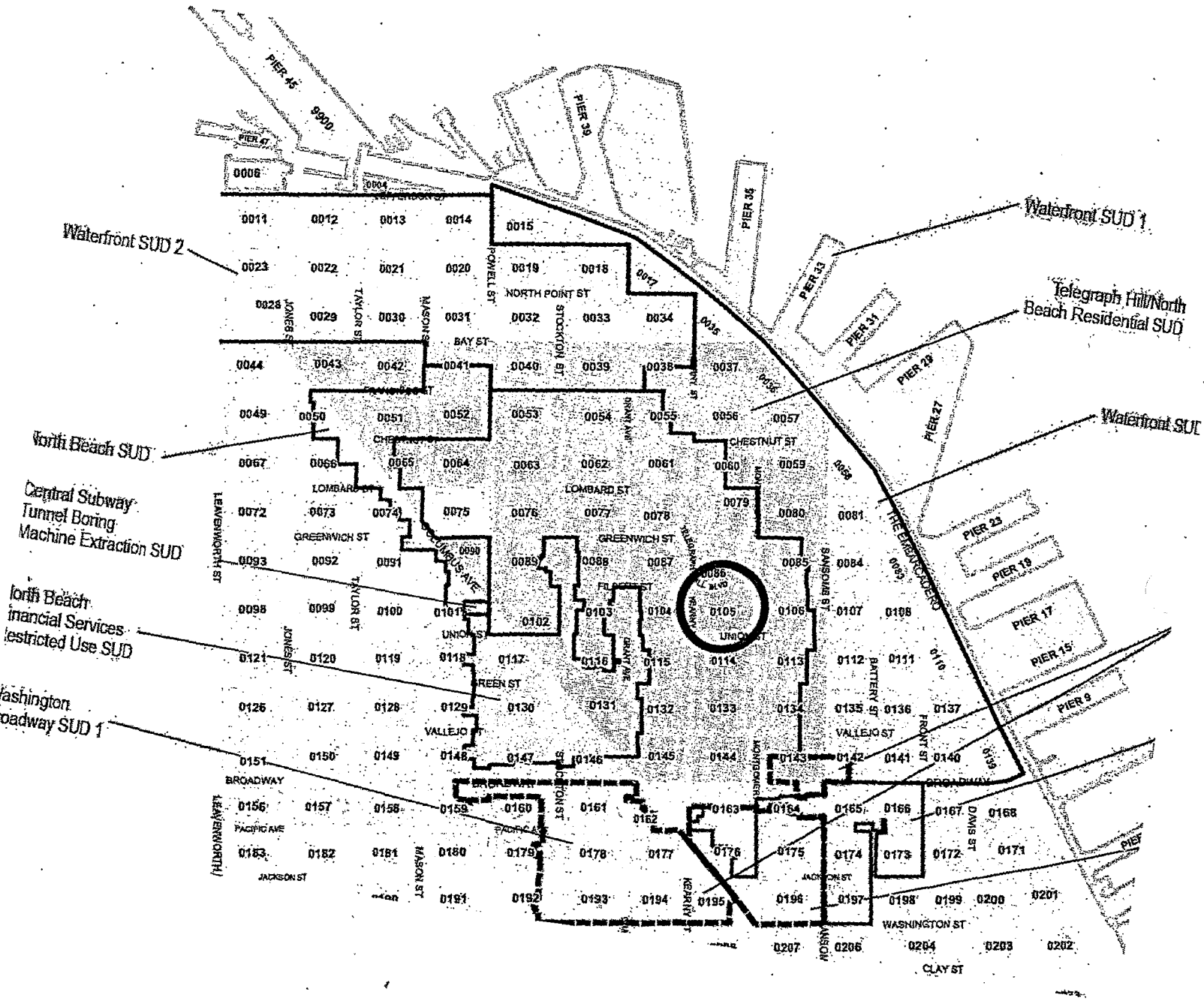
Zoning Map



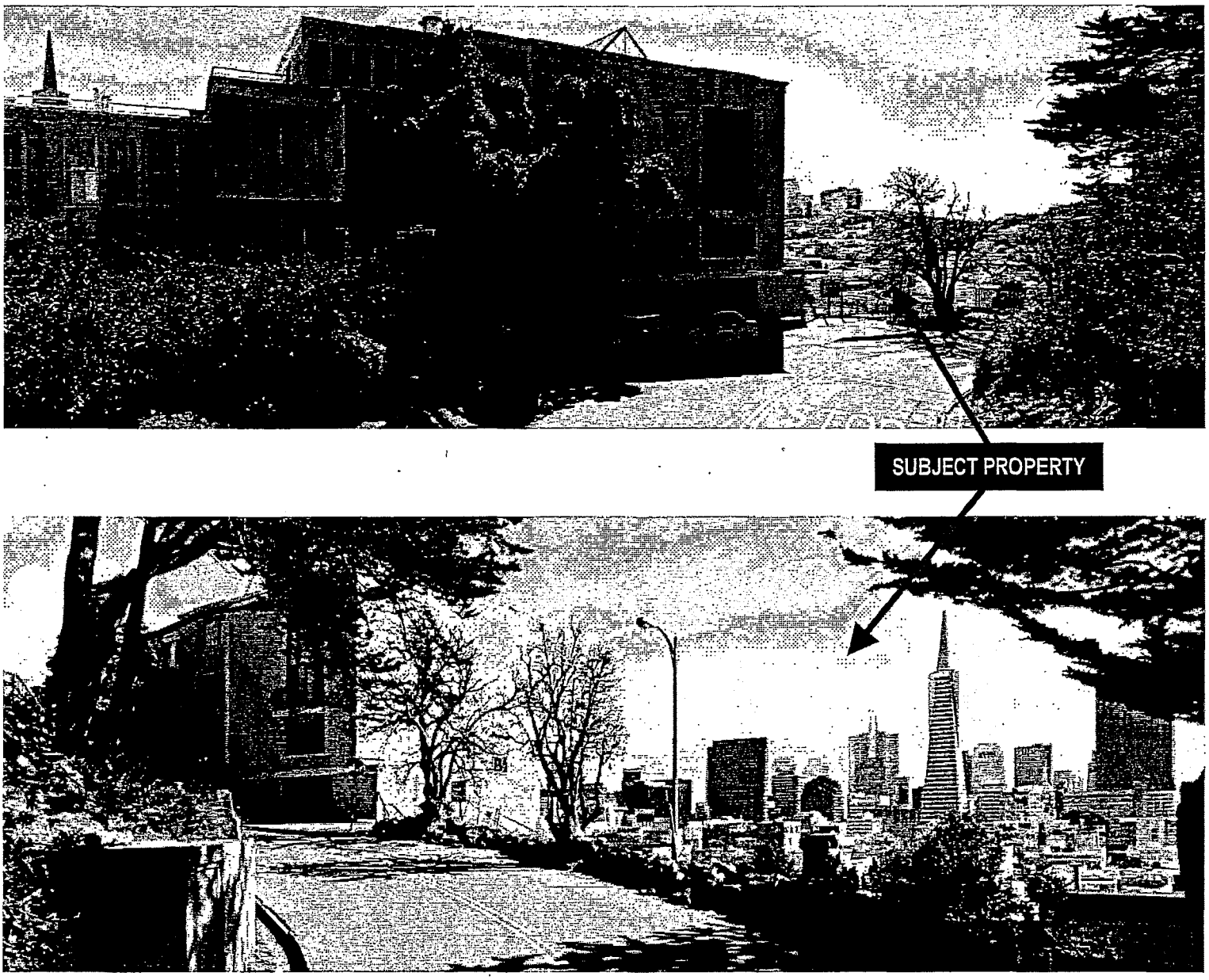
NCISCO
NING DEPARTMENT

Conditional Use Authorization Hearing
Case Number 2013.1375CE
New Construction of Three Dwelling Units
115 Telegraph Hill

Special Use District Map



Site Photo



BUTLER ARMSDEN
ARCHITECTS

Dear Barbary Coast News,

We write to respond to the "Telegraph Hill Development Alert" that appeared on your website today. For the past two years, Telegraph Hill Housing LLC has worked with the Telegraph Hill Dwellers and immediate neighbors to design three new homes and renovate an uninhabitable cottage at 115 Telegraph Hill Boulevard. Given the opportunity to evaluate the design, view studies, and the actual facts, several neighbors have indicated their support for the project. We believe your readers should make an informed decision about the project and appreciate the opportunity to respond to the misstatements in the "Alert" and accurately describe the project. The project is modestly scaled and will transform a blighted lot with a well-crafted, architecturally elegant new building. The three new units at the front of the property are several feet under the height limit and follow the slope of the Filbert Steps. Together with the renovation of an uninhabitable cottage at the back of the property, there will be four units total. This is only half of what is allowed under the zoning.

We offer the following corrections and counterpoints to the factually incorrect "Alert" submitted to your site earlier this week.

- *Claim: The project will "block the sweeping views of San Francisco enjoyed by Pioneer Park users."*
  - **The current proposal will have no impact on established vistas from Telegraph Hill's historic Coit Tower or Pioneer Park at the base of the tower. The images at the bottom of this letter indicate the views from both locations, and as is evident, the proposal blocks no significant view and remains largely invisible from either location.**

- *Claim: The Project will "create permanent dangerous conditions for pedestrians coming up the Filbert Steps and Telegraph Hill Blvd. (by creating a new curb cut on the curviest section of Telegraph Hill Blvd. at the very top of the Filbert Steps coming up from Kearny Street)"*
  - **This location is currently safeguarded by stop signs for a pedestrian crosswalk, forcing vehicular traffic on both sides of the street to come to a complete stop, making this area of Telegraph Hill Blvd. arguably the safest area of the street. The garage door incorporates safety features such as a flashing beacon to alert pedestrians to exiting vehicles.. In addition, this is not a "new" curb cut. There was an existing curb cut which can be seen in the image attached to this letter.**

- *Claim: The Project will "exacerbate traffic congestion for visitors and residents to Coit Tower on Telegraph Hill Blvd. both during and after construction."*
  - **This is a four-unit project that will minimally affect traffic volumes. Construction will last less than 24 months. During this time, every effort will be made to minimize disturbance during construction, and due to the low-density development, traffic will not be exacerbated post construction.**

- *Claim: The Project will "adversely impact users of the 39 Coit Tower MUNI bus both during and after construction (particularly because the current stop will have to be moved but will still be next to their new driveway)"*
  - **There will be no move of the bus stop for any reason both during and after construction. This claim has no merit.**

- *Claim: The Project will "eliminate access from the Filbert Steps to Coit Tower for up to two years while the project sponsor digs 30 feet for a new parking garage on this highly constrained site"*
    - **There will be no lasting limitations on access to the Filbert Street Steps besides sporadic very short-term disturbances that are unavoidable for the construction of *any* project of any scope on this site. In fact, there is no modification proposed to the stairs, and only improvements by way of adjacent plantings, lights and handrails for a more pleasant and safe experience.**

- *Claim: The project will reward the current owners for demolishing 11 units of affordable rent-controlled housing and replacing them with three luxury, 4,000 to 5,000 square foot, condos.*
    - ***The permits to demolish the buildings were filed in 1997 and predate this proposal by over 17 years and were decrepit at the time of demolition. The Department of Public Works had found them to be "unsound." The current developer and soon to be owner of this property (currently he holds an option to purchase the property) was not involved with the 1997 demolition in any way.***

- *Claim: The Project will "reward the current owners for their de-facto demolition of the historic cottage on the southern edge of the property."*
    - ***Though it is an older structure, the cottage on the southern edge of the property is not now, nor has it ever been, classified as historic. All the same, it will be retained and restored.***

There should be mention of the positive impacts that the proposal will have on the neighborhood and the city.

- **Conversion of a blighted and chain-link bordered vacant lot, which is currently utilized for numerous illegal activities and poses safety liabilities.**

- **The proposal contributes three new family-sized units to the city's housing goal. Larger, family-sized units in particular are in short supply.**

- **A vacant and dilapidated cottage will be renovated and restored, maintaining an otherwise discarded element of Telegraph Hill and adding to its history.**

- **Repairing the Filbert Street Steps as needed, maintaining them and improving the experience with adjacent plantings while adding safety elements such as handrails and lighting.**

- **Introducing a view corridor between buildings to allow views from the steps to downtown, all while providing a much-needed informal gathering area at the top of the steps for pedestrians.**

- **Contributing an architecturally significant development that is well-designed and contextually sensitive to the larger neighborhood**

- **Addition of sustainable elements such as solar panels, vegetated roofs, and low-water demand plumbing fixtures.**

The history and significance of Telegraph Hill is an important consideration of this proposal. We hope that this letter accurately informs the neighborhood about the facts of this project and that everyone can see the the proposal for what it is: a well-crafted improvement to a blighted area of the city, which adds to, not detracts from, the fabric of Telegraph Hill.

If you agree, please let the Planning Commission know you support approval of the project at their hearing on July 17th by emailing Elizabeth.Watty@sfgov.org and referencing 115 Telegraph Hill Boulevard (Case No. 2013.1375CE).

If you'd like any additional information about the project, please feel free to contact Jeremy Ricks at Jeremy@adshoremedia.com.
Thank you,

Jeremy Ricks
Telegraph Hill Housing, LLC

BUTLER ARMSDEN
ARCHITECTS



VIEW FROM COIT TOWER
(PROPOSAL SHOWN IN RED)



VIEW FROM PIONEER PARK
(PROPOSAL SHOWN IN RED)



VIEW FROM PIONEER PARK
(PROPOSAL SHOWN IN RED)



363 Filbert Street Driveway cut. Address is now more commonly known as 115 Telegraph Hill Boulevard.

From:	John Stewart
To:	Watty, Elizabeth (CPC)
Cc:	Chiu, David (BOS); Rahaim, John (CPC); Lee, Olson (MYR); Ahalsted@aol.com; Wells Whitney; Bob Mittelstadt; Lynda Spence; Rod Freebairn-Smith (f-sc@f-sc.com); Janet Crane; (osheaim@mac.com); "Irene Tibbits"; "Julie Christensen (julie@surfacework.com)"; "Gussie Stewart "
Subject:	115 Telegraph Hill Blvd.
Date:	Tuesday, July 08, 2014 4:16:47 PM
Attachments:	115 Telegraph.pdf

Dear Ms. Watty,

My wife and I live about 200 yards north of the subject site on the same street. We are in receipt of a Telegraph Hill Development Alert which warns of a "massive, luxury condominium project." The bulletin states that "this is not about a particular neighbor's self-interest or views - this is about *public interest*." Fair enough. In that regard, from a public policy and planning perspective, what is the best use for this site? Let's briefly run through some options:

- Commercial – Inconsistent with zoning
- A Park – The site is uniquely unsuited for this use because of its 2:1 slope, customary high winds, and budget constraints at the Open Space Committee. Additionally, there's already a park above it.
- An affordable HUD-subsidized rental project- This site would support maybe 10-12 small units that would only have a remote chance of being financeable if a project-based Section 8 contract were available from HUD, which it isn't. Even then, it would not underwrite well because of the land basis and the fact that there's no economy of scale operationally.
- A Low Income Housing Tax Credit development - A small project on this site would not pass muster with the Low Income Housing Tax Credit Committee, and even if it did, an off-the-charts subsidy from the Mayor's Office of Housing would be required, which is an equally unlikely prospect.
- HUD Section 811 –Developmentally Disabled – This non-profit, only HUD-insured and subsidized program is tailored to small unit size (10-20); however, it would not meet reasonable HUD criteria for accessible social services, let alone neighborhood objection to high frequency visitation traffic.
- A market rate rental– Because of the high land costs and the fact that the project would have tenant incomes too high to qualify for Low Income Housing Tax Credits, or the City's Housing Trust Fund (Prop C) and because there's no economy of scale, this option is fiscally infeasible.
- Market Rate Condominiums – This development category is financeable and will generate over $200,000 a year in revenue to the City in tax increment, plus intermittent transfer tax fees. These additional tax increment revenues will go into the General Fund for myriad different budget items including, but not limited to, infrastructure upgrades; the City's Health Department; Rec & Parks; Homeless Shelter maintenance, on and on. This has the substance and feel of public interest. Not parenthetically, the City has an operational deficit of $134M per year which could use some help.

There are some sites that cry out for mixed income; some for affordable and/or market rate

rentals. All would have far better economy of scale than this tiny parcel. In this case, the City should capitalize on the highest and best use which the current proposal offers. At 3 units, it's hardly "massive". It is indeed, "luxury" but then its values comport with the surrounding homes ringing Coit Tower. Architecturally, there are elements which thoughtfully mirror the Gardner Dailey design directly next door to the east. It's doubtful that the curb cuts constitute an unsolvable safety problem. It blocks no views. Lastly, lest we forget, it is code compliant and needs no variance.

I concur with the recommendation from some of my fellow Hill dwellers that the developer upgrade and beautify the Filbert steps leading to the site.

It is not in the public's best interest to let this lazy asset remain fallow, as it has for years. Besides, it's a refuse-collecting eyesore.

Sincerely,
John K. Stewart

John K. Stewart, Chairman
The John Stewart Company
1388 Sutter Street, 11th Floor
San Francisco, CA 94109
(415) 345-4400 (415) 614-9175 - fax
www.jsco.net

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From: Marcy Albert
To: Watty, Elizabeth (CPC)
Subject: SUPPORT FOR 115 Telegraph Hill Boulevard (Case No. 2013.1375CE
Date: Wednesday, July 09, 2014 12:01:42 PM

I have read both the supporting and opposing sides of this development and it looks to me to be a perfectly delightful development. I encourage you to support it.

Marcy Albert
101 Lombard St #904W
San Francisco, CA 94111
415-627-6900

No virus found in this message.
Checked by AVG - www.avg.com
Version: 2014.0.4716 / Virus Database: 3986/7814 - Release Date: 07/07/14

From:	Regan Anderlini
To:	Watty, Elizabeth (CPC)
Subject:	115 Telegraph Hill Boulevard Townhouses
Date:	Tuesday, July 08, 2014 9:20:39 PM

Ms. Watty,

I am a resident of the Telegraph Hill neighborhood in San Francisco and I am writing in support of the proposed development at 115 Telegraph Hill Blvd. Recently there has been some heated discourse on our neighborhood email list, and I fell it is important that I let you know that my husband and I both support the idea of replacing the unsightly vacant lot that now exists with a tastefully conceived development. I have read the document sent to the list by Jeremy Ricks of Telegraph Hill Housing, LLC and support the ideas presented in his communication.

Thank you for your consideration,

Regan Anderlini
300 Filbert St

From: Friea Berg
To: Watty, Elizabeth (CPC)
Subject: I support "luxury condos on Telegraph Hill"
Date: Thursday, July 10, 2014 9:10:39 AM

Hi,

I live in the North Beach/Telegraph Hill neighborhood – don't see why TDH is so upset about the condo development project. Personally I suspect TDH would fight any new project, and leaving that lot vacant and surrounded by a chain link fence is ridiculous.

So ... wanted to voice my support for the project. Looks reasonable enough.

I have no stake in this, don't know any of the involved folks.

-Friea

Friea Berg | Strategic Alliances | friea@splunk.com | Direct 415.852.5820 | Mobile: 415.254.1544 | twitter.com/friea
San Francisco | Cupertino | London | Hong Kong | Washington D.C. | Seattle | Plano | Singapore | Munich | Tokyo

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From:	Cal J.
To:	Watty, Elizabeth (CPC)
Subject:	Support for proposal of 115 Telegraph Hill
Date:	Wednesday, July 09, 2014 10:55:02 AM

Ms. Watty,

I own a TIC close to Telegraph Hill and often visit the Coit Tower area. Just last month I took some relatives that were visiting from out of town. We walked up the Filbert St stairs and one of them commented how ugly the vacant lot that sits on 115 Telegraph Hill was. When I spoke to Jeremy Ricks about his project I discovered that this lot has been vacant for over 15 years. I don't understand why/how one of the most beautiful and important streets in all of SF could have such a thing. I have reviewed the plans that Jeremy and his architects have proposed and I think that they would be an absolutely wonderful addition to the neighborhood. The proposed homes have a nice modern feel but also keep with the consistency of the neighborhood.

This letter is in STRONG support of the proposed 115 Telegraph Hill project. I urge the planning commission to pass the project as is.

Thank you,
Calvin Chan

From:	Lois Chess
To:	Watty, Elizabeth (CPC)
Subject:	SUPPORT for 115 Telegraph Hill Development
Date:	Tuesday, July 08, 2014 4:15:10 PM

Just so you know, not everyone is against developing this site. It has been empty way too long. Good luck. I hope if passes.

Lois Chess
415-385-7505

June 8, 2014

Msi Elizabeth Watty
San Francisco Planning Department
1650 Mission Street, 4th Floor
San Francisco, CA 94103

Subject: 115 Telegraph Hill Blvd.

Dear Ms. Watty:

As immediate neighbors to the proposed project, we would like to express our support for the new development by Jeremy Ricks' group at 115 Telegraph Hill Blvd. We have lived three homes away from the site for the past fifteen years, we have reviewed Mr. Rick's proposed plans as of May 2014, and we have long appreciated the site, its history, and the immediate environs.

We support the proposed development at 115 Telegraph Hill Blvd. for several reasons:

- The proposed building plan:
  - Has clean lines, open courtyards, and modern elements that contribute to the neighborhood's architecture.
  - Does not block views from Pioneer Park's rear lawn area or Coit Tower.
  - Does not block any neighbors' south facing views, and has little or no shadow impact on neighboring residences.
- Now an empty lot, the proposed building site offers an opportunity to:
  - Add residential units and tax-payers to both the neighborhood and the city.
  - See new residents be motivated to maintain the heavily tourist-trafficked Filbert stairs area in front, including keeping the area clean, graffiti-free, and planted.

We remember the former buildings on this site. After a long period of abandonment, we are glad to see this proposed plan for 115 Telegraph Hill Blvd.

Sincerely,

Greg Champou
345 Filbert Street
San Francisco, CA 94133

July 8, 2014

Ms. Elizabeth Watty
San Francisco Planning Department
1650 Mission Street, 4th Floor
San Francisco, CA 94103

Subject: 115 Telegraph Hill Blvd.

Dear Ms. Watty:

I am writing to respond to the "Telegraph Hill Development Alert" from Telegraph Hill Dwellers' Planning & Zoning Committee that was emailed to me yesterday and which urged that their members contact you to complain about the 115 Telegraph Hill Boulevard residential development project. I received this email because I am a member of Telegraph Hill Dwellers ("THD") for about the past twenty years, I am a former Board member of THD for six years, and I have lived two doors from the proposed development for the past twenty years. My family and I completely support the 115 Telegraph Hill Blvd. project, as do many of our immediate neighbors, and I categorically reject the demonizing and erroneous statements in the email sent by THD.

The THD email declares the project will:

1) *"Block the sweeping views of San Francisco enjoyed by Pioneer Park users."* I have seen the views for 20 years, and the proposed project does not block historic views from Coit Tower or the base of the tower.

2) *"Create permanent dangerous conditions for pedestrians coming up the Filbert Steps and Telegraph Hill Blvd. (by creating a new curb cut on the curviest section of Telegraph Hill Blvd. at the very top of the Filbert Steps coming up from Kearny Street)"*. This location has two stop signs on either side (what better way to exit a driveway?)

   There are curb cuts throughout Telegraph Hill Boulevard, and the specific site historically had a curb cut, and furthermore it is not the curviest point of the Boulevard. It's ironic that THD successfully advocated installing a crosswalk and staircase up to Coit Tower at exactly that same spot on the Boulevard in 1997 (including the installations of the two stop signs) but now for some reason considers it a dangerous spot for any traffic.

3) *"Exacerbate traffic congestion for visitors and residents to Coit Tower on Telegraph Hill Blvd. both during and after construction."* This is a four unit project which will not add measurably to traffic congestion on the Hill, and the units will have garages.

4) *"Adversely impact users of the 39 Coit Tower MUNI bus both during and after construction (particularly because the current stop will have to be moved but will still be next to their new driveway)."* I understand that the bus stop will continue as always, and it is an unsubstantiated claim by THD.

5) *"Eliminate access from the Filbert Steps to Coit Tower for up to two years while the project sponsor digs 30 feet for a new parking garage on this highly constrained site".* I am sure there will be some short-term interruptions, but that is true for all construction projects (as my neighbors who have their homes painted or sidewalks repaved) and disturbances can and should be addressed as part of the proposal.

6) *"Reward the current owners for demolishing 11 units of affordable rent-controlled housing and replacing them with three luxury, 4,000 to 5,000 square foot, condos."* This seems a sly comment, as the residences there in 1994-1997ish were un-inhabited and largely uninhabitable. (The larger houses were occasional flop houses.) Also, prospective developer, Jeremy Ricks, did not remove the former houses, although this comment makes it sound as if he did. The current owners, the Coopers, bought and emptied the parcel years ago, and they were blocked from further developments.

7) *"Reward the current owners for their de-facto demolition of the historic cottage on the southern edge of the property."* This is a sly and curious comment. There was a beautiful, historic cottage on the original parcel ("Bill Bailey's cottage") that was moved to another location (the Mission?) by the Coopers by popular request. The existing cottage on the property is uninhabitable, not historic, and an eyesore. I believe it was largely propped up by the Coopers to establish that they were continuing to develop the property, but that was years ago and it remains an eyesore of no significance.

   THD is capable of meticulous research, but sly and erroneous claims like the above two claims make me question their motives as well as their means.

I previously wrote your offices on June 2nd (see my letter below) with my support of the 115 Telegraph Hill Boulevard residential project. I reiterate my support.

Thank you,

Greg Chiampou
345 Filbert Street
San Francisco, CA 94133
Tel. 415.845.4479

June 5, 2014

Ms. Elizabeth Watty
San Francisco Planning Department
1650 Mission Street, 4th Floor
San Francisco, CA 94103

Subject: 115 Telegraph Hill Blvd.

Dear Ms. Watty:

As immediate neighbors to the proposed project, we would like to express our support for the new development by Jeremy Ricks' group at 115 Telegraph Hill Blvd. We have lived three homes away from the site for the past fifteen years, we have reviewed Mr. Rick's proposed plans as of May 2014, and we have long appreciated the site, its history, and the immediate environs.

We support the proposed development at 115 Telegraph Hill Blvd. for several reasons:

- The proposed building plan:
  - Has clean lines, open courtyards, and modern elements that contribute to the neighborhood's architecture.
  - Does not block views from Pioneer Park's rear lawn area or Coit Tower.
  - Does not block any neighbors' south facing views, and has little or no shadow impact on neighboring residences.
- Now an empty lot, the proposed building site offers an opportunity to:
  - Add residential units and tax-payers to both the neighborhood and the city.
  - See new residents be motivated to maintain the heavily tourist-trafficked Filbert stairs area in front, including keeping the area clean, graffiti-free, and planted.

We remember the former buildings on this site. After a long period of abandonment, we are glad to see this proposed plan for 115 Telegraph Hill Blvd.

Sincerely,

Greg and Jennifer Chiampou
345 Filbert Street
San Francisco, CA 94133

From:	Janet Crane
To:	Watty, Elizabeth (CPC)
Cc:	Silcox, Louis; Rod Freebairn-Smith
Subject:	115 Telegraph Hill Boulevard
Date:	Tuesday, July 08, 2014 5:01:09 PM

Dear Ms. Watty:

I am a 40 year resident of Telegraph Hill and wish to support the right of the property owner to build homes on this lot.

I understand that the project does not require any variances and has received design approval from the Planning Department. This is a logical site for luxury homes.

It is reasonable to discuss with the property owner how the most difficult impacts of construction will be mitigated for the neighbors and that the Filbert Steps should be brought into good condition at that property line. Those discussions should occur with any significant construction site in a congested area. However, the project should not be attacked because it is not a park.

I am adding my name to the other letters of support that have been sent by our neighbors.

Best regards,
Janet

Janet Crane
Freebairn-Smith & Crane
Planning, Urban Design, Architecture
442 Post Street
San Francisco CA 94102
415 398 4094
jcrane@f-sc.com

From:	Alexis Donoghoe
To:	Watty, Elizabeth (CPC)
Subject:	115 Telegraph Hill - Vote of Approval
Date:	Wednesday, July 09, 2014 2:16:36 PM

To whom it may concern:

I live in North Beach (529 Filbert St.) right near 115 Telegraph Hill. I walk to work up and over Telegraph Hill and pass by this empty lot everyday, so I am familiar with this proposal. I have reviewed the details of Jeremy's proposal with him and I think the project will be a welcomed addition to the neighborhood. I strongly support the project and urge the planning commission too as well, especially as it is below the height limit and requires no variances.

Fellow Neighbor,

Alexis Donoghoe

From:	MARINA GALLI
To:	Watty, Elizabeth (CPC)
Subject:	Support of 115 Telegraph Boulevard
Date:	Sunday, July 06, 2014 5:51:16 PM

July, 6th 2014

Ms. Elizabeth Watty
San Francisco Planning Department
1650 Mission Street - 4th Floor
San Francisco, CA 94103

Subject: Support of proposed development of 115 Telegraph Hill Boulevard

Dear Ms. Watty,

Monty Reedy and I are writing to you to support the proposed development of 115 Telegraph Boulevard. We believe it is high time that this vacant and desolate lot be turned into a home that contributes to the Telegraph Hill community and also beautifies the approach to Coit Tower. As neighbors, we frequently walk up Telegraph Hill Boulevard and past the 115 Telegraph Hill Boulevard lot. We often wish there was a lovely home that was thoughtfully built, instead of a blighted empty lot. It is our understanding that the owners are proposing a well thought out architectural plan that complies with city ordinances. We should work with them to create something in keeping with the neighborhood.

Wouldn't it be better to have a family or couple living in a newly built, well manicured home, where currently there is nothing but dirt and an unsightly chain link fence? The lot is filled with litter because of the wind tunnel effect, caused by no building on the lot.

Think of the jobs the construction and ongoing maintenance will create, the increased tax base, the additional stimulus to the community. The city needs to embrace and welcome residents who want to set up roots here and improve the city.

Further, it would be nice to have the driveway that once existed reinstated. In an emergency, there is no place to turn around until you get all the way to the top of the hill.

We are neighbors, we are taxpayers and we are supporters of the development of this unused parcel, 115 Telegraph Hill Blvd.

Thank you for your consideration.

Kind regards,

Marina Galli, CFA
& Monty Reedy

From:	Lauren Haugh
To:	Watty, Elizabeth (CPC)
Subject:	Supporting the project on 115 Telegraph Hill
Date:	Wednesday, July 09, 2014 11:46:15 AM

Dear Ms. Watty,

I would like to express my strong support for the proposed project at 115 Telegraph Hill. The Filbert steps are one of my favorite places to run. I have lived in the city for over 7 years and I don't think I have seen a bigger eye sore than this vacant lot. I have always wondered why it has remained vacant for so long. Last week I met Jeremy Ricks and his architects who were visiting the spot and looking at plans. I approached them and asked if they were developing the project etc... They showed me the plans and I absolutely love what they are proposing. I think that it will be a great addition to the neighborhood. I asked them if there was anything that I could do to help and they suggested that I write a letter of support, hence this email. I understand that there are no variances to this project and it falls under the height limit.
I would like to show my strong support for this project.

Sincerely,
Lauren Haugh
650-996-1090
S.F Resident

From:	Dustin Haytema
To:	Watty, Elizabeth (CPC)
Subject:	Support for proposed Telegraph Hill Property
Date:	Wednesday, July 09, 2014 11:10:31 AM

Dear Ms. Watty,

I have been renting an apartment near North Beach for over two years and walk near Coit Tower everyday on my way to work. Before even speaking to Mr. Ricks about the proposed project, I have commented on the vacant lot with many neighbors and tourists over the past year. It has been a huge eye sore for all local residents and tourists alike and sometimes even frequents vagrants at night.

I recently sat down with Mr. Ricks to discuss the building project and the proposed plans for 115 Telegraph Hill and am strongly in support of its development. Based on my experience, the project clearly falls under the height limit and there are clearly no proposed variances, thus making this project a perfect fit for that lot. This beautifully designed building will only add to the neighborhood as a whole.

I look forward to supporting this project through to completion.

Please contact me with any questions.

Best,
Dustin Haytema

From:	brad hedrick
To:	Watty, Elizabeth (CPC)
Subject:	Fwd: support for 115 Telegraph Hill
Date:	Wednesday, July 09, 2014 12:38:01 PM
Attachments:	Plans Final reduced.pdf

Elizabeth,

I hope this note finds you well. I have lived in North Beach for many years now and know Jeremy Ricks from HS. Jeremy has brought me up to speed on the details of his proposal of the 115 Telegraph Hill Project, which seems like a great idea – considering the lot he is pursuing has been vacant for so long. I foresee the project being a welcomed addition to the neighborhood. Per the plans, it looks the structure is below the height limit, and would not requires any major variances if any.
Just thought i would shoot over a note to mention my firm support of the project and urge the planning commission too as well.

Always happy to chat.

brad hedrick
4154979844
520 chestnut St no 104
SF CA.

From:	peter iskandar
To:	Watty, Elizabeth (CPC)
Cc:	pi_iskandar@yahoo.com
Subject:	115 Telegraph Hill Project Support
Date:	Wednesday, July 09, 2014 4:54:46 PM

Hi Elizabeth,

I live nearby and am a property owner at 1835 Grant Ave. I recently reviewed the plans for Jeremy's project at 115 Telegraph Hill and I think this project will be a nice addition to the neighborhood. As far as I can tell the project will add desired property value to the surrounding area, will clean up an underused vacant lot, and does not exceed any size limits or require any variances.

I support the project and urge the planning commission to do so as well.

Sincerely,

Peter Iskandar
1835 Grant Ave.

From:	shane
To:	Watty, Elizabeth (CPC)
Subject:	Support for 115 Telegraph Hill
Date:	Wednesday, July 09, 2014 11:19:12 AM

Dear Ms. Watty,

My wife and I have lived in North Beach for over 3 years. We often visit Coit Tower, especially when we have out of town visitors.
For some time I have thought that this unpleasant vacant plot of land should be developed as it would add MUCH beauty to the area.
I have met with Jeremy Ricks and reviewed his plans and think that what he is proposing, in its CURRENT state, would be an absolutely fantastic addition to the neighborhood. I strongly believe that this project should be approved and ask the commission to vote yes on this project.

Thanks,
Shane Kennedy

April 1, 2014

San Francisco Planning Commission
City and County of San Francisco
1650 Mission Street
San Francisco, CA 94103

RE: Support for Conditional Use Application
115 Telegraph Hill Boulevard/363 Filbert Street
Case No.: 2013.1375C

Dear Commissioners,

I have lived at 381 Filbert Street since 1997. My home is immediately next door to the proposed new building at 115 Telegraph Hill Boulevard. I believe the project deserves your support. The property has been largely vacant for nearly twenty years, wrapped with a chain-link and with only the shell of a cottage remaining. The owner has been receptive to my suggestions about the design, which will be both attractive and at an appropriate scale for this location. I look forward to the property being cleaned up and improved.

Thank you.

Sincerely,

Mary K Kew 1 April 2014
Mary Kay Kew
381-383 Filbert Street

From:	Dana Kueffner
To:	Watty, Elizabeth (CPC)
Cc:	PMHeinemann@aol.com
Subject:	Re: 115 Telegraph Hill Boulevard - Planning Case No. 2013.1375C
Date:	Tuesday, July 08, 2014 8:51:50 PM

Dear Ms. Watty, President Wu and Commissioners:

Let me apologize in advance for the informal nature of this correspondence.

My husband, Peter Heinemann, and I are wanting to go on record as strong supporters of the above referenced project.
Peter and I have lived on Telegraph Hill for the past 30 years. Our home is located at 335 Greenwich Street, approximately 6 parcels north/east of 115 Telegraph Hill Blvd.

We believe that the project has been very thoughtfully designed. The owner and their architects have listened to and addressed a wide variety of community concerns and issues. They should be commended for all their efforts.

Please add our names to the list of supporters of this plan.
Thank you for your kind attention.

Sincerely,

Dana L. Kueffner and Peter M. Heinemann
335 Greenwich Street
San Francisco, CA. 94133

From: dennis leary
To: Watty, Elizabeth (CPC)
Date: Wednesday, July 09, 2014 5:36:56 PM

Hey Elizabeth, my name is Dennis Leary; I live at 80 Alta St on Telegraph Hill. I am writing to express my support for the proposed development at 115 Telegraph Hill Blvd. I think the project would be an improvement over the vacant lot that now exists; I also do not think the proposed construction would disrupt the neighborhood in any manner. I have lived on the Hill for 9 years, and am well familiar with the politics up here. I hope the fear-mongers do not sabotage yet another attempt to better the neighborhood. If you need to talk to me further about this matter, please do not hesitate to contact me. Thanks very much.

From: Jady Manibusan
To: Watty, Elizabeth (CPC)
Subject: 115 Telegraph Hill
Date: Wednesday, July 09, 2014 10:58:23 AM

Dear Ms. Watty,

I live at 34 Jasper Place and am writing this email in strong support of the proposed project on 115 Telegraph Hill. The land has been an eye sore to the neighborhood and the city as a whole as hundreds of tourists view this vacant lot every everyday as they drive up to Coit Tower. I have met with Jeremy Ricks and reviewed his plans for the new structure and believe that it will be a welcomed addition to the neighborhood and I think that planning should strongly support the project in its current form. I am aware that the project is below the height limit and does not require any variances so I see no reason why the commission should not support it.

Many Thanks
Jady Manibusan

From:	McCandless, Michael
To:	Watty, Elizabeth (CPC)
Subject:	Support for 115 Telegraph Hill
Date:	Wednesday, July 09, 2014 1:07:21 PM

Hi Sally,

I have reviewed the details of Jeremy's proposal for 115 Telegraph Hill and I think the project will be a welcomed addition to our neighborhood. Given that it's well below the height limit and requires no variances I strongly support the project and urge the planning commission too as well.

All the best,

Michael

Michael McCandless
289 Chestnut Street
San Francisco, CA 94133
415-699-8324

From:	Bill Ricks
To:	Watty, Elizabeth (CPC)
Subject:	Support for development of 115 Telegraph Hill Blvd
Date:	Tuesday, July 08, 2014 4:17:20 PM

> Dear Liz,
>
> I am writing you to display my strong support for the proposed development at 115 Telegraph Hill Blvd. I am a long-time resident of the Bay Area, and long-time admirer of Coit Tower and Telegraph Hill. I am an owner of 339 and 341 Filbert Street.
>
> I have met several times with the owner and the architect of the proposed development of this property. I feel that their proposal for 3 homes on this property is very appropriate for this location. I have long marveled that an unsightly property surrounded by a chain-link fence was allowed to exist in this iconic location. The proposed 3 stylish homes on this site would add a great deal of value and beauty to the neighborhood.
>
> Please feel free to contact me if you have any questions or comments.
>
> Regards,
>
> Bill Ricks
> 925-890-3933

From:	Dana Rivera
To:	Watty, Elizabeth (CPC)
Subject:	Supporting project at 115 Telegraph Hill
Date:	Wednesday, July 09, 2014 12:37:55 PM

Hi Elizabeth,

I am writing in support of the proposed project at 115 Telegraph Hill. As a neighbor at 279 Filbert Street, I believe the project will fit into the character of the neighborhood and will fill a current void.

I have reviewed the details of Jeremy's proposal with him and because the project is below the zoned height limit and requires no variances, I urge the Planning Commission to support this project.

Thank you for your consideration.

Best,
Dana Rivera

From: Vincent scholl
To: Watty, Elizabeth (CPC)
Subject: 115 Telegraph Hill Support
Date: Wednesday, July 09, 2014 11:11:01 AM

Ms. Watty

I am writing to support the proposed project of 115 Telegraph Hill. I often run the Filbert steps with my girlfriend (Lauren Haugh, who I think is also writing a letter of support). We met with the project sponsor and his team of architects at the site and reviewed their plans. I feel that what they are proposing is both reasonable and quite spectacular and would be a VERY welcomed addition to the neighborhood. I strongly support the project.

Best

Vince Scholl

From:	Silcox, Louis
To:	Watty, Elizabeth (CPC)
Subject:	115 Telegraph Hill Boulevard, aka 363 Filbert Street
Date:	Tuesday, July 08, 2014 1:32:14 PM
Importance:	High

Dear Ms. Watty,

I am the real estate agent who is involved in the sale of this property. I am also a long-time resident and property owner on Telegraph Hill, having lived here since the 1980's. My home is just six doors away from the parcel that has long been vacant, an eye-sore, a place for homeless to camp and a fire-hazard also, in my opinion. I will be writing a formal letter to you later today and emailing it to you. I just sent you an email from several other neighbors who currently live nearby, with the exception on one couple, who have now moved to another part of the city. Among those who signed that letter are a number of civic and charitable organization leaders, two architects and a couple who live in a Gardner Dailey designed residence a few doors away on Telegraph Hill Boulevard. There are also two architects who have signed. Having studied architecture at U.C. Berkeley myself, I have a tremendous appreciation for good architectural design.

While I may be involved in marketing and selling the finished product, my main interest in seeing this property developed is as a neighbor.

Sincerely and with kind regards,

Louis

Louis J. Silcox, Jr.
Senior Marketing Consultant
Sotheby's International Realty
117 Greenwich Street
San Francisco, CA 94111
415 296-2229 Direct
415 297-2277 Cellular
415 901-1701 Facsimile
www.SFEstates.com
BRE License # 00949191

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July 8, 2014

Ms. Elizabeth Watty
San Francisco Planning Department
1650 Mission Street, 4th Floor
San Francisco, CA 94103

Re: 115 Telegraph Hill Boulevard (3 *Proposed Townhouses + remodel of an existing Cottage*)
Planning Case No. 2013.1375C
Hearing Date: July 17, 2014

Dear Ms. Watty, President Wu and Commissioners:

I have been a resident on Telegraph Hill since 1976 and love it dearly. In my early years there I was a renter while I studied architecture at U.C. Berkeley and have always considered myself fortunate indeed to call "The Hill" my home. Since then I was able to purchase my own home on the hill and I treasure it dearly. There is nowhere else in San Francisco that I would prefer to live.

I have also been a successful real estate agent in San Francisco since 1987 and I specialize in Telegraph Hill properties. Over the years I have learned that there are few homes in our neighborhood that are larger than two bedrooms, while there is a significant demand for such homes.

I support this project of 3-4 bedroom homes plus the remodeling of the existing cottage because good housing is needed everywhere in our city and family sized homes are very much needed on Telegraph Hill. I believe that a neighborhood that is rich in its eclecticism must by definition include family homes and homes that can also serve handicapped or very elderly persons as well as able bodied ones who can walk quickly up a hill with two full bags of groceries and their brimming briefcases. I can still remember being able to do that myself. The three townhouses that are proposed can serve any of these individuals as a proper and wonderful place to call home.

The project has already passed design review and does not seek any variances. Contrary to what some claim, it does not impact the public views from either Pioneer Park or Coit Tower. I live next to Coit Tower and walk this area regularly, so I can attest to that fact. Additionally, there was a driveway and curb cut previously, as evidenced by photographs that have already been provided to you. The sidewalk and curb were expanded out several years ago by the city when an additional stairway to Coit Tower on the South slope was created. A few people claim that this driveway cut never existed, which is a false statement. I do believe that there are a few individuals who oppose this project that do, in fact, have a personal vendetta against the sellers/current owners of this property and would rather it remain abandoned than have them benefit ever, in any way, from the sale of the property. Unfortunately, these few people have the ears of many uninformed residents on the hill and I imagine that their specious claims have generated dozens or even more letters to you in opposition of this handsome project.

Mr. Ricks and his architect, Lewis Butler have made several concessions and accommodations to the neighbors requests and demands, some very costly, including dramatically reducing the overall mass of the structure, particularly at the rear, a very costly reconfiguration of the garage structure, reducing the height of a major portion of the structure, volunteering to create a view corridor for pedestrians, that

was never there when the previous structures were there. I remember those derelict structures well. They were actually deemed unsound by the city before a permit was issued by the city to demolish them.

I have over the course of the past several years witnessed break-ins onto the property and into the cottage, people dumping garbage there, people constantly loitering there smoking marijuana and drinking alcohol at all hours and lots of graffiti as well. Even though the owners cut back the weeds, it remains a severe fire-danger in my opinion. I often see passersby, some of them tourists, who may not know any better, flick lit cigarettes aside with them sometimes landing in the weeds. A severe fire-hazard, if there ever was one!

This project will provide a great deal of revenue for our city, new homes for four families, possibly even multi-generational families, many construction jobs, many service jobs such as landscapers & gardeners, decorators, house-cleaners, window washers and other maintenance personnel. Beyond that, it will extinguish a fire-hazard and what has long been an attractive nuisance and will most certainly improve overall safety and quality of life for its immediate and nearby neighbors. The neighbor, who in my view has the most potential to be impacted by this construction, Mary Kay Kew, wholeheartedly supports this project.

In closing, I and many of my well informed neighbors support this project and look forward to the day when there are beautiful homes ready to welcome all sorts of new neighbors and friends.

Sincerely and with kind regards,

Louis J. Silcox, Jr.
337 Greenwich Street
San Francisco, CA 94133
415 788-2008

July 7, 2014

Ms. Elizabeth Watty
San Francisco Planning Department
1650 Mission Street, 4th Floor
San Francisco, CA 94103

Subject: 115 Telegraph Hill Boulevard.

Dear Ms. Watty:

The purpose of this letter is to convey a message of strong support for the proposed new development at 115 Telegraph Hill Boulevard from the undersigned individuals, all of whom are, or have been, residents of Telegraph Hill; they are also intimately familiar with the site, its history, and immediate environs.

We support the proposed development at 115 Telegraph Hill Boulevard because....

- It will extinguish what has been, for years, an empty and unattractive lot which has served increasingly as a refuse collection point and occasional unauthorized occupancy. It is also a fire-hazard. Many passersby, especially foreign tourists, discard burning cigarettes as they walk by without putting them out.
- The proposal complies with existing planning and zoning regulations and requires no variances.
- The clean modern design and rich surface materials are consistent with the adjacent Gardner Dailey structure to the immediate east and with the eclectic architecture found on many blocks of Telegraph Hill.
- When built out, no neighbor's south-facing cityscape views will be affected. The new buildings will not obstruct views from Pioneer Park or Coit Tower. Furthermore, the applicant and his architect have thoughtfully provided a generous view corridor to the city skyline, from the front to the rear of the property, which never existed when the pre-existing buildings were there.
- There will be little or no shadow effect on neighboring properties.
- Our City desperately needs housing of all types as evidenced by the Mayor's goal of 30,000 new units.
- This site-when improved-will generate tax increment to the City in excess of $200,000 per year thus helping significantly to mitigate the City's $134M annual operating deficit.

Converting this site from an empty, bleak lot to a place with elegantly designed homes generating much needed revenue for the City seems like an obvious choice. After literally decades of stasis, it's time to get on with it.

Gussie Stewart	Anne Halstead	Lynda Spence	Janet Crane
John Stewart	Wells Whitney	Bob Mittelstadt	Rod Freebairn-Smith

DocuSigned by:
Lynda Spence
CF9C2291E4B4480...

July 7, 2014

Ms. Elizabeth Watty
San Francisco Planning Department
1650 Mission Street, 4th Floor
San Francisco, CA 94103

Subject: 115 Telegraph Hill Boulevard.

Dear Ms. Watty:

The purpose of this letter is to convey a message of strong support for the proposed new development at 115 Telegraph Hill Boulevard from the undersigned individuals, all of whom are, or have been, residents of Telegraph Hill; they are also intimately familiar with the site, its history, and immediate environs.

We support the proposed development at 115 Telegraph Hill Boulevard because....

- It will extinguish what has been, for years, an empty and unattractive lot which has served increasingly as a refuse collection point and occasional unauthorized occupancy. It is also a fire-hazard. Many passersby, especially foreign tourists, discard burning cigarettes as they walk by without putting them out.
- The proposal complies with existing planning and zoning regulations and requires no variances.
- The clean modern design and rich surface materials are consistent with the adjacent Gardner Dailey structure to the immediate east and with the eclectic architecture found on many blocks of Telegraph Hill.
- When built out, no neighbor's south-facing cityscape views will be affected. The new buildings will not obstruct views from Pioneer Park or Coit Tower. Furthermore, the applicant and his architect have thoughtfully provided a generous view corridor to the city skyline, from the front to the rear of the property, which never existed when the pre-existing buildings were there.
- There will be little or no shadow effect on neighboring properties.
- Our City desperately needs housing of all types as evidenced by the Mayor's goal of 30,000 new units.
- This site-when improved-will generate tax increment to the City in excess of $200,000 per year thus helping significantly to mitigate the City's $134M annual operating deficit.

Converting this site from an empty, bleak lot to a place with elegantly designed homes generating much needed revenue for the City seems like an obvious choice. After literally decades of stasis, it's time to get on with it.

Gussie Stewart	Anne Halstead	Lynda Spence	Janet Crane
John Stewart	Wells Whitney	Bob Mittelstadt	Rod Freebairn-Smith

DocuSigned by:
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DocuSigned Envelope ID: [illegible]

Judy M. O'SHEA

MICHAEL J. O'SHEA

IRENE LINDBECK

DocuSigned by:
Robert Mittelstadt
100D7A5FFD67482

DocuSigned by:
Gail Switzer
[illegible]

Judy M. O'SHEA

MICHAEL J. O'SHEA

IRENE LINDBECK

DocuSigned by:
Robert Mittelstadt

DocuSigned by:
Paul Switzer

From:	Chris Stockton
To:	Watty, Elizabeth (CPC)
Subject:	Condominium Project at 115 Telegraph Hill Boulevard
Date:	Sunday, July 06, 2014 9:13:38 AM

Case 3013.1375

As a long standing member of Telegraph Hill Dwellers and as a resident of Telegraph Hill, on Chestnut Street, please be advised that I do not oppose the development of the property at 115 Telegraph Hill Boulevard for condominiums as long as the building does not exceed the usual 40' height limit and provides for the usual rear yard open space.

Chris Stockton,
Architect, retired

From:	david.taylor10@comcast.net
To:	Watty, Elizabeth (CPC)
Subject:	115 Telegraph Hill
Date:	Wednesday, July 09, 2014 11:14:15 AM

Hi Elizabeth,

I support the project at 115 Telegraph Hill as shown and am looking forward to getting rid of that eyesore lot.

Thank you,

David Taylor
1460 Montgomery Street
650 339 1476

May 5, 2014

SF Planning Commission
1660 Mission Street, First Floor
San Francisco, CA 94103-2479

Re: Proposed Project @115 Telegraph Hill

Dear Planning Commission Members:

I have been a homeowner in San Francisco for more than a decade. Last year, I purchased a home in the Telegraph Hill neighborhood.

Recently, I had the opportunity to review the preliminary plans for a proposed project at 115 Telegraph Hill. I believe this proposal would be a welcome addition to our neighborhood providing an attractive multi-family structure on what is now a poorly maintained, vacant lot.

While I understand that you must take into consideration a variety of issues in your decision-making process, this appears to be a well-thought out proposal from a reputable, local firm. Most importantly, the overall plan would fit nicely into our existing neighborhood.

As a homeowner who lives close by and has an interest in the future of our neighborhood and San Francisco as a whole, I enthusiastically support the proposed plans. Thank you for your consideration.

Sincerely,

Olivia Ware
112 Alta Street
San Francisco, CA 94133
(650) 868-7955
ocware@gmail.com

From:	Wells Whitney
To:	Watty, Elizabeth (CPC)
Cc:	John Stewart; Gussie Stewart; Anne Halsted; Lynda Spence; Robert Mittelstadt; Janet Crane; Rod Freebairn-Smith; Louis Silcox
Subject:	Concerning 115 Telegraph Hill Boulevard
Date:	Tuesday, July 08, 2014 2:50:31 PM

July 7, 2014

Ms. Elizabeth Watty
San Francisco Planning Department
1650 Mission Street, 4th Floor
San Francisco, CA 94103

Subject: 115 Telegraph Hill Boulevard.

Dear Ms. Watty:

The purpose of this letter is to counteract some comments made by representatives of the Telegraph Hill Dwellers organization regarding this project. Here are their points, with my counter arguments:

<!--[if !supportLists]-->- <!--[endif]-->The project would block sweeping views of San Francisco enjoyed by Pioneer Park visitors – ***In fact, by my own observation (I have pictures) the trees and vegetation on the top and sides of the hill already block all views on that side of Pioneer Park and this project in no way makes that worse.***

<!--[if !supportLists]-->- <!--[endif]-->The project would adversely impact users of the 39 Coit Tower MUNI bus both during and after construction. – ***I have been told that there will be absolutely no effect on the bus stop during or after construction, nor to the Filbert steps either below or above the project site.***

<!--[if !supportLists]-->- <!--[endif]-->The project would eliminate access from the Filbert steps for up to 2 years and create dangerous conditions nearby. – ***I have been told that there will not be limitations on the access of the Filbert steps at any time.***

<!--[if !supportLists]-->- <!--[endif]-->The project would "reward" the current owners for demolishing affordable housing and an historical cottage – ***The demolition of housing on the property occurred many years ago and is not relevant to this project. The cottage which remains is in fact unlivable at present but is not now planned to be demolished during this project.***

Thank you for consideration of these points and corrections to misstatements made by neighborhood opponents to the project. Converting this site from an empty, bleak lot to a place with elegantly designed homes generating much needed revenue for the city still seems like an obvious choice.

Sincerely yours – Wells Whitney

Wells Whitney

1308 Montgomery St.

San Francisco, CA 94133

Wells Whitney
1308 Montgomery St.
San Francisco
CA 94133

415 203 5826 Wells' cell
415 398 5077 home in SF
707 996 4750 home in Glen Ellen

From: Andrea Winograd
To: Watty, Elizabeth (CPC)
Subject: 115 Telegraph Hill
Date: Wednesday, July 09, 2014 4:07:56 PM

Ms. Watty

My name is Andrea Winograd and I live at 1437 Hyde Street, and I have reviewed the details of Jeremy's proposal on 115 Telegraph Hill with him and I think the project will be a welcomed addition to the neighborhood. The project is below the height limit and requires no variances so I strongly support the project and urge the planning commission too as well. The vacant lot has been there for way too long and this is the perfect project for the property.

Please share my email of support with the planning commission and respective supervisors.

Thank you!

Andrea Winograd

From:	Justin Yonker
To:	Watty, Elizabeth (CPC)
Subject:	Fwd: Support for Proposed Project at 115 Telegraph Hill
Date:	Wednesday, July 09, 2014 4:39:24 PM

SF Planning Dept.

To Whom It May Concern,

I am a nearby neighbor and owner of my residence at 527 Union Street. I have reviewed the plans for Jeremy's project at 115 Telegraph Hill and I think the project will be a welcomed addition to our neighborhood. The project appears to be below the height limit, does not appear to require any variances, does not appear to have any negative effect on the neighborhood, and adds value to all nearby properties. Therefore I support the project and urge the planning commission to do so as well.

Sincerely,

Justin Yonker

Master Builders
C: 415-806-4676
O: 415-567-8886

justin@masterbuilderssf.com
www.masterbuilderssf.com

Please consider the environment before printing this e-mail

From:	johanna abate
To:	Watty, Elizabeth (CPC)
Cc:	thdpz@mindspring.com
Subject:	Housing Project on Telegraph Hill
Date:	Sunday, July 06, 2014 7:39:32 PM

Regarding a proposal for a massive, luxury housing project proposed for the large, long vacant parcel at 115 Telegraph Hill Blvd. on the Filbert steps at the top of Telegraph Hill :

This project would:

• Block the sweeping views of San Francisco enjoyed by Pioneer Park users

• Create permanent dangerous conditions for pedestrians coming up the Filbert Steps and Telegraph Hill Blvd. (by creating a new curb cut on the curviest section of Telegraph Hill Blvd. at the very top of the Filbert Steps coming up from Kearny Street).

• Exacerbate traffic congestion for visitors and residents to Coit Tower on Telegraph Hill Blvd. both during and after construction

• Adversely impact users of the 39 Coit Tower MUNI bus both during and after construction (particularly because the current stop will be next to their new driveway)

• Eliminate access from the Filbert Steps to Coit Tower for up to two years while the project sponsor digs 30 feet for a new parking garage on this highly constrained site

• Reward the current owners for demolishing 11 units of affordable rent-controlled housing and replacing them with three luxury, 4,000 to 5,000 square foot, condos.

• Reward the current owners for their defacto demolition of the historic cottage on the southern edge of the property

NO NO NO NO NO!!!!!

Johanna Abate
SF Resident since 1977

From:	Catherine Accardi
To:	Watty, Elizabeth (CPC)
Subject:	115 Telegraph Hill Blvd Project
Date:	Monday, July 07, 2014 11:46:57 AM

Elizabeth,

I just wanted you to hear from a life-long resident of San Francisco, born and raised on Telegraph Hill.

The 115 Telegraph Hill Blvd. project is very disturbing to those of us that care about North Beach. Just about all citizens are aware of the mind-boggling influence of developers on local government. It is a malignancy than cannot be stopped all-together. But how about we try to keep the silly super-building trend confined to areas like south of Market and not let the malignancy creep up to Telegraph Hill.

I understand if city government does not care about our votes but adverse developments on Telegraph Hill will also impact the safety and desirability that draws tourists to the iconic Coit Tower and Pioneer Park. Think about the long-time $$$ not just the short-term $$$ from developers. Pass along this message to the people at City Hall that decide what happens to their citizens' neighborhoods.

Catherine Accardi

From:	susansf@ix.netcom.com
To:	Watty, Elizabeth (CPC)
Subject:	115 Telegraph Hill Blvd
Date:	Wednesday, July 09, 2014 11:36:28 AM

Regarding a proposal for a massive, luxury housing project proposed for the large, long vacant parcel at 115 Telegraph Hill Blvd. on the Filbert steps at the top of Telegraph Hill :

This project is not suitable for this site. It would interfere with the ability of visitors and neighbors to use and enjoy the surrounding area. It would disrupt pedestrian traffic, auto traffic, and MUNI. It would obliterate spectacular views of downtown enjoyed by those who hike from Kearney to Coit Tower. Coit Tower is one of San Francisco's most iconic and precious treasures. The proposed massive structures would detract from the setting.

Susan Beard
SF Resident 43 years

From:	Mark Bittner
To:	Watty, Elizabeth (CPC)
Subject:	Case No. 3013.1375CE, 115 Telegraph Hill Blvd Project
Date:	Tuesday, July 08, 2014 11:49:23 AM

Dear Ms. Watty,

My name is Mark Bittner. I am a homeowner and 40-year resident of the North Beach/Telegraph Hill area. When I first arrived here in 1973, this place was unique and magical to a degree that I'd never seen anywhere else in America. It's these two qualities that, over the years, have been drawing visitors, one of the foundations of this city's economy. Lately, I've been watching an alarming trend where developers push bland or downright ugly projects that undermine what is so extraordinary about this place. Case No. 3013.1375CE, at 115 Telegraph Hill Blvd, is one such project. Pioneer Park with Coit Tower is one of the most beautiful spots in the city. This apartment project would substantially alter its character. If we make our neighborhoods look more and more like any other neighborhood in any other city in America, what reason does anyone have to come here anymore? And why should the residents of this city have to endure someone's lack of imagination? This project has one purpose and one purpose alone: to make one speculator a bundle of money. The rest of the city loses. I ask the Planning Commission to reject this proposal.

Sincerely,

Mark Bittner
Author, "The Wild Parrots of Telegraph Hill"

From: David Burnett
To: Watty, Elizabeth (CPC)
Subject: Case # 3013.1375CE Proposed Telegraph Hill Development
Date: Tuesday, July 08, 2014 1:26:26 PM

After reviewing the proposed project drawings I have come to the conclusion that the proposed project for 115 Telegraph Hill Blvd. would have the following negative impacts.

1) The proposed project would create a southern wall on the boundary of Pioneer park obstructing park user views.
2) The proposed curb cut for the proposed garage entrance would create a hazard for pedestrians using Telegraph Hill Blvd. and the Filbert steps.
3) If it could be done I would like to see more than 3 units on this site.

DAVE BURNETT

From:	Lance Carnes
To:	Watty, Elizabeth (CPC)
Cc:	THD Planning & Zoning
Subject:	Proposed project at 115 Telegraph Hill Blvd (Case No. 3013.1375CE)
Date:	Tuesday, July 08, 2014 10:20:43 AM

Dear Elizabeth,

The above-mentioned project as currently designed will have numerous negative effects on the sensitive and dense neighborhood atop Telegraph Hill:

Pedestrian safety: The proposed Filbert Steps pathway changes near Telegraph Hill Blvd. would create dangerous conditions for the thousands of pedestrians who use this route annually;

Traffic congestion: The already traffic-choked route to the Tower would be further constricted due to the proposed development, both before and after construction;

Public transit access: the current Muni stop is on the driveway of the proposed development and would be an unsafe place to wait or off-board; and

Historic resources demolished: The historic cottage on the southeast edge of the site would be removed.

For these and other reasons this project needs to be reviewed carefully and revised to allow it to better fit into the current neighborhood. There is a forum where this can be done constructively: the *Telegraph Hill Dwellers (THD) Planning & Zoning Committee*. By attempting an end-run around this forum the developers have shown an unneighborly attitude and disdain for the existing community. The developers need to first meet with the THD committee for a plan review. Other project developers who have used this forum have found that not only are their projects more acceptable to neighbors but that their projects are greatly improved in general.

I encourage the Planning Commission to reject the current project and direct the owners and developers to begin meeting with neighbors to come up with a plan that will work for all concerned.

Respectfully,
Lance Carnes
North Beach resident

From:	Dorothy Chang
To:	Watty, Elizabeth (CPC)
Subject:	115 Telegraph Hill Blvd Project
Date:	Monday, July 07, 2014 6:37:51 PM

(Case No. 013.13755SCE to be brought before the Board of SupervisorsThe new houses that were allowed to be built bon the North Side of Telegraph Kill by some grafters are an abomination and totally spoil the visit of the Hill as we look up at it. Rich SOB/s who are hardly ever there - I see these houses up on the Hill every day.. Don't let this kind of building happen again!!! Dorothy Chang

From:	Lifetheatre (cynthia)
To:	Watty, Elizabeth (CPC)
Subject:	115 Telegraph Hill Blvd Project
Date:	Tuesday, July 08, 2014 6:58:34 AM

Dear Ms. Watty,

I'm writing to protest the building of luxury condo's on Telegraph Hill. Case #3013.1375 CE.
As a twenty year resident of North Beach/Telegraph Hill, and renter, I've seen the rents rise over the years to the point where only the wealthy can live in our beautiful neighborhood. If I were to try and move here now, there would be no way I could afford even the most modest of apartments.
To eliminate 11 units of affordable housing to build four enormous apartments is just unfair. It makes me very sad to think that San Francisco is going the way of Manhattan, it's becoming a place where only the very rich can live.
People in our neighborhood take walks and Coit Tower is a popular route for us. To deny access to our most favorite evening walk for two years, especially after the relentless construction on Columbus is just depressing. This once again caters to the needs of the few over the quality of life for the many. Don't let this happen to our neighborhood, which is really like a small town.
Please do not allow them to build this building!
Thank you,
Cynthia Cristilli
418 Lombard Street
San Francisco, 94133

From: nomads18@yahoo.com
To: Watty, Elizabeth (CPC)
Subject: Telegraph Hill condos
Date: Tuesday, July 08, 2014 9:07:09 PM

It seems a natural human tendency to oppose change of any kind but, in fact, some things need opposition. While I personally have no issue at stake in the condo construction on Telegraph Hill I see the proposed structures as described as having a deleterious effect on the community by disrupting the wonderful visage from Pioneer Park.

The very existence of your organization is testament to society's intention to protect the community from the unwarranted advance of any one individual or group. While it is the essence of America's promise that everyone has the right to advance his dreams it must be done without interfering with others" right to do the same.

Your task is not an easy one but I ask that you give the proposed project the closest possible scrutiny. Does it really preserve the community's values? I do not think so.

Robert Demchick

550 Battery Street

San Francisco, CA

THE DWARES GROUP
PROPERTY DEVELOPMENTS

331 Filbert Street
San Francisco, CA 94133
(Between Telegraph Hill Blvd.,
(Lombard) and Montgomery St.
near Coit Tower)

Phone: 415-986-5885
Facimile: 415-986-5893
E-mail: pldwares@aol.com
PETER L. DWARES, PRESIDENT

July 7, 2014

Cindy Wu, President
Planning Commission
City and County of San Francisco
1650 Mission Street, Suite 400
San Francisco, CA 94103

Re: Case No. 3013.1375CE
115 Telegraph Hill Blvd.
Telegraph Hill-North Beach Residential SUD
Request for Conditional Use Authorizations

Dear President Wu and Commissioners,

I am writing to express my concerns regarding the proposed project at 115 Telegraph Hill Blvd. and respectfully request that the Planning Commission not approve the Conditional Use Authorizations for this project.

I have owned at 331 Filbert, steps away from the property, since 1977. I observe traffic jams thus project would exacerbate significantly.

I love the scale of the Filbert Steps. We have no parking on the Steps.

It is rare that a local, neighborhood project rises to the level that I bother to write the Commission, but the proposed luxury condominium project at 115 Telegraph Hill Blvd., if built as proposed, would be a terrible planning mistake that will adversely impact San Francisco's world renowned Telegraph Hill, Coit Tower and the surrounding 4.89 acre Pioneer Park. Fundamentally, the issue at stake is about protecting the public's interest in Pioneer Park and Coit Tower. This is not about any particular neighbor's self-interest or views – this is about the public interest and the public's views, parks, access and pedestrian safety.

As San Francisco residents we have a collective duty to safeguard these treasures for future generations. The proposed project, if approved, will have an array of significant, adverse impacts to Coit Tower and Pioneer Park.

The proposed project would:

- Block the sweeping views of San Francisco enjoyed by thousands of Pioneer Park users

- Create permanent dangerous conditions for pedestrians coming up the Filbert Steps and Telegraph Hill Blvd. (by creating a new curb cut on the curviest section of Telegraph Hill Blvd. at the very top of the Filbert Steps coming up from Kearny Street)
- Exacerbate traffic congestion for visitors and residents to Coit Tower on Telegraph Hill Blvd. both during and after construction. I have long felt a driveway there is a very bad idea.
- Adversely impact users of the 39 Coit Tower MUNI bus both during and after construction (particularly because the current bus stop will be next to their new driveway)
- Eliminate access from the Filbert Steps to Coit Tower for up to two years while the project sponsor digs 30 feet for a new parking garage on this highly constrained site
- Reward the current owners for demolishing 11 units of affordable housing and replacing them with three market rate, 4,000 to 5,000 square foot, condos.
- Reward the current owners for their defacto demolition of the historic cottage on the southern edge of the property.

Please come and look at the site on a typical busy weekend day.

I hope that the Commission will reject the project as currently propose and encourage the project sponsor to come back with a more compatible project that better fits this unique important site which will be less impactful to Pioneer Park, the Filbert steps and Telegraph Hill Blvd.

Sincerely,

Peter Dwares
331 Filbert Street
San Francisco, CA 94133

From:	blandina farley
To:	Watty, Elizabeth (CPC)
Subject:	no condo on telegraph hill!!!!!!
Date:	Monday, July 07, 2014 5:34:33 PM

As resident of North Beach?Telegraph Hill I absolutely oppose the luxury condo on the Filbert Steps on Telegraph hill and you will find that mostly all neighbors feel the same and you will be in for yet another battle in court

From:	Timothy Ferris
To:	Watty, Elizabeth (CPC)
Cc:	CalSky.com Alerter
Subject:	115 Telegraph Hill Blvd Project
Date:	Monday, July 07, 2014 11:57:50 PM

Dear Ms. Watty,

Regarding the proposed three residences at 115 Telegraph Hill Blvd., in our meetings with the developer, Jeremy Ricks, he assured us that he wanted to hear our thoughts and to respond accordingly in a revised design. Our conversations have been friendly and Mr. Ricks invariably polite.

We expressed just two concerns:

1. That something of a view corridor be preserved between the buildings;
2. That the design of the homes be more individualistic relative to one another, and of a vitality more nearly comparable to that of other homes near the top of the hill—rather than resembling, as I rather unkindly put it, the concrete cubes of an East Berlin housing project.

As neither of these concerned appears to have been addressed in the most recent revision, we are unable to support the proposed project at this time.

Yours,

Carolyn & Timothy Ferris

From:	Anthony Gantner
To:	Watty, Elizabeth (CPC)
Subject:	115 Telegraph Hill Blvd. (Case # 3013.1375CE)
Date:	Wednesday, July 09, 2014 1:12:52 PM

Dear Ms. Watty:

I am writing to express my objections to the proposed condominuim project at 115 Telegraph Hill Blvd (Case No. 3013.1375CE) as it is presently envisioned.

As you are no doubt aware, since World War II, the history of Northeastern San Francisco is littered with development proposals that may have seemed appropriate to some at the time, but wrong to the many who lived in or around the subject areas.

Some of those proposals, fantastical now, were judged by proponents as perfectly reasonable at the time. A few examples:extending the Embarcadero Freeway north past Broadway along the eastern (Bay) side of Telegraph Hill, as part of a proposed over-water bridge between San Francisco and Tiburon with exit ramps at Stockton and Francisco; a parking garage under Washington Square Park; proposed seven towers at Aquatic Park--the twin Fontana Towers were unfortunately built; 8-lane tunnels under Russian Hill; a proposed series of hotels along the Northern Waterfront halted at the ballot; highrises on Russian Hill---one built just down the alley from me at the time, now prevented by 40 foot height limits approved by a then-enlightened Board of Supervisors; and more recently, development proposals along the Northern Waterfront that would have breached existing height limits---turned back by unequivocal votes of the people of San Francisco. This is only a partial list of the horrors perpetuated on Northeast San Francisco that faded away as in a fevered dream.

The reason for bringing up the above matters is that it is far better to make good faith efforts to seriously consult with the neighborhoods potentially effected by development projects, which in the present instance appears to many reasonable observers as out-of-scale, inappropriate in location, with adverse environmental impacts. It is my understanding that this proposal effectively slid by the Telegraph Hill neighborhood and is shortly to be heard before the Planning Commission.

I well know the location in question. I live several blocks away and have walked by it hundreds of times. The project is inappropriate in its present form---a massive condominum project, hugely disruptive, that would be completely out-of scale---particularly given its location, contiguous to Pioneer Park and Coit Tower. Is there a more iconic location in San Francisco? Is there a more fragile neighborhood in San Francisco? Is traffic not a serious concern along one of the most beloved streets and visitor/Muni routes to Coit Tower? Is there any neighborhood in San Francisco where scalability is more important?

Postpone this matter, have the project proponents make a good faith effort to work with the neighborhood, then scale back the proposal to try and reach some form of consensus.

Thank you for your kind attention to this matter.

Sincerely,
Tony Gantner
235 Chestnut St.

San Francisco, CA 94133
415/596-3626

Protect Coit Tower

July 7, 2014

Cindy Wu, President
Planning Commission
City and County of San Francisco
1650 Mission Street, Suite 400
San Francisco, CA 94103

Re: Proposed Luxury Condos and Garage Project at 115 Telegraph Hill Blvd, Case No. 3013.1375CE

Dear President Wu,

I write on behalf of Protect Coit Tower, a nonprofit citizens group dedicated to the preservation of Coit Tower and the historic Depression-era murals that reside inside. As you know, Coit Tower is an iconic symbol of our unique city, known to every San Franciscan and instantly recognized around the world. Because of Lillie Hitchcock Coit's generous bequest "to beautify the city I have always loved," for 80 years Coit Tower and its murals have been a permanent gift to the people of San Francisco and have been enjoyed by millions of visitors from around the world.

Following voter approval in June 2012 of a ballot measure creating a Coit Tower Preservation Policy, the city engaged in the largest renovation project in Coit Tower's history, spending $1.7 million to fix the building from top to bottom and painstakingly restoring the damaged Depression-era murals to fabulous condition. The city also proceeded with a major upgrade of the interior operations of Coit Tower, bringing in a new concession company to improve the gift shop, implement regular mural tours, greet visitors as they enter, and implement new Art Commission guidelines to ensure the Tower and murals are more easily enjoyed by visitors and protected from damage.

This is why, less than two months after you, the Mayor, and other city leaders joined with the community for a grand Coit Tower Reopening Celebration on May 14, 2014, it is a shock to discover that the Planning Commission later this month is scheduled to vote to waive a full environmental review and greenlight the construction of a large luxury condo project and multi-unit garage at 115 Telegraph Hill Boulevard immediately adjacent to Coit Tower. If approved, this would have serious short-term and long-term impacts on public access to Coit Tower. Construction and long-term environmental impacts from this project on Coit Tower need to be fully analyzed, particularly as it relates to the likely restrictions on public access to Coit Tower and Pioneer Park via the southern steps, the complete closure of the Filbert stairs pedestrian access to Coit Tower, and the serious impediments the project would create for the 39 Coit Muni bus and other vehicle access to Coit Tower.

Why on earth would the city not at least take the time to fully and adequately analyze the potential impacts of this proposed project on Coit Tower so soon after the voters made clear the importance of Coit Tower and $1.7 million in public funds have been expended to restore the Tower to beautiful shape? Furthermore, the new Coit Tower concessionaire is working hard to make his operation successful, and the impacts of this project on his ability to succeed, and consequently for the city to receive the millions in revenue that Coit Tower visitors provide, should at least be understood before allowing this project to proceed with a special waiver from the Planning Commission.

I hope you will take this information into consideration as you consider this issue.

Sincerely,

Jon Golinger
Protect Coit Tower

Cc: All Members, San Francisco Planning Commission
Elizabeth Watty, San Francisco Planning Commission
Supervisor David Chiu



7/7/2014

Ms. Cindy Wu

President

San Francisco Planning Commission

Re: Case # 3013 1375CE (115 Telegraph Hill Avenue)

As the newly-placed concessionaire at Coit Tower, I need to express real concerns over the three condo proposal at 115 Telegraph Hill Boulevard. As the operator, this project would certainly impact me negatively with reduced numbers of visitors able to use the transit system, further reduction of personal vehicles and the Filbert steps. The iconic Coit Tower, which was closed for six and half months for renovations has only been opened for two months. The tower is now producing income that supports several city parks as well as the tower. The lease with Recreation and Parks Department took two years of negotiations with neighbors and concerned citizens and the reduction in the visitors to Coit Tower would constitute grounds for renegotiations with the city or put me at risk for outright failure to meet the minimum financial terms of the lease.

In general terms I am usually a proponent of peoples' property rights, but the impact of this project appears to cast a very large shadow on the surrounding area... affecting not only the park and tower but the wellbeing of many neighbors. The end result of this working well for only the three condo owners and the developer. Additionally, to consider a project of this magnitude without a comprehensive environmental impact study would be hasty and ill conceived.

If this project is approved, I would hope the Planning Department could make it conditional on less disruption to the surrounding area and consider the negative impact the project will bring to Telegraph Hill, Pioneer Park and Coit Tower, but as the project currently stands, I encourage you to reject the project as currently proposed.

Respectfully,

Terry Grimm

One Telegraph Hill

San Francisco, CA 94133

From:	Stan Hayes
To:	cwu.planning@gmail.com; planning@rodneyfong.com; wordweaver21@aol.com; plangsf@gmail.com; richhillissf@yahoo.com; Mooreurban@aol.com; hbsugs@sbcglobal.net; Secretary, Commissions (CPC); Chiu, David (BOS); True, Judson; Watty, Elizabeth (CPC)
Subject:	REQUEST FOR ENVIRONMENTAL ANALYSIS - 115 Telegraph Hill Blvd (Case No. 3013.1375CE)
Date:	Wednesday, July 09, 2014 5:44:15 PM

Members of the Planning Commission –

My wife and I own a house and live at 25 Napier Lane, where we have resided for ten years and I have lived since 1995.

I was a planning commissioner for a town in Marin County for sixteen years. In that time, I experienced many of the same development issues and pressures as you have on projects such as this. Like you, I've had to balance the rights of project proponents with community concerns about project impacts.

I'm sure that you, like me, have found that the best decisions are informed ones. Ones that identify, fairly analyze, and adequately account for the environmental impacts of a project, both seen and unforeseen. Ones that weigh in a balanced fashion the relative merits of reasonable project alternatives, not simply as proposed.

The site of the 115 Telegraph Hill project is an unusually sensitive one. It's located along the narrow, winding, and heavily travelled approach to Coit Tower, one of the San Francisco's most iconic landmarks, just reopened after extensive and protective renovation and now again enjoyed by thousands of visitors.

The City has a strong stake in protecting, and avoiding the interruption of, the visitor experience at Coit Tower and the surrounding Pioneer Park due to such factors as permanent loss of view corridors, traffic delays and disruption during construction, and continuing traffic and pedestrian safety dangers after construction (e.g., driveway access at the top of and directly across the Filbert Steps).

To ensure that these and other issues are addressed and mitigated, my wife and I strongly urge you to require an environmental analysis of at least the following:

- Size and massing of buildings (e.g., over-sized buildings leading to unnecessary loss of view corridors)
- Traffic safety and circulation (e.g., adverse impacts on Coit Tower visitor traffic, public transit including rider safety at bus stops, and local resident access)
- Geotechnical safety (e.g., adverse impacts on adjoining structures and the Filbert Steps, particularly excavation of a large auto elevator shaft immediately adjacent to the Filbert Steps)
- Construction impacts (e.g., extended periods of delay and access disruption to local residents, visitor traffic, public transit, and concession business)
- View corridors (e.g., loss of views from key visitor locations including incoming and outgoing traffic vantage points, Pioneer Park and the memorial steps leading to it, and the upper Filbert Steps).

We further urge you to require that the environmental analysis consider alternatives to the proposed project, as commonly required under CEQA.

Sincerely,

Stan Hayes

25 Napier Lane
San Francisco, CA 94133
(415) 298-0489 (cell)
mailto:shayes@environcorp.com

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From:	Judy Irving
To:	Watty, Elizabeth (CPC)
Subject:	115 Telegraph Hill Blvd. (Case No. 3013.1375CE)
Date:	Tuesday, July 08, 2014 1:27:06 PM

Dear Elizabeth Watty and Planning Commission,

I'll leave it to others to describe the massive, inappropriate scale of the proposed project, and the views it would block. The last thing we need in San Francisco is more luxury condos (the entire city agrees on this point, having turned down 8 Washington and approved Proposition B). Please send this developer back to the drawing board. What he proposes doesn't work on any level. I'll give you just one example:

I've lived on the east side of Telegraph Hill for 13 years, and I walk over the hill via the Filbert Steps to my office, which is on Stockton on the west side. Daily I see pedestrians, mostly tourists, straining up the Filbert Steps from North Beach, then stopping at the top to get their bearings, catch their breath, and figure out how to proceed. The place where people congregate is exactly the spot where 115 Telegraph Hill Blvd wants to install a driveway! This is a very bad idea. These tourists are not paying attention to traffic hazards; they are disoriented and tired; the last thing they need is cars coming and going across the sidewalk where they all congregate.

This same spot is also where people get on and off the Coit 39 bus, and where people cross the street to continue up the steps to Coit Tower. Please leave the sidewalk intact so that all these people will stay safe, i.e., do not allow a driveway to cut through there.

My understanding is that new curb cuts are no longer allowed in this area, in any case. Is the project asking you for a special favor, only to endanger pedestrians' safety and create liability for the city? To say the least, it's poor planning. For this and many other reasons, the project as proposed should be rejected.

In a better world this lot, with its spectacular views, would be a PARK: "South Slope Park." I hope someday that's what actually happens. We need a better vision for Telegraph Hill, our world-class tourist attraction, better than luxury condos.

Best regards,

Judy Irving
Producer/Director
"The Wild Parrots of Telegraph Hill"
"Pelican Dreams" (Fall 2014 Premiere)

Pelican Media
1736 Stockton Street, Suite 2
San Francisco, CA 94133

415-362-2420 phone
films@pelicanmedia.org
www.pelicanmedia.org

From:	Julie Jaycox
To:	Watty, Elizabeth (CPC)
Cc:	Cindy Wu; Rodney Fong; Gwyneth Borden; Kathrin Moore; Secretary, Commissions (CPC); Chiu, David (BOS); Judy Irving; Katherine Petrin; Stan Hayes; Hisashi Sugaya
Subject:	115 Telegraph Hill Blvd (Case No. 3013.1375CE)
Date:	Wednesday, July 09, 2014 4:57:08 PM

To Elizabeth Watty and Planning Commission:

Besides the fact that this project is grossly over-scaled for the location and the neighborhood, creates a huge reflective glass wall across the south side of Telegraph Hill, blocks panoramic views from most Pioneer Park locations, and is a luxury condominium project that will most likely house people who are rarely in residence, the actual construction of this project will have some extreme effects on the locality. Due to its accessibility from only one street - which is also the only street that accesses Coit Tower - the disruption to the people who live there and the large number of people who visit will be absolute.

This project has ONLY ONE ACCESS POINT - a narrow, heavily trafficked winding road with turnaround available only at the Coit Tower parking lot. Living next to the huge building project on the 200 block of Green Street at Montgomery, I can say that this proposed construction project will probably look like this for minimally 2 years:

- excavation requires multiple dump truck trips arriving empty and being filled, with no off-road loading area, creating dust and dropping debris
- cement truck traffic with subsequent noisy pouring time, with no off-road parking space
- excavation requires debris boxes dragged in, filled, traded out - most likely needing the Coit Tower parking lot for any maneuverability at all, with no off-road loading/parking space
- excavation may require blasting rock from a substrate known to be crumbly and unstable (look at the hill that fell down above Broadway near Montgomery just a few years ago)
- local resident parking at the Coit Tower parking lot replaced for years by construction parking or debris box turn-around
- cranes to lift in large structural components and the necessity to close the road for each use, crane engines/machinery running the entire visit to the site

I believe a comprehensive traffic and pedestrian study needs to be made before anything is approved on this project. I understand there will be NO environmental impact studies. There are too many people who access this location to block access for the number of years it will take to finish this construction or to put them in danger once there is a driveway in a location where a stairway, bus stop and crosswalk all meet. Having worked in a location on a street leading to the Tower, I have seen the

countless numbers of tourists who climb up and down Telegraph Hill every day, in all seasons. It never stops.

It is also undeniable that the City and Park and Rec are interested in Coit Tower being a viable and regular income stream. Coit Tower was just reopened after a significant renovation with a new vendor inside the building who has taken over the lease longterm. The lines to go to the top to see the views have increased. Pioneer Park is being continually groomed to deal with the bad decisions of previous landscapers to try to overcome the ingrown views. The planting of native plants is in progress to encourage bee foraging and local bird and animal visits.The 39 bus, after years of being neglected by the MTA, has been rerouted at the bequest of Telegraph Hill residents to wait for tourists in front of Pier 39 to increase ridership up to the top of the hill. *But this will all be to no avail if construction of this huge project goes forward on the only street that accesses both this address and Coit Tower.*

This project has so many detrimental issues that will not be reviewed by the City (for an unknown reason/decision by someone in the Planning Department, apparently) that it would be folly to approve it as is. Please reconsider any idea to allow this monstrous project to disrupt the enjoyment of a gorgeous part of San Francisco's historic Telegraph Hill, and disrupt the function of a beloved local monument.

Thank you.

Julie Jaycox
307 Green Street SF CA 94133

From:	Paul"n"Shanti Kohler
To:	Watty, Elizabeth (CPC)
Cc:	thdpz@mindspring.com
Subject:	Opposition to 115 Telegraph Hill Blvd Development
Date:	Sunday, July 06, 2014 8:50:17 PM

P lanning Commissio n:

We would like to express our opposition to the proposed to the proposed project at 115 Telegraph Hill Blvd (Case No. 3013.1375CE) for the following reasons:

- Block the sweeping views of San Francisco enjoyed by Pioneer Park users

- Reward the current owners for demolishing 11 units of affordable rent-controlled housing and replacing them with three luxury, 4,000 to 5,000 square foot, condos.

- Reward the current owners for their defacto demolition of the historic cottage on the southern edge of the property

Please see to it that these property owners are not rewarded for their bad behavior , and other property owners aren't sent the wrong message.

Yours sincerely,

Paul & Shanti Kohler

534 Filbert St

San Francisco, CA 94133

From: Deena Landau
To: Watty, Elizabeth (CPC)
Subject: 115 Telegraph Hill Blvd
Date: Tuesday, July 08, 2014 11:10:20 AM

To: San Francisco Planning Commission

I am writing to ask that the Planning Commission not issue permits for the proposed luxury condo project at 115 Telegraph Hill Blvd. I believe it would be a terrible planning mistake that would adversely impact Telegraph Hill, Coit Tower, and Pioneer Park.

The proposed project would:

- Create permanent dangerous conditions for pedestrians coming up the Filbert Steps and Telegraph Hill Blvd. (by creating a new curb cut on the curviest section of Telegraph Hill Blvd. at the top of the Filbert Steps coming up from Kearny Street)
- Exacerbate traffic congestion for visitors and residents to Coit Tower on Telegraph Hill Blvd. both during and after construction
- Adversely impact users of the 39 Coit bus both during and after construction (particularly because the current stop will have to be moved but will still be next to the new driveway)
- Eliminate access from the Filbert Steps to Coit Tower for up to two years while the new parking garage is built
- Eliminate 11 units of affordable rent-controlled housing, replacing them with three luxury, 4,000 to 5,000 square foot condos

Losing 8 units of rent-controlled housing in San Francisco has a great impact. Replacing 11 units of housing with 3 luxury condos at this time in this city would be further indication of San Francisco's indifference toward the housing crisis and income divide facing us today.

Respectfully,

Deena Landau
1429 Kearny Street #6
San Francisco, CA 94133

From: Dennis McElrath
To: Watty, Elizabeth (CPC)
Subject: Condominium project at 115 Telegraph Hill Blvd..
Date: Sunday, July 06, 2014 11:08:48 AM

Dear Ms. Watty:
I should like to join the voices of many local residents here on Telegraph Hill in strenuously objecting to the construction of a large condominium project at 115 Telegraph Hill Blvd..
It is obvious that the many adverse consequences of this projrct would negatively impact the Hill but also the larger community and visitors who now enjoy the hill and tower.
Very Sincerely Yours,

Dennis McElrath

383 Lombard St. #405
San Francisco, CA 94133
Phone 415 397 0201

From:	Mary Etta Moose
To:	Watty, Elizabeth (CPC)
Subject:	115 Telegraph Hill Blvd.
Date:	Monday, July 07, 2014 11:20:28 AM

July 7, 2014
VIA EMAIL (c/o Elizabeth Watty <wlmailhtml:Elizabeth.Watty@sfgov.org>)

Cindy Wu, President
Planning Commission
City and County of San Francisco
1650 Mission Street, Suite 400
San Francisco, CA 94103

Re: Case No. 3013.1375CE
115 Telegraph Hill Blvd.
Telegraph Hill-North Beach Residential SUD
Request for Conditional Use Authorizations

Dear President Wu and Commissioners,

I am writing to express my concerns regarding the proposed project at 115 Telegraph Hill Blvd. and respectfully request that the Planning Commission not approve the Conditional Use Authorizations for this project.

It is rare that a local, neighborhood project rises to the level that I bother to write the Commission, but the proposed luxury condominium project at 115 Telegraph Hill Blvd., if built as proposed, would be a terrible planning mistake that will adversely impact San Francisco's world renowned Telegraph Hill, Coit Tower and the surrounding 4.89 acre Pioneer Park. Fundamentally, the issue at stake is about protecting the public's interest in Pioneer Park and Coit Tower. This is not about any particular neighbor's self-interest or views – this is about the public interest and the public's views, parks, access and pedestrian safety.

As San Francisco residents we have a collective duty to safeguard these treasures for future generations. The proposed project, if approved, will have an array of significant, adverse impacts to Coit Tower and Pioneer Park.

The proposed project would:
- Block the sweeping views of San Francisco enjoyed by thousands of Pioneer Park users
- Create permanent dangerous conditions for pedestrians coming up the Filbert Steps and Telegraph Hill Blvd. (by creating a new curb cut on the curviest section of Telegraph Hill Blvd. at the very top of the Filbert Steps coming up from Kearny Street)
- Exacerbate traffic congestion for visitors and residents to Coit Tower on Telegraph

Hill Blvd. both during and after construction
• Adversely impact users of the 39 Coit Tower MUNI bus both during and after construction (particularly because the current bus stop will be next to their new driveway)
• Eliminate access from the Filbert Steps to Coit Tower for up to two years while the project sponsor digs 30 feet for a new parking garage on this highly constrained site
• Reward the current owners for demolishing 11 units of affordable housing and replacing them with three market rate, 4,000 to 5,000 square foot, condos.
• Reward the current owners for their defacto demolition of the historic cottage on the southern edge of the property

I hope that the Commission will reject the project as currently proposed and encourage the project sponsor to come back with a more compatible project that better fits this unique important site which will be less impactful to Pioneer Park, the Filbert steps and Telegraph Hill Blvd.

Sincerely,

Mary Etta Moose
1962 Powell Street
San Francisco, CA 94133

From: Mottly275@aol.com
To: Watty, Elizabeth (CPC)
Subject: CASE NO, 3013.1375CE (115 TELEGRAPH HILL BLVD.)
Date: Wednesday, July 09, 2014 12:13:08 PM

SAN FRANCISCO PLANNING COMMISSION

COMMISSIONERS:

I HAVE JUST BECOME AWARE OF YOUR HEARING ON JULY 17, THE PROPOSAL TO BUILD THREE LUXURY CONDOS AND UNDERGROUND PARKING, ON FILBERT ST. BETWEEN KEARNY AND TELEGRAPH HILL BLVD

I HAVE LIVED AT 275 TELEGRAPH HILL BLVD. SINCE 1981 AND IN NORTH BEACH SINCE 1967. I RECALL CLEARLY THE PRIOR CONTROVERSY AND VIGOROUS DEBATE WHICH BEGAN WITH THE SPECULATIVE PURCHASE OF THIS HILLSIDE LOT .THIS HUGE UNDERTAKING IS FAR MORE DAMAGING THEN THE PROJECTS PROPOSED IN THE LATE 1980'S.

I KNOW MOST OF MY NEIGHBORS, MANY OF WHOM HAVE LIVED IN THIS NEIGHBORHOOD FOR MUCH LONGER THAN I. I PLAN ON HELPING TO BUILD A LARGE AND UNRELENTING OPPOSITION TO THIS OUTLANDISH PROJECT.

MICHAEL MOTT
275 TELEGRAPH HILL BLVD. NO 2
SAN FRANCISCO, CALIFORNIA
E MAIL MOTTLY275@AOL

From: /
To: Watty, Elizabeth (CPC)
Subject: new development atop telegraph hill
Date: Monday, July 07, 2014 4:51:37 PM

The news of a large development atop Filbert en route to Coit Tower has come as a potential disaster to the area. View blockage and general ugliness aside, the concern really lies in pedestrian safety and access to Coit Tower while construction occurs.
Please consider the many impeding headaches and serious problems that can be stopped by vetoing this project for the wealthy.
Thank you.
Sherry O'Donnell

From:	LEERADNER
To:	Watty, Elizabeth (CPC)
Subject:	condos at 115 Telegraph Hill Blvd.
Date:	Monday, July 07, 2014 11:12:27 AM

Dear Ms. Watty:
I am writing to express my concern on the proposed 3 condominiums at 115 Telegraph Hill Blvd. (case 3013.1375.ce).
Why in the world would 3 condominiums take precedence and destroy 15 rental units in the process. It is this kind of thinking that continues to exacerbate the critical housing shortage in S.F.

Please express my concerns to the proper parties at the Planning Department & Commission.

Sincerely,
Lee Radner
405 Davis Ct. #703
San Francisco, CA. 94111
415-986-2896

From: John Reed
To: Watty, Elizabeth (CPC)
Subject: 115 Telegraph Hill Blvd Project
Date: Monday, July 07, 2014 11:48:14 AM

Dear Elizabeth Watty;

I received the attached email today from Vedica Puri, President of Telegraph Hill Dwellers regarding the proposal before the Planning Commission to allow the following construction at 115 Telegraph Blvd. I want to stand firmly opposed to permitting this construction to take place for the reasons well stated by Vedica Puri. I've been feeling that San Francisco has been taken over by an army of bulldozing contractors and this is just one more nail in that coffin. Please stand with San Francisco residents and for San Francisco and do not allow this assault on Telegraph Hill to take place.

Sincerely,

John T Reed
THD resident

It is rare that a local, neighborhood project rises to the level that we send out an alert like this, but the proposed luxury condominium project at 115 Telegraph Hill Blvd., if built as proposed, would be a terrible planning mistake that will adversely impact San Francisco's world renowned Telegraph Hill, iconic Coit Tower and the surrounding 4.89 acre Pioneer Park. Fundamentally, the issue at stake is about protecting the public's interest in Pioneer Park and Coit Tower. This is not about any particular neighbor's self-interest or views - this is about the public interest and the public's views, parks, access and pedestrian safety. Please read on and help.

As San Francisco residents we have a duty to safeguard these treasures for future generations. We are faced with a proposal for a massive, luxury 3-unit condominium project proposed for the large (7,500 sq.ft.) vacant parcel at 115 Telegraph Hill Blvd. on the Filbert steps at the top of Telegraph Hill which, if approved, will have an array of significant, adverse impacts to Coit Tower and Pioneer Park. The project is scheduled for a hearing at the Planning Commission on

Thursday, July 17. Now is the time to take a few minutes and write and/or email the Planning Commission. Your input will make a difference.

The proposed project would:
* Block the sweeping views of San Francisco enjoyed by Pioneer Park users
* Create permanent dangerous conditions for pedestrians coming up the Filbert Steps and Telegraph Hill Blvd. (by creating a new curb cut on the curviest section of Telegraph Hill Blvd. at the very top of the Filbert Steps coming up from Kearny Street)
* Exacerbate traffic congestion for visitors and residents to Coit Tower on Telegraph Hill Blvd. both during and after construction
* Adversely impact users of the 39 Coit Tower MUNI bus both during and after construction (particularly because the current stop will have to be moved but will still be next to their new driveway)
* Eliminate access from the Filbert Steps to Coit Tower for up to two years while the project sponsor digs 30 feet for a new parking garage on this highly constrained site
* Reward the current owners for demolishing 11 units of affordable rent-controlled housing and replacing them with three luxury, 4,000 to 5,000 square foot, condos.
* Reward the current owners for their defacto demolition of the historic cottage on the southern edge of the property

What you can do:
Please take a few minutes and write a letter expressing your concerns about the proposed project at 115 Telegraph Hill Blvd (Case No. 3013.1375CE) to the Planning Commission.

Make some or all of these points and add anything else that you wish to add.

Please email your comments on or before this Wednesday July 9 to Elizabeth.Watty@sfgov.org.

From:	Judith Robinson
To:	Watty, Elizabeth (CPC); Chiu, David (BOS); thdpz@mindspring.com
Subject:	115 Telegraph HIll Blvd. project
Date:	Tuesday, July 08, 2014 12:20:38 PM

Judith Robinson
562 B Lombard Street
San Francisco, California 94133-7057
415 788 9112

8 July, 2014

TO: S. F. Planning Commission
FROM: J. Robinson
RE: 115 Telegraph Hill Blvd. (Case No. 3013.1375CE)
On hearing agenda for Thursday, July 17

I am a resident and property owner on Telegraph Hill.

I wish to strongly oppose a proposed development for 115 Telegraph Hill Boulevard.

The project is:
1) out of scale for the small site;
2) would block views from the top of Telegraph Hill and the newly-restored Pioneer Park at Coit Tower;
3) curtail walking and vehicle access to the Tower and Hill, among other adverse effects.

It would violate the integrity and beauty of an important public site in San Francisco.

Please OPPOSE the project as designed. Thank you for taking my views into consideration.

cc: Supervisor David Chiu
Telegraph Hill Dwellers

From:	Nan Roth
To:	Watty, Elizabeth (CPC)
Subject:	July 17, 2014 Planning Commission Hearing--Case No. 3013.1375CE (115 Telegfraph Hill Boulevard
Date:	Wednesday, July 09, 2014 4:37:14 PM

Please include the following Comments in the information provided to the Commission in regard to the project below to be heard by the Planning Commission on Thursday, July 17, 2014:

115 Telegraph Hill Boulevard
Case No. 3013.1375CE

Members of the Commission:

We urge the Commission to deny this application.

It was with shock and dismay that my husband and I first heard about this application and pending hearing from a neighbor on June 29. We own two properties adjoining the project site, Lots 28 and 37 at 1436 Kearny Street and 357 Filbert Street respectively. Although we had attended a project presentation at a neighborhood meeting on July 31, 2013, and met briefly later with a Mr. Jeremy Ricks, who we understood to be the developer with a recorded Option to Purchase the site, we had heard nothing further and to date have not been provided with drawings, plans or any information regarding the proposal to be presented on July 17, 2014.

I was invited to a meeting of the Telegraph Hill Dwellers held on July 3, 2014, at which two copies of drawings, without any dimensions, were made available in the absence of the project sponsors, to be shared by all of the attendees. Thus I only had a few minutes to glance at them. Frankly, I was shocked and dismayed by what I saw—three monster trophy mansions, taking up every inch of the permitted building envelope, without any concessions to the setting, and the complete destruction of the hillside above our house leaving a huge glass wall over a stone block base with a small level rear yard. I know tradition requires paying a compliment before critiquing a presentation, but I dare anyone to find a feature to admire or speak of favorably.

This makes us very uncomfortable. What is the strategy behind imposing this on both the neighborhood and the Commission? We see a lot of mediocre design and construction around this city, but never anything as boldly bad as this, and in such a sensitive and high profile location. Surely their architect is capable of better work, but at the end of the day, he serves his client. So what is the hidden agenda?

I would like to caution the Commission in regard to suggesting incremental modifications. This design defies tweaking. It needs to be rethought and redesigned from the ground up. We know everyone is tired of the unkempt lot, the vandals and trespassers. That too is a strategy—get the neighbors so tired of the mess and the transients that they will accept anything. This is one of the most important vacant sites in the City. It's widely visible, is part of the setting for one of our most visited landmarks, and is the most heavily used pedestrian approach to Coit Tower.

I would also like to raise an often overlooked issue, subsurface groundwater and drainage. An excavation such as this design requires can have devastating impacts on neighboring properties. For example, a broken sprinkler head at Coit Tower broke the seal on our newly installed steel-enforced concrete floor and flooded our basement. We have a sump pump and it normally catches any storm drainage, but this was at a deeper subterranean level and the water backed up behind a barrier a few feet downhill and the pressure built up until it broke through the floor. The City has three wells on the stretch of the Filbert Steps adjacent to the project site. There is free flowing subterranean water on Telegraph Hill. Water can be very unpredictable—water seeks its own way.

Of all the places we have lived on Telegraph Hill, this location is the most vulnerable.

Thank you for your consideration of my comments.

Sincerely,

Nan and Nathan Roth
1436 Kearny Street
San Francisco, CA 94133
nanroth88@gmail.com

From:	Watty, Elizabeth (CPC)
To:	dfrattin@reubenlaw.com
Cc:	swetz@butlerarmsden.com
Subject:	115 Telegraph Hill - Neighbor Opposition
Date:	Tuesday, June 24, 2014 3:42:00 PM
Attachments:	image002.png image003.png image004.png image005.png image006.png

Dan,
Just wanted to update you that I received a call from a neighbor in opposition to the project at 115 Telegraph Hill today. Her name is Nan Roth (398-7893), and owns the property to the east and south of the subject property. She expressed concerns about the process (lack of transparency, notice, etc.), adequate CEQA review, and upcoming CU hearing. She will likely be submitting a letter closer to the hearing date.

Thanks,

Elizabeth Watty, LEED AP
Assistant Director of Current Planning

Planning Department, City and County of San Francisco
1650 Mission Street, Suite 400, San Francisco, CA 94103
Direct: 415-558-6620 **Fax:** 415-558-6409
Email: Elizabeth.Watty@sfgov.org
Web:www.sfplanning.org



From:	Anneke Seley
To:	Watty, Elizabeth (CPC)
Subject:	115 Telegraph Hill Blvd Project(Case No. 3013.1375CE)
Date:	Tuesday, July 08, 2014 4:11:54 PM

Dear Ms. Watty,

As Telegraph Hill home owners, we respectfully want to express our concern regarding the proposed luxury condominium project at 115 Telegraph Hill Blvd. If built as proposed, we feel it would be a terrible planning mistake that will adversely impact San Francisco's world renowned Telegraph Hill, iconic Coit Tower and the surrounding 4.89 acre Pioneer Park. What is at stake is the public's views, parks, access and pedestrian safety, not any particular neighbor's self-interest or views.

As San Francisco residents we have a duty to safeguard these treasures for future generations. A massive, luxury 3-unit condominium project proposed for the large (7,500 sq.ft.) vacant parcel at 115 Telegraph Hill Blvd. on the Filbert steps at the top of Telegraph Hill which, if approved, will have an array of significant, adverse impacts to Coit Tower and Pioneer Park. It will:

* Block the sweeping views of San Francisco enjoyed by Pioneer Park users
* Create permanent dangerous conditions for pedestrians coming up the Filbert Steps and Telegraph Hill Blvd. (by creating a new curb cut on the curviest section of Telegraph Hill Blvd. at the very top of the Filbert Steps coming up from Kearny Street)
* Exacerbate traffic congestion for visitors and residents to Coit Tower on Telegraph Hill Blvd. both during and after construction
* Adversely impact users of the 39 Coit Tower MUNI bus both during and after construction (particularly because the current stop will have to be moved but will still be next to their new driveway)
* Eliminate access from the Filbert Steps to Coit Tower for up to two years while the project sponsor digs 30 feet for a new parking garage on this highly constrained site
* Reward the current owners for demolishing 11 units of affordable rent-controlled housing and replacing them with three luxury, 4,000 to 5,000 square

foot, condos.
* Reward the current owners for their defacto demolition of the historic cottage on the southern edge of the property

Thank you for your consideration of these points, as you and the Planning Commission make your decision.

Sincerely,

Anneke Seley and Jack Oswald
310 Green Street
San Francisco, CA 94133

From:	Mel Solomon
To:	Watty, Elizabeth (CPC)
Subject:	115 Telegraph Hill Blvd Project
Date:	Monday, July 07, 2014 12:09:46 PM

As 15 year residents in North Beach we have always taken pride in the fact that Telegraph Hill is not just a significant icon and tourist's point of interest, but also a place where we, as residents, can walk and enjoy the beauty of our magnificent surroundings.

We have become aware of a proposed project at 115 Telegraph Hill Blvd (Case Number 3013.1375E) that, if approved, would most certainly be detrimental to the public's interests, the public's views, parks, access and pedestrians safety. These are treasures that are not just for us, as current residents, but for our future generations to enjoy as we do today. Doesn't our great City of San Francisco have a responsibility to not merely accept what is in the best interests of developers and those who are looking to make the big bucks, but to more importantly consider the negative impact of such a project to those who already live here?

The following list of negative impacts that will result from the approval of this prosed project offer some excellent reasons why my wife and I ask that this project be rejected:

*Create permanent dangerous conditions for pedestrians coming up the Filbert Steps and Telegraph Hill Blvd. (by creating a new curb cut on the curviest section of Telegraph Hill Blvd. at the very top of the Filbert Steps coming up from Kearny Street)

* Exacerbate traffic congestion for visitors and residents to Coit Tower on Telegraph Hill Blvd. both during and after construction

* Adversely impact users of the 39 Coit Tower MUNI bus both during and after construction (particularly because the current stop will have to be moved but will still be next to their new driveway)

* Eliminate access from the Filbert Steps to Coit Tower for up to two years while the project sponsor digs 30 feet for a new parking garage on this highly constrained site

* Reward the current owners for demolishing 11 units of affordable rent-controlled housing and replacing them with three luxury, 4,000 to 5,000 square foot, condos.

* Reward the current owners for their defacto demolition of the historic

cottage on the southern edge of the property

We respectfully request that you not approve this project for all the reasons listed above.

Sincerely,

Mel and Maxine Solomon
530 Chestnut Street #209
San Francisco, CA 94133

Stan Teng /
333 Greenwich St. # 2
San Francisco, CA 94133

9 July 2014

Ms. Elizabeth Watty
City of San Francisco Planning Department
1650 Mission St. , Suite 400
San Francisco, CA 94103

RE: Case No. 3013.1375CE
Proposed Project at 115 Telegraph Hill Blvd.

Dear Ms. Watty:

This letter is to express my concern about the required special approvals and the overall design of the proposed project at 115 Telegraph Hill Boulevard.

I live quite near (within 340 feet) of the project site and pass by it at least twice a day and hence have an intimate knowledge of the neighborhood and the site. In addition, I am an architect that has lived and worked in San Francisco since 1981.

My concerns are for both the application for Conditional Use and for the compliance of the project design with the SF Planning Code including the Residential Design Guidelines.

The Planning Code's stated purpose of a CU is to determine if the proposed use is necessary or desirable to the neighborhood, and whether the use complies with the San Francisco General Plan.

CU Item 1: Number of Units

The developer of the project has publicly stated that his interest in the property is speculative. Therefore, the definition of "necessary" is skewed. It may be necessary to this developer to maximize the size of the units, but units of 4138 to 4583 square feet are out of character, compatibility and affordability of the neighborhood and certainly not necessary. The developer has also publicly stated that there is an absolute need for parking, as these types of units would otherwise not be marketable. Marketability is not "necessary" to the neighborhood and is a result of the developer's choice of programming the project as a high end luxury development requiring special approvals.

CU Item 2: Parking Exemption

The parking ratios Planning Code of Section 249.49 were developed with good reason for the Telegraph Hill / North Beach Residential Special Use district. Those reasons include the generation of additional traffic by new dwellings and garages and the problems created by the need for garage access including large doors and the effect on the public right of way. Approval of a conditional use for garage might be justified as a "wash" as far as the taking away of street parking but there are important additional consequences that impact the neighborhood including additional traffic at a already heavily trafficked location.

The subject property is located at an important and heavily trafficked juncture of six existing elements; a narrow curving roadway to a major City attraction, a major pedestrian sidewalk used by both for residents and tourists connecting Telegraph Hill to North Beach, a MUNI bus route and passenger stop, a crosswalk connecting the sidewalk to Pioneer Park and the location of two desperately needed street parking spaces. Such a confluence of elements at a single point is not the location for the entrance to a new parking garage.

Unfortunately the project does not offer any mitigation of the impacts of the requested CU items. None of the CU items are of benefit or necessary to the neighborhood and on the contrary would be detrimental to the neighborhood.

Conformance with the Residential Design Guidelines?

Without going into a lengthy detailed analysis of the project in terms of the Residential Design guidelines a number of major incompatibilities with the Guidelines are present:.

" Guideline; Protect Major Public Views From Public Spaces" And "Design Building Facades To Enhance And Complement Public Spaces"

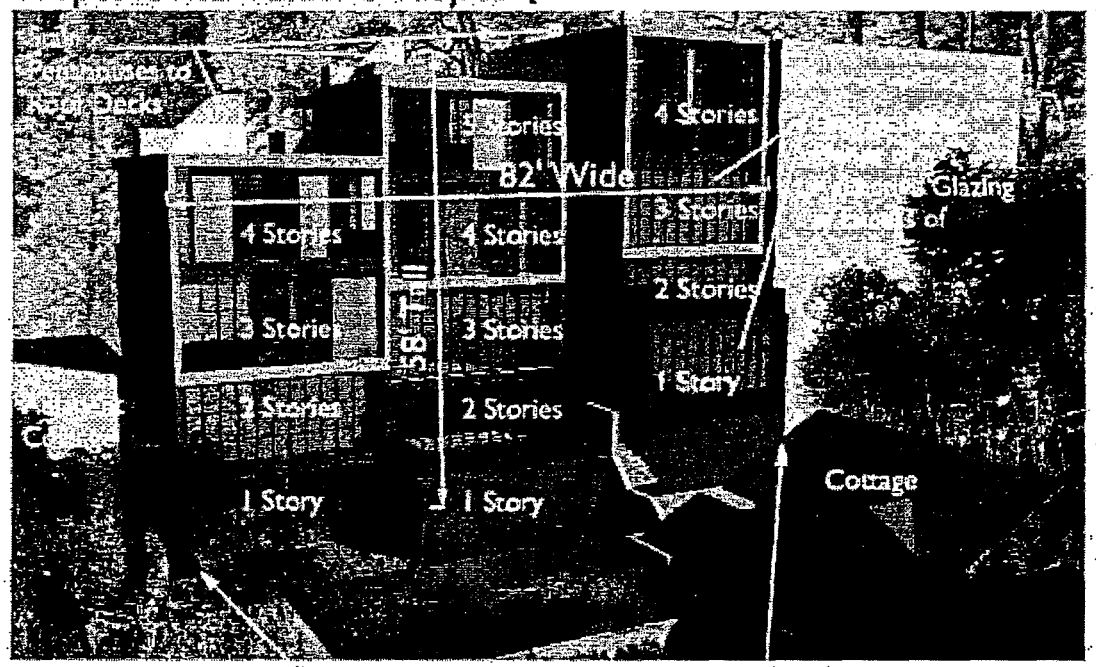
It should be noted that the project has two major facades, one facing Coit Tower and Pioneer Park, the other façade facing the Financial District, Chinatown, Russian Hill and Nob Hill as seen from Telegraph Hill or conversely, Telegraph Hill as seen from the Financial District, Chinatown, Russian Hill and Nob Hill. This is a major "postcard" view of Telegraph Hill that will be adversely affected by the proposed project.

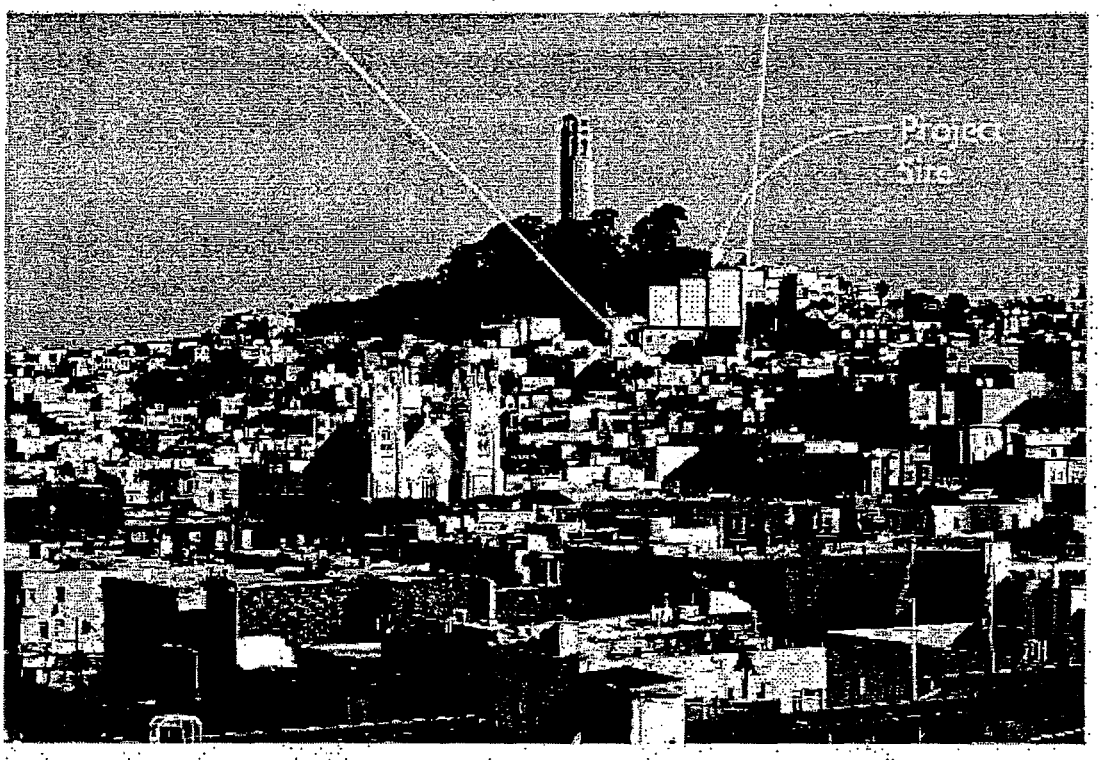
The project's façade along Telegraph Hill Blvd. resembles the set of "Hollywood Squares" and is overtly out of character and scale with the neighborhood. The rear (South facing) façade is a 4 to 5 story wall of monotonous rectangular patterns and glass that will read within the cityscape as a huge reflective surface as it is facing due south and will receive a great amount of sunlight.

" Guideline; "Design The Scale Of The Building To Be Compatible With The Height And Depth Of Surrounding Buildings"

Please see attached project rendering to understand the size of the development and its scale, especially as viewed from the South.

Proposed Rear Facade of Project





View of Project of Telegraph Hill as seen from the Financial District, Chinatown, Russian Hill and Nob Hill.

In summary, my concerns about the project may be distilled to these simple points:

1. The special conditions of use being requested are necessary and of benefit only to the speculative project sponsor and are not necessary, with no benefit and are detrimental to the neighborhood.

2. The project fails to comply with the Residential Design Guidelines especially with respect to:

- Design The Scale Of The Building To Be Compatible With The Height And Depth Of Surrounding Buildings
- Protecting Major Public Views From Public Spaces
- Design Building Facades To Enhance And Complement Public Spaces

As an architect I am an advocate for new construction - but not for buildings that are inappropriate and detrimental to the neighborhood and City and for the benefit of the few.

Sincerely,



Stan Teng
Architect, AI.A.

July 9, 2014

Cindy Wu, President
Planning Commission
City and County of San Francisco
1650 Mission Street, Suite 400
San Francisco, CA 94103

Re: Case No. 3013.1375CE
115 Telegraph Hill Blvd.
Telegraph Hill-North Beach Residential SUD

Dear President Wu and Commissioners,

The Telegraph Hill Dwellers has spent innumerable hours reviewing this Project and working with the project architects. We did so because in 2012, earlier designs were in the proverbial ballpark -- nearing appropriate heights and massing. We are not sure what happened to cause a sudden and complete change that is now enshrined in the current version of the Project now before the Planning Commission. But as currently proposed, the Project creates grave impacts that cannot be overlooked and should cause this Commission great pause.

The property owners, Tracy Kirkham and Josef D. Cooper (herein "Applicants"), applied through their authorized agent for a conditional use authorization to construct a three unit condominium building and to rehabilitate an existing two-story cottage on the site. Telegraph Hill Dwellers, a neighborhood organization that has long fought to preserve Telegraph Hill's affordable housing, parks, open spaces and character, urges you to deny the Conditional Use Application ("Application") for the construction of a three-unit condominium building and rehabilitation of an existing cottage at the southeast corner of the lot ("Project") at 115 Telegraph Hill Boulevard ("Project Site") because the Certificate of Categorical Exemption issued for the Project is legally inadequate and the Project described in the Application does not meet the Planning Code criteria for the requested Conditional Use Authorizations. Alternatively, the Commission should continue this matter and require the Department to prepare a new environmental review document for the Project, and require the Project to be redesigned to reduce the mass and scale of the proposed new condominium building to address the unique location of the Project Site.

A. THE PROJECT SITE AND ITS HISTORY

1. *Unique Nature and Location of the Project Site*

The nature and location of the Project Site are unique in the City of San Francisco. The area surrounding Coit Tower and Pioneer Park is one of San Francisco's premier destinations for residents and visitors from around the world. Coit Tower and Pioneer Park are considered iconic symbols of San Francisco, equivalent in stature to the Golden Gate Bridge. The Urban Design Element of the General Plan recognizes Telegraph Hill as an "Outstanding and Unique Area" that contributes in an extraordinary degree to San Francisco's visual form and character. Listed as a special characteristic of Telegraph Hill is its "hilltop park with the highly visible green of trees..." (See Policy 2.7 of the Urban Design Element of the San Francisco General Plan.) The SF Recreation and Parks Department web page states: "Located at the top of Telegraph Hill, Pioneer Park is the site of world-famous landmark Coit Tower. At 4.89 acres, Pioneer Park offers wide, breathtaking views of the city and the bay. The park space was built in 1876 to commemorate the country's centennial anniversary." [Emphasis added]

It is not only a resource for visitors. Scores of office workers, other San Francisco residents, Tai Chi practitioners and joggers use the park throughout the day. In other words, the Project Site is in the heart of a very well used public area. Unfortunately, our analysis reveals that the Project -- as proposed -- will greatly diminish this world-renowned public resource and compromise the public's experience at Pioneer Park.

By the early 1990's, Pioneer Park was in state of disarray. As one of the very few open green spaces in the densest part of the City, neighborhood leaders and residents banded together to fix this situation. In 1995, the Pioneer Park Project, a public-private partnership, involving the Telegraph Hill Dwellers, San Francisco Beautiful, the Department of Public Works, and the Recreation and Parks Department brought together professional landscape architects, designers, fund-raisers and environmental educators, all working *pro bono*. The Pioneer Park Project developed the plans to rebuild stairways, paths and terraces, restore natural habitat, and deal with the problems of erosion, safety and handicap access. They raised over $1.6 million from public and private sources to implement the Pioneer Park Project. Over 500 individuals supported Pioneer Park by participating in the "Step into History" program and contributing $500 or more to have his or her name engraved on a tile placed on a stair riser in one of the park's new pedestrian stairways.

Earlier this year the San Francisco Arts Commission refurbished Coit Tower's historic murals, and the Recreation and Parks Department completed a $1.7 million renovation of Coit Tower and installed a new concessionaire. Today, over 200,000 people visit Coit Tower each year, and many more visit Pioneer Park. More than half of the visitors to Coit Tower/Pioneer Park come by foot or by bus.

The Project Site is located at a very important intersection. First, the narrow Filbert Steps that comprise the northern boundary of the Project Site is a key and primary pedestrian access point to Pioneer Park and is therefore used by hundreds of people daily. Second, the Filbert Steps meet

Telegraph Hill Boulevard, also the only vehicular access to Coit Tower and Pioneer Park, at the northeast corner of the Project Site (where the driveway and curb cut for the Project are proposed). The proposed driveway is located between the Muni stop for the 39 Coit bus and the mid-block pedestrian cross walk that crosses Telegraph Hill Blvd. to Pioneer Park and Coit Tower. A stop sign currently located within the proposed driveway will require relocation and the sidewalk extended to the west to accommodate relocation of the stop sign. The proposed garage and curb cut are located at a blind curve for cars traveling to and from Coit Tower.

2. ***Topography of the Site***

The Project Site has a cross slope that exceeds 20% in both directions. The 82.5-foot long north property line, with frontage on the Filbert Steps, has an elevation difference of 22.38 feet. The east property line has an elevation difference of approximately 40 feet. The west property line has an elevation difference of approximately 16 feet, and the south property line has an elevation difference of approximately 11 feet. (See the topographic survey attached to the Case Report.)

Except for an existing cottage on the southeast corner of the Project Site, it is vacant. None of the former buildings located on the Project Site had on-site parking and there is no existing curb cut from Telegraph Hill Blvd. to the Project Site. Telegraph Hill Blvd. is a narrow, dead-end, winding street that experiences heavy traffic volumes associated with Coit Tower visitation. The only place for a vehicle to turn around on Telegraph Hill Blvd. is at the Coit Tower parking lot at the end of the road.

3. ***History of the Current Lot***

The Project Site originally consisted of three separate lots containing five small-scale buildings providing 11 units of rent-controlled and affordable housing to artists, photographers, writers and workers, including the legendary longshoreman and activist Bill Bailey. (See photos attached as **Exhibit A**.)

- Acquired by the Applicants in 1990, their parcel map application to merge the three lots into one was granted in 1993, creating the current 7,517 sq. ft. lot.

- In 1997, the Applicants submitted a Conditional Use Application to develop a six-unit condominium on the site, rehabilitate the cottage located in the southwest corner of the lot, and demolish the rest of the buildings. The approved plans for the remaining cottage required a variance.

- In a community-wide effort to prevent the demolition of the Bill Bailey cottage, it was lifted off its site and relocated to a Muni's railway storage yard, where it was destroyed by fire before it could be brought back to Telegraph Hill.

• While the 1997 conditional use application and variance application were granted, both expired because no work had been undertaken within three years. All site and alteration permits expired and were subsequently cancelled.

• On December 2, 1999, the Applicants submitted and were issued an over-the-counter permit (No. 9925477) to repair dry rot for 115 Telegraph Hill Boulevard (the remaining cottage). Work was never completed and this permit expired on April 11, 2001. The dry rot repair essentially gutted the interior, removed all exterior finishes but the plywood.

• The Applicants' current Conditional Use Application to this Commission, dated February 13, 2014, states that the cottage is "run-down" and that "[t]he run-down vacant lot is out of character with the rest of the neighborhood, and detracts from the well-kept and landscaped surroundings." However, the run-down condition of the site and the cottage is solely attributable to the Applicants' failure to maintain the property.

In the 1950's, developers attempted to ring the base of Pioneer Park with a wall of luxury residences up to the maximum height limit of 40 feet by demolishing historic, smaller scale affordable housing stock and by merging smaller lots. Some of these battles were won, and some were lost. A few inappropriately large buildings exist at the base of Pioneer Park, but for the most part views from the park remain unobstructed. Notwithstanding the Applicants' claim that the trees and dense foliage from Pioneer Park preclude and public view to the south and southeast, this Project will obliterate any and all views now enjoyed by the public from the Filbert Steps and from the Pioneer Park pedestrian stairway from Telegraph Hill Blvd. to Coit Tower.

B. PROJECT DESCRIPTION

Now, the Project consists of constructing a three-unit condominium building and renovation of the existing rear cottage with four off-street parking places[1]. The plans are internally inconsistent and lacking important dimensions. Furthermore, there are no plans for the renovation of the cottage. Simply stated, the Project plans are inconsistent with the Project description.

1. Number of Off-Street Parking Spaces: The Conditional Use Application and the published Public Notice requests four parking spaces, but the plans submitted to the Commission show only three parking spaces.

2. Rear Cottage Rehabilitation: The Project application is incomplete for failure to include any plans for the rehabilitation of the cottage at the rear of the Project Site, which represents one of the four housing units proposed for the Project Site. If the Applicants' intend to rely on the previously approved plans to rehabilitate the cottage, which are no longer valid, a rear yard variance would be required. In any event, the Application is incomplete without renovation plans for the cottage.

[1] The CU application requests four off-street parking spaces but the plans show three.

3. Scope of Work for the Side Walk and the Filbert Steps: The Application states that the Filbert Steps will be removed. Apparently, via an exchange of e-mails between the Applicants and the environmental review planner, the Applicants decided that the wholesale replacement of the Filbert Steps involved "too many impediments" such as a General Plan Referral and the approval of a Major Encroachment Permit by the Board of Supervisors. The foregoing notwithstanding, the Project will still require relocation of a bus stop and stop sign, and appears to require relocation of the first set of the Filbert Steps at the west end the Project Site, as shown on the Plans. (See Sheet A0.1 and Sheet A0.6 of the plans attached to the Case Report.) Relocation of the bus stop, stop sign will require removal of a portion of the historic stone wall.

4. Encroachment of Cottage onto Adjacent Lot: The existing and proposed site plan show that the existing cottage encroaches on the adjoining private property to the west. (See Sheet A0.5 and Sheet A0.6 of the plans attached to the Case Report.) However, the site survey did not.

C. NEIGHBORHOOD OUTREACH

In the Applicants' letter to the Commission, their communications with THD are misrepresented. The Applicants and/or their architect met with THD's Planning and Zoning Committee on three separate occasions: July 12, August 30, and October 11 of 2012. These meetings were open to all THD members. The project sponsor and architect stated their intent to accommodate the Committee's suggestions as to project design, protecting public views from Pioneer Park, pedestrian safety and traffic issues relating to a new garage.

At the July 12, 2012 meeting, the project architect presented massing studies, including a much smaller scale project than currently being proposed, with heights below 40-ft without stair penthouses or other rooftop features. The Committee's concerns and suggestions were set forth in an email to the project architect, Lewis Butler, on July 30, 2012 (Attached as **Exhibit B**).

At the October 11, 2012 Committee meeting, the project sponsor and architect presented a project of a smaller scale and massing that better reflected the site's topography, would not overwhelm the small cottages down hill from the Project Site and would preserve more of the existing public views from Pioneer Park. Those plans included a passage from the Filbert Steps to a small view platform accessible by the public. These plans presented two buildings well within the 40-ft height limit, but without stair penthouses, roof decks or other rooftop features above 40 ft. (Attached as **Exhibit C**). With only two new units, the Committee noted that this October 11, 2012 plan would not require a conditional use for a project with a total of three units and three off-street parking spaces. The Committee was generally impressed by this plan, but still expressed concerns about potential impacts to pedestrian safety and traffic relating to the proposed garage and curb cut at the top of the Filbert Steps.

Subsequently, nine months later, a pre-application neighborhood meeting was noticed for July 30, 2013, at which completely different plans were presented, essentially the plans now before

the Commission. Needless to say, neighbors and THD members were shocked, frustrated and felt betrayed.

D. THE ISSUED CATEGORICAL EXEMPTION IS LEGALLY INADEQUATE.

1. ***A Categorical Exemption may not be issued for a project that may have any potentially significant impacts due to its particular circumstances.***

CEQA provides that categorical exemptions *shall not be used* for a project that *may* cause a substantial adverse change due to its particular circumstances. (CEQA Guideline Section 15300.2(c).) The Project's particular circumstances are its unique location immediately across from Pioneer Park and Coit Tower and its relationship to Telegraph Hill Boulevard and the Filbert Steps. Significant impacts may result from, but are not limited to, the following:

- The lack of any landing at the top of the Filbert Steps requiring pedestrians to walk onto a driveway with a recessed garage that is not visible to pedestrian traveling east to Coit Tower;
- The need to reconfigure the sidewalk and bus stop and relocate the bus stop to accommodate the proposed driveway requiring removal of a portion of the historic stone wall separating the Telegraph Hill Boulevard and the Filbert Steps;
- The noise and light impacts associated with the flashing lights and/or beeping sounds of warning signals that will be required for automobile ingress and egress from the garage to alert pedestrian walking up the Filbert Steps;
- The facts that cars must cross a double yellow line on a blind curve to make an sharp right hand turn to access the garage;
- As acknowledged by the Planning Department, additional environmental review may be required if DPW requires changes to the design of the Filbert Steps to meet their requirements, such as a landing at the top of the Filbert Steps;
- Replacement or modification of the Filbert Steps would required a General Plan Referral and a Major Encroachment Permit approved by the Board of Supervisors;
- Blockage of a public view corridor from the pedestrian stairways and landings of Pioneer Park; and
- Construction impacts, while not are normally considered to be unusual, the setting of the Project Site and a two year construction period demands analysis of construction and construction-related traffic impacts including, but not limited to, shoring and underpinning of the historic Filbert Steps, providing access to the construction site, moving construction equipment on and off of the site, removing rocks and soil from the excavation that will be 30 feet below the sidewalk, staging of trucks during concrete pours and the noise impacts associated with construction.

2. ***Categorical Exemption is legally insufficient because a "fair argument" can be made that the Project may have potentially significant impacts.***

The Categorical Exemption is legally insufficient because a "fair argument" can be made that the Project may have the following impacts:

- The transportation impacts, especially vehicular/pedestrian conflict;
- The failure to timely consult with DPW to determine if the Filbert Steps will require relocation or reconstruction thereby requiring additional environmental review and segmenting the Project resulting in an incomplete project description;
- Geotechnical impacts;
- Construction impacts;
- Inconsistencies with the General Plan and Priority Planning Policies, including the impact on public views from a public park; and
- Failure to require environmental review of new off-street parking in the Telegraph Hill/North Beach area pursuant to Board of Supervisors File No. 10-0638.

The above lists of the insufficiency of the Categorical Exemption are merely samples and not a complete list.

E. THE CONDITIONAL USE APPLICATION DOES NOT MEET THE CRITERIA IN SECTION 303(c) OR 151.1(g) OF THE PLANNING CODE

The Project requires two separate Conditional Use Authorizations under the San Francisco Planning Code: (1) to provide more than the maximum allowable on-site parking spaces in Telegraph Hill/North Beach Residential Special Use District (Sec. 249.49); and (2) to allow four dwelling unites on a lot zoned RH-3 (Sec. 209.1(h)). Given the unique and sensitive location of the Project Site, the findings required for approving each of these conditional use authorizations cannot be made.

1. ***Conditional Use Authorization For Off Street Parking – Special Criteria Not Met.***

The Project is located in the Telegraph Hill/North Beach Residential Special Use District where Planning Code Sec. 249.49 limits the amount of new off-street car parking to three parking spaces for each four dwelling units. A maximum of one car for each dwelling is allowed subject to Conditional Use Authorization only if the Planning Commission can find, in addition to the Section 303(c) criteria, that the specific criteria set forth in Sec. 151.1(g)(1)(A) are met. Three of the required findings, and reasons they cannot be made, are set forth below:

> **"Vehicle movement on or around the project does <u>not unduly impact pedestrian spaces or movement, transit service</u>, bicycle movement, or the overall traffic movement in the district." [Sec. 151.1(g)(1)(A)(i)]**

The Project cannot meet this criterion and will unduly impact pedestrian spaces, movement and transit service for the following reasons:

<u>Impacts on Pedestrian Movement and Safety</u>: The Project Site is located on the Filbert Steps, a pedestrian corridor used by hundreds of tourists and residents who walk up to Coit Tower/Pioneer Park on these steps. The new garage and driveway at this particular location –

between the top of the pedestrian stairs and the pedestrian cross walk – would be a pedestrian safety hazard in that there will be no landing at the top of the stairs before the driveway. Because the garage door will be indented 5-6 feet to provide for an entry court off of the driveway to Unit 1 of the building, an even greater safety hazard will be created for pedestrians coming up the stairs right at the garage entrance, most of whom, whether residents or visitors to the City, will be unfamiliar with this condition.

Impacts on Traffic Congestion: The Project will cause an increase in the use of Telegraph Hill Blvd., the only vehicular access to Pioneer Park and Coit Tower. Over the years, residents along the Boulevard have experienced the traffic impacts generated by Coit Tower, including adverse impacts to air quality and emergency vehicle access. Tourists and residents competing for the limited spaces in the Coit Tower parking lot often results in a long line of cars queuing up the Boulevard with engines idling, waiting to park. Attempting to address these impacts by limiting the number of cars going up to Coit Tower and Pioneer Park on Telegraph Hill Boulevard, the City has installed signs encouraging people to use public transit (MUNI's Coit 39 bus) or walk to Coit Tower via the Filbert Steps, both of which will be impacted by the location of the Project's proposed new parking garage.

Construction Traffic: The existing and proposed site plan show that access to the construction site is limited to approximately 13 feet right at the top of the Filbert Steps. The construction activities include, but are not limited to, excavation, shoring and/or underpinning the Filbert Steps, equipment access, truck loading during the excavation phase, trucks delivering reinforcing bars and queuing during the concrete pour phase, unloading of materials during the superstructure and interior finish phases.

More importantly, there is no information provided to enable this Commission to make an informed decision. The information includes, but is not limited to:

- There is a 3-ton truck limit on the size of trucks on Lombard (from Stockton Street) and Telegraph Hill Boulevard. Assuming this would apply to the construction trucks, smaller trucks will require more truck trips
- Will the Filbert Steps have to be closed to accommodate the construction and for how long.

Impacts on Transit Service: The 39 Coit Bus Stop is located right where the proposed new curb cut and driveway are located. The sidewalk will have to be reconfigured and the bus stop and stop sign relocated a short distance to the west.

"Accommodating excess accessory parking does not degrade the overall urban design quality of the project proposal." [Sec. 151.1(g)(1)(A)(ii)]

The proposed 3,742 square foot parking garage will degrade the overall urban design quality of the Project and the surrounding area.

Accommodating a 3,742 square foot parking garage as a significant part of the Project at this unique location across from Pioneer Park and Coit Tower will, by necessity, add to the overall mass and height of the proposed new structure, resulting in a building design that is not contextual for this outstanding and unique urban setting. Not only will the 40-foot high Project plus stair penthouses impact views from public areas, including the Filbert Steps and Pioneer Park, but it will obscure views of Coit Tower and Pioneer Park from the south since the rear of the building presents a massive fort-like structure.

The Commission's Residential Design Guidelines provide for the protection of "major public views of the City as seen from public spaces such as streets and parks by adjusting the massing of proposed development project to reduce or eliminate adverse impacts on public view sheds." Pursuant to these guidelines, while views from private buildings are not protected, "[v]iews from public areas, such as parks, are protected." (See Residential Design Guidelines, page 18.) The views from Pioneer Park are recognized and protected by Policy 2.7 of the Urban Design Element of the General Plan. San Francisco Recreation and Parks Department, expressed such concerns about blockage of these views in a letter dated July 29, 1993, with respect to the development at this site (Attached as **Exhibit D**).

"Excess accessory parking does not diminish the quality and viability of existing or planned streetscape enhancements." [Sec. 151.1(g)(1)(A)(vi)]

The Project will diminish the quality and viability of existing or planned streetscape enhancements in that the proposed new garage entrance will be located between the top of the Filbert Steps where a Muni Coit 39 Bus stop is located and the major pedestrian crosswalk to Coit Tower. The Project will require removing an area of the existing pedestrian sidewalk to accommodate the new curb cut and driveway, which will necessitate the relocation of the existing stop sign at a blind corner on Telegraph Hill Blvd. (See Existing and Proposed Site Plans.) The proposed new parking garage will decrease the existing pedestrian streetscape, require removal of a section of the historic stone wall and impact pedestrian safety and convenience at this heavily used pedestrian crossing.

2. ***Conditional Use Authorization For 4 Dwelling Units in RH-3 Zone -- Criteria Not Met.***

The Project is located in the RH-3 Zoning District, where Section 209.1(h) and a fourth unit is allowed only with a Conditional Use Authorization by the Planning Commission. The Project with four dwelling units on a single lot cannot meet each of the criteria set forth in Section 303(c) for the reasons discussed below:

"That the proposed use or feature, at the size and intensity contemplated and at the proposed location will provide a development that is necessary or desirable for, and compatible with, the neighborhood or the community."(Sec.303(c)(1))

The Applicants who are the current owners of this property previously demolished 4 of the 5 modestly-sized buildings located on this site that once provided 11 affordable, rental housing

units occupied by artists, photographers and writers. The construction of large luxury condominiums now proposed at this site is not "necessary and desirable" for or "compatible" with the Neighborhood. Admittedly designed to attract extremely affluent buyers, the Project includes the construction of three new condominiums units each ranging in size from 4,100 to 4,600 square feet (in addition to a 3,742 square foot parking garage). San Francisco is currently experiencing a surge in high-end residential development because it has not maintained a balance of affordable and middle class housing in its neighborhoods, thereby loosing its economic diversity.

Furthermore, a project at this sensitive location across from Pioneer Park at the top of the narrow pedestrian Filbert Steps that will negatively impact traffic, transit, pedestrians, and views from public places, is hardly a development the is necessary and/or desirable for the neighborhood or community.

The Applicants appear to have intentionally failed to maintain the property and have gutted and stripped the remaining cottage so that it became uninhabitable all after the Planning Commission approved a permit to renovate it in 1997. They now argue that the Project is necessary and desirable because the existing cottage is in "disrepair" and the site is "run down and vacant for over 10 years." The Applicants have also refused to grant permission to neighbors who have volunteered to maintain it as an attractive green space. Inasmuch as the "run down" condition of the property is solely attributable to the Applicants' failure to maintain the property, its existing condition cannot support a finding that the Project is necessary and desirable for the neighborhood.

The Project's mass, scale and design are incompatible with the existing structures and historic development pattern of the surrounding area. One of the experiences of walking up the Filberts steps from the base of Telegraph Hill is enjoying the finer scale buildings that line the steps. The Project's size and intensity at this location, is incompatible with the overall character of the buildings in North Beach and Telegraph Hill, as well as with the buildings located to the west and south of the site. The west exterior wall of the proposed new structure (facing Kearny St.) presents a solid blank wall towering over the adjacent structure at 381-383 Filbert Street. In addition, the south facing façade of the Project presents a highly visible fortress-like wall towering above the buildings to the south of the site obstructing the visual form and character of Pioneer Park that is described in the Urban Design Element of the General Plan as a "hilltop park with the highly visible green of trees from which Coit Tower rises." (See Policy 2.7 of the Urban Design Element of the San Francisco General Plan.) The Applicants attempt to justify the scale by using the maximum height for all the buildings along the Filbert Steps instead of the existing urban context and historic development patterns.

The current Project design is incompatible with the special character of Telegraph Hill and will chip away at its unique character that attracts and endears this neighborhood to residents and visitors alike. Continuation of the height and design of the two existing building located east of the Project Site on Telegraph Hill Boulevard will forever change the unique character of Telegraph Hill.

In their submittal to the Commission, the Applicants' architect misinterprets and/or misrepresents the design character of Telegraph Hill with the following statement:

> "The building design draws from historical elements of Telegraph Hill by referencing the rustic and industrial quality of fenestration from the quarry and shipyards once existing in the surrounding neighborhood. Weathered and treated wood louvers and exterior features mimic the fishing cottages and residences of Telegraph Hill."

The Telegraph Hill Historic District case report describes the architectural character of Telegraph Hill as follows:

> "The typical structure is a rectangle in plan, often with addition of rear shed(s) and/or porch(es) on the down hill or view side. *Usually it has a difference of one, two or more floors between its uphill and downhill sides*. Often it is *one story at access level with lower floors added as the hill drops*. It is clad in *rustic wood siding, laid horizontally*, and it has a gable roof with either bard boards or false front. Ornamentation is restrained...Windows are often double hung, often two-over-two or four-over-four, or else wooden casements." [Emphasis added.]
>
> Telegraph Hill Historic District Case Report, Page 3

"Fishing cottages" and "industrial quality fenestration from the quarry and shipyards" were never historic elements of Telegraph Hill and "mimicking" them does not integrate the Project contextually into its surroundings.

> **"That such use or feature as proposed will not be detrimental to the health, safety, convenience or general welfare of persons residing or working in the vicinity" with respect to "the nature of the proposed site" and "[t]he accessibility and traffic patterns for persons and vehicles, the type and volume of such traffic..."(Sec. 303(c)(2))**

As discussed above, given the unique nature and location of the Project Site on the main route to Coit Tower used by more than 200,000 individuals each year who arrive by foot, bus or car, the parking garage will impede pedestrian movement and safety, require the relocation of a stop sign, create conflicts with the Muni bus stop, and add to the recognized traffic congestion on Telegraph Hill Blvd. leading to Coit Tower. The Project would, therefore, be detrimental to the health, safety, convenience and general welfare of persons residing or working in the vicinity, as well as thousands of visitors to Coit Tower and Pioneer Park.

F. INCONSISTENCY WITH THE PRIORITY POLICIES OF THE MASTER PLAN.

Planning Code Sec. 101.1 establishes eight Priority Planning Policies and requires the Planning Commission to find that the Project is consistent with these policies before approving the Project. The Project is inconsistent with the following Priority Planning Policies:

"That existing housing and neighborhood character be conserved and protected in order to preserve the cultural and economic diversity of our neighborhoods." (Sec. 101.1(2))

Construction of new luxury condos will not preserve the cultural and economic diversity of our neighborhood, particularly given the high rate of evictions of lower income tenants by speculators in our neighborhood who are converting the former homes of writers, poets, artists and blue collar workers into luxury TICs and condos.

"That the City's supply of affordable housing be preserved and enhanced." (Sec. 101.1(3))

New uber luxury condos each to be priced in the millions, designed to attract affluent buyers, will not enhance the City's supply of affordable housing; but will increase the City's supply of overpriced housing for multi-millionaires. The cottage which could be been renovated at a reasonable cost was left vacant and the so-called "dry rot repair" was essentially a de facto demolition. The photographs of the cottage in the Department's file clearly showed that the exterior and interior stud walls, ceiling joists, etc. were completely removed and replaced.

"That commuter traffic not impede Muni transit service or overburden our streets or neighborhood parking." (Sec. 101.1(4))

In their application, the Applicants claim that the property is located in a relatively low-density area comparing to other neighborhoods. However, the Applicants conveniently forget that the residents along Lombard Street, which feeds into Telegraph Hill Boulevard, have had to bear the high volume of traffic generated by Coit Tower. The Coit Tower parking lot has a limited number of parking spaces resulting in a long line of cars, queuing up as far down the hill as the Stockton/Lombard intersection, with engines idling, waiting to park.

Further, as the entrance and curb cut for the Project's proposed 3,742 square foot parking garage will be located at the very the top of the heavily used Filbert Steps, next to a Muni Bus stop and the major pedestrian crosswalk to Coit Tower, conflicts between vehicular, pedestrian and Muni service will result. The garage entrance will also require the relocation of a stop sign, which is currently located within the proposed new driveway.

During construction, construction trucks will use the bus stop area to load and unload. During concrete pours, trucks will queue waiting for their turn, again at the bus stop or at the top of the Filbert Steps, which will exacerbate the existing traffic congestion on the narrow two-lane Telegraph Hill Boulevard, as well as on Lombard Street, which feeds into Telegraph Hill Boulevard. As mentioned above, after construction is completed, because of the turning radius required, access to the garage will require crossing the double yellow line into the on coming lane of traffic in order to make the tight turn into the driveway, thereby creating additional traffic

impacts that must be considered cumulatively with existing traffic conditions on Telegraph Hill Blvd.

"That our parks and open space and their access to sunlight and vistas be protected from development." (Sec. 101.1(8))

It is undisputed that the views from Pioneer Park and the stairs leading down to Telegraph Hill Boulevard will be impacted. The so-called "view corridor" included in the Project plan is a narrow tunnel – 3'6" wide and approximately 50'-6" long – located above ground level. At the ground level, the "view corridor" is wider on north side narrowing towards the south where the view is. Even at a glance, it is clear that the separation between Unit 1 and Unit 2 is needed to allow access to the existing cottage at the rear of the lot, and not motivated by a magnanimous gesture of the Applicants' desire to preserve a "public view corridor."

G. RECOMMENDATIONS

We respectfully ask the Commission to either deny the conditional use application or continue this matter and review and be redesigned in accordance with the following recommendations:

1. Require the Project to be redesigned as proposed by the Applicants and presented to THD on October 11, 2012, with only two units, without roof decks and penthouses, maintaining a large open view corridor between them. (See **Exhibit C**.) Alternatively, require a reduction in massing by eliminating the top floor of each of the new units and eliminating the roof decks, glass railings, stair and elevator penthouses to maximize public views from Pioneer Park and its stairways. [Private open space can be provided by terracing the rear yard or adding decks to the south-facing (rear) façades of the new condo structures without diminishing public views. Even without the top floor, all the units can by be redesigned to have at least three bedrooms each.];

2. Require changes to the design and exterior material to be more compatible with the cottages to the west in order to maintain the character of the neighborhood and the experience of walking up the Filbert Stairs to Coit Tower/Pioneer Park;

3. Require significant separation between the units facing on the Filbert Steps to allow significant public views through the building mass;

4. Eliminate the off-street parking spaces;

5. Require one of the units be affordable to replace at least one of the affordable units previously removed from the market by the Applicants;

6. Articulate the blank west wall that looms above the small cottage located below it on the Filbert Steps to provide scale and visual interest;

7. Require the south-facing (rear) façade of the building to be stepped down to eliminate the fort like appearance; and

8. Impose conditions of approval to address the construction traffic impacts and the conflict between vehicle/Muni/pedestrian conflict caused by the Project's driveway.

H. CONCLUSION

The discussion above clearly shows that the Certificate of Categorical Exemption is legally insufficient. Therefore, this Commission must direct the Department to prepare a new legally adequate environmental review document. THD has also demonstrated that the Project cannot meet all of the criteria necessary for the requested the Conditional Use Authorization to construct four dwelling units and the additional criteria required for four off-street parking spaces. Thus, this Commission should either deny the conditional use application or continue this matter and require the Department to prepare a new environmental review document for the Project, and require the Project to be redesigned in accordance with our recommendations listed above.

Sincerely,

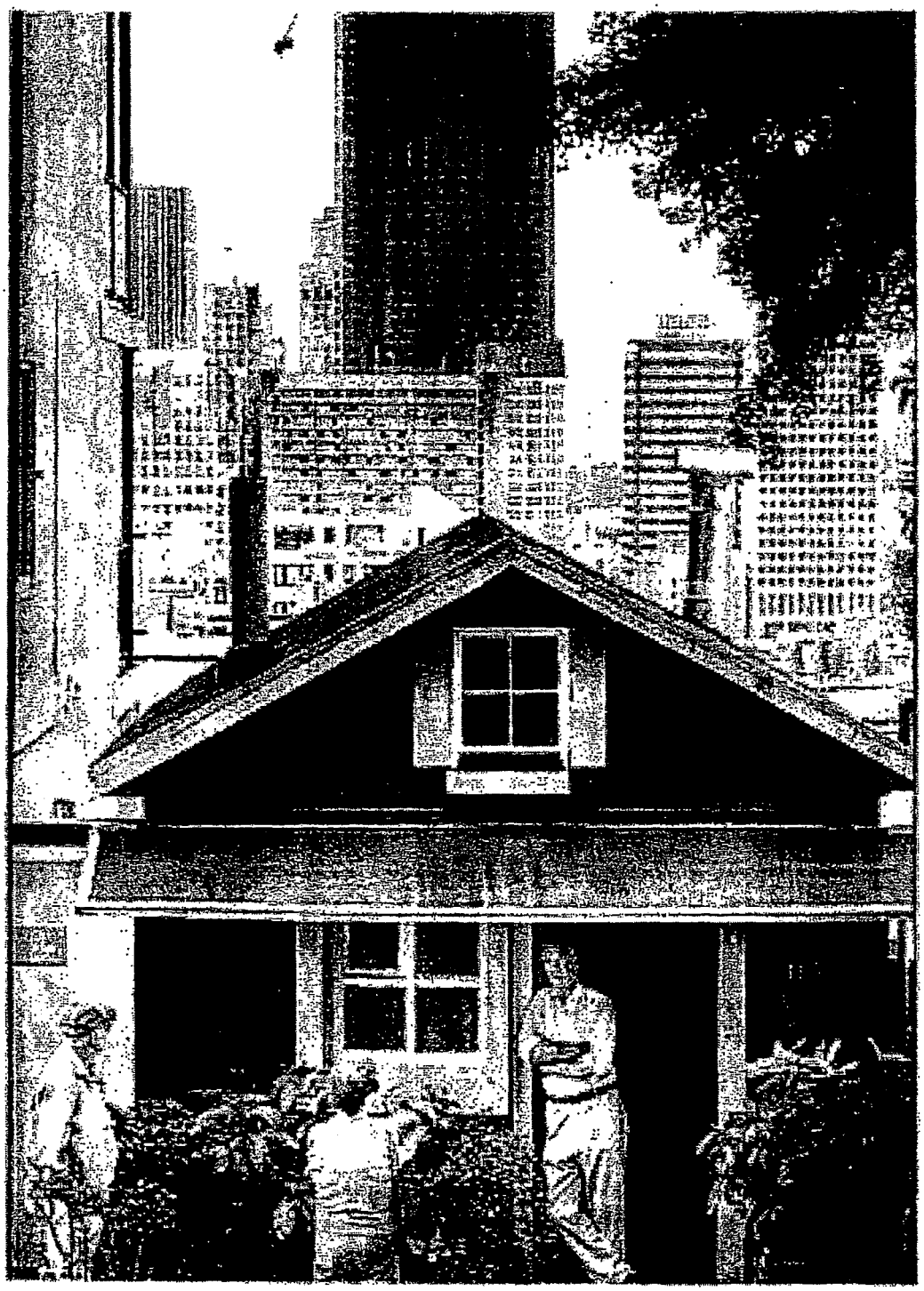
Vedica Puri
President

cc: Commissioner Michael Antonini
Commissioner Rodney Fong
Comissioner Richard Hillis
Commissioner Kathrin Moore
Commissioner Hisashi Sugaya
Commissioner Christine Johnson
John Rahaim, Director of Planning
Scott Sanchez, Zoning Administrator
Elizabeth Watty, Planner
Tina Tam, Presevation Planner
Gretchen Hilyard, Preservation Planner
Sarah Jones, ERO
Heidi Kline, Environmental Planner
Jessica Range, Environmental Planner





Circa 1985 Bailey Cottage, Telegraph Hill
"Tiny Houses" by Lester Walker (1987)





P & Z COMMITTEE'S COMMENTS & SUGGESTIONS ON 115 TELEGRAPH HILL BLVD.

Date: Mon, 30 Jul 2012 11:12:17 -0700
To: Lewis Butler <Butler@butlerarmsden.com>
Subject: P & Z COMMITTEE NOTES ON 115 TELEGRAPH HILL BLVD.

Hi Lewis,

The Committee thanks you for your presentation and especially appreciates the quality and clarity of the materials presented, which provided a massing study without specific design details. We understand that although you and your client propose a "modern" approach for the site, design details will be discussed with us later. Although these notes are provided to fully and openly inform you and your client of the issues that this site raises, we hope that our comments will lead to further discussions and future meetings. Please consider our comments in this light.

The Committee identified 2 major issues: Massing & parking, and generally discussed design issues. We address the parking issues first.

1. Adding a Parking Garage:

It is our understanding that the decision of the Board of Supervisors on 424 Francisco (Motion No. M10-88) would require environmental review, likely and EIR, if a new garage is proposed as a part of the development. Telegraph Hill Dwellers joined with the Chinatown Community Development Corp. (CCDC) on the appeal of the exemption determination on the 424 Francisco case and would not support disregarding or overlooking that decision on this or any other project in the North Beach/Telegraph Hill area. We feel that the fact that there may have been no curb in this location a very long time ago (per the RE Broker for this property who also attended our meeting) is irrelevant to the application of the 424 Francisco decision today.

The committee discussed several potentially serious impacts from the addition of a garage at this location:

- Pedestrian Safety: The Filbert steps in front of the subject site are a highly used pedestrian corridor. Hundreds of people walk up to Coit Tower/Pioneer Park on these steps. Adding a garage and driveway at this particular location -- right at the top of the stairs between the stairs and the pedestrian crosswalk – could create a safety hazard.

- Adding to Traffic Congestion: Attempting to limit the number of cars from coming up to Coit Tower/Pioneer Park has been a many-year campaign of the Telegraph Hill Dwellers. There have been numerous studies addressing the serious traffic issues and the pollution from cars waiting in long lines to get to the Tower. The solution and community goal has been to limit the number cars from coming up to Coit Tower by limiting available parking and encouraging people to walk (up the Filbert Steps) or take the 39 Coit Bus. [More information on this campaign and the issues can be provided if it would be helpful.]

Questions: Assuming the proposed addition of a garage at the site will require the preparation of an EIR to address these and other issues, with an uncertain outcome, would your client be

willing to go ahead with the purchase? Would the project be financially infeasible without a garage? Would a project without parking be financially feasible if the parcel were re-subdivided into 3 or 4 separate legal lots with single-family homes instead of condos? (See suggested alternative approach below.) As we discussed at the meeting, it is a fact that many homes on Telegraph Hill with great views do not have garages/dedicated parking.

2. Building Massing/Design Comments:

The Committee very much appreciates the concept of 3 separate houses with space between them. However, the problem with the massing as presented is the fact that the building would be a solid mass at the pedestrian level along the Filbert Steps, with no pedestrian views through the proposed "garage" that would form the base of the condos. A related concern is the absence of front entrances at the street/steps level.

Recommendation: That the space between the buildings be extended to the level of the steps and that a front entry to each building be located at that level as well.

Even though "option 5" as presented is below the 40 foot height limit, the site is still subject to the City's Residential Design Guidelines and the Urban Design Element of the General Plan, which require the protection of "major public views in the City as seen from public spaces such as streets and parks by adjusting the massing of proposed development project to reduce or eliminate adverse impacts on public view sheds." It is our understanding that views from public areas, such as the Filbert steps and Pioneer Park are protected regardless of the building height otherwise allowed. The existing trees that currently obscure the view may not be there in future years.

Recommendation: That you give consideration to reducing the proposed height along the Filbert steps. In particular, Committee members expressed concern with the dramatic difference between the height of the cottage to the west and the proposed height of the building proposed at 121 Telegraph Hill.

One of the architects on our Committee suggested that consideration be given to alternative massing schemes, including locating the structures at other locations on the site – perhaps setting the cottages back from the steps with gardens at the front along the steps as a way to protect views. Is there an existing topographic survey of the site? Or, at least a schematic section north-south and east-west through the site?

3. Alternative Approach Suggested:

As an alternative approach that could address the parking and massing issues discussed above, it was suggested that instead of adding parking to the site, the lot could be re-subdivided into 4 separate legal lots, with a single-family home on each lot instead of building condos over a garage base. This approach would allow each home to be larger and potentially be designed so that (1) their heights along the Filbert Steps could be reduced, thereby protecting "major public views from public spaces" as required by the City's Residential Design Guidelines and Urban Design Element of the General Plan, would also address massing issues; (2) allow for real space/gardens between the buildings at "ground" level to enhance pedestrian views from the steps; and (3) allow for entries at the "ground" level. It would also eliminate the requirement

for an EIR related to the addition of parking at this sensitive site.

4. Design Details:

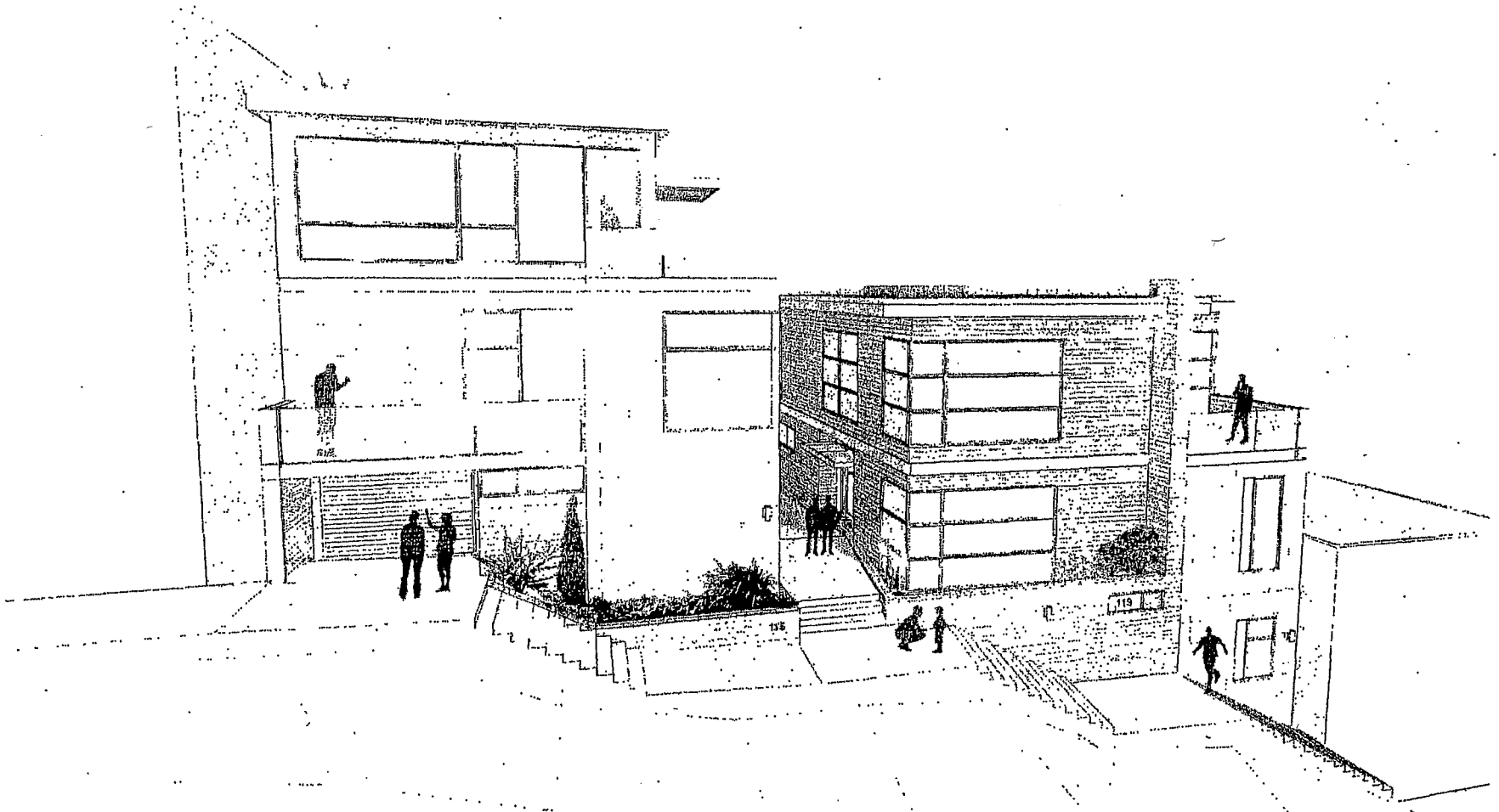
Although the presentation specifically did not focus on design details, you stated that your client likes a "modern" approach to the site, but that the intent is to "recall" the neighborhood pattern without resurrecting the old buildings. The following are several general comments made by committee members:

- Views of the back (south façade) are important since it is highly visible from many viewpoints near and far.
- Would like to see a reduction in the amount of glass on the front facades.
- Would like to see entrances on the Filbert steps side.
- As mentioned above, would like separation between the buildings visible to pedestrians on the Filbert steps.
- Questions were raised as to the appropriateness of bays on the Filbert steps facade. Bay windows are not characteristic of cottages on Telegraph Hill.
- Concern was expressed as to the height differential between the small cottage on the west and the first building in the project. This dramatic difference should be reduced.
- Would like to see the design bridge the architectural styles of cottages to the west to the larger building on the east. However, as Committee members pointed out, the building on the east does not fit the neighborhood character of North Beach/Telegraph Hill.

In response to your suggestion that we provide some examples of new buildings on the Hill that we feel fit the character of the area, here are a few:

1320 Kearny
407 Filbert
324 Chestnut
1059 Union (details, not scale) see Macondary Lane side

EXHIBIT 84

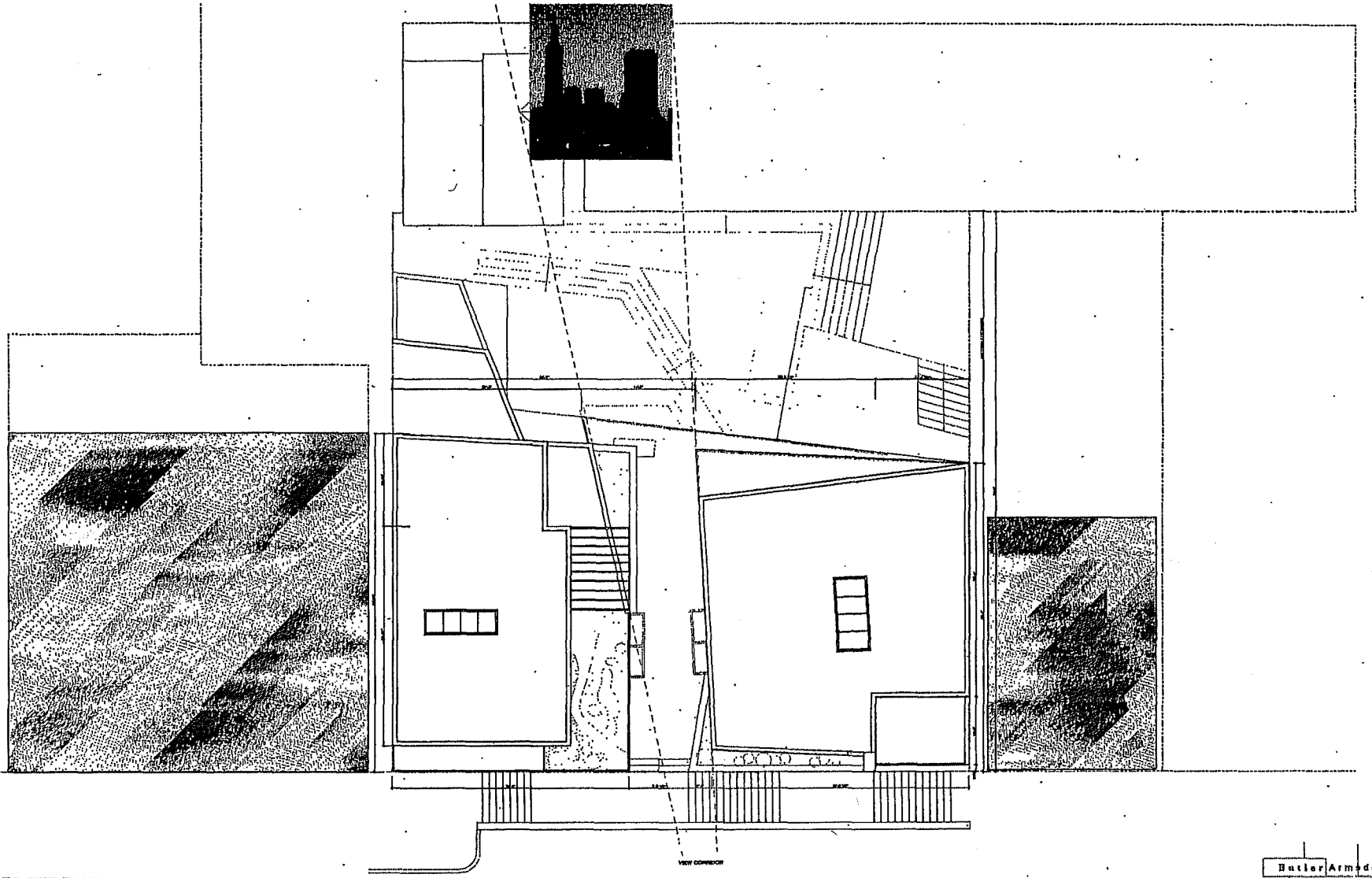


TREET FRONTAGE FACADE

Butler Armsden
ARCHITECTS

5 TELEGRAPH HILL
AN FRANCISCO, CA

OCTOBER 11, 2012



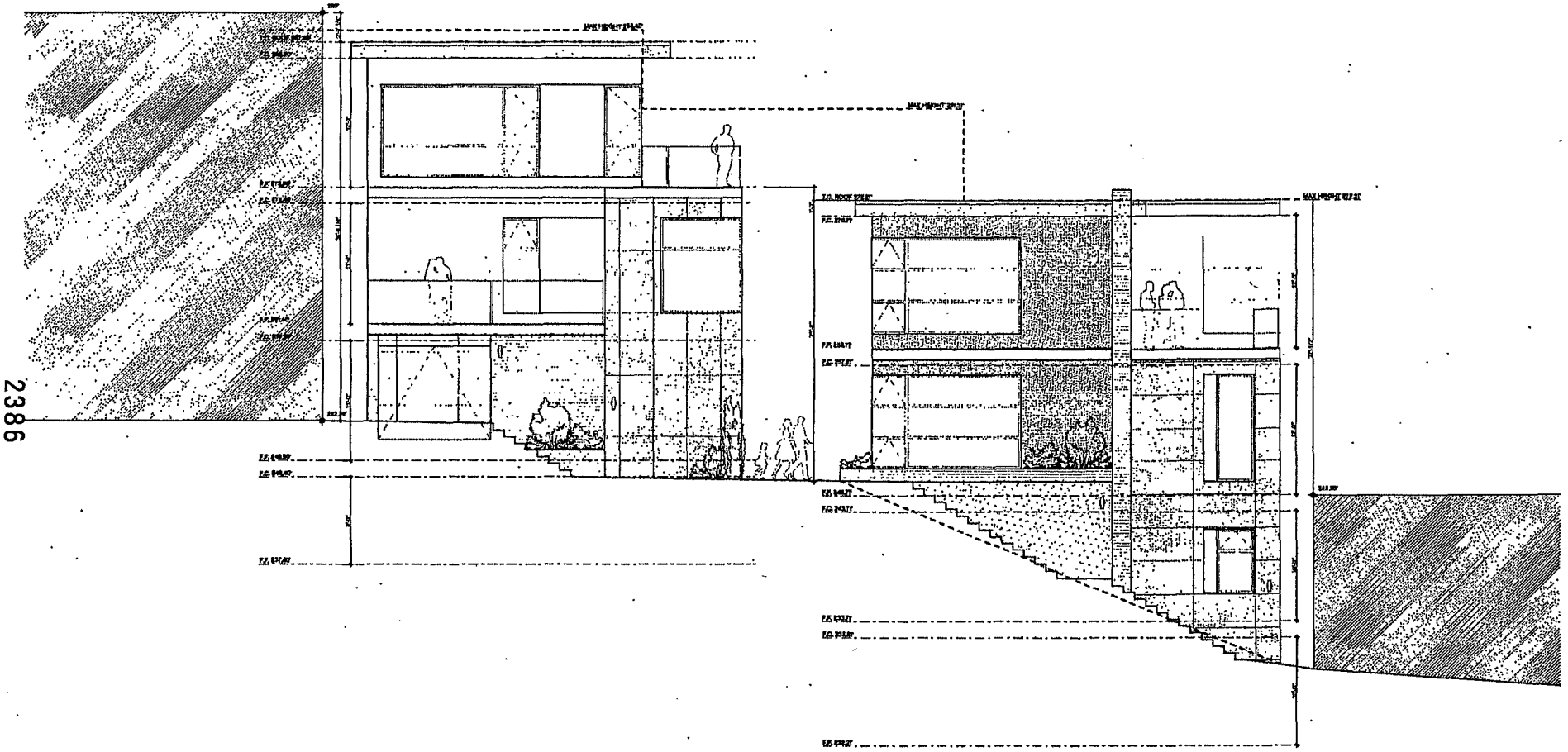
2385

PROPOSED SITE PLAN

115 TELEGRAPH HILL
SAN FRANCISCO, CA

Butler Armsden
ARCHITECTS

OCTOBER 11, 2012



2386

SCHEMATIC FRONT ELEVATION

115 TELEGRAPH HILL
SAN FRANCISCO, CA

Butler Armsden

OCTOBER 11, 2012

City and County of San F ncisco Recreat ı and Park Department

RECEIVED
AUG 04 1993
CITY & COUNTY OF S.F.
DEPT. OF CITY PLANNING

July 29, 1993

Mr. Jim Nixon
Department of City Planning
450 McAllister Street
San Francisco, CA 94102

Dear Mr. Nixon:

This is in regard to the project that we recently discussed on the Filbert Street Steps adjacent to Telegraph Hill Blvd. and Pioneer Park. The Recreation and Park Department has several concerns about the possible impact of this project on the park.

The first concern is impact on view. This project would effectively block the sight line from the viewing area at the rear of Coit Tower, down into North Beach and across to Nob Hill. Even though current landscaping in this area substantially limits the view, planting schemes often change over the years and the proposed construction would preclude any future use of this view corridor.

The second concern regards the increase the project may cause in the use of Telegraph Hill Blvd. Over the years, some of the residents along the Boulevard have complained about the traffic generated by Coit Tower, and possible impact on emergency vehicle access, etc. The problem is caused by tourists and residents competing for the limited spaces in the Coit Tower parking lot which often results in a line of cars waiting to park. I am concerned that the project may increase the use of the Boulevard and parking lot, adding to the number and volume of complaints.

Thank you for this opportunity for input. If you have any questions please do not hesitate to contact me at 666-7080.

Very truly yours,

Tim Lillyquist
Assistant to the General Manager

4220t

McLaren Lodge, Golden Gate Park
Fell and Stanyan Streets

FAX: (415) 668-3330
Information: (415) 666-7200
TDD: (415) 666-7043

San Francisco 94117

From:	Liz Vasile
To:	Watty, Elizabeth (CPC)
Subject:	Proposed condominium project at 115 Telegraph Hill Blvd (Case No. 3013.1375CE)
Date:	Tuesday, July 08, 2014 10:32:59 PM

Attn: San Francisco Planning commission

I am writing to express my concern, as an urban geographer, public historian, San Francisco registered business owner, and citizen, with the proposed project at 115 Telegraph Hill referenced above. As presently designed, the project will have numerous negative effects on the sensitive and dense neighborhood atop Telegraph Hill:

Pedestrian safety: The proposed Filbert Steps pathway changes near Telegraph Hill Blvd. would create dangerous conditions for the thousands of pedestrians who use this route annually;

Traffic congestion: The already traffic-choked route to the Tower would be further constricted due to the proposed development, both before and after construction;

Public transit access: the current Muni stop is on the driveway of the proposed development and would be an unsafe place to wait or off-board; and

Historic resources demolished: The historic cottage on the southeast edge of the site would be removed.

Housing impacts: in a city already reeling from the effects of spiraling rents and holder of the title of least affordable major urban area in the country, the proposed project would reward the current owners for demolishing 11 units of affordable rent-controlled housing and replacing them with three luxury, 4,000 to 5,000 square foot, condos.

For these and other reasons this project needs to be reviewed carefully and revised to allow it to better fit into the current neighborhood. There is a forum where this can be done constructively: the **Telegraph Hill Dwellers (THD) Planning & Zoning Committee**. By attempting an end-run around this forum the developers have shown an unneighborly attitude and disdain for the existing community. The developers need to first meet

with the THD committee for a plan review. Other project developers who have used this forum have found that not only are their projects more acceptable to neighbors but that their projects are greatly improved in general.

I encourage the Planning Commission to reject the current project and direct the owners and developers to begin meeting with neighbors to come up with a plan that will work for all concerned.

Respectfully,
Elizabeth Vasile
Independent Consultant and San Francisco registered business

Elizabeth Vasile, Ph.D.
Genius Loci
Historical Geographies Cultural Heritage Program Development
Tel. 415.509.4543

From:	Susan Wintersteen
To:	Watty, Elizabeth (CPC)
Subject:	115 Telegraph Hill Blvd Project
Date:	Wednesday, July 09, 2014 9:52:19 AM

Dear Miss Watty:

I want to express my great concern about plans for the proposed luxury condominium project at 115 Telegraph Hill Blvd. I was not aware of the planned project until the Telegraph Hill Dwellers sent information to us. Shouldn't we have been given a heads up about projects like this planned in our neighborhood?

I think the information supplied by THD about the development project truly shows the impact it would have on the public's views, parks, access and pedestrian safety:

The proposed project would:
* Block the sweeping views of San Francisco enjoyed by Pioneer Park users
* Create permanent dangerous conditions for pedestrians coming up the Filbert Steps and Telegraph Hill Blvd. (by creating a new curb cut on the curviest section of Telegraph Hill Blvd. at the very top of the Filbert Steps coming up from Kearny Street)
* Exacerbate traffic congestion for visitors and residents to Coit Tower on Telegraph Hill Blvd. both during and after construction
* Adversely impact users of the 39 Coit Tower MUNI bus both during and after construction (particularly because the current stop will have to be moved but will still be next to their new driveway)
* Eliminate access from the Filbert Steps to Coit Tower for up to two years while the project sponsor digs 30 feet for a new parking garage on this highly constrained site
* Reward the current owners for demolishing 11 units of affordable rent-controlled housing and replacing them with three luxury, 4,000 to 5,000 square foot, condos.
* Reward the current owners for their defacto demolition of the historic cottage on the southern edge of the property

I have lived at 275 Telegraph Hill Blvd. for over 20 years and am very familiar with the neighborhood and the adverse impact it would have on

Telegraph Hill. The Hill is already impacted by the tremendous amount of tourists coming up to the area.

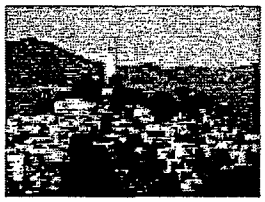
In addition, construction of structures like this contribute to the fragile hillside problems and how it affects the surrounding areas. Seriously! Dig 30 feet for a new parking garage in this area on a fragile hillside?

I think the City has a great responsibility by protecting the Hill and not allowing projects like this to be developed.

Regards,
Susan Wintersteen

From:	WongAIA@aol.com
To:	Watty, Elizabeth (CPC); Secretary, Commissions (CPC); hs.commish@yahoo.com; Mooreurban@aol.com; wordweaver21@aol.com; cwu.planning@gmail.com; richhillissf@yahoo.com; planning@rodneyfong.com; Rahaim, John (CPC); Jones, Sarah (CPC)
Subject:	CASE NO. 3013.1375CE, 115 Telegraph Hill Blvd.----PROTECT PIONEER PARK
Date:	Tuesday, July 08, 2014 5:46:37 AM






PROTECT PIONEER PARK:
115 TELEGRAPH HILL BOULEVARD PROJECT

TO: Elizabeth Watty, Planning Department and Planning Commission
Also For Planning Commission Meeting Package----July 17, 2014 Hearing

Cindy Wu, President, Planning Commission
City and County of San Francisco
1650 Mission Street, Suite 400
San Francisco, CA 94103

RE: Case No. 3013.1375CE, 115 Telegraph Hill Blvd.
Telegraph Hill-North Beach Residential SUD
Request for Conditional Use Authorizations

Unfortunately, this project has become progressively taller and bulkier over time. In past community meetings, the project sponsor presented buildings well below the height limit, to preserve public view corridors from Pioneer Park---for residents and visitors alike. Also, the addition of rooftop elevator/ stair penthouses and railings exacerbate height issues and view obstructions.

The 115 Telegraph Hill Boulevard Project should revisit the direction of earlier designs.

I am the founder and a leader of the Pioneer Park Project, which led to new stairways and the south terrace at Coit Tower. Pioneer Park is one of San Francisco's oldest parks---an outlook for ships and a signal station starting in 1849. Coit Tower opened in 1933 without architect Arthur Brown's intended south terrace, which the Pioneer Project completed. The south terrace and filbert steps have timeless views that need to be protected for everyone.

The design does not integrate the sites' sloping topography, contributing to view obstructions. The building does not step down in height with the southerly slope of Telegraph Hill. As a result, the project's west elevation is a huge blank wall---the most public face of the project.

The project's north elevation, facing Coit Tower, would benefit from a more traditional massing--- without the wrap-around "trim" surrounding each of the three buildings. A decomposed massing would better conform to San Francisco's ubiquitous bay windows, insets, setbacks, step-backs....

As an architect, I see better options than construction disruptions to residents, pedestrians, Muni riders and car drivers by closures of the Filbert stairs and Telegraph Hill Boulevard. Construction logistics, staging and phasing can mitigate years of disruptions---albeit at a bit more cost.

Sincerely,
Howard Wong, AIA

From:	Termeh Yeghiazarian
To:	Watty, Elizabeth (CPC)
Subject:	115 Telegraph Hill Blvd Project
Date:	Tuesday, July 08, 2014 10:57:37 AM

Dear Planning Commissioners,
I am seriously concerned that plans to build large scale condos are even being considered for a densely populated and small scale neighborhood such as North Beach and Telegraph Hill. My neighborhood is already dealing with traffic and parking issue and variety of issues due to over population, we don't need yet another project that will add to these issues. Specially not a condo which will most likely serve corporate transients rather than provide affordable housing for the locals, something that this city desperately needs.

Commissioners, I rely on you to make your decisions based on how well a project will serve my neighborhood's well being and longevity. I rely on you to consider the impact that this condo project and all future projects proposed for North Beach will have in the long run. Also, please consider how approval of this project will trigger many other similar proposals in the future and endanger the unique demography and character of my neighborhood.

I request that you reject the proposed project for 115 Telegraph Hill Blvd.

Thank you,
Termeh Yeghiazarian
473-A Union Street

REUBEN, JUNIUS & ROSE, LLP

June 26, 2014

By Hand Delivery

President Cindy Wu
San Francisco Planning Commission
1650 Mission Street, Suite 400
San Francisco, California 94103

Re: 115 Telegraph Hill Boulevard
Planning Case No. 2013.1375C
Hearing Date: July 17, 2014
Our File No.: 7058.01

Dear President Wu and Commissioners:

This office represents Jeremy Ricks, sponsor of a small residential infill development consisting of the restoration of an existing run-down cottage and the construction of three new family-sized dwelling units (the "Project") on a 7,517 sq. ft. lot located at 115 Telegraph Hill Boulevard (the "Property"). The Property is situated near the top of Telegraph Hill and Coit Tower, in close proximity to public transit, schools, core services and open space. Four units and three stories in height are proposed, where up to seven units and six stories are allowed.

The Project architecture sensitively responds to the neighborhood's character. The building design draws from historical elements of Telegraph Hill by referencing the rustic and industrial qualities of the quarry and shipyards once existing in the surrounding neighborhood. Weathered and treated wood louvers and exterior features mimic the fishing cottages and residences of Telegraph Hill. View corridors are preserved.

The Project's scale and design are the result of a more than two-year neighborhood outreach program, which is unprecedented for a project this size, and countless revisions in response to neighborhood input.

The Project will provide much-needed family housing, and transform a mostly vacant, squalid lot into a source of pride for one of San Francisco's iconic neighborhoods. We look forward to presenting the Project to you on July 17. Project plans and renderings are attached as **Exhibit A**. The Project's design and materials are graphically depicted in **Exhibit B.**

James A. Reuben | Andrew J. Junius | Kevin H. Rose | Daniel A. Frattin
Sheryl Reuben[1] | David Silverman | Thomas Tunny | Jay F. Drake | John Kevlin
Lindsay M. Petrone | Melinda A. Sarjapur | Kenda H. McIntosh | Jared Eigerman[2][3] | John McInerney III[2]
1. Also admitted in New York. 2. Of Counsel. 3. Also admitted in Massachusetts.

One Bush Street, Suite 600
San Francisco, CA 94104

tel: 415-567-9000
fax: 415-399-9480

www.reubenlaw.com

A. Project Description and Conditional Use Authorization

The proposed Project would renovate and restore an existing cottage with no expansion of its building envelope, and would construct three new dwelling units: one three-story, 4,138 sq. ft., four-bedroom unit; one four-story, 4,583 sq. ft. five-bedroom unit; and one four-story, 4,182 sq. ft. four-bedroom unit. Each unit will be approximately 40 ft. in height and stepped down both vertically and horizontally in response to the Property's naturally sloping topography. Each unit, including the cottage, will have one off-street parking space in a 3,210 sq. ft. shared subterranean garage, accessed from Telegraph Hill Boulevard. The cottage in the rear would be accessed by foot on a designated pedestrian path, as well as through the garage.

The Project is located in an RH-3 Zoning District, which principally permits up to three units per lot, and up to one unit per 1,000 sq. ft. of lot area with Conditional Use Authorization. Most lots in the District with three units are 2,500 sq. ft. or smaller, whereas the Property is 7,517 sq. ft. The Property consists of three merged lots. Prior to the merger, nine different dwelling units would have been principally permitted on the Property. A total of seven units are permitted on the existing lot with Conditional Use Authorization; only four are requested.

The proposed Project also requires Conditional Use Authorization under Planning Code Section 249.49 to provide parking at a ratio of one space per residential unit in the Telegraph Hill/North Beach Residential Special Use District. Approval of the parking is warranted because none of the concerns that prompted the adoption of Section 249.49 are present here. The purpose of Section 249.49 is to prevent parking from replacing residential units in existing buildings. In this case, the Property is vacant save for the cottage, and the proposed parking does not replace any residential units.

B. Benefits of the Project

The benefits of the Project include the following:

- Provision of new, family-sized housing consistent with the General Plan, the Planning Code, the Residential Design Guidelines, and the City's goal of 30,000 new dwelling units by 2020 (these City policy consistencies are further described in **Exhibit C**);

- Infill development that converts a mostly vacant, unimproved lot into sustainably-designed housing with extensive landscaping to match the aesthetics of the green surroundings, green rooftop decks featuring native plant species on each unit to reduce the visual impact of the new structures when viewed from above, and large built-in planters at set-back entrances to

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each unit to reduce the visual impact of the structures and enhance the pedestrian experience;

- The Proposal diffuses the scale of the larger building to the east and the smaller building to the west with a height in between the two, and with a façade pattern/width and articulation typical of the neighborhood. The parking level is unobtrusively located underground, in area that otherwise could not be used for housing due to lack of access to light and air;

- Restoration and renovation of an existing vacant and dilapidated cottage; and

- Creation of new construction jobs.

C. Neighborhood Outreach and Support

Our neighborhood outreach to neighbors concerning the Project began over two (2) years ago. In May 2012, we first met with representatives of the Telegraph Hill Dwellers ("THD"). We had four initial meetings, during which we produced and reviewed at least six sets of drawings depicting different designs and massing.

After this initial process was completed and the initial THD representatives were comfortable with the design, we had two meetings with two leaders of the THD Design Committee to discuss the proposal. After these meetings with the two Committee leaders, we met with the entire Design Committee. The Committee expressed a range of suggestions, all of which we attempted to accommodate in further designing the Project. We have worked diligently to produce a design that captures the look and feel of the neighborhood, and is sensitive to the desires of neighborhood residents.

On July 30, 2013, we held our neighborhood pre-application meeting. At least 40 neighbors attended. Again, we have made every effort to address concerns raised by the neighbors. We responded individually to every neighbor that provided an email address.

Letters of support for the Project are attached as **Exhibit D**.

D. Conclusion

The Project requires Conditional Use Authorization to authorize four dwelling units at the Property and to provide parking at a ratio of one space per residential unit in the Telegraph Hill/North Beach Residential Special Use District. The Project is highly desirable because it will provide much-needed and thoughtfully-designed family housing in a residential neighborhood,

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on a lot that has been conspicuously ignored and vacant for over 10 years. The poor condition of the lot is out of character with the rest of the neighborhood, and detracts from the well-kept and landscaped surroundings. This Project is long overdue.

For all of these reasons, we respectfully request that this Commission grant the Conditional Use Authorization for this Project.

Very truly yours,

REUBEN, JUNIUS & ROSE, LLP

Daniel A. Frattin

Enclosures

cc: Vice-President Rodney Fong
Commissioner Michael Antonini
Commissioner Gwyneth Borden
Commissioner Rich Hillis
Commissioner Kathrin Moore
Commissioner Bill Sugaya
Jonas P. Ionin – Commission Secretary
John Rahaim – Planning Director
Jeremy Ricks

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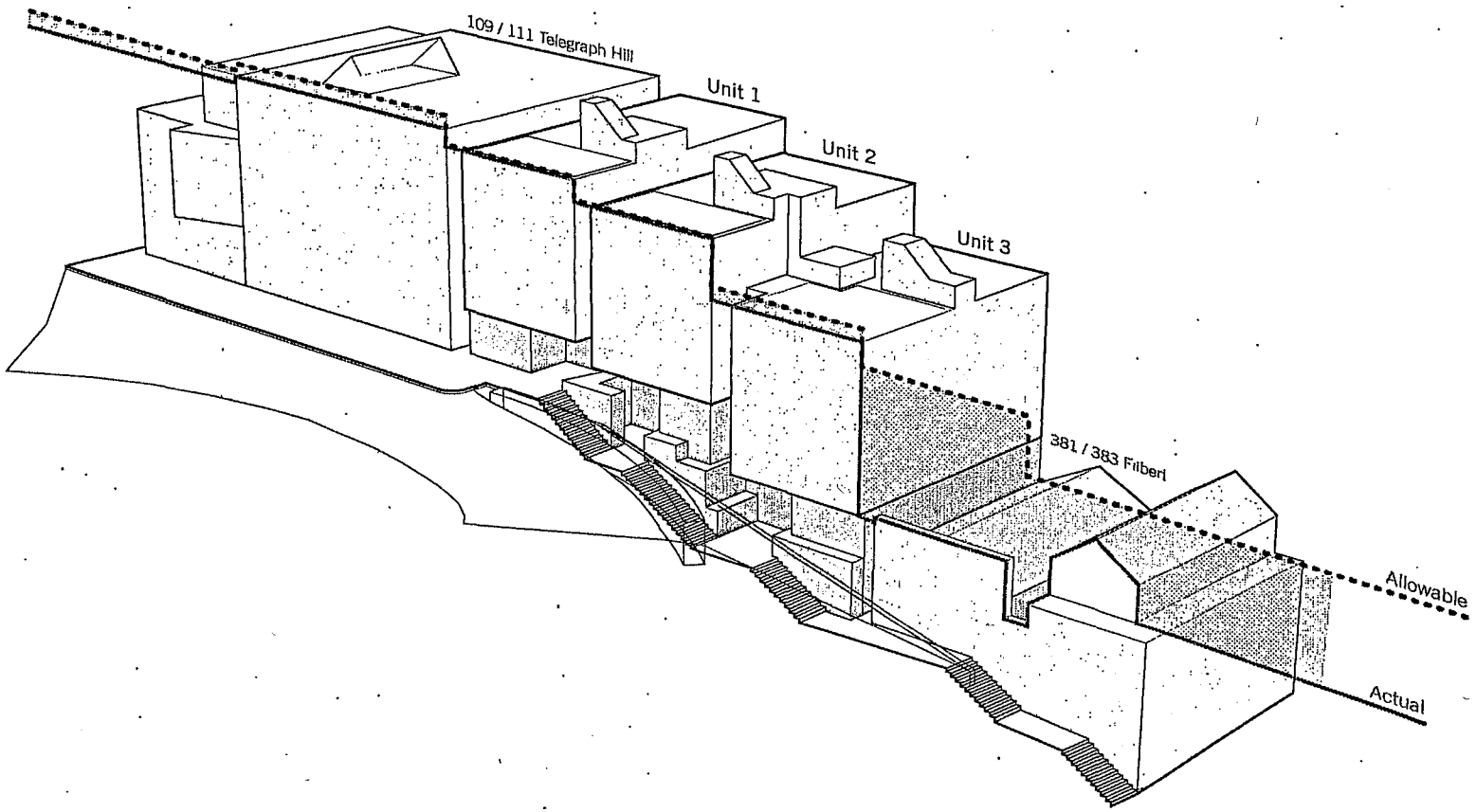
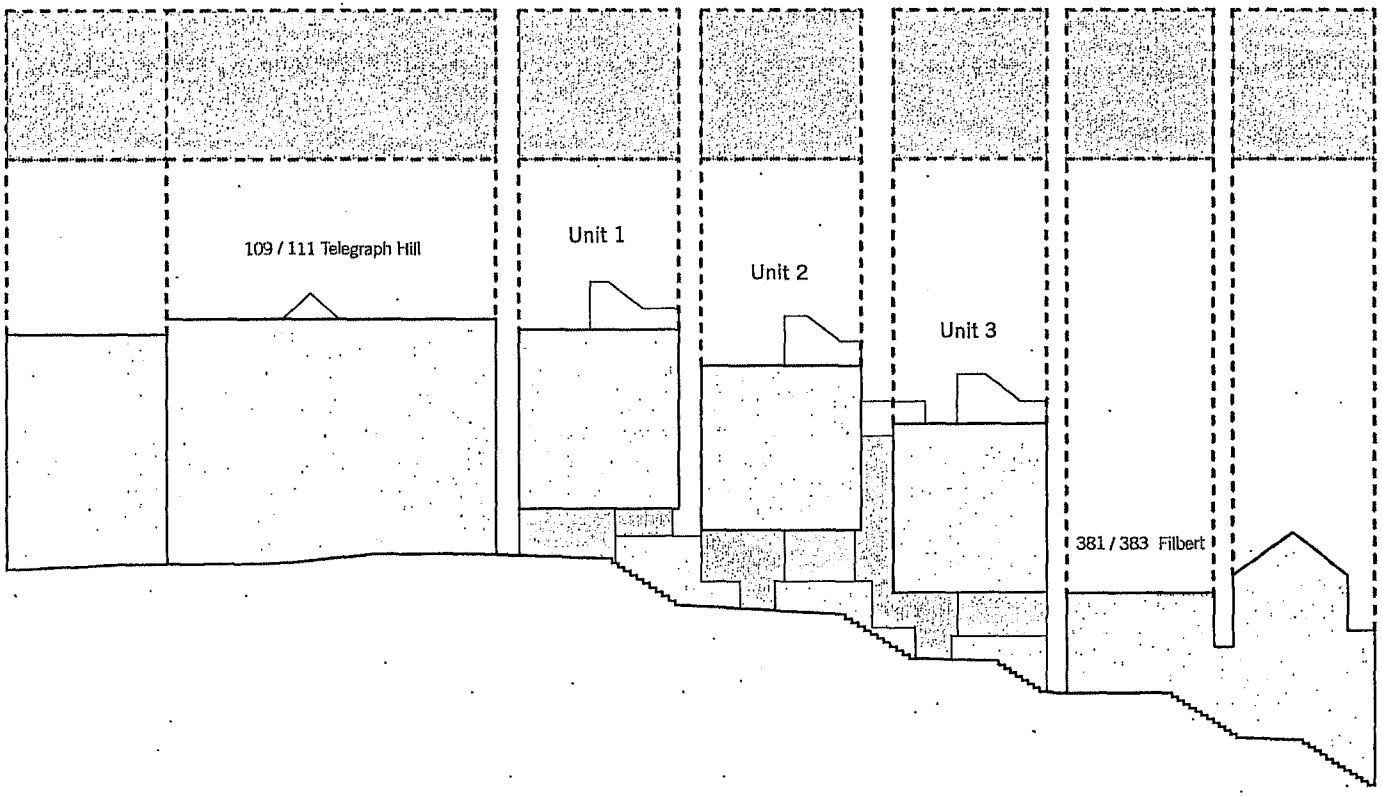


BUTLER ARMSDEN ARCHITECTS

Façade Height at Street

115 Telegraph Hill Boulevard

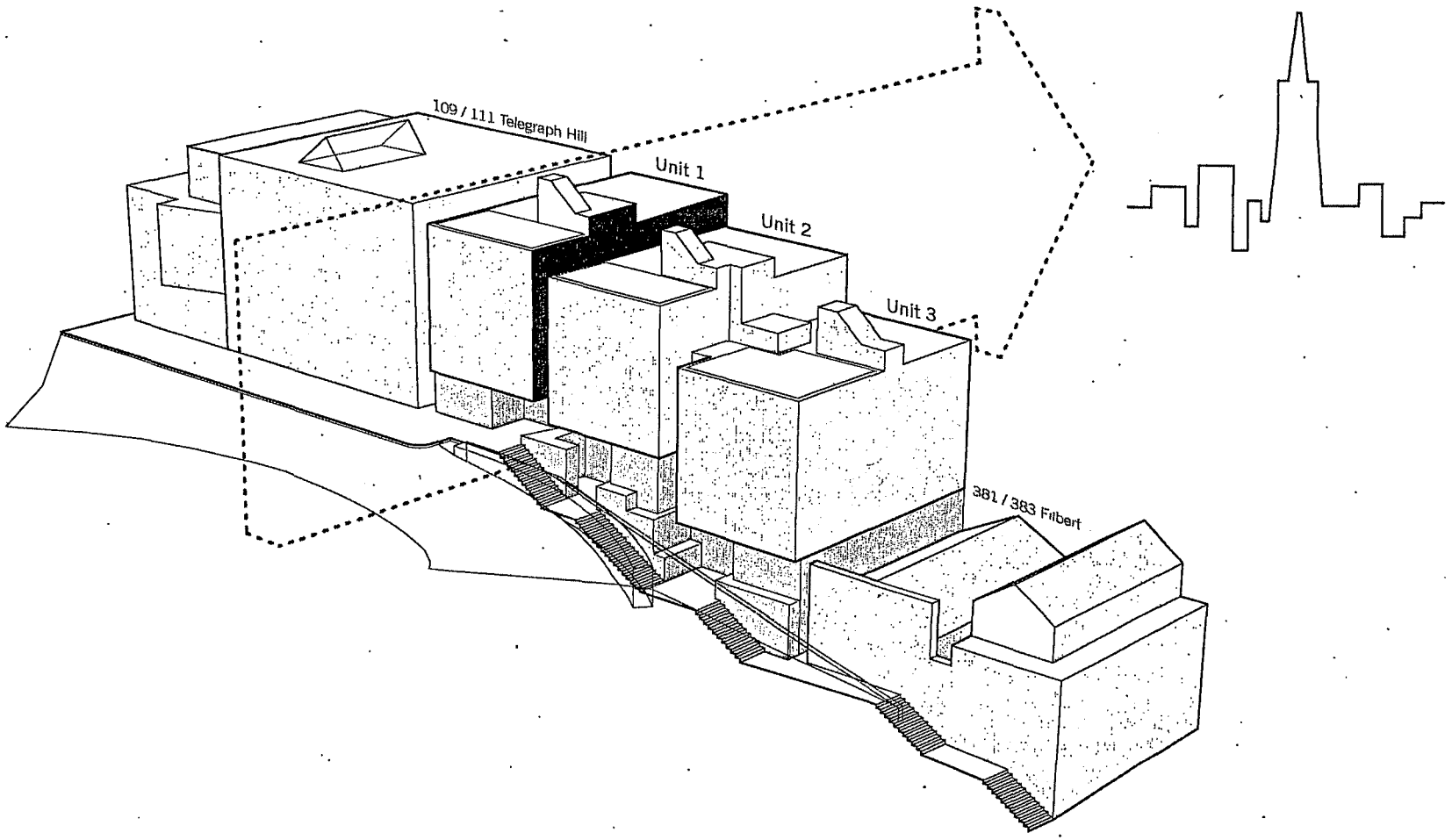


2399

BUTLER ARMSDEN ARCHITECTS

Façade Width at Street

115 Telegraph Hill Boulevard



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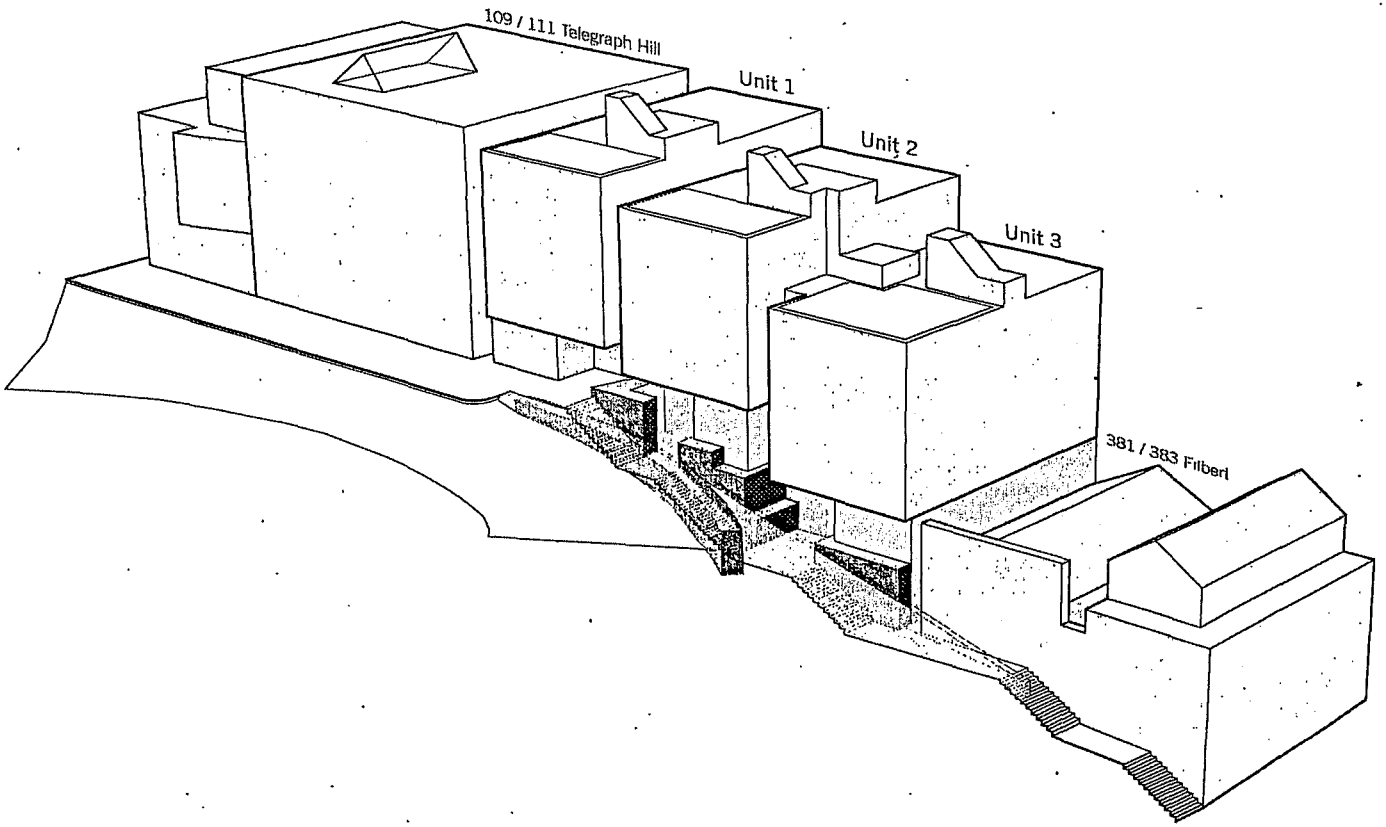
BUTLER ARMSDEN
ARCHITECTS

View Corridor

115 Telegraph Hill Boulevard

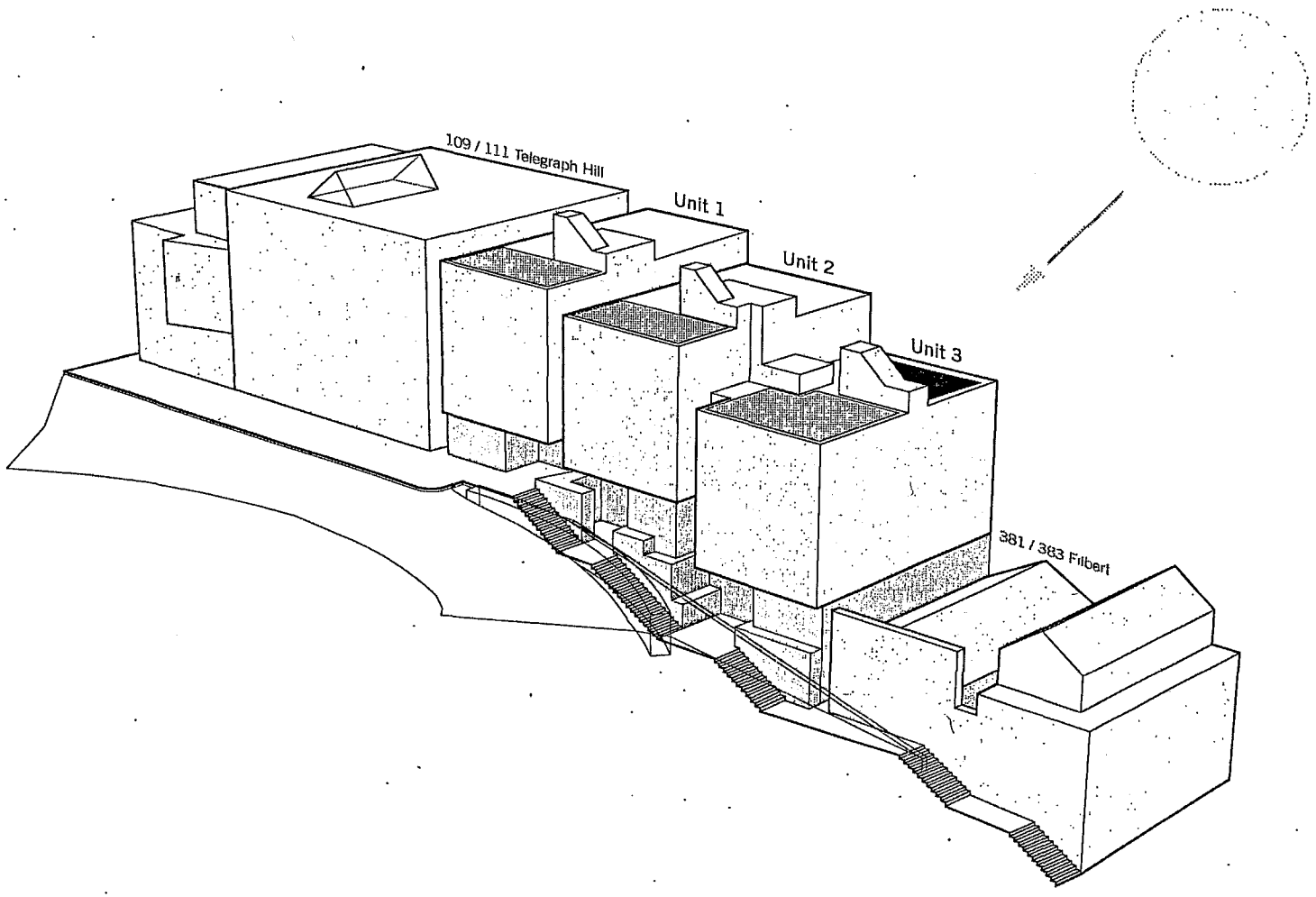


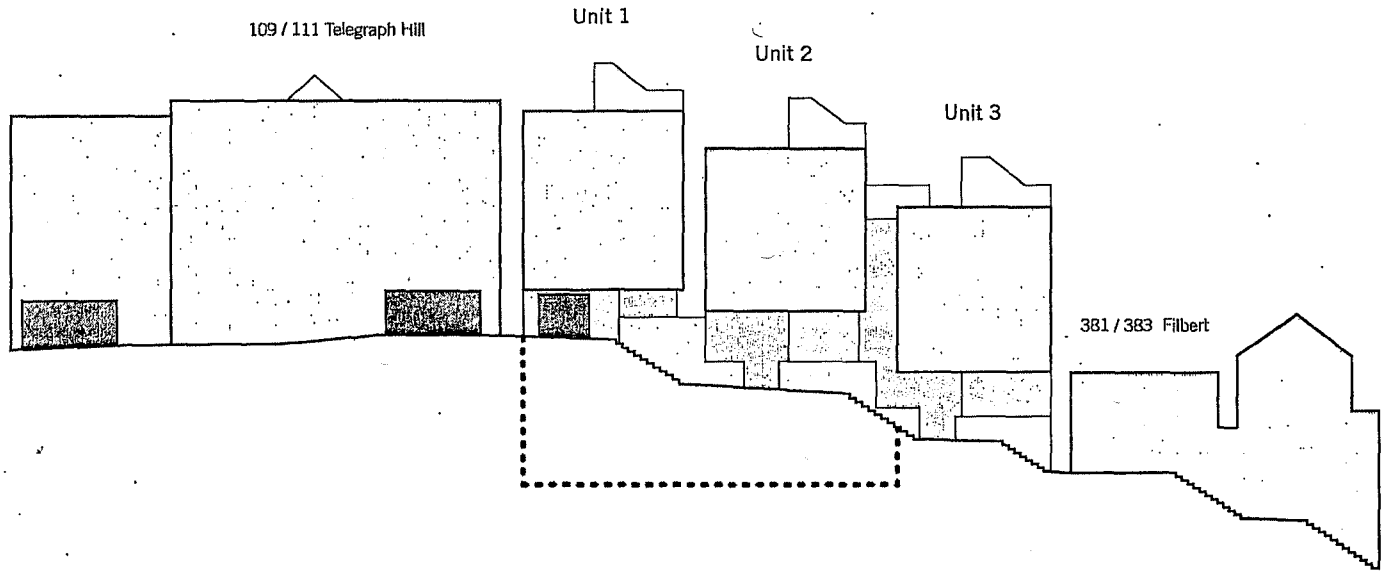
2401

BUTLER ARMSDEN ARCHITECTS

Pedestrian Improvements & Scale

115 Telegraph Hill Boulevard


109 / 111 Telegraph Hill
Unit 1
Unit 2
Unit 3
381 / 383 Filbert



2403

BUTLER ARMSDEN
ARCHITECTS

Minimal Parking Presence

115 Telegraph Hill Boulevard

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ARCHITECTS

MEMO

DATE: June 26, 2014

TO: San Francisco Planning Commission

FROM: Butler Armsden Architects

PROJECT NAME: 115 Telegraph Hill

SUBJECT: Project Consistency with City Policies

The subject property has a lot area of 7,517 sq. ft. The proposed project would renovate and restore an existing cottage in the rear of the property with no expansion of its building envelope, and would construct three new dwelling units: one three-story, 4,138 sq. ft., four-bedroom unit; one four-story, 4,583 sq. ft. five-bedroom unit; and one four-story, 4,182 sq. ft. four-bedroom unit. Each unit will be approximately 40 ft. in height and stepped down both vertically and horizontally in response to the property's naturally sloping topography. Each unit, including the cottage, will have one off-street parking space in a 3,210 sq. ft. shared subterranean garage, accessed from Telegraph Hill Boulevard. The cottage in the rear would be accessed by foot on a designated pedestrian path, as well as through the garage. This memorandum describes the project's consistency with the City's General Plan ("GP"), Planning Code ("SFPC"), and Residential Design Guidelines ("RDG").

HOUSING / DEVELOPMENT

The proposed project places little to no additional strain on existing infrastructure. The project property is located close to public transit, and within walking distance to core services. *(GP Policies 1.10, 4.6, 12.1, 12.3, 13.1, 13.3).* The proposal includes three family-sized units in close proximity to schools and open space *(GP Policy 4.1)*, as well as retaining an existing at risk cottage unit of "normal affordability" *(GP Policies 2.2, 2.4, 2.5, 7.7).*

PROJECT DESIGN / NEIGHBORHOOD CHARACTER

The applicable zoning allows for a 6-story/7-unit project. The proposed project consists of 4 units in 4 separate structures keeping in character with the neighborhood. *(GP Policy 11.5, RDG Neighborhood Context).* The project sponsor has worked extensively with neighborhood groups through a variety of designs and scales to establish a transparent and iterative design process. *(GP Policy 10.1).* The site presents a challenging topography; the proposed project resolves this by reducing allowable massing to match the neighborhood block pattern, and with scaled facades with intermediate setbacks, view corridors, and reduced heights from the street. *(GP Policies 2.7, 11.3, 11.6, RDG Neighborhood Context, Site Design).* The merged lot is treated as if it were not merged, and developed to mimic the block pattern and density of appropriate neighborhood scale. *(GP Policy 11.5).* Views from public parks and open spaces are preserved, and a view corridor is provided at street level for additional views to Downtown *(GP Policies 2.7).*

BUILDING DESIGN / SCALE

The proposed project negotiates the steep topography by stepping down it's massing as it moves down the hill *(RDG Site Design)*, as well as the height differences of adjacent buildings *(GP Policy 11.7, RDG Neighborhood Context, Site Design)*. The neighboring building to the east is significantly over scaled for the neighborhood, while the neighboring building to the west is a small-scale two-level cottage. The project finds a middle ground between these two, and presents a façade pattern/width and articulation typical of the neighborhood *(GP Policies 11.2, 11.7, RDG Neighborhood Context, Site Design)*. The parking level is underground, in an area that otherwise could not be used for housing due to lack of access to light and air *(GP Policy 2.3)*. The pedestrian experience is enhanced by setting back building entrances, introducing planters, and exceeding planting requirements *(SFPC § 132(g))*, all while retaining the existing Filbert Street steps *(GP Policies 11.3, 11.6, RDG Landscaping)*. The buildings along the Filbert steps never exceed three-stories from the sidewalk, in keeping with the context of the block face *(RDG Neighborhood Context, Building Scale)*.

DETAILS AND FEATURES

The building design draws from historical elements of Telegraph Hill by referencing the rustic and industrial quality of fenestration from the quarry and shipyards once existing in the surrounding neighborhood. Weathered and treated wood louvers and exterior features mimic the fishing cottages and residences of Telegraph Hill. *(RDG Neighborhood Character)*. High quality and contemporary construction methods and materials such as concrete and steel ensure the proposal continues the evolving history of Telegraph Hill by honoring the current day means and methods, all while providing sound seismic and structural integrity. Sustainable elements such as Green Roofs, Solar PV, and low consumption fixtures are proposed *(GP Policy 13.4)*. Building entrances and the garage door are minimized and set back from the façade to create articulation and pedestrian-scaled design for those traveling the Filbert steps, and safety and security for the residents of the project *(RDG Garages, Building Entrances)*.

2849 CALIFORNIA STREET, SAN FRANCISCO, CA 94115 | T 415.674.5554 | F 415.674.5558 | BUTLERARMSDEN.COM

June 8, 2014

Ms. Elizabeth Watty
San Francisco Planning Department
1650 Mission Street, 4th Floor
San Francisco, CA 94103

Subject: 115 Telegraph Hill Blvd.

Dear Ms. Watty:

As immediate neighbors to the proposed project, we would like to express our support for the new development by Jeremy Ricks' group at 115 Telegraph Hill Blvd. We have lived three homes away from the site for the past fifteen years, we have reviewed Mr. Rick's proposed plans as of May 2014, and we have long appreciated the site, its history, and the immediate environs.

We support the proposed development at 115 Telegraph Hill Blvd. for several reasons:

- The proposed building plan:
  - Has clean lines, open courtyards, and modern elements that contribute to the neighborhood's architecture.
  - Does not block views from Pioneer Park's rear lawn area or Coit Tower.
  - Does not block any neighbors' south facing views, and has little or no shadow impact on neighboring residences.
- Now an empty lot, the proposed building site offers an opportunity to:
  - Add residential units and tax-payers to both the neighborhood and the city.
  - See new residents be motivated to maintain the heavily tourist-trafficked Filbert stairs area in front, including keeping the area clean, graffiti-free, and planted.

We remember the former buildings on this site. After a long period of abandonment, we are glad to see this proposed plan for 115 Telegraph Hill Blvd.

Sincerely,

Greg Chiampou
345 Filbert Street
San Francisco, CA 94133

Exhibit B – Letter of Support

April 1, 2014

San Francisco Planning Commission
City and County of San Francisco
1650 Mission Street
San Francisco, CA 94103

RE: Support for Conditional Use Application
115 Telegraph Hill Boulevard/363 Filbert Street
Case No.: 2013.1375C

Dear Commissioners,

I have lived at 381 Filbert Street since 1997. My home is immediately next door to the proposed new building at 115 Telegraph Hill Boulevard. I believe the project deserves your support. The property has been largely vacant for nearly twenty years, wrapped with a chain-link and with only the shell of a cottage remaining. The owner has been receptive to my suggestions about the design, which will be both attractive and at an appropriate scale for this location. I look forward to the property being cleaned up and improved.

Thank you.

Sincerely,

Mary K Kew 1 April 2014
Mary Kay Kew
381-383 Filbert Street

May 5, 2014

SF Planning Commission
1660 Mission Street, First Floor
San Francisco, CA. 94103-2479

Re: Proposed Project @115 Telegraph Hill

Dear Planning Commission Members:

I have been a homeowner in San Francisco for more than a decade. Last year, I purchased a home in the Telegraph Hill neighborhood.

Recently, I had the opportunity to review the preliminary plans for a proposed project at 115 Telegraph Hill. I believe this proposal would be a welcome addition to our neighborhood providing an attractive multi-family structure on what is now a poorly maintained, vacant lot.

While I understand that you must take into consideration a variety of issues in your decision-making process, this appears to be a well-thought out proposal from a reputable, local firm. Most importantly, the overall plan would fit nicely into our existing neighborhood.

As a homeowner who lives close by and has an interest in the future of our neighborhood and San Francisco as a whole, I enthusiastically support the proposed plans. Thank you for your consideration.

Sincerely,

Olivia Ware
112 Alta Street
San Francisco, CA 94133
(650) 868-7955
ocware@gmail.com

June 10, 2014

Ms. Elizabeth Watty
San Francisco Planning Department
1650 Mission Street, 4th Floor
San Francisco, CA 94103

Subject: 115 Telegraph Hill Blvd.

Dear Ms. Watty:

As immediate neighbors to the proposed project, I would like to express support for the new development by Jeremy Ricks' group at 115 Telegraph Hill Blvd. I have lived three homes away from the site for the past fifteen years, and have reviewed Mr. Rick's proposed plans as of May 2014.

I support the proposed development at 115 Telegraph Hill Blvd. for several reasons, but the main reason is that the current empty lot is a MAJOR EYESORE that has essentially become a big garbage dump. It is sad to see such a beautiful location littered with trash and graffiti.

The proposed building plan is thoughtful, and I appreciate the clean lines and modern elements that would complement the neighborhood's architecture. From my review of the plan, I do not see any impact on views from Pioneer Park's rear lawn area or Coit Tower, block any neighbors' south facing views, and has little or no shadow impact on neighboring residences.
The project would also bring tax dollars and jobs to our city/neighborhood.

I welcome the proposed project and appreciate that Mr Ricks has worked with the neighbors to create residences that would be an asset to Telegraph Hill.

Sincerely,

Jennifer Mattson Chiampou
345 Filbert Street
San Francisco, CA 94133

John Fitzgerald
381 Filbert Street
San Francisco, CA 94133
(415) 397-6630 / groundfitz@yahoo.com

Attention: City of San Francisco Planning Department

I am John Fitzgerald. I reside at 381 Filbert, the garden apartment below 383 Filbert. I have lived here for seventeen years.

Telegraph Hill is a wonderful place to live! The views are fantastic and I especially appreciate that every day of the year people from all over the world are climbing the Filbert steps on their way up to, and down from, Coit Tower.

I have met with Jeremy Ricks and seen his plans for developing the properties next door. I look forward to having neighbors, instead of the empty, often trashed and blighted lots that have been next door for many years. Indeed, I think Mr. Ricks' residences will be a welcome addition to the neighborhood.

I trust that you will give his proposal a fair hearing.

Sincerely,

John J. Fitzgerald

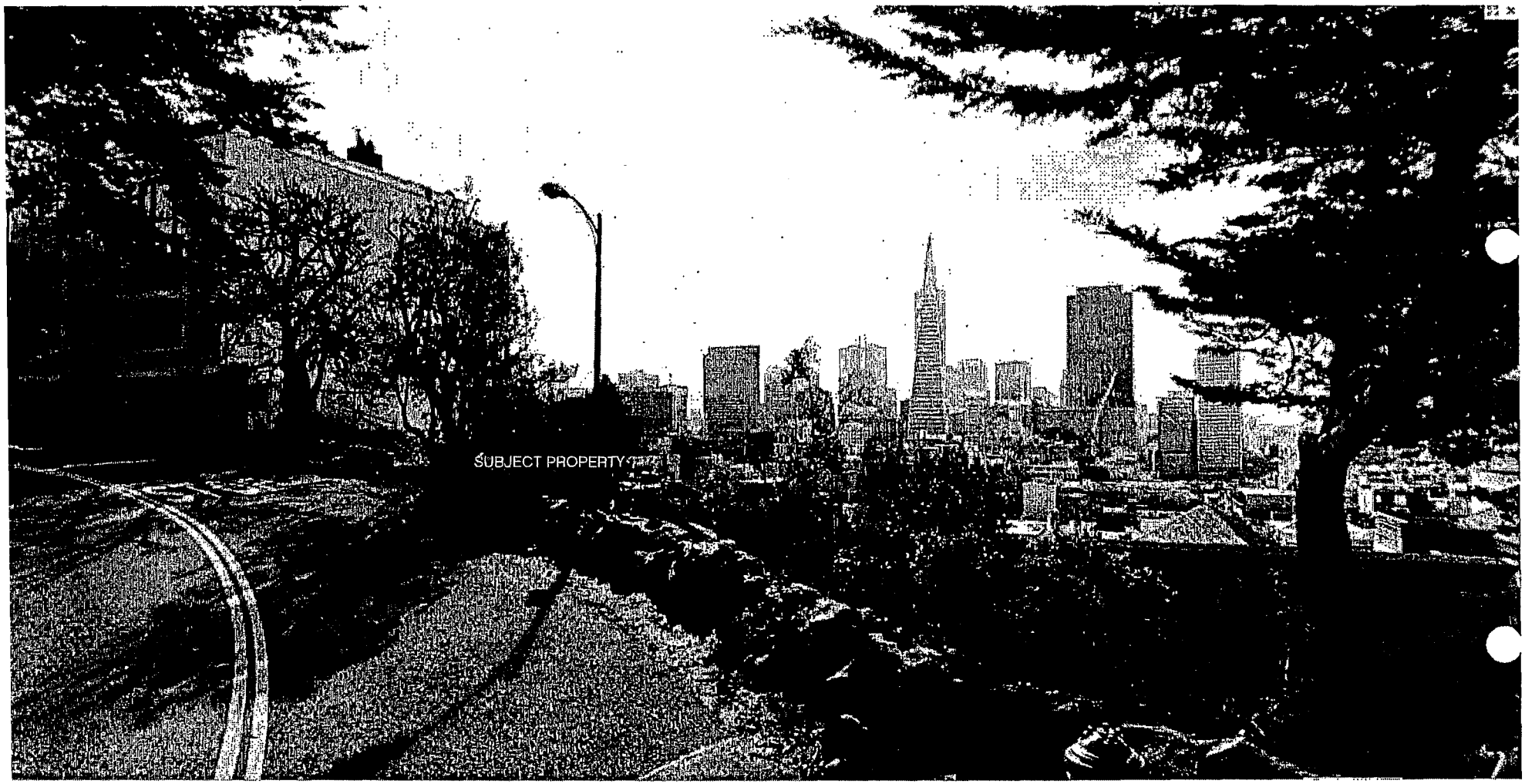


CKFACE EAST OF SUBJECT PROPERTY

TELGRAPH HILL BLVD., SAN FRANCISCO, CA 94133

BUTLER ARMSDEN
ARCHITECTS

BUTLER ARMSDEN ARCHITECTS
2849 CALIFORNIA STREET, SAN FRANCISCO CA 94115



OCKFACE WEST OF SUBJECT PROPERTY

TELGRAPH HILL BLVD., SAN FRANCISCO, CA 94133

BUTLER ARMSDEN
ARCHITECTS

BUTLER ARMSDEN ARCHITECTS
2849 CALIFORNIA STREET, SAN FRANCISCO CA 94115

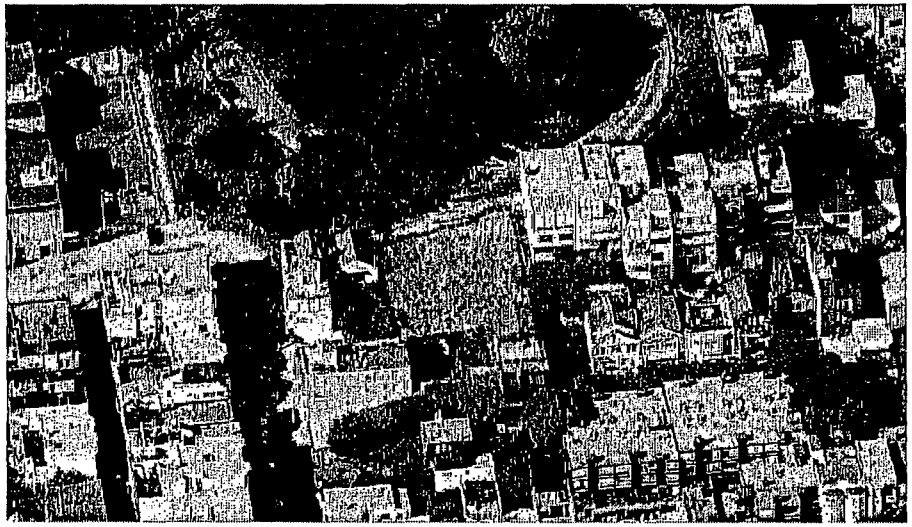


BLOCKFACE OPPOSITE FROM SUBJECT PROPERTY

5 TELGRAPH HILL BLVD., SAN FRANCISCO, CA 94133

BUTLER ARMSDEN
ARCHITECTS

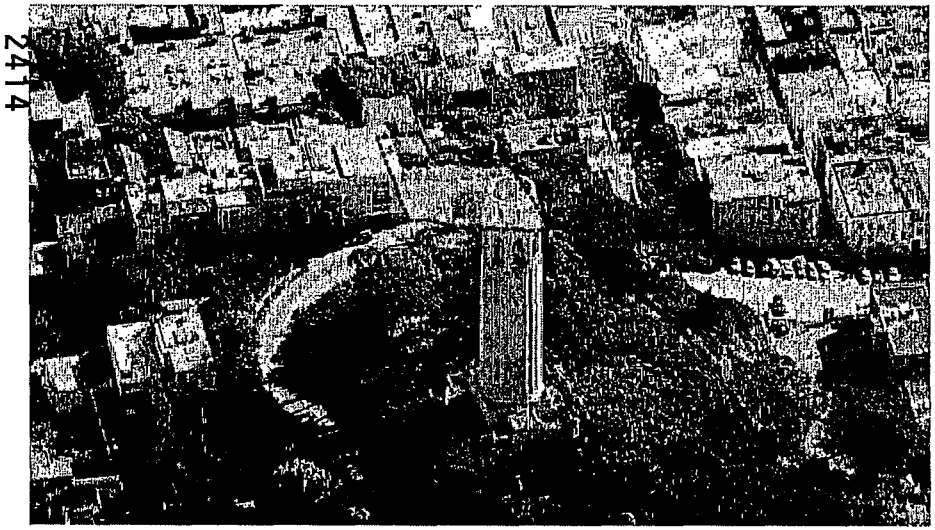
BUTLER ARMSDEN ARCHITECTS
2849 CALIFORNIA STREET, SAN FRANCISCO CA 94115



AERIAL VIEW NORTH



AERIAL VIEW EAST



AERIAL VIEW SOUTH



AERIAL VIEW WEST

2414

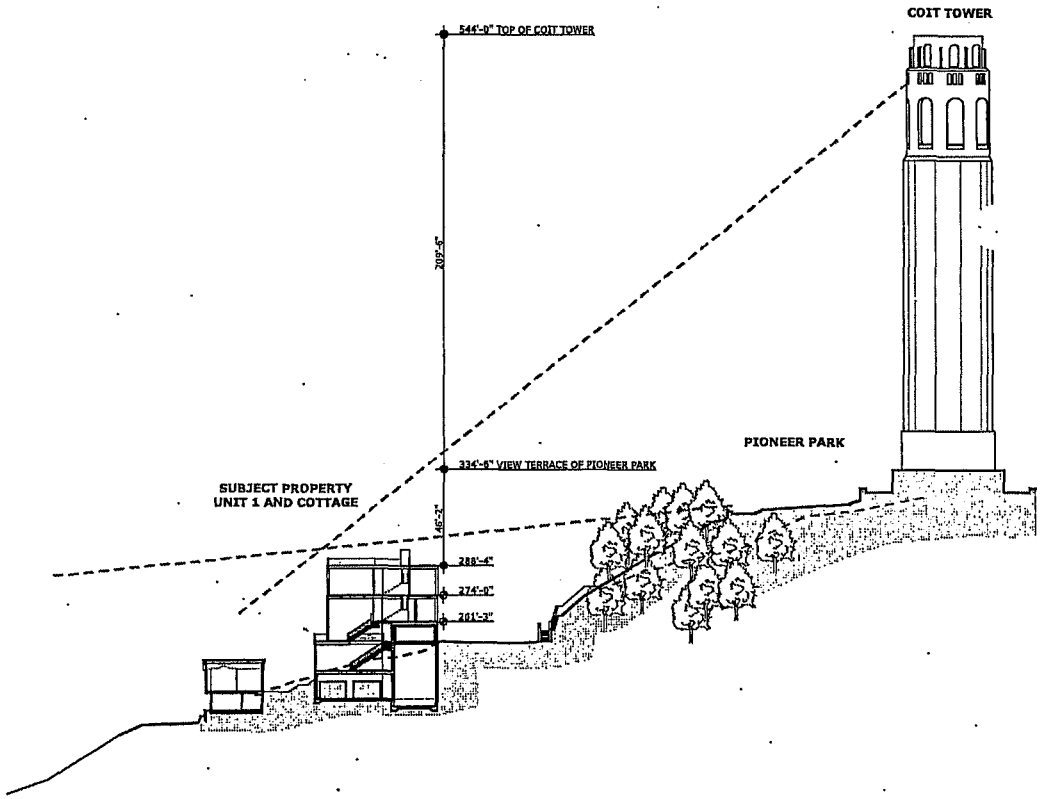
5 TELGRAPH HILL BLVD., SAN FRANCISCO, CA 94133

BUTLER ARMSDEN
ARCHITECTS

BUTLER ARMSDEN ARCHITECTS
2849 CALIFORNIA STREET, SAN FRANCISCO CA 94115



'IEW FROM COIT TOWER
TREE COVER TOO DENSE FROM PIONEER PARK)



OUTLINE OF PROPOSAL SHOWN

; TELGRAPH HILL BLVD., SAN FRANCISCO, CA 94133

BUTLER ARMSDEN
ARCHITECTS

BUTLER ARMSDEN ARCHITECTS
2849 CALIFORNIA STREET, SAN FRANCISCO CA 94115

NOTICE TO BOARD OF SUPERVISORS OF APPEAL
FROM ACTION OF THE CITY PLANNING COMMISSION

Notice is hereby given of an appeal to the Board of Supervisors from the following action of the City Planning Commission.

The property is located at 115 Telegraph Hill Boulevard.

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO
2014 OCT 14 PM 3:01
BY

September 11, 2014
Date of City Planning Commission Action
(Attach a Copy of Planning Commission's Decision)

Appeal Filing Date

_____ The Planning Commission disapproved in whole or in part an application for reclassification of property, Case No. _____.

_____ The Planning Commission disapproved in whole or in part an application for establishment, abolition or modification of a set-back line, Case No. _____.

✓ The Planning Commission approved in whole or in part an application for conditional use authorization, Case No. 2013-1375 CE.

_____ The Planning Commission disapproved in whole or in part an application for conditional use authorization, Case No. _____.

Statement of Appeal:

a) Set forth the part(s) of the decision the appeal is taken from:

SEE ATTACHED

b) Set forth the reasons in support of your appeal:

SEE ATTACHED

Person to Whom Notices Shall Be Mailed

Nancy Shanahan, Co-Chair
Name
Planning & Zoning Committee
Telegraph Hill Dwellers
224 FILBERT ST.
San Francisco, CA 94133
Address
pz@thdi.org
(415) 986-7070
Telephone Number

Name and Address of Person Filing Appeal:

Vedica Puri, President, Telegraph Hill Dwellers
Name
600 Montgomery St.
31st Floor
San Francisco, CA 94111
Address
president@thd.org
(415) 433-8000
Telephone Number

Signature of Appellant or Authorized Agent

ATTACHMENT TO STATEMENT OF APPEAL

(a) The parts of the decision the appeal is taken from include, without limitation, the following:

1. Conditional Use Authorization for four Dwelling Units in RH-3 Zone;
2. Determination that the proposed development is consistent with the Priority Policies of the General Plan;
3. Determination that project complies with the City's Residential Design Guidelines;
4. Determination that project complies with the criteria of Planning Code Section 303(c) including consistency with the City General Plan objectives and policies in particular the Urban Design Element and the Housing Element of the General Plan;
5. Approving the return to the pre-variance condition of existing rear yard cottage as one unit when it was actually a two unit building in its pre-variance form; and
6. Inadequacy of Planning Commission's conditions to mitigate construction impacts.

(b) Reasons in support of the appeal:

I. PLANNING CODE SECTION 303 CRITERIA FOR CONDITIONAL USE AUTHORIZATION ARE NOT MET.

The project does not meet the three criteria set forth in **Planning Code Section 303(c)** for approving a Conditional Use Authorization:

> ***Criteria No. 1:*** *"That the proposed use or feature, at the size and intensity contemplated and at the proposed location will provide a development that is necessary or desirable for, and compatible with, the neighborhood or the community."* (Sec. 303(c)(1)) [Emphasis added.]

The proposed new 3-unit luxury condominium building with unit sizes ranging from 3,685 to 4,275 square feet each (with a 3,767 square foot 3-car parking garage) is incompatible with the surrounding neighborhood where the average unit size within 300 feet of the project site is 1,130 square feet based on City records. Indeed, 1,245 plus square feet for each car exceeds the average size of living units within 300 square feet of the project site.

The nature and location of the project site are unique in the City in that it is at the convergence of the top of the narrow Filbert Street steps, the Pioneer Park stairway to Coit Tower and the bus stop. The massive project will negatively impact public views from the Filbert Street steps and the Pioneer Park stairways and is not a development that is "necessary and desirable" for the neighborhood or community. In addition to its significant and permanent impacts to public views from public places, the project's mass, scale and proposed design are not compatible with the character or the historic development pattern of the neighborhood.

The proposed new condominiums that are intended for the most affluent buyers, are not "necessary and desirable" for or "compatible" with the neighborhood. They will not enhance the supply of affordable housing in the City, but will instead create additional pressure on the existing affordable and workforce housing in the community, resulting in a decrease in the neighborhood's economic and demographic diversity.

> ***Criteria No. 2:*** *"That such use or feature as proposed will not be detrimental to the health, safety, convenience or general welfare of persons residing or working in the vicinity" with respect to "the nature of the proposed site" and "[t]he accessibility and traffic patterns for persons and vehicles, the type and volume of such traffic..."* (Sec. 303(c)(2)) [Emphasis added.]

Given the unique setting and location of the project site adjacent to the main routes to Coit Tower used by more than 400,000 visitors each year who arrive by foot via the Filbert Street steps, by bus on the 39 Coit, or by car on narrow, winding Telegraph Hill Boulevard, the location of the proposed parking garage -- the driveway entrance and curb cut for which will be located at the very top of the Filbert Street steps -- will impede pedestrian movement and impair pedestrian safety, require the relocation of a stop sign and bus stop and reconfiguration of the sidewalk, create conflicts with Muni buses, and add to recognized traffic congestion on Telegraph Hill Boulevard leading to Coit Tower. The project would, therefore, be detrimental to the health, safety, convenience and general welfare of thousands of visitors to Coit Tower and Pioneer Park each year, including persons residing and working in the vicinity.

> ***Criteria No. 3:*** *"That such use or feature as proposed will comply with the applicable provisions of this [Planning] Code and will not adversely affect the General Plan."* (Sec. 303(c)(3))

The project does not comply with applicable provisions of the Planning Code and is inconsistent with Objectives and Policies of the General Plan, as detailed below.

II. THE PROJECT IS INCONSISTENT WITH PLANNING CODE SECTION 101.1 PRIORITY PLANNING POLICIES OF THE GENERAL PLAN ADOPTED BY THE VOTERS OF SAN FRANCISCO.

Planning Code Section 101.1(b) established eight Priority Planning Policies and required their inclusion in the preamble to the City's General Plan as the basis upon which all inconsistencies in the General Plan are to be resolved. All projects are required be reviewed for consistency with these Priority Policies. For the reasons set forth below, the Planning Commission erred in finding that the project is consistent with the following Priority Policies:

> ***Priority Planning Policy 8:*** *"That our parks and open space and their access to sunlight and vistas be protected from development."* (Sec. 101.1(8))

It is undisputed that, as a result of this development, the vistas from the stairways leading up from Telegraph Hill Boulevard to Pioneer Park will be seriously impacted or eliminated and that all views from the Filbert Street steps will be completely obliterated.

Priority Planning Policy 2: *"That existing housing and neighborhood character be conserved and protected in order to preserve the cultural and economic diversity of our neighborhoods."* (Sec. 101.1(2))

The proposed new extremely large luxury condos, ranging in size from 3,685 to 4,275 square feet each, are incompatible with the surrounding neighborhood where the average unit size within 300 feet of the project site is 1,130 square feet. Instead of preserving the cultural and economic diversity of the neighborhood and community, it will create additional pressure on the existing affordable housing, contributing to an increase in evictions of lower income tenants by speculators.

Priority Planning Policy 3: *"That the City's supply of affordable housing be preserved and enhanced."* (Sec. 101.1(3))

As described above, the proposed new super-luxury condos that will be priced at an estimated $8 to $10 million each will not enhance the City's supply of affordable housing, but will instead create additional pressure on the existing affordable and workforce housing in the area. The Planning Department has confirmed in its *Quarterly Pipeline Report* that as of the first quarter of 2014, only 15% the entitled projects in the pipeline are affordable to households of moderate income and that San Francisco is overbuilding luxury housing rather than moderate income housing. The proposed project will further exacerbate this imbalance.

Priority Planning Policy 4: *"That commuter traffic not impede Muni transit service or overburden our streets or neighborhood parking."* (Sec. 101.1(4))

Because the driveway and curb cut for the project's proposed parking garage are located at the very the top of the heavily used Filbert Street steps, immediately adjacent to a Muni Bus stop and the major pedestrian crosswalk to Coit Tower, conflicts between vehicular, pedestrian and Muni service are inevitable. The garage entrance will also require the relocation of a stop sign currently located within the proposed new driveway.

III. THE PROJECT IS INCONSISTENT WITH OBJECTIVES AND POLICIES OF THE CITY'S RESIDENTIAL DESIGN GUIDELINES.

The project, as proposed, conflicts with the following Residential Design Guidelines, among others:

GUIDELINE: *Protect major public views from public spaces.*

"Protect major views of the City as seen from public spaces such as streets and parks by adjusting the massing of proposed development project to reduce or eliminate adverse impacts on public view sheds."

(Residential Design Guidelines, page 18)

In direct conflict with this principle, the proposed development will completely block major public views of the City's downtown skyline from public spaces, including views from the Filbert Street steps and the stairways and landings in Pioneer Park, currently enjoyed by thousands of people each year. The project will also obscure views

of Coit Tower and Pioneer Park from the south since the rear of the building imposes a massive fort-like structure.

> ***"GUIDELINE:** Design building facades to enhance and complement adjacent public spaces."*
>
> *"Special attention is necessary to ensure that the building's facades enhance the public realm."*
>
> (Residential Design Guidelines, page 20)
>
> ***"GUIDELINE:** Design the scale of the building to be compatible with the height and depth of surrounding buildings."*
>
> *"It is essential for a building's scale to be compatible with that of surrounding buildings, in order to preserve neighborhood character."*
>
> (Residential Design Guidelines, page 23)

It is important to note that the project has two major facades, one facing Coit Tower and Pioneer Park, and the other facing the Financial District, Chinatown, Russian Hill and Nob Hill. Both facades are a part of the public realm – one viewed from the adjacent public stairs and public park, and the other (south facing) seen from the Financial District, Chinatown, Russian Hill and Nob Hill -- a major "postcard" view of Telegraph Hill that will be adversely affected by the proposed project. Both facades fail to comply with above and other residential design guidelines.

IV. THE PROJECT IS INCONSISTENT WITH OBJECTIVES AND POLICIES OF THE HOUSING ELEMENT OF THE CITY'S GENERAL PLAN.

The project is inconsistent with the specific Objectives and Policies of the Housing Element of the General Plan.

HOUSING ELEMENT

Objectives and Policies

> **OBJECTIVE 1:**
> *IDENTIFY AND MAKE AVAILABLE FOR DEVELOPMENT ADEQUATE SITES TO MEET THE CITY'S HOUSING NEEDS, ESPECIALLY PERMANENTLY AFFORDABLE HOUSING.*
>
> **OBJECTIVE 11:**
> *SUPPORT AND RESPECT THE DIVERSE AND DISTINCT CHARACTER OF SAN FRANCISCO'S NEIGHBORHOODS.*

Objective 11 provides that "San Francisco is a city of neighborhoods, each with a distinct character and quality" underscoring that "no policy should be applied without first examining its applicability to each specific neighborhood's unique context." Telegraph Hill and North Beach is one of the city's iconic neighborhoods, with a distinct and historic character.

Policy 11.1:
Promote the construction and rehabilitation of well-designed housing that emphasizes beauty, flexibility, and innovative design, and respects existing neighborhood character. [Emphasis added.]

Policy 11.2:
Ensure implementation of accepted design standards in project approvals.

Policy 11.3:
Ensure growth is accommodated without substantially and adversely impacting existing residential neighborhood character. [Emphasis added.]

Policy 11.6:
Foster a sense of community through architectural design, using features that promote community interaction.

Policy 11.9:
Foster development that strengthens local culture and sense of place and history.

V. THE PROJECT IS INCONSISTENT WITH THE URBAN DESIGN ELEMENT OF THE GENERAL PLAN.

The project is inconsistent with the specific Objectives and Policies of the Urban Design Element of the General Plan that are of particular importance to defining the framework for developing this unique and special site.

URBAN DESIGN ELEMENT

Objectives and Policies

OBJECTIVE 1:
EMPHASIS OF THE CHARACTERISTIC PATTERN WHICH GIVES TO THE CITY AND ITS NEIGHBORHOODS AN IMAGE, A SENSE OF PURPOSE, AND A MEANS OF ORIENTATION.

Policy 1.1:
Recognize and protect major views in the city, with particular attention to those of open space and water. [Emphasis added.]

- Protect major views whenever it is feasible
- Overlooks and other viewpoints for appreciation of the city and its environs should be protected and supplemented, by limitation of buildings and other obstructions where necessary and by establishment of new viewpoints at key locations. [Emphasis added.]
- Visibility of open spaces, especially those on hilltops, should be maintained and improved, in order to enhance the overall form of the city.

Policy 1.3:
Recognize that buildings, when seen together, produce a total effect that characterizes the city and its districts.

- Buildings should emphasize and reflect the topographic form of the city – here of Telegraph Hill -- and should not stand out prominently in the city pattern.

Policy 1.8:
Increase the visibility of major destination areas and other points for orientation.

- Views from streets and other public areas should be preserved, created and improved and should be fostered in public and private development.

OBJECTIVE 2:
CONSERVATION OF RESOURCES WHICH PROVIDE A SENSE OF NATURE, CONTINUITY WITH THE PAST, AND FREEDOM FROM OVERCROWDING.

Objective 2 lists *"Fundamental Principles for Conservation"* to be adhered to in designing new buildings, including the following:

- Provide visual interest and enrichment consistent with the historic scale and texture of the San Francisco.
- Conserve the important design character of historic or distinctive older areas, including some uniformity of detail, scale, proportion, texture, materials, color, and building form.
- Use textured materials with human scaled proportions consistent with the finer scale and detail that characterize older areas. [Emphasis added.]
- Reflect the character of nearby older buildings of historic or architectural merit.
- Do not block or otherwise impair pleasing street views of the Bay, downtown or distant hills, or other parts of the city. [Emphasis added.]

Policy 2.6:
Respect the character of older development nearby in the design of new buildings.

- Exercise care in the design of new buildings to be constructed in older areas of established character.
- Require a similarity or successful transition in scale, building form and proportion. The detail, texture, color and materials of the old should be repeated or complemented by the new.
- Bulky buildings that intrude upon or block important views of the Bay, Ocean or other significant citywide focal points are particularly disruptive. [Emphasis added.]

Policy 2.7:
Recognize and protect outstanding and unique areas that contribute in an extraordinary degree to San Francisco's visual form and character.

Policy 2.7 states as follows:

"All areas of San Francisco contribute in some degree to the visual form and image of the city. All require recognition and protection of their significant positive assets. Some areas may be more fortunately endowed than others, however, with unique characteristics for which the city is famous in the world at large. Where areas are so outstanding, they ought to be specially recognized in urban design planning and protected, if the need arises, from inconsistent new development that might upset their unique character. [Emphasis added.]

"It is the combination and eloquent interplay of buildings, landscaping, topography and other attributes that makes them outstanding. For that reason, special review of building proposals may be required to assure consistency with the basic character and scale of the area. Furthermore, the participation of neighborhood associations in these areas in a cooperative effort to maintain the established character, beyond the scope of public regulation, is essential to the long-term image of the areas and the city." [Emphasis added.]

Policy 2.7 lists the *Special Characteristics of Telegraph Hill* as:

- A hilltop park with the highly visible green of trees from which Coit Tower rises above all else.
- Low, small-scale buildings with predominantly flat roofs and light pastel colors, hugging the topography in a highly articulated form, which contrasts with the power of downtown construction. [Emphasis added.]
- Cliffs and complex stairs and walkways on the east side above the waterfront, with buildings perched precariously along the slope and trees interspersed.
- Intimate pedestrian scale and texture of streets and housing, with sudden and dramatic views of the Bay and downtown through narrow openings. [Emphasis added.]

OBJECTIVE 3:
MODERATION OF MAJOR NEW DEVELOPMENT TO COMPLEMENT THE CITY PATTERN, THE RESOURCES TO BE CONSERVED, AND THE NEIGHBORHOOD ENVIRONMENT.

Objective 3 provides that:

"As San Francisco grows and changes, new development can and must be fitted in with established city and neighborhood patterns in a complementary fashion. Harmony with existing development requires careful consideration of the character of the surroundings at each construction site. The scale of each new building must be related to the prevailing height and bulk in the area, and to the wider effects upon the skyline, views and topographic form." [Emphasis added.]

Policy 3.1:
Promote harmony in the visual relationships and transitions between new and older buildings.

- New buildings should be made sympathetic to the scale, form and proportion of older development.

Policy 3.3:

Promote efforts to achieve high quality of design for buildings to be constructed at prominent locations.

- Special efforts should be made to promote the best architectural solutions for buildings at prominent locations, such as tops of hills or fronting on permanent open space such as parks. [Emphasis added.]

Policy 3.4:
Promote building forms that will respect and improve the integrity of open spaces and other public areas.

- New buildings should not block significant views of public open spaces, especially large parks and the Bay. [Emphasis added.]
- Buildings near these open spaces should permit visual access, and in some cases physical access, to them. [Emphasis added.]
- Where separation of pedestrian and vehicular circulation levels is possible in provision of such open space, such separation should be considered. [Emphasis added.]

OBJECTIVE 4:
IMPROVEMENT OF THE NEIGHBORHOOD ENVIRONMENT TO INCREASE PERSONAL SAFETY, COMFORT, PRIDE AND OPPORTUNITY

The "Fundamental Principles for Neighborhood Environment" enumerated as a part of **Objective 4** includes the following:

- "Private lands that are landscaped or developed as open space contribute to the visual and recreational resources of the city."

Policy 4.4:
Design walkways and parking facilities to minimize danger to pedestrians.

- Pedestrian walkways should be sharply delineated from traffic areas, and set apart where possible to provide a separate circulation system.
- Walkways that cross streets should have pavement markings and good sight distances for motorists and pedestrians.

VI. THE PLANNING COMMISSION ERRED IN DETERMINING THAT THE PRE-VARIANCE CONDITION OF EXISTING REAR YARD COTTAGE INCLUDED ONLY ONE UNIT WHEN IT WAS ACTUALLY A TWO UNIT BUILDING IN ITS PRE-VARIANCE FORM.

When it was determined that the project owners had *de facto* demolished then expanded the envelope of existing rear cottage without a valid permit after the 1997 variance and conditional use authorization had lapsed, the project applicant decided to

revert the cottage to its pre-variance condition in order to avoid seeking a variance to legalize the work. As a part of the project, the Planning Commission approved a design for the "renovation and restoration of the cottage located at the rear of the property, returning it to its pre-variance form." However, as clearly evidenced by the referenced variance (Variance Case no. 93.180V), the cottage contained two units in its previous, pre-variance condition, not one unit. No Planning Code Section 317 application has been submitted to merge the two previously existing units into one and no public notice was provided to the public.

VII. PLANNING COMMISSION'S CONDITIONS OF APPROVAL ARE INADEQUATE AS TO IMPACTS OF CONSTRUCTION.

The conditions of approval of the final Planning Commission motion are inadequate to address the most significant construction impacts.

On Sheet A0.0 of the plans approved by the Planning Commission, General Notes 23 through note 32, inclusive, address construction staging of the project. These notes include, but are not limited to the following:

- "Along the Filbert Street stair frontage of the property, a well-lit and naturally ventilated pedestrian tunnel providing safety to persons using the stairs shall be erected for the duration of the construction period."
- "Construction vehicles shall use the staging area provided on site as a means to turn around, avoiding use of the Coit Tower parking lot by construction equipment and trucks."
- "All applicable weight limits on access roads to and from the site shall be observed and adhered to."
- "No construction activity over 5 DBA shall be permitted between 8:00 pm and 7:00 am the following day per San Francisco noise control ordinance."
- "Muni access to Coit Tower shall be maintained throughout construction."

Appellant Telegraph Hill Dwellers agrees wholeheartedly that safe pedestrian access on the Filbert Street steps ***must*** be maintained for the duration of the construction period and that a staging area ***must*** be created within the project site for the entire construction duration. Appellant further agrees that the existing 3-ton weight limit on the size of trucks on Lombard (from Stockton Street) and Telegraph Hill Boulevard ***must*** be maintained. And importantly, that ***Muni and vehicular access to Coit Tower shall be maintained*** throughout construction.

Therefore, note nos. 23 through 32 must be included as conditions of approval to ensure that the project applicant will not delete them in a revised site permit application.

The project sponsor's representative also told the Planning Commission that the Filbert Street steps are dilapidated and would be "improved and enhanced." The scope of work related to the Filbert Street steps should be clearly described to determine whether a General Plan Referral would be required and whether environmental review would be required for said improvement and enhancement. Also, since they are going to cover the

Filbert Street steps with a tunnel, the City should impose a condition of approval requiring the project sponsor to indemnify the City for any injuries to persons and properties and to repair or replace any portion of the Filbert Street steps damaged during construction.

Subject to: (Select only if applicable)

- ☐ Affordable Housing (Sec. 415)
- ☐ Jobs Housing Linkage Program (Sec. 413)
- ☐ Downtown Park Fee (Sec. 412)
- ☐ First Source Hiring (Admin. Code)
- ☐ Child Care Requirement (Sec. 414)
- ☒ Other - Street Tree In-Lieu Fee (Sec. 428)

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

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Fax:
415.558.6409

Planning
Information:
415.558.6377

Planning Commission Motion No. 19232

HEARING DATE: SEPTEMBER 11, 2014

Date:	September 23, 2014
Case No.:	**2013.1375 EC**
Project Address:	**115 TELEGRAPH HILL BLVD. (AKA 363 FILBERT STREET)**
Zoning:	RH-3 (Residential House, Three-Family) Telegraph Hill/North Beach Residential Special Use District 40-X Height and Bulk District
Block/Lot:	0105/065
Project Sponsor:	Jeremy Ricks 735 Montgomery Street, Suite 350 San Francisco, CA 94111
Staff Contact:	Elizabeth Watty – (415) 558-6620 Elizabeth.Watty@sfgov.org

ADOPTING FINDINGS RELATING TO THE APPROVAL OF A CONDITIONAL USE AUTHORIZATION PURSUANT TO PLANNING CODE SECTIONS 209.1(h) AND 303, TO ALLOW THE CONSTRUCTION OF THREE NEW DWELLING UNITS (FOR A LOT TOTAL OF FOUR UNITS) WITH THREE OFF-STREET PARKING SPACES WITHIN THE RH-3 (RESIDENTIAL HOUSE, THREE-FAMILY) ZONING DISTRICT, TELEGRAPH HILL – NORTH BEACH RESIDENTIAL SPECIAL USE DISTRICT, AND A 40-X HEIGHT AND BULK DISTRICT.

PREAMBLE

On August 21, 2013, Daniel Frattin, attorney for Jeremy Ricks (hereinafter "Project Sponsor"), filed an application with the Planning Department (hereinafter "Department") for Conditional Use Authorization under Planning Code Sections 151, 151.1, 209.1(h), 249.49, and 303, to allow the construction of three new dwelling-units above four off-street parking spaces on a lot that contains one existing unit within the RH-3 (Residential House, Three-Family) Zoning District, Telegraph Hill – North Beach Residential Special Use District, and a 40-X Height and Bulk District.

On July 17, 2014, the San Francisco Planning Commission (hereinafter "Commission") conducted a duly noticed public hearing at a regularly scheduled meeting on Conditional Use Application No. 2013.1375C.

At that hearing, the Planning Commission continued the hearing to September 11, 2014 so that the Project Sponsor could make revisions to the Project's design and provide additional information about the rear cottage.

On September 11, 2014, the Commission conducted a duly noticed public hearing at a regularly scheduled meeting on Conditional Use Application No. 2013.1375C.

On September 11, 2014, during the duly noticed public hearing on Conditional Use Application No. 2013.1375C, the Project Sponsor verbally withdrew, on-record, the request for a Conditional Use Authorization, pursuant to Planning Code Sections 151, 151.1, and 249.49, to allow a fourth off-street parking space (a one-to-one parking to dwelling-unit ratio), reducing the parking included as part of the Project to three spaces serving four dwelling-units.

On September 3, 2014, the Project was determined to be exempt from the California Environmental Quality Act ("CEQA") as a Class 1 and 3 Categorical Exemption under CEQA as described in the determination contained in the Planning Department files for this Project.

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.

MOVED, that the Commission hereby authorizes the Conditional Use requested in Application No. 2013.1375CE, as amended at the hearing on September 11, 2014, subject to the conditions contained in "EXHIBIT A" of this motion, based on the following findings:

FINDINGS

Having reviewed the materials identified in the preamble above, and having heard all testimony and arguments, this Commission finds, concludes, and determines as follows:

1. The above recitals are accurate and constitute findings of this Commission.

2. **Site Description and Present Use.** The Property is a 7,517 square-foot lot that is steeply sloping; in 1993, three lots were merged into the one large lot in existence today. It once contained five buildings, but four of the five buildings were demolished circa 1997. The lot currently contains a one-story cottage that was constructed in 1906, concrete retaining walls, concrete and wood stairways, and fencing. The lot has been vacant – with the exception of the vacant cottage – since 1997. In the early 1990s, the Bureau of Building Inspection declared the cottage "unsound" and it is currently uninhabitable. The Property occupies 82'-6" of frontage, including 68' along the Filbert Street steps.

3. **Surrounding Properties and Neighborhood.** The Project is located on the south side of Telegraph Hill Boulevard, between Montgomery, and Kearny Streets on Telegraph Hill near Coit Tower. On this portion of the hill, Filbert Street consists of a set of concrete public stairs, but provides no vehicle throughway. Telegraph Hill Blvd passes to the north of the Property,

spiraling up to Coit Tower. The Property is in the North Beach neighborhood, and is located in an RH-3 Zoning District, towards the top of Telegraph Hill near Coit Tower. Properties in the immediate area typically consist of one-, two- and three-family dwellings. Buildings heights are varied, but typically range from two-to-four stories tall at the street, and are scaled at the street to respect the laterally-sloping topography of the hill. To the west is a two-story, two-unit building, and immediately to the east is a four-story, three-unit building.

4. **Project Description.** The Project Sponsor proposes to construct a 15,544 sq. ft. three-unit residential building with three-off-street parking spaces on a lot that contains one existing dwelling-unit (a vacant cottage in the southeast corner of the lot). The Project also includes the renovation and restoration of the cottage located at the rear of the property, returning it to its pre-variance (93.180V) building form.

   The new building will be designed to appear from the street as three, three-story single-family dwellings that will step down the hill relative to the naturally sloping topography of Telegraph Hill. The new building will include three off-street parking spaces in a shared 3,137 sq. ft. below-grade garage/basement, accessed from one garage door that will be located at the top of the Filbert Street stairs along Telegraph Hill Boulevard. The cottage in the rear would be accessed via a designated pedestrian path to the west of Unit #3, as well as through the garage.

   The three units will each occupy 23'-10" of frontage. Each unit will contain a green roof deck featuring sustainable native plants, as well as extensive landscaping. Although the rear cottage was authorized to expand as part of Variance Case no. 93.180V, the implementing Building Permit Applications were never finaled by the Department of Building Inspection. Therefore, the variance has expired, and the Project Sponsor must either revert the cottage to the pre-variance building form or seek and justify an additional variance. The Project Sponsor chose to revert the cottage to the pre-variance building form. Revised plans dated September 16, 2014, approved as part of this Motion (Exhibit B), show this scope of work.

5. **Public Comment.** The Department has received letters of support from 43 people (including the North Beach Neighbors), and letters in opposition to the Project from 41 people (including the Telegraph Hill Dwellers).

6. **Planning Code Compliance:** The Commission finds that the Project is consistent with the relevant provisions of the Planning Code in the following manner:

   A. **Density.** Planning Code Section 209.1(h) states that a density ratio up to one dwelling unit for each 1,000 square feet of lot area is permitted in the RH-3 Zoning District, if authorized as a Conditional Use by the Planning Commission.

      The Property contains 7,517 sq. ft. of lot area and would permit up to seven units with a Conditional Use Authorization. The Project would result in a lot total of four units, and thus is permitted with a Conditional Use Authorization, which is justified in more detail through Section 7, below.

B. **Rear Yard Requirement.** Planning Code Section 134 states that the minimum rear yard depth shall be equal to 45 percent of the total depth of a lot in which it is situated, and based on conditions on the adjacent properties, it may be reduced up to 25 percent of the total depth of the lot, based on the average depths of adjacent buildings.

The Project will be constructed within buildable area of the lot, maintaining a 45 percent rear yard. The existing rear yard cottage is located entirely within the required rear yard; although it will be repaired, remodeled, and reduced to the pre-variance building form, it will not be expanded, and therefore is considered an existing legal noncomplying structure. The Project complies with Planning Code Section 134.

C. **Open Space.** Planning Code Section 135 requires 100 square-feet of usable open space per dwelling unit in the RH-3 Zoning District if privately accessible, or 133 square-feet per unit if the space is commonly accessible.

The Project satisfies the residential open space requirements through a private 132 square-foot deck for Unit #1, a private 300 square-foot deck for Unit #2, a 252 square-foot deck for Unit #3, and through a commonly-accessible 2,266 square-foot, rear yard for the existing rear yard cottage. The Project complies with the open space requirements of Planning Code Section 135.

D. **Street Trees.** Planning Code Section 138.1 requires the provision of street trees with the addition of a new dwelling unit. When street trees are required, one 24-inch box size tree is required for each 20 feet of lot frontage along a street, with any remaining fraction of 10 feet or more of frontage requiring an additional tree. Such trees shall be located either within a setback area on the lot or within the public right-of-way along such lot.

The Property currently contains two street trees along the 82'-6" property frontage, located between the Filbert Street stairs and Telegraph Hill Boulevard. The Property requires installation of 4 trees; however, according to the Department of Public Works, installation of the additional two required street trees is infeasible. As such, the Project Sponsor will pay an in-lieu fee for two street trees.

E. **Bird Safe Glazing.** Planning Code Section 139 allows residential buildings within R-Districts that are less than 45 feet in height and have an exposed facade comprised of less than 50% glass to be exempt from the Location-Related Glazing Standards outlined in Planning Code Section 139(c)(1).

The Property is located within 300-feet of an Urban Bird Refuge; however, the new buildings' exposed facades are comprised of less than unobstructed 50 percent glass, and are therefore exempt from meeting the Location-Related Glazing Standards outlined in Planning Code Section 139(c)(1).

F. **Exposure.** Planning Code Section 140 requires that at least one qualifying room of every dwelling unit must face directly on an open area. The open area may be a street or alley, Code-compliant rear yard, or a qualifying open space.

The three new dwelling-units will face Telegraph Hill Boulevard, which is a qualifying street for the purpose of dwelling-unit exposure. The dwelling-unit located within the existing legal noncomplying structure in the rear yard will face an open space between the buildings that meets the dimensional requirements of Planning Code Section 140(a)(2); the space is no less than 25 feet in every horizontal dimension for the floor at which the dwelling unit in question is located and the floor immediately above it, with an increase of five feet in every horizontal dimension at each subsequent floor. The Project complies with the dwelling unit exposure requirements of Planning Code Section 140.

G. **Telegraph Hill – North Beach Residential Special Use District.** Planning Code Section 249.49 establishes the Telegraph Hill – North Beach Residential Special Use District (SUD). The purpose of this SUD, as it relates to new construction projects, is to regulate off-street parking in order to ensure that it does not significantly increase the level of automobile traffic, increase pollution, or impair pedestrian use on narrow public rights-of-way in the District. Although the RH-3 Zoning District would typically require one parking space per dwelling unit (a one-to-one parking ratio), this SUD requires a Conditional Use, along with related findings outlined in Section 151.1(g), to achieve the same parking ratio.

The Project is located within the Telegraph Hill – North Beach Residential Special Use District. Although the original Project proposed four off-street parking spaces, which required a Conditional Use Authorization, the Project was revised during the hearing to eliminate the fourth parking space. With only three off-street parking spaces now part of the Project, the parking is considered principally permitted, and no longer requires a Conditional Use Authorization under Sections 151, 151.1, and 249.49.

7. **Planning Code Section 303** establishes criteria for the Planning Commission to consider when reviewing applications for Conditional Use approval. On balance, the project does comply with said criteria in that:

A. The proposed new uses and building, at the size and intensity contemplated and at the proposed location, will provide a development that is necessary or desirable, and compatible with, the neighborhood or the community.

The Project is necessary and desirable because it will provide much needed family-sized in-fill housing in a residential neighborhood, on a lot that has been vacant (less for a small cottage at the rear of the lot) for over 10 years. The lot previously contained five buildings, but four of those five buildings were demolished in 1997. At present, the vacancy of the Property is a detriment to the neighborhood and creates a gap in the urban fabric that is built along the Filbert Street walkway and stairs. The vacant lot is visually inconsistent with the character of the surrounding private property, which features housing developments that relate to the topography of the hill. The Project is compatible with properties that abut a vehicular street, which typically include off-street parking. The Project will also incorporate landscaping to match the surrounding area, and create visual consistency in the neighborhood. As an area that attracts tourists and visitors, the Project is a desirable improvement to the neighborhood over the existing vacant lot.

The Project will provide three new family-sized dwelling units, and will renovate an existing cottage that is in disrepair in order to make it suitable for occupancy. In-fill sites in developed residential neighborhoods, such as Telegraph Hill, should be developed with new housing.

B. The proposed project will not be detrimental to the health, safety, convenience or general welfare of persons residing or working in the vicinity. There are no features of the project that could be detrimental to the health, safety or convenience of those residing or working the area, in that:

i. Nature of proposed site, including its size and shape, and the proposed size, shape and arrangement of structures;

The 7,517 square-foot Property is located in a relatively low-density area; the lot is large for the neighborhood. In 1993, three lots were merged into the one large lot in existence today. Prior to that merger, up to nine dwelling units would have been principally permitted (approvable without a Conditional Use Authorization); now, only three units would be principally permitted, and four-to-seven units would be permitted with a Conditional Use Authorization.

This large vacant lot is an appropriate location for a three-unit in-fill development (for a total of four units on the lot). Due to the relatively low density development of the surrounding area, the Project will create housing at an appropriate scale in a desirable urban area without overcrowding the neighborhood. Although the three units are technically located within one building, they appear as three single-family dwellings, each with approximately 23'-10" wide building facades that are located at the front property line, which is typical of residential properties in the surrounding area. The existing and proposed uses are consistent with the neighborhood uses, and the proposed design is compatible with the immediate vicinity.

ii. The accessibility and traffic patterns for persons and vehicles, the type and volume of such traffic, and the adequacy of proposed off-street parking and loading;

The Property is located in a relatively low-density area. The addition of three new dwelling-units will have negligible adverse effect on traffic in the neighborhood, and it is anticipated that the Project will generate traffic volumes and patterns compatible with those of existing surrounding uses, particularly those properties with off-street parking. The Project will provide three off-street parking spaces in a below-grade basement garage, which will be sufficient to serve the residents at the property.

iii. The safeguards afforded to prevent noxious or offensive emissions such as noise, glare, dust and odor;

The Project consists of the construction of a new three-unit residential building with three off-street parking spaces, and the renovation of one existing cottage. The Project will comply with all City codes regarding construction hours, noise, and dust, and it will not produce, or include, any permanent uses that would emit noxious or offensive emissions such as noise, glare, dust and odor.

iv. Treatment given, as appropriate, to such aspects as landscaping, screening, open spaces, parking and loading areas, service areas, lighting and signs;

The Project will improve the exterior appearance of the Property by upgrading landscaping and creating an attractive, Code-compliant housing development. The Project will incorporate ample landscaping in planters at the front of the Property, and the area surrounding the new development will be landscaped to allow the development to blend into, and complement, the surrounding hillside. The Project Sponsors have also committed to working in good faith with DPW and other relevant City agencies on a stewardship and maintenance agreement for the landscaped area to the north of the Filbert Street stairs.

C. That the use as proposed will comply with the applicable provisions of the Planning Code and will not adversely affect the General Plan.

The Project complies with all relevant requirements and standards of the Planning Code and is consistent with Objectives and Policies of the General Plan, as detailed below.

8. **General Plan Compliance.** The Project is, on balance, consistent with the following Objectives and Policies of the General Plan:

HOUSING ELEMENT

Objectives and Policies

OBJECTIVE 2:
RETAIN EXISTING HOUSING UNITS, AND PROMOTE SAFETY AND MAINTENANCE STANDARDS, WITHOUT JEOPARDIZING AFFORDABILITY.

Policy 2.4:
Promote improvements and continued maintenance to existing units to ensure long term habitation and safety.

The Project includes the renovation of the existing rear yard cottage, which is in poor condition, in order to make it suitable for occupancy.

OBJECTIVE 4:
FOSTER A HOUSING STOCK THAT MEETS THE NEEDS OF ALL RESIDENTS ACROSS LIFECYCLES.

Policy 4.1:
Develop new housing, and encourage the remodeling of existing housing, for families with children.

The Project includes the renovation of the existing rear yard cottage, which is in poor condition, in order to make it suitable for occupancy, and includes the development of three new family-sized units.

OBJECTIVE 11:
SUPPORT AND RESPECT THE DIVERSE AND DISTRINT CHARACTER OF SAN FRANCISCO'S NEIGHBORHOODS.

Policy 11.1:
Promote the construction and rehabilitation of well-designed housing that emphasizes beauty, flexibility, and innovative design, and respects the existing neighborhood character.

Policy 11.2:
Ensure implementation of acceptable design standards in project approvals.

Policy 11.3:
Ensure growth is accommodated without substantially and adversely impacting existing residential neighborhood character.

The Project includes a well-design renovation of the existing rear yard cottage, and includes new construction that is compatible with the surrounding scale of buildings at the street and the massing of adjacent buildings, as well as the architectural character of the surrounding neighborhood.

TRANSPORTATION ELEMENT

Objectives and Policies

OBJECTIVE 1:
MEET THE NEEDS OF ALL RESIDENTS AND VISITORS FOR SAFE, CONVENIENT AND INEXPENSIVE TRANVEL WITHIN SAN FRANCISCO AND BETWEEN THE CITY AND OTHER PART S OF THE REGION WHILE MAINTAINING THE HIGH QULAITY LIVING ENVIRONMENT OF THE BAY AREA.

Policy 1.3:
Give priority to public transit and other alternatives to the private automotive as the means of meeting San Francisco's transportation needs, particularly those of commuters.

OBJECTIVE 2:
USE THE TRANSPORTATION SYSTEM AS A MEANS FOR GUIDING DEVELOPMENT AND IMPROVING THE ENVIRONMENT.

Policy 2.2:
Reduce pollution, noise and energy consumption.

The Project's central location to the City's downtown and its proximity to public transportation make it an ideal location for new housing. Residents will have a variety of options connecting them to the rest of the

City and beyond. Due to the Property's central location, residents will be able to commute to jobs and access much of San Francisco by transit, foot or bicycle.

URBAN DESIGN ELEMENT

Objectives and Policies

OBJECTIVE 2
CONSERVATION OF RESOURCES WHICH PROVIDE A SENSE OF NATURE, CONTINUITY WITH THE PAST, AND FREEDOM FROM OVERCROWDING.

Policy 2.7:
Recognize and protect outstanding and unique areas that contribute in an extraordinary degree to San Francisco's visual form and character.

Telegraph Hill is identified in the General Plan's Urban Design Element as an outstanding and unique area. The Special characteristics of the area are identified as the following:

- *A hilltop park with the highly visible green of trees from which Coit Tower rises above all else.*
- *Low, small-scale buildings having predominantly flat roofs and light pastel colors, hugging the topography in a highly articulated form which contrasts with the power of downtown construction.*
- *Cliffs and complex stairs and walkways on the east side above the waterfront, with buildings perched precariously along the slope and trees interspersed.*
- *Intimate pedestrian scale and texture of streets and housing, with sudden and dramatic views of the Bay and downtown through narrow openings.*

The Project is compatible with the aforementioned special characteristics, in that the buildings are designed to be consistent with the scale and massing of surrounding properties, and include flat, landscaped roof. The buildings respect the topography of the street by "stepping-down" the laterally-sloping topography of the Filbert Street steps. The buildings have been designed with a pedestrian scale and texture, incorporating both landscaping as well as side setbacks along the west side of each of the three new units, which provide for views of downtown.

OBJECTIVE 3:
MODERATION OF MAJOR NEW DEVELOPMENT TO COMPLEMENT THE CITY PATTERN, THE RESOURCES TO BE CONSERVED, AND THE NEIGHBORHOOD ENVIRONMENT.

Policy 3.1:
Promote harmony in the visual relationships and transitions between new and older buildings.

Policy 3.6:
Relate the bulk of buildings to the prevailing scale of development to avoid an overwhelming or dominating appearance in new construction.

The Project provides an attractive modern design and form that compliments and blends with surrounding structures without mimicking them. This creates a visually dynamic and harmonious neighborhood with an appropriate mixture of building styles.

OBJECTIVE 4
IMPROVEMENT OF THE NEIGHBORHOOD ENVIRONMENT TO INCREASE PERSONAL SAFETY, COMFORT, PRIDE AND OPPORTUNITY

Policy 4.4
Design walkways and parking facilities to minimize danger to pedestrians.

This General Plan states that driveways across sidewalks should be kept to a practical minimum, with control maintained over the number and width of curb cuts, in order to minimize danger to pedestrians. The Project includes a 10-foot wide curb cut, which is the City standard, and a 12-foot wide garage door, which is comparable with the size of garage doors found on surrounding properties (specifically the two properties to the east). The Project has been designed to include one garage entrance that will serve the vehicle storage for all four units on the Property, thereby minimizing danger to pedestrians. The garage has sufficient space for maneuvering such that exiting vehicles will not need to be backed-out in reverse. The garage door will be recessed 7'-6" from the front Property Line, in order to allow cars to exit the garage and observe pedestrian activity before crossing the sidewalk. As indicated through the Conditions of Approval, the Project Sponsor has also agreed to install warning signs to alert pedestrians on the Filbert Steps to the presence of the driveway, as well as mirrors to enhance the view of drivers exiting the garage.

9. **Planning Code Section 101.1(b)** establishes eight priority-planning policies and requires review of permits for consistency with said policies. On balance, the project does comply with said policies in that:

A. That existing neighborhood-serving retail uses be preserved and enhanced and future opportunities for resident employment in and ownership of such businesses be enhanced.

The Project includes the re-use of the existing vacant residential cottage at the rear of the property, and the addition of three residential units on a largely vacant lot. It will not displace any neighborhood serving retail uses or have any adverse effect on future opportunities for resident employment and ownership of retail uses.

B. That existing housing and neighborhood character be conserved and protected in order to preserve the cultural and economic diversity of our neighborhoods.

The Project will conserve and protect existing housing and neighborhood character by renovating and restoring an existing building in the neighborhood. It will improve a dilapidated vacant lot with a well-designed, high-quality residential development that is compatible with the scale and mass of surrounding properties. It will include screening and green elements specifically designed to allow the new structure to blend seamlessly into the character of the neighborhood.

C. That the City's supply of affordable housing be preserved and enhanced,

The Project includes the rehabilitation and preservation of an existing vacant rear cottage, which based on its size, will be relatively affordable for the Telegraph Hill neighborhood.

D. That commuter traffic not impede MUNI transit service or overburden our streets or neighborhood parking.

With four residential units within walking distance of the City's employment core and public transit (MUNI #39), the Project will not generate substantial commuter traffic that will impede MUNI transit service, or overburden the streets or neighborhood parking. Furthermore, by including three off-street parking spaces, the Project will minimize the need for residents to use the limited on-street parking in the neighborhood.

E. That a diverse economic base be maintained by protecting our industrial and service sectors from displacement due to commercial office development, and that future opportunities for resident employment and ownership in these sectors be enhanced.

The Project is a small residential development located on a nearly vacant lot in a residential neighborhood. No office use is proposed, and no industrial uses will be displaced.

F. That the City achieve the greatest possible preparedness to protect against injury and loss of life in an earthquake.

The Project will conform to the structural and seismic requirements of the San Francisco Building Code, and thus meets this requirement.

G. That landmarks and historic buildings be preserved.

The Project is not located in any Conservation or Historic District. The Project will not adversely alter any landmark building, contributory building, or architecturally significant building on the Property or in the vicinity.

H. That our parks and open space and their access to sunlight and vistas be protected from development.

The Project includes the in-fill development of three new dwelling-units on a largely vacant lot in a residential neighborhood. The Project will not adversely affect any public parks or open spaces. It is located below Coit Tower and Pioneer Park on Telegraph Hill, and will incorporate green rooftops to ensure that the Project blends with the hillside when viewed from above. It will not adversely affect Coit Tower's access to sunlight or public vistas.

10. The Project is consistent with and would promote the general and specific purposes of the Code provided under Section 101.1(b) in that, as designed, the Project would contribute to the character and stability of the neighborhood and would constitute a beneficial development.

11. The Commission hereby finds that approval of the Conditional Use Authorization would promote the health, safety and welfare of the City.

DECISION

That based upon the Record, the submissions by the Applicant, the staff of the Department and other interested parties, the oral testimony presented to this Commission at the public hearings, and all other written materials submitted by all parties, the Commission hereby **APPROVES Conditional Use Application No. 2013.1375CE, as revised at the hearing on September 11, 2014,** subject to the following conditions attached hereto as "EXHIBIT A" in general conformance with plans on file, revised and dated September 16, 2014, and stamped "EXHIBIT B", which is incorporated herein by reference as though fully set forth.

APPEAL AND EFFECTIVE DATE OF MOTION: Any aggrieved person may appeal this Conditional Use Authorization to the Board of Supervisors within thirty (30) days after the date of this Motion No. 19232. The effective date of this Motion shall be the date of this Motion if not appealed (After the 30-day period has expired) OR the date of the decision of the Board of Supervisors if appealed to the Board of Supervisors. For further information, please contact the Board of Supervisors at (415) 554-5184, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102.

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 ADOPTED the foregoing Motion on September 11, 3014.

Jonas P. Ionin
Commission Secretary

AYES: Commissioners Antonini, Fong, Hillis, Johnson, Richards

NAYS: Commissioners Moore, Wu

ABSENT: N/A

ADOPTED: September 11, 2014

EXHIBIT A

AUTHORIZATION

This authorization is for a Conditional Use to allow the construction of three new dwelling-units on a lot that contains one existing unit, including three off-street parking spaces located at 115 Telegraph Hill Boulevard, Block 0105, and Lot 065 pursuant to Planning Code Sections 209.1(h) and 303, within the RH-3 (Residential House, Three-Family) Zoning District, Telegraph Hill – North Beach Residential Special Use District, and a 40-X Height and Bulk District; in general conformance with plans, revised and dated **September 16, 2014**, and stamped "EXHIBIT B" included in the docket for Case No. **2013.1375C** and subject to conditions of approval reviewed and approved by the Commission on **September 11, 2014** under Motion No. **19232**. This authorization and the conditions contained herein run with the property and not with a particular Project Sponsor, business, or operator.

RECORDATION OF CONDITIONS OF APPROVAL

Prior to the issuance of the building permit or commencement of use for the Project the Zoning Administrator shall approve and order the recordation of a Notice in the Official Records of the Recorder of the City and County of San Francisco for the subject property. This Notice shall state that the project is subject to the conditions of approval contained herein and reviewed and approved by the Planning Commission on **September 11, 2014** under Motion No. **19232**.

PRINTING OF CONDITIONS OF APPROVAL ON PLANS

The conditions of approval under the 'Exhibit A' of this Planning Commission Motion No. **19232**shall be reproduced on the Index Sheet of construction plans submitted with the Site or Building permit application for the Project. The Index Sheet of the construction plans shall reference to the Conditional Use authorization and any subsequent amendments or modifications.

SEVERABILITY

The Project shall comply with all applicable City codes and requirements. If any clause, sentence, section or any part of these conditions of approval is for any reason held to be invalid, such invalidity shall not affect or impair other remaining clauses, sentences, or sections of these conditions. This decision conveys no right to construct, or to receive a building permit. "Project Sponsor" shall include any subsequent responsible party.

CHANGES AND MODIFICATIONS

Changes to the approved plans may be approved administratively by the Zoning Administrator. Significant changes and modifications of conditions shall require Planning Commission approval of a new Conditional Use Authorization.

Conditions of Approval, Compliance, Monitoring, and Reporting

PERFORMANCE

1. **Validity.** The authorization and right vested by virtue of this action is valid for three (3) years from the effective date of the Motion. The Department of Building Inspection shall have issued a Building Permit or Site Permit to construct the project and/or commence the approved use within this three-year period.
   For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

2. **Expiration and Renewal.** Should a Building or Site Permit be sought after the three (3) year period has lapsed, the project sponsor must seek a renewal of this Authorization by filing an application for an amendment to the original Authorization or a new application for Authorization. Should the project sponsor decline to so file, and decline to withdraw the permit application, the Commission shall conduct a public hearing in order to consider the revocation of the Authorization. Should the Commission not revoke the Authorization following the closure of the public hearing, the Commission shall determine the extension of time for the continued validity of the Authorization.
   For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

3. **Diligent pursuit.** Once a Site or Building Permit has been issued, construction must commence within the timeframe required by the Department of Building Inspection and be continued diligently to completion. Failure to do so shall be grounds for the Commission to consider revoking the approval if more than three (3) years have passed since this Authorization was approved.
   For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

4. **Extension.** All time limits in the preceding three paragraphs may be extended at the discretion of the Zoning Administrator where implementation of the project is delayed by a public agency, an appeal or a legal challenge and only by the length of time for which such public agency, appeal or challenge has caused delay.
   For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

5. **Conformity with Current Law.** No application for Building Permit, Site Permit, or other entitlement shall be approved unless it complies with all applicable provisions of City Codes in effect at the time of such approval.
   For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

DESIGN

6. **Final Materials.** Final materials, window details, glazing, color, texture, landscaping, and general detailing shall be subject to Department staff review and approval. The architectural addenda shall be reviewed and approved by the Planning Department prior to issuance.
For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org

7. **Garbage, composting and recycling storage.** Space for the collection and storage of garbage, composting, and recycling shall be provided within enclosed areas on the property and clearly labeled and illustrated on the building permit plans. Space for the collection and storage of recyclable and compostable materials that meets the size, location, accessibility and other standards specified by the San Francisco Recycling Program shall be provided at the ground level of the buildings.
For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org

8. **Street Trees.** Pursuant to Planning Code Section 138.1, the Project Sponsor shall submit a site plan to the Planning Department prior to Planning approval of the Site or Building Permit Application indicating that the two existing street trees will remain. The Sponsor will pay an in-lieu fee for the remaining two require street trees in accordance with Planning Code Section 428, and as outlined in more detailed below.
For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org

9. **Garage Door.** As shown on plans, revised and dated September 16, 2014, and stamped "EXHIBIT B", the garage door shall be recessed a total of 7'-6" from the front property line in order to allow drivers exiting the garage the ability to stop and view pedestrian traffic before crossing the sidewalk.
For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org

10. **Stair Penthouse.** Rooftop stair penthouses shall not be permitted. Revised plans dated September 16, 2014, and stamped "EXHIBIT B", show roof access hatches that are flush with the roof, rather than the previously proposed stair penthouses.
For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org

PARKING AND TRAFFIC

11. **Bicycle Parking.** The Project shall provide no fewer than **four (4)** Class 1 bicycle parking spaces as required by Planning Code Sections 155.1 and 155.5.
For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

12. **Parking Maximum.** Pursuant to Planning Code Section 151.1 and 249.49, the Project shall provide no more than **three (3)** off-street parking spaces.
For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

13. **Construction Parking.** The Project Sponsor shall require of the general contractor that construction workers shall park legally and shall not park in the Coit Tower parking lot. *For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org*

14. **Construction Management Plan.** A Construction Management Plan is required, as provided for under items 23-32 of the "General Notes" section of the Title Sheet of the revised plans, dated September 16, 2014, and stamped "EXHIBIT B".
For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org

15. **Managing Traffic During Construction.** The Project Sponsor and construction contractor(s) shall coordinate with the Traffic Engineering and Transit Divisions of the San Francisco Municipal Transportation Agency (SFMTA), the Police Department, the Fire Department, the Planning Department, and other construction contractor(s) for any concurrent nearby Projects to manage traffic congestion and pedestrian circulation effects during construction of the Project. Prior to commencing construction, the Project Sponsor shall consult with the affected neighbors on Assessor's Block 105 before finalizing the construction staging and traffic plan, including:

    a. A schedule of delivery times and dates during which the construction materials are expected to arrive; and
    b. Methods to be used to monitor truck movement into and out of the building site so as to minimize traffic conflicts on Telegraph Hill Boulevard.

    There shall be no queuing of construction trucks along Telegraph Hill Boulevard. All trucks waiting to unload material shall be staged at a location offsite. Deliveries shall be made between the hours of 7:30 a.m. and 5 p.m. on weekdays, exclusive of legal holidays. The Project Sponsor shall employ full-time flag persons to direct traffic during excavation and concrete placement phases of construction. During other construction phases, all truck movement into and out of the Project Site shall be monitored by flag persons to minimize any traffic conflict.
    For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

16. **Garage Safety Features.** The Project Sponsor shall post signs or other devices to alert pedestrians to vehicles exiting the garage. Parabolic mirrors shall be installed at the garage exit to enhance the view of exiting drivers.
For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

PROVISIONS

17. **Street Tree In-Lieu Fee.** The Zoning Administrator waived the requirement for installation of two of the required four street trees under Planning Code Section 138.1 based on DPW's recommendation. Pursuant to Planning Code Section 428, the Project Sponsor shall comply with Planning Code Section 138.1 through payment of an in-lieu Fee pursuant to Section 428.
For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org

MONITORING

18. **Enforcement.** Violation of any of the Planning Department conditions of approval contained in this Motion or of any other provisions of Planning Code applicable to this Project shall be subject to the enforcement procedures and administrative penalties set forth under Planning Code Section 176 or Section 176.1. The Planning Department may also refer the violation complaints to other city departments and agencies for appropriate enforcement action under their jurisdiction.
For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

19. **Revocation due to Violation of Conditions.** Should implementation of this Project result in complaints from interested property owners, residents, or commercial lessees which are not resolved by the Project Sponsor and found to be in violation of the Planning Code and/or the specific conditions of approval for the Project as set forth in Exhibit A of this Motion, the Zoning Administrator shall refer such complaints to the Commission, after which it may hold a public hearing on the matter to consider revocation of this authorization.
For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

OPERATION

20. **Sidewalk Maintenance.** The Project Sponsor shall maintain the main entrance to the building and all public sidewalks and stairways abutting the subject property in a clean and sanitary condition in compliance with the Department of Public Works Streets and Sidewalk Maintenance Standards.
For information about compliance, contact Bureau of Street Use and Mapping, Department of Public Works, 415-695-2017, http://sfdpw.org

21. **Filbert Street Stewardship.** The Project Sponsor will work in good faith with DPW and other relevant City Agencies to establish a stewardship and maintenance agreement for the landscaped area to the north of the Filbert Street stairs, between Kearny Street and the Project Site.
For information about compliance, contact Bureau of Street Use and Mapping, Department of Public Works, 415-695-2017, http://sfdpw.org

22. **Community Liaison.** Prior to issuance of a building permit to construct the project and implement the approved use, the Project Sponsor shall appoint a community liaison officer to deal with the issues of concern to owners and occupants of nearby properties. The Project Sponsor shall provide the Zoning Administrator with written notice of the name, business address, and telephone number of the community liaison. Should the contact information change, the Zoning Administrator shall be made aware of such change. The community liaison shall report to the Zoning Administrator what issues, if any, are of concern to the community and what issues have not been resolved by the Project Sponsor.
For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

ADDRESS	Square Feet	BLOCK	LOT	OWNER	OWNER'S ADDRESS	CITY	STATE	ZIP
310 Filbert	3,231.250	0086	007	GRAY TRS (Donna L. Carnes, trustee)	310 FILBERT ST	SAN FRANCISCO	CA	94133-3206
97 Tel Hill Blvd. (21.01%)	765.550	0086	037	CAROLYN ZECCA FERRIS REV TRS	97 TELEGRAPH HILL BL	SAN FRANCISCO	CA	94133-3106
99 Tel Hill Blvd. (49.54%)	1,805.114	0086	038	CAROLYN ZECCA FERRIS REV TRS	99 TELEGRAPH HILL BL	SAN FRANCISCO	CA	94133-3106
401-05 Filbert/1459-69 Kearny	2,400.000	0104	001	Alexander Schuth (Eva-Maria Schuth, wife)	401-05 Filbert/1459-69 Kearny	SAN FRANCISCO	CA	94133
1447 Kearny	1,302.000	0104	003	GHIGLIER, JEAN & GUIDO	52 GENOA PL	SAN FRANCISCO	CA	94133-3402
1435-1437 Kearny	1,200.000	0104	006	LISTON TRS (Marcy Liston)	1437 KEARNY ST	SAN FRANCISCO	CA	94133-3404
126-128 Varennes	1,149.000	0104	049	YUET YING WONG TRSEE (Howard & Yuet Ling Wong, tr	128 VARENNES ST	SAN FRANCISCO	CA	94133-3411
439-441 Filbert	1,006.000	0104	054	ROBERT TOY	439 FILBERT ST	SAN FRANCISCO	CA	94133-3021
56-58 Genoa	496.000	0104	064	NEIL RASKIN TRS	1455 KEARNY ST	SAN FRANCISCO	CA	94133-3404
1455 Kearny	696.000	0104	065	NEIL RASKIN TRS	1455 KEARNY ST	SAN FRANCISCO	CA	94133-3404
152-158 Varennes	2,417.000	0104	068	ROBERT TOY	439 FILBERT ST	SAN FRANCISCO	CA	94133-3021
55 Genoa Pl	2,090.000	0104	069	WORNUM COOK TRS (Claudia Wornu, trustee)	1823 ALAMEDA AV	ALAMEDA	CA	94501-4107
1321 Montgomery	1,572.000	0105	002	SUZANNE DANEMAN CAUTHEN TRS	1321 MONTGOMERY ST	SAN FRANCISCO	CA	94133-3521
110 Alta	1,632.000	0105	006	110 ALTA LLC - Peter Dwares, Manager	331 FILBERT ST	SAN FRANCISCO	CA	94133-3234
103-105 Alta	797	0105	009	JEREMIAH & JACQUELINE ROBISON	103-105 ALTA ST	SAN FRANCISCO	CA	94133-3503
1315 Montgomery	1,550.000	0105	010	DANIEL LORIMER	1315 MONTGOMERY ST	SAN FRANCISCO	CA	94133-3521
1309-1311 Montgomery	1,546.000	0105	011	BIRCHERS LLC	PO BOX 291	FERNDALE	CA	95536-0291
1305-07 Montgomery	1,934.000	0105	013	CROCKETT & KROEBER TRS	1305 MONTGOMERY ST	SAN FRANCISCO	CA	94133-3511
1301 & 1303 Montgomery	2,500	0105	014	JUDY SITZ	1301 1/2 MONTGOMERY S	SAN FRANCISCO	CA	94133
1402 Kearny	1,855.000	0105	025	DENNIS FIORANELLI	394 UNION ST	SAN FRANCISCO	CA	94133-3516
1424-1428 Kearny	5,156.250	0105	027	SHEILA BLACK ESTATE	1424 KEARNY ST	SAN FRANCISCO	CA	94133-3441
1436 Kearny	5,500.000	0105	028	NATHAN & NAN ROTH	1436 KEARNY ST	SAN FRANCISCO	CA	94133-3405
1454-56 Kearny	776.000	0105	031	YASSO TRS	9703 MERRIWEATHER CT	GRANITE BAY	CA	95746-6712
391 Filbert	727.000	0105	032	ERICH BREISACHER	391 FILBERT ST	SAN FRANCISCO	CA	94133-3205
357 Filbert	2,382.500	0105	037	NATHAN & NAN ROTH	1436 KEARNY ST	SAN FRANCISCO	CA	94133-3405
122 Alta	1,999.000	0105	041	SAFFELSING TRS (Blair Helsing & Sharon Saffel, trustees)	122 ALTA ST	SAN FRANCISCO	CA	94133-3504
331 Filbert	997.000	0105	045	331 Filbert LLC (New Owner) - Peter Dwares, Manager	331 Filbert	SAN FRANCISCO	CA	94133
327 Filbert	875.000	0105	045B	SONDRA LEQVE TRS	327 FILBERT ST	SAN FRANCISCO	CA	94133-3205
109-111 Tel Hill Blvd	3,220.625	0105	049	WILLIAM RUTTER TRS	1700 OWENS ST #515	SAN FRANCISCO	CA	94158-0002
107 Alta	3,260.000	0105	048	FRANK CHIANG TRS	107 ALTA ST	SAN FRANCISCO	CA	94133-3503
307 Filbert	1,528.000	0105	050	ROBERT MAJOR TRS	311 TEETSHORN ST	HOUSTON	TX	77009-7529
116 ALTA ST (13.513%)	1,021.92	0105	055	Prober Family Trust (Charles G. Prober, trustee)	116 ALTA ST	SAN FRANCISCO	CA	94133-3504
118 ALTA ST (18.91%)	1,430.069	0105	056	BRADLEY & AMANDA PETERS	118 ALTA ST	SAN FRANCISCO	CA	94133-3504
101 Tel Hill Blvd #A (10.383%)	785.214	0105	057	BEYKPOUR KAYVON	101 TELEGRAPH HILL BL #A	SAN FRANCISCO	CA	94133-3101
101 Tel Hill Blvd #B (14.7321%)	1,114.115	0105	058	LEY TRS	26850 ORTEGA DR	LOS ALTOS	CA	94022-1978
345 Filbert St #1 (21.3255%)	1,612.741	0105	059	GIOVANNI SAVIO	345 FILBERT ST #1	SAN FRANCISCO	CA	94133-3205
345 FILBERT ST #2 (10.5682%)	799.220	0105	060	PETER HABLE TRS	345 FILBERT ST #2	SAN FRANCISCO	CA	94133-3205
71 CASTLE ST (26%)	611.000	0114	074	SMITH TRS (Robert E. Smith, trustee)	75 CASTLE ST	SAN FRANCISCO	CA	94133-3517
73 CASTLE ST (26%)	611.000	0114	075	SMITH TRS (Robert E. Smith, trustee)	75 CASTLE ST	SAN FRANCISCO	CA	94133-3517
75 CASTLE ST (26%)	611.000	0114	076	SMITH TRS (Robert E. Smith, trustee)	75 CASTLE ST	SAN FRANCISCO	CA	94133-3517
77 CASTLE ST (26%)	611.000	0114	077	SMITH TRS (Robert E. Smith, trustee)	75 CASTLE ST	SAN FRANCISCO	CA	94133-3517
401 UNION ST #101 (12.64%)	391.840	0115	055	JONATHAN PEREL	401 UNION ST #101	SAN FRANCISCO	CA	94133-3450
401 UNION ST #102 (9.65%)	299.150	0115	056	ROBERT WATKE TRS	401 UNION ST #102	SAN FRANCISCO	CA	94133-3432
401 UNION ST #103 (10.96%)	339.760	0115	057	JEFFREY WATSON	401 UNION ST #103	SAN FRANCISCO	CA	94133-3432
401 UNION ST #301 (18.78%)	582.180	0115	061	VIVIANE AMES	401 UNION ST #301	SAN FRANCISCO	CA	94133-3431
401 UNION ST #302 (14.72%)	456.320	0115	062	FUNG & NGUYEN	401 UNION ST #302	SAN FRANCISCO	CA	94133-3431
total square feet	69,641.819							

City Planning Commission
Case No. 2013-1375CE

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If ownership has changed and assessment roll has not been amended, we attach proof of ownership change. If signing for a firm or corporation, proof of authorization to sign on behalf of the organization is attached.

	Street Address, property owned	Assessor's Block & Lot	Printed Name of Owner(s)	Original Signature of Owner(s)
1.	310 Filbert St	86/07	Donna L. Cames-Gray, Trustee, Gray Trust	Donna Cames-Trustee
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NOTE: REC'D 29 PAGES OF SIGNATURES

City Planning Commission
Case No. 2013-1375CE

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	Street Address, property owned	Assessor's Block & Lot	Printed Name of Owner(s)	Original Signature of Owner(s)
1.	97 Telegraph Hill Blvd.	86/37	Carolyn Zecca Ferris, Trustee, Carolyn Zecca Ferris Rev. Tr.	X
2.				
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5.	99 Telegraph Hill Blvd.	86/38	Carolyn Zecca Ferris, Trustee, Carolyn Zecca Ferris Rev. Tr.	X
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	Street Address, property owned	Assessor's Block & Lot	Printed Name of Owner(s)	Original Signature of Owner(s)
1.	401-05 Filbert/1459-65 Kearny	104/01	Eva-Maria Schuth	x
2.			Alexander Schuth	x
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RECORDING REQUESTED BY:

Old Republic Title Company

Order No.: 0224032534-KN
APN: Lot 001; Block 0104

When Recorded Mail Document and Tax Statements to:

Alexander Schuth
1469 Kearny St.
San Francisco, CA 94133

20149J89084600005
San Francisco Assessor-Recorder
Carmen Chu, Assessor-Recorder
DOC 2014-J890846-00
Acct 5002-Old Republic Title Company
Wednesday, JUN 04, 2014 10:59:54
Ttl Pd$26,099.50 Nbr-0004950493
oar/RE/1-5

SPACE ABOVE THIS LINE IS FOR RECORDER'S USE

1459-1469 Kearny St & 401-405 Filbert St.

Grant Deed

The undersigned grantor(s) declare(s):
Documentary Transfer Tax is $26,062.50
(X) computed on full value of property conveyed, or
( ) computed on full value less of liens and encumbrances remaining at time of sale.
( ) Unincorporated area: (X) City of San Francisco

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,
Ernest John Chiappari and Linda Lee Chiappari, Trustees of The Ernest John Chiappari and Linda Lee Chiappari Revocable Living Trust dated April 4, 2007; and Larry P. Nannini and Susan L. Nannini, Trustees under Revocable Trust Agreement of Larry P. Nannini and Susan L. Nannini dated June 26, 2007; and Roy L. Chiappari and Dianne R. Chiappari, Trustees of The Roy L. Chiappari and Dianne R. Chiappari Revocable Living Trust dated April 8, 2004; and Ernest Chiappari, Roy Chiappari and Susan Nannini, Successor Co-Trustees of The Mary Chiappari 1998 Revocable Living Trust dated April 20, 1998
hereby GRANT(S) to
Alexander Schuth, a married man, as his sole and separate property

that property in City of San Francisco, San Francisco County, State of California, described as:
See "Exhibit A" attached hereto and made a part hereof.

Date: May 23, 2014

The Ernest John Chiappari and Linda Lee Chiappari Revocable Living Trust dated April 4, 2007

By: _____
Ernest John Chiappari, Trustee

By: _____
Linda Lee Chiappari, Trustee

The Revocable Trust Agreement of Larry P. Nannini and Susan L. Nannini dated June 26, 2007

By: _____
Larry P. Nannini, Trustee

By: _____
Susan L. Nannini, Trustee

The Roy L. Chiappari and Dianne R. Chiappari Revocable Living Trust dated April 8, 2004

By: _____
Roy L. Chiappari, Trustee

By: _____
Dianne R. Chiappari, Trustee

The Mary Chiappari 1998 Revocable Living Trust dated April 20, 1998

By: _____
Ernest Chiappari, Successor Co-Trustee

By: _____
Roy Chiappari, Successor Co-Trustee

By: _____
Susan Nannini, Successor Co-Trustee

ORDER NO. : 0224032534-KN

EXHIBIT A

The land referred to is situated in the County of San Francisco, City of San Francisco, State of California, and is described as follows:

Commencing at a point formed by the intersection of the Westerly line of Kearny Street with the Southerly line of Filbert Street, running thence Southerly along said Westerly line of Kearny Street 40 feet; thence at a right angle Westerly and parallel to the Southerly line of Filbert Street 60 feet to Easterly line of Filbert Place; thence at a right angle Northerly along said Easterly line of Filbert Place 40 feet to the Southerly line of Filbert Street, thence at a right angle Easterly along said Southerly line of Filbert Street 60 feet to said Westerly line of Kearny Street and the point of commencement.

BEING a portion of 50 Vara Lot No. 421.

Assessor's LOT 00 1; BLOCK 0104

State of California

County of San Mateo

On 27th day of May, 2014 before me, D. Lum a Notary Public, personally appeared Roy L. Chiappari,* Dianne R. Chaippari, Larry P. Nannini and Susan L. Nannini,** who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature: _____

D. LUM
Commission # 2062404
Notary Public - California
San Mateo County
My Comm. Expires Apr 23, 2018

Name: D. Lum
Grant Deed dated May 23, 2014 Lot 001; Block 0104
(typed or printed)

(Seal)

D. LUM
Commission # 2062404
Notary Public - California
San Mateo County
My Comm. Expires Apr 23, 2018

*aka Roy Chiappari.
**aka Susan Nannini.

DVL/dvl

State of California

County of Placer

On 28th day of May, 2014 before me, M.R. Bor a Notary Public, personally appeared Ernest Chiapparl , who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(les), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature: _____

M. R. BOR
Comm. #2001651
Notary Public - California
Placer County
Comm. Expires Jan 17, 2017

Name: M.R. Bor
(typed or printed)

(Seal)

RB/rb



Search Results

Document Details

Year	Document	Record Date	Reel	Image	Document Type	GrantoR GranteE	Name
2014	J890846-00	06/04/2014			DEED	R	CHIAPPARI ERNEST JOHN
						R	CHIAPPARI LINDA LEE
						R	ERNEST J & LINDA L CHIAPPARI REVOC TR
						R	MARY CHIAPPARI 1998 REVOC LVG TR
						R	NANNINI LARRY
						R	NANNINI SUSAN L
						E	SCHUTH ALEXANDER

Safari Power Saver
Click to Start Flash Plug-in
Norton SECURED
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13300 New Airport Rd. Suite 101 Auburn, CA 95602



City Planning Commission
Case No. 2013-1375CE

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If ownership has changed and assessment roll has not been amended, we attach proof of ownership change. If signing for a firm or corporation, proof of authorization to sign on behalf of the organization is attached.

	Street Address, property owned	Assessor's Block & Lot	Printed Name of Owner(s)	Original Signature of Owner(s)
1.	55 Genoa PL	104/69	Cook & Wornum Family Tr.	
2.			Claudia Wornum, Trustee	Claudia Wornum
3.				
4.	1447 KEARNY	104/3	GUIDO GHIGLIERI	Guido Ghiglieri
5.			JEAN GHIGLIERI	Jean Ghiglieri
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	Street Address, property owned	Assessor's Block & Lot	Printed Name of Owner(s)	Original Signature of Owner(s)
1.	1435-37 Kearny	104/06	Liston TRS (Marcy Liston Trust)	Marcy Liston, Trustee
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	Street Address, property owned	Assessor's Block & Lot	Printed Name of Owner(s)	Original Signature of Owner(s)
1.	126-128 Varennes	104/49	YUET YING WONG Trust	
2.			Yuet Ying Wong	Yuet Y Wong
3.			Howard Wong	H
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	Street Address, property owned	Assessor's Block & Lot	Printed Name of Owner(s)	Original Signature of Owner(s)
1.	439-441 Filbert	104/54	Robert Toy	x
2.	152-158 Varennes	104/68	Robert Toy	x
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City Planning Commission
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	Street Address, property owned	Assessor's Block & Lot	Printed Name of Owner(s)	Original Signature of Owner(s)
1.	56-58 Genoa	104/64	NEIL RASKIN TRS	x
2.			NEIL RASKIN	
3.				
4.				
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6.	1455 Kearny	104/65	NEIL RASKIN TR	x
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August 2011

City Planning Commission
Case No. 2013-1375CE

The undersigned declare that they are hereby subscribers to this Notice of Appeal and are owners of property affected by the proposed amendment or conditional use (that is, owners of property within the area that is the subject of the application for amendment or conditional use, or within a radius of 300 feet of the exterior boundaries of the property.

If ownership has changed and assessment roll has not been amended, we attach proof of ownership change. If signing for a firm or corporation, proof of authorization to sign on behalf of the organization is attached.

	Street Address, property owned	Assessor's Block & Lot	Printed Name of Owner(s)	Original Signature of Owner(s)
1.	109-111 Telegraph Hill Blvd	105/49	William RUTTER Trust	[signature]
2.	357 Filbert	105/37	Nathan ROTH	Nathan Roth
3.	"	"	NAN ROTH	[signature]
4.	1436 Kearny	105/28	NATHAN ROTH	~~Nathan~~ Nathan Roth
5.	"	"	Nan ROTH	[signature]
6.	110 Alta	105/06	110 ALTA LLC (Peter Dwares)	X [signature]
7.	~~1424-1428 Kearny~~	~~105/27~~	~~Sheila Black (Estate of)~~	
8.	1315 Montgomery	105/10	Daniel Lorimer	[signature]
9.	~~12628 Varennes~~	~~104/49~~	~~[illegible]~~	~~[illegible]~~
10.	1321 Montgomery	105/02	Suzanne Daneman Cauthen Tr	Suzanne D. Cauthen
11.	331 Filbert	105/45	~~First Soscol LLC~~ 331 Filbert LLC (Peter Dwares)	X [signature]
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Business Entities (BE)

Online Services
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Business Entity Detail

Data is updated to the California Business Search on Wednesday and Saturday mornings. Results reflect work processed through Friday, September 19, 2014. Please refer to **Processing Times** for the received dates of filings currently being processed. The data provided is not a complete or certified record of an entity.

Entity Name:	110 ALTA LLC
Entity Number:	200322710040
Date Filed:	08/13/2003
Status:	ACTIVE
Jurisdiction:	CALIFORNIA
Entity Address:	331 FILBERT STREET
Entity City, State, Zip:	SAN FRANCISCO CA 94133
Agent for Service of Process:	PETER DWARES
Agent Address:	331 FILBERT STREET
Agent City, State, Zip:	SAN FRANCISCO CA 94133

* Indicates the information is not contained in the California Secretary of State's database.

* **Note:** If the agent for service of process is a corporation, the address of the agent may be requested by ordering a status report.

- For information on checking or reserving a name, refer to **Name Availability**.
- For information on ordering certificates, copies of documents and/or status reports or to request a more extensive search, refer to **Information Requests**.
- For help with searching an entity name, refer to **Search Tips**.
- For descriptions of the various fields and status types, refer to **Field Descriptions and Status Definitions**.

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110 Alta St
105/06

MANAGER- Peter Dwares
110 Alta St. LLC

OPERATING AGREEMENT

FOR

110 ALTA LLC

A LIMITED LIABILITY COMPANY

THE SECURITIES REPRESENTED BY THIS AGREEMENT HAVE NOT BEEN REGISTERED UNDER THE SECURITIES ACT OF 1933 OR REGISTERED OR QUALIFIED UNDER ANY STATE SECURITIES LAWS. SUCH SECURITIES MAY NOT BE OFFERED FOR SALE, SOLD, TRANSFERRED, PLEDGED, OR HYPOTHECATED UNLESS QUALIFIED AND REGISTERED UNDER APPLICABLE STATE AND FEDERAL SECURITIES LAWS OR IN THE OPINION OF COUNSEL SATISFACTORY TO THE COMPANY, SUCH QUALIFICATION OR REGISTRATION IS NOT REQUIRED. ANY TRANSFER OF SECURITIES REPRESENTED BY THIS AGREEMENT IS FURTHER SUBJECT TO OTHER RESTRICTIONS, TERMS AND CONDITIONS WHICH ARE SET FORTH HEREIN.

OPERATING AGREEMENT

This Operating Agreement, is made as of August 14, 2003 by and among the parties listed on the signature pages hereof, with reference to the following facts:

WHEREAS, on August 13, 2003, Articles of Organization for a California limited liability company, were filed with the California Secretary of State.

WHEREAS, the parties desire to adopt and approve an operating agreement for the Company.

NOW, THEREFORE, the parties to this Agreement agree to the following provisions of the Company's operating agreement:

ARTICLE 1 DEFINITIONS.

When used in this Agreement, the following terms shall have the meanings set forth below (Other terms used in this Agreement that are not defined in this Article 1 shall have the meanings set forth elsewhere in this Agreement):

1.1 "Act" shall mean the California Limited Liability Act.

Bankruptcy Code, as determined by the Bankruptcy Court, or the admission in writing of a Member's inability to pay such Member's debts as they become due.

1.6 "Capital Account" shall mean, with respect to a Member, the capital account which the Company establishes and maintains for such Member pursuant to Section 3.3.

1.7 "Capital Contribution" shall mean the total value of cash or fair market value of property (including promissory notes or obligation to contribute cash or property) contributed or services rendered or to be rendered to the Company by Members.

1.8 "Code" shall mean the Internal Revenue Code of 1986, as it may be amended or restated from time to time, and to the extent applicable, the Regulations.

1.9 "Company" shall mean 110 Alta LLC, a California limited liability company. the business of the Company may be conducted under that name or, upon compliance with applicable laws, any other name that the Manager deems appropriate or advisable.

1.10 "Company Minimum Gain" shall have the meaning ascribed to the term "Partnership Minimum Gain: in the Regulations Section 1.704-2 (d).

1.11 "Corporations Code" shall mean the California Corporations Code, as it may be amended or restated from time to time.

1.17 "Former Member" shall have the meaning defined under Section 8.1.

1.18 "Former Member's Interest" shall have the meaning defined under Section 8.1.

1.19 "Loan Agreement" shall mean a Loan Agreement.

1.20 "Majority Interest" shall mean aggregate Percentage Interests of Members which exceed fifty percent (50%) of Percentage Interests of all Members.

1.21 "Manager" shall mean Peter L. Dwares, until his successor(s) are appointed in accordance with the terms of this Agreement, the Articles or the Act.

1.22 "Member" shall mean each Person who (i) is an initial signatory to this Agreement, (ii) has been admitted to the Company as a Member in accordance with the Articles or this Agreement or (iii) is an assignee who has become a Member in accordance with Article 7 and (iv) has not resigned, withdrawn, been expelled or, if other than an individual, dissolved. Initial Members are New Providence Trust and Peter Dwares.

1.23 "Member Non recourse Debt" shall have the meaning ascribed to the term "Partner Non recourse Debt" in Regulations Section 1.704-2(b) (4).

4.10.2 Replacement of Certificates. Any Member whose certificate of membership is lost, stolen, or destroyed may request a new certificate. Upon indemnifying the Company as reasonably as required by the Manager, a new certificate may be issued representing the same Percentage Interest of membership as was represented by the certificate alleged to be lost, stolen, or destroyed.

ARTICLE 5 MANAGEMENT AND CONTROL OF THE COMPANY.

5.1 Management of the Company by Manager.

5.1.1 Management by Manager. The business, property and affairs of the Company shall be managed by the Manager. Unless the approval of the Members is expressly required by the Articles or this Agreement, the Managers shall have full, complete and exclusive authority, power, and discretion to manage and control the business, property and affairs of the Company, to make all decisions regarding those matters and to perform any and all other acts or activities customary or incident to the management of the Company's business, property and affairs.

5.2 Election of Managers.

5.2.1 Number, Term, and Qualifications. The Company shall initially have one (1) Manager, Peter Dwares. Any one Manager may make management decisions on behalf of the Company. The number of Managers may be amended from time to time by the affirmative vote or written consent of Members holding a Majority Interest. The

IN WITNESS WHEREOF, the Member of the Company has executed this Agreement, effective as of the written above.

MEMBER:



Peter Dwares

Recording Requested By

Name: Brenda Cruz Keith
c/o Law Offices of Brenda Cruz Keith

WHEN RECORDED MAIL THIS DEED AND ANY TAX STATEMENTS TO:

331 FILBERT STREET, LLC
c/o Andrew Soutk
7831 S.E. Stark St. #103
Portland, OR 97215

San Francisco Assessor-Recorder
Carmen Chu, Assessor-Recorder
DOC- 2014-J895909-00
Check Number 3181
Wednesday, JUN 18, 2014 12:56:00
Ttl Pd $21.00 Rcpt # 0004956833
ake/NF/1-2

Lot 045, Block 0105

SPACE ABOVE THIS LINE FOR RECORDER'S USE

GRANT DEED

The undersigned grantor(s) declare(s):
Documentary transfer tax is $ 0
[ ] computed on full value of property conveyed, or
[ ] computed on fully value less value of liens or encumbrances remaining at time of sale,
[ ] Unincorporated Area City of San Francisco

NO CONSIDERATION. TRANSFER IS FROM GRANTOR TO LIMITED LIABILITY COMPANY IN WHICH GRANTOR'S INTEREST REMAINS PROPORTIONAL
Revenue & Taxation Code Sec. 62(a)(2)

FOR NO CONSIDERATION FIRST SOSCAL, L.L.C. hereby GRANTS TO 331 FILBERT STREET, LLC the following described real property in the City of San Francisco, County of San Francisco, State of California:

331 Filbert Street, San Francisco, California and more particularly described as: See Exhibit "ONE" attached hereto and made a part of hereof, the legal description of the property.

PETER L. DWARES
Managing Member

Executed on MAY 23 2014, in City of San Francisco, County of San Francisco, State of California.

On May 23, 2014 before me, Kelli M. Smith, Notary Public, personally appeared Peter L. Dwares who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature Kelli M Smith (Seal)

KELLI M. SMITH
COMM. #2001482
Notary Public-California
SAN FRANCISCO COUNTY
My Comm. Exp. JAN. 15, 2017

EXHIBIT A
331 Filbert Street, San Francisco, CA 94133

BEGINNING at a point on the Southerly line of Filbert Street, distant thereon 117 feet and 6 inches Westerly from the Westerly line of Montgomery Street; running thence Westerly along said line of Filbert Street 20 feet; thence at a right angle Southerly 50 feet; thence at a right angle Easterly 20 feet; thence at a right angle Northerly 50 feet to the point of beginning.

Being a portion of 50 Vara Block No. 62

Lot 045, Block 0105

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Business Entity Detail

Data is updated to the California Business Search on Wednesday and Saturday mornings. Results reflect work processed through Friday, October 10, 2014. Please refer to **Processing Times** for the received dates of filings currently being processed. The data provided is not a complete or certified record of an entity.

Entity Name:	331 FILBERT STREET, LLC
Entity Number:	201104310114
Date Filed:	01/28/2011
Status:	ACTIVE
Jurisdiction:	CALIFORNIA
Entity Address:	331 FILBERT ST
Entity City, State, Zip:	SAN FRANCISCO CA 94133
Agent for Service of Process:	PETER DWARES
Agent Address:	331 FILBERT ST
Agent City, State, Zip:	SAN FRANCISCO CA 94133

* Indicates the information is not contained in the California Secretary of State's database.

* **Note:** If the agent for service of process is a corporation, the address of the agent may be requested by ordering a status report.

- For information on checking or reserving a name, refer to **Name Availability**.
- For information on ordering certificates, copies of documents and/or status reports or to request a more extensive search, refer to **Information Requests**.
- For help with searching an entity name, refer to **Search Tips**.
- For descriptions of the various fields and status types, refer to **Field Descriptions and Status Definitions**.

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331 Filbert St
105/45
Manager: Peter Duares
331 Filbert St LLC

OPERATING AGREEMENT

FOR

331 Filbert Street, LLC

A LIMITED LIABILITY COMPANY

THE SECURITIES REPRESENTED BY THIS AGREEMENT HAVE NOT BEEN REGISTERED UNDER THE SECURITIES ACT OF 1933 OR REGISTERED OR QUALIFIED UNDER ANY STATE SECURITIES LAWS. SUCH SECURITIES MAY NOT BE OFFERED FOR SALE, SOLD, TRANSFERRED, PLEDGED, OR HYPOTHECATED UNLESS QUALIFIED AND REGISTERED UNDER APPLICABLE STATE AND FEDERAL SECURITIES LAWS OR IN THE OPINION OF COUNSEL SATISFACTORY TO THE COMPANY, SUCH QUALIFICATION OR REGISTRATION IS NOT REQUIRED. ANY TRANSFER OF SECURITIES REPRESENTED BY THIS AGREEMENT IS FURTHER SUBJECT TO OTHER RESTRICTIONS, TERMS AND CONDITIONS WHICH ARE SET FORTH HEREIN.

OPERATING AGREEMENT

This Operating Agreement, is made as of January 4, 2013 by and among the parties listed on the signature pages hereof, with reference to the following facts:

WHEREAS, on January 3, 2013, articles of organization for a California limited liability company, were filed with the California Secretary of State.

WHEREAS, the parties desire to adopt and approve an operating agreement for the Company.

NOW, THEREFORE, the parties to this Agreement agree to the following provisions of the Company's operating agreement:

ARTICLE 1 DEFINITIONS.

When used in this Agreement, the following terms shall have the meanings set forth below (Other terms used in this Agreement that are not defined in this Article 1 shall have the meanings set forth elsewhere in this Agreement):

1.1 "Act" shall mean the California Limited Liability Act.

Bankruptcy Court, or the admission in writing of a Member's inability to pay such Member's debts as they become due.

1.6 "Capital Account" shall mean, with respect to a Member, the capital account which the Company establishes and maintains for such Member pursuant to Section 3.3.

1.7 "Capital Contribution" shall mean the total value of cash or fair market value of property (including promissory notes or obligation to contribute cash or property) contributed or services rendered or to be rendered to the Company by Members.

1.8 "Code" shall mean the Internal Revenue Code of 1986, as it may be amended or restated from time to time, and to the extent applicable, the Regulations.

1.9 "Company" shall mean 331 Filbert Street, LLC, a California limited liability company. the business of the Company may be conducted under that name or, upon compliance with applicable laws, any other name that the Manager deems appropriate or advisable.

1.10 "Company Minimum Gain" shall have the meaning ascribed to the term "Partnership Minimum Gain: in the Regulations Section 1.704-2 (d).

1.11 "Corporations Code" shall mean the California Corporations Code, as it may be amended or restated from time to time.

1.17 "Former Member" shall have the meaning defined under Section 8.1.

1.18 "Former Member's Interest" shall have the meaning defined under Section 8.1.

1.19 "Loan Agreement" shall mean a Loan Agreement.

1.20 "Majority Interest" shall mean aggregate Percentage Interests of Members which exceed fifty percent (50%) of Percentage Interests of all Members.

1.21 "Manager" shall mean Peter L. Dwares, until his successor(s) are appointed in accordance with the terms of this Agreement, the Articles or the Act.

1.22 "Member" shall mean each Person who (i) is an initial signatory to this Agreement, (ii) has been admitted to the Company as a Member in accordance with the Articles or this Agreement or (iii) is an assignee who has become a Member in accordance with Article 7 and (iv) has not resigned, withdrawn, been expelled or, if other than an individual, dissolved.

1.23 "Member Non recourse Debt" shall have the meaning ascribed to the term "Partner Non recourse Debt" in Regulations Section 1.704-2(b) (4).

1.24 "Member Non recourse Deductions" shall mean items of Company loss, deduction, or Code Section 705 (a) (2) (B) expenditures which are attributable to Member Non recourse Debt.

4.10.2 Replacement of Certificates. Any Member whose certificate of membership is lost, stolen, or destroyed may request a new certificate. Upon indemnifying the Company as reasonably as required by the Manager, a new certificate may be issued representing the same Percentage Interest of membership as was represented by the certificate alleged to be lost, stolen, or destroyed.

ARTICLE 5 MANAGEMENT AND CONTROL OF THE COMPANY.

5.1 Management of the Company by Manager.

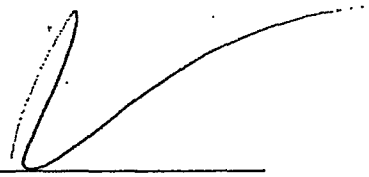
5.1.1 Management by Manager. The business, property and affairs of the Company shall be managed by the Manager. Unless the approval of the Members is expressly required by the Articles or this Agreement, the Managers shall have full, complete and exclusive authority, power, and discretion to manage and control the business, property and affairs of the Company, to make all decisions regarding those matters and to perform any and all other acts or activities customary or incident to the management of the Company's business, property and affairs.

5.2 Election of Managers.

5.2.1 Number, Term, and Qualifications. The Company shall initially have one (1) Manager, Peter Dwares. Any one Manager may make management decisions on behalf of the Company. The number of Managers may be amended from time to time by the affirmative vote or written consent of Members holding a Majority Interest. The Articles shall

IN WITNESS WHEREOF, the Member of the Company has executed this Agreement, effective as of the written above.

MEMBER:



Peter Dwares

March 15, 2013

Date

City Planning Commission
Case No. 2013-1375CE

The undersigned declare that they are hereby subscribers to this Notice of Appeal and are owners of property affected by the proposed amendment or conditional use (that is, owners of property within the area that is the subject of the application for amendment or conditional use, or within a radius of 300 feet of the exterior boundaries of the property.

If ownership has changed and assessment roll has not been amended, we attach proof of ownership change. If signing for a firm or corporation, proof of authorization to sign on behalf of the organization is attached.

	Street Address, property owned	Assessor's Block & Lot	Printed Name of Owner(s)	Original Signature of Owner(s)
1.	103-105 Alta St.	105/09	Jacqueline Robison	Jacqueline Robison
2.			Jeremiah Robison	
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City Planning Commission
Case No. 2013-1375 CE

The undersigned declare that they are hereby subscribers to this Notice of Appeal and are owners of property affected by the proposed amendment or conditional use (that is, owners of property within the area that is the subject of the application for amendment or conditional use, or within a radius of 300 feet of the exterior boundaries of the property.

If ownership has changed and assessment roll has not been amended, we attach proof of ownership change. If signing for a firm or corporation, proof of authorization to sign on behalf of the organization is attached.

	Street Address, property owned	Assessor's Block & Lot	Printed Name of Owner(s)	Original Signature of Owner(s)
1.	1309-11 Montgomery	105/11	Birchers LLC Mike Warner, Managing member	
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Arizona Corporation Commission

10/02/2014 State of Arizona Public Access System 3:55 PM

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Corporate Inquiry

File Number: L-1903770-9 Check Corporate Status

Corp. Name: BIRCHERS LLC

Domestic Address

3740 E SOUTHERN AVE STE 218

MESA, AZ 85206

Statutory Agent Information

Agent Name: AC&D BUSINESS SERVICES LLC

Agent Mailing/Physical Address:

1355 N MCQUEEN RD

GILBERT, AZ 85233

Agent Status: APPOINTED 02/07/2014

Agent Last Updated: 02/19/2014

Additional Corporate Information

Corporation Type: DOMESTIC L.L.C.	**Business Type:**
Incorporation Date: 02/07/2014	**Corporate Life Period:** PERPETUAL
Domicile: ARIZONA	**County:** MARICOPA
Approval Date: 02/19/2014	**Original Publish Date:**

Manager/Member Information

MICHAEL WARNER
MEMBER
PO BOX 291
FERNDALE,CA 95536
Date of Taking Office: 02/14/2014

Last Updated: 02/19/2014

Scanned Documents

(Click on gray button - if present - to view document - will open in a new window.)
(If gray button is not present, please check back later.)

Document Number	Description	Date Received
04559033	ARTICLES OF ORGANIZATION	02/14/2014
04573539	PUB OF ARTICLES OF ORGANIZATION	03/03/2014

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AZ Corp. Commission

04559033

04558275

AZ CORPORATION COMMISSION
FILED

FEB 07 2014

FILE NO. L-1903770-7

STATE OF ARIZONA
OFFICE OF THE
CORPORATION COMMISSION

AZ CORPORATION COMMISSION
FILED

FEB 14 2014

FILE NO. L-1903770-7

ARTICLES OF ORGANIZATION
OF
BIRCHERS LLC

Pursuant to A.R.S.29-632 the undersigned stats as follows:

The name of the limited liability company is Birchers LLC

The address of the registered office in Arizona is 3740 E. Southern Ave. Suite 218, Mesa, AZ 85206, located in the County of Maricopa.
The name and address of the statutory agent is:

AC&D Business Services LLC
On behalf of: Kumar Sahajwani
1355 N. McQueen Rd.
Gilbert, AZ 85233

There are or will be one or more members at the time the limited liability company is formed (A.R.S. 29-632.A.3.).

Management of the limited liability company is reserved to the members. The name and address of each person who is a member is:

Michael Winner PO Box 291 Ferndale, CA 95536

[signature] DATE: 2/6/2014

AC&D Business Services LLC having been designated to act as Statutory Agent, hereby consent to act in that capacity until removed or resignation is submitted in accordance with the Arizona Revised Statutes.

KUMAR SAHAJWANI ON BEHALF OF AC&D BUSINESS SERV LL

[signature] AC&D Business Services LLC
STATUTORY AGENT

1355 N. McQueen Rd.
Gilbert, AZ 85233

City Planning Commission
Case No. 2013-1375CE

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If ownership has changed and assessment roll has not been amended, we attach proof of ownership change. If signing for a firm or corporation, proof of authorization to sign on behalf of the organization is attached.

	Street Address, property owned	Assessor's Block & Lot	Printed Name of Owner(s)	Original Signature of Owner(s)
1.	1305-07 Montgomery	105/13	Crockett & Kroeber Tr	
2.			Theodore C. Kroeber	Theodore C. Kroeber
3.			Candace D. Crockett	Candace D. Crockett
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	Street Address, property owned	Assessor's Block & Lot	Printed Name of Owner(s)	Original Signature of Owner(s)
1.	1301 & 1303 Montgomery St	105/14	Judy Sitz	
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(13)

City Planning Commission
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If ownership has changed and assessment roll has not been amended, we attach proof of ownership change. If signing for a firm or corporation, proof of authorization to sign on behalf of the organization is attached.

	Street Address, property owned	Assessor's Block & Lot	Printed Name of Owner(s)	Original Signature of Owner(s)
1.	1421-28 Kearny	105/27	ESTATE OF SHEILA BLACK,	
2.			Executors:	
3.			Martha E. Maierhauser	Martha E.
4.			James Kavanaugh	James Kavanaugh
5.			Marilyn Kavanaugh	Marilyn Kavanaugh
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DE-150

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, state bar number, and address):	TELEPHONE AND FAX NOS.:	FOR COURT USE ONLY
Nancy M. Levin, SBN 57610 Naznin Bomi Challa, SBN 220898 Evans, Latham & Campisi One Post Street, Suite 600 San Francisco, CA 94104 ATTORNEY FOR (Name): Martha Kuehn Maierhauser	(415)421-0288 (415)421-0464	

SUPERIOR COURT OF CALIFORNIA, COUNTY OF San Francisco
STREET ADDRESS: 400 McAllister Street
MAILING ADDRESS: 400 McAllister Street
CITY AND ZIP CODE: San Francisco, CA 94102
BRANCH NAME: San Francisco Superior Court

ESTATE OF (Name): Sheila Tobin Black
DECEDENT

LETTERS

[X] TESTAMENTARY
[ ] OF ADMINISTRATION WITH WILL ANNEXED
[ ] OF ADMINISTRATION
[ ] SPECIAL ADMINISTRATION

CASE NUMBER: PES 14-297666

LETTERS

1. [X] The last will of the decedent named above having been proved, the court appoints (name): Martha Kuehn Maierhauser, James V. Kavanaugh and Marilyn J. Kavanaugh
   a. [X] executor.
   b. [ ] administrator with will annexed.
2. [ ] The court appoints (name):
   a. [ ] administrator of the decedent's estate.
   b. [ ] special administrator of decedent's estate
      (1) [ ] with the special powers specified in the *Order for Probate*.
      (2) [ ] with the powers of a general administrator.
      (3) [ ] letters will expire on (date):
3. [X] The personal representative is authorized to administer the estate under the Independent Administration of Estates Act [X] with full authority
   [ ] with limited authority (no authority, without court supervision, to (1) sell or exchange real property or (2) grant an option to purchase real property or (3) borrow money with the loan secured by an encumbrance upon real property).
4. [ ] The personal representative is not authorized to take possession of money or any other property without a specific court order.

WITNESS, clerk of the court, with seal of the court affixed.

(SEAL)

Date:

Clerk, by

(DEPUTY)

AFFIRMATION

1. [ ] PUBLIC ADMINISTRATOR: No affirmation required (Prob. Code, § 7621(c)).
2. [X] INDIVIDUAL: **I solemnly affirm** that I will perform the duties of personal representative according to law.
3. [ ] INSTITUTIONAL FIDUCIARY (name):

   I solemnly affirm that the institution will perform the duties of personal representative according to law. I make this affirmation for myself as an individual and on behalf of the institution as an officer.
   (Name and title):
4. Executed on (date): 4-18-14
   at (place): Vail, Arizona 85641

(SIGNATURE)
Martha Kuehn Maierhauser

CERTIFICATION

I certify that this document is a correct copy of the original on file in my office and the letters issued the personal representative appointed above have not been revoked, annulled, or set aside, and are still in full force and effect.

(SEAL)

Date:

Clerk, by

(DEPUTY)

City Planning Commission
Case No. 2013-1375CE

The undersigned declare that they are hereby subscribers to this Notice of Appeal and are owners of property affected by the proposed amendment or conditional use (that is, owners of property within the area that is the subject of the application for amendment or conditional use, or within a radius of 300 feet of the exterior boundaries of the property.

If ownership has changed and assessment roll has not been amended, we attach proof of ownership change. If signing for a firm or corporation, proof of authorization to sign on behalf of the organization is attached.

	Street Address, property owned	Assessor's Block & Lot	Printed Name of Owner(s)	Original Signature of Owner(s)
1.	1454-56 Kearny	105/31	Yasso Trust	
2.			Jim Yasso, Trustee	x Jim Yasso, Trustee
3.			Sandy Yasso, Trustee	x Sandy Yasso TTEE
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City Planning Commission
Case No. 2013-1375CE

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	Street Address, property owned	Assessor's Block & Lot	Printed Name of Owner(s)	Original Signature of Owner(s)
1.	391 Filbert	105/32	ERICH BREISACHER	
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	Street Address, property owned	Assessor's Block & Lot	Printed Name of Owner(s)	Original Signature of Owner(s)
1.	122 Alta St	105/41	Saffelsing Trust	
2.			Blair Helsing, Tr.	X
3.			Sharon Saffel, Tr.	X
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	Street Address, property owned	Assessor's Block & Lot	Printed Name of Owner(s)	Original Signature of Owner(s)
1.	327 Filbert St.	105/45B	Sondra Legve Trs.	Sondra Legve
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City Planning Commission
Case No. 2013-1375 CE

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	Street Address, property owned	Assessor's Block & Lot	Printed Name of Owner(s)	Original Signature of Owner(s)
1.	107 Alta St.	105/48	Frank Chiang Trust	
2.			Frank Chiang, Trustee	*
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Case No. 2013-1375CE

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	Street Address, property owned	Assessor's Block & Lot	Printed Name of Owner(s)	Original Signature of Owner(s)
1.	307 Filbert St.	105/50	Robert Major Trs	× Robert Major
2.				
3.	~~102-108 Alta~~	~~105/05~~	~~Wilber Trs~~	
4.	"	"	~~Michael Wilber~~	
5.	"	"	Judith Wilber	
6.				
7.	~~305 Filbert~~	~~105/46~~	~~Hugh Marquis~~	
8.			~~Jane Marquis~~	
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10.	~~1345 Montgomery~~	~~105/01~~		
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	Street Address, property owned	Assessor's Block & Lot	Printed Name of Owner(s)	Original Signature of Owner(s)
1.	116 Alta St.	105/55	Prober Family Trust Charles G. Prober, Trustee	
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	Street Address, property owned	Assessor's Block & Lot	Printed Name of Owner(s)	Original Signature of Owner(s)
1.	118 Alta St.	105/56	Amanda Cox Peters	X
2.	"	"	Bradley Scott Peters	X
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	Street Address, property owned	Assessor's Block & Lot	Printed Name of Owner(s)	Original Signature of Owner(s)
1.	101 Telegraph Hill Blvd #A	105/57	Kayvon Beykpour	
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	Street Address, property owned	Assessor's Block & Lot	Printed Name of Owner(s)	Original Signature of Owner(s)
1.	101 Telegraph Hill Blvd. #8	105/58	Anthony J. Ley	
2.			Patricia Ley	Patley
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	Street Address, property owned	Assessor's Block & Lot	Printed Name of Owner(s)	Original Signature of Owner(s)
1.	345 Filbert #1	105/59	Giovanni Savio	
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	Street Address, property owned	Assessor's Block & Lot	Printed Name of Owner(s)	Original Signature of Owner(s)
1.	345 Filbert St. #2	105/60	Peter Hable Tr.	
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	Street Address, property owned	Assessor's Block & Lot	Printed Name of Owner(s)	Original Signature of Owner(s)
1.	71 Castle St.	114/74	Robert E. Smith, Trustee	Robert E. Smith
2.			Smith Living Trust	
3.				
4.	73 Castle St.	114/75	Robert E. Smith, Trustee	Robert E. Smith
5.			Smith Living Trust	
6.				
7.	75 Castle St.	114/76	Robert E Smith Trustee	Robert E. Smith
8.			Smith Living Trust	
9.				
10.	77 Castle St.	114/77	Robert E. Smith, Trustee	Robert E. Smith
11.			Smith Living Trust	
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City Planning Commission
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	Street Address, property owned	Assessor's Block & Lot	Printed Name of Owner(s)	Original Signature of Owner(s)
1.	401 Union St #102	115/56	Robert E. & Donna E. Watke Living Trust	
2.	401 Union St #102	115/56	Robert E. Watke	X Robert E. Watke
3.	401 Union St. #102	115/56	Donna E. Watke	X Donna Watke
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5.	1402 Kearny St.	105/25	Dennis Fioranelli	X Dennis Fioranelli
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	Street Address, property owned	Assessor's Block & Lot	Printed Name of Owner(s)	Original Signature of Owner(s)
1.	401 Union St. #101	115/55	Perel Family Living Tr.	
2.			Jonathan E. Perel, Tstee	×
3.			Sofia R. Perel, Tstee	×
4.				
5.	401 Union St. #103	115/57	Jeffrey Watson	×
6.				
7.	~~401 Union St. #203~~	~~115/60~~	~~Gabriel Bletnitsky~~	~~×~~
8.				
9.	401 Union St #301	115/61	Viviane D. Ames	×Viviane D. Ames
10.				
11.	401 Union St. #302	115/62	Hou Pung Fung	
12.	"	"	Tram Nguyen	
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Application to Request a
Board of Supervisors Appeal Fee Waiver

CASE NUMBER (For Staff Use only)

APPLICATION FOR
Board of Supervisors Appeal Fee Waiver

1. Applicant and Project Information

APPLICANT NAME	
Vedica Puri, President, Telegraph Hill Dwellers	
APPLICANT ADDRESS	**TELEPHONE**
600 Montgomery, 31st FL San Francisco, CA 94111	(415) 433-8000
	EMAIL
	president@thd.org

NEIGHBORHOOD ORGANIZATION NAME	
Telegraph Hill Dwellers	
NEIGHBORHOOD ORGANIZATION ADDRESS	**TELEPHONE**
PO Box 330159 San Francisco, CA 94133	(415) 433-8000
	EMAIL
	president@thd.org

PROJECT ADDRESS		
115 Telegraph Hill Boulevard		
PLANNING CASE NO.	**BUILDING PERMIT APPLICATION NO.**	**DATE OF DECISION (IF ANY)**
2013-1375 CE		September 11, 2014

2. Required Criteria for Granting Waiver

(All must be satisfied; please attach supporting materials)

☒ The appellant is a member of the stated neighborhood organization and is authorized to file the appeal on behalf of the organization. Authorization may take the form of a letter signed by the President or other officer of the organization.

☒ The appellant is appealing on behalf of an organization that is registered with the Planning Department and that appears on the Department's current list of neighborhood organizations.

☒ The appellant is appealing on behalf of an organization that has been in existence at least 24 months prior to the submittal of the fee waiver request. Existence may be established by evidence including that relating to the organization's activities at that time such as meeting minutes, resolutions, publications and rosters.

☒ The appellant is appealing on behalf of a neighborhood organization that is affected by the project and that is the subject of the appeal.

For Department Use Only

Application received by Planning Department:

By: _____ Date: _____

Submission Checklist:

- ☐ APPELLANT AUTHORIZATION
- ☐ CURRENT ORGANIZATION REGISTRATION
- ☐ MINIMUM ORGANIZATION AGE
- ☐ PROJECT IMPACT ON ORGANIZATION

- ☐ WAIVER APPROVED ☐ WAIVER DENIED

FOR MORE INFORMATION:
Call or visit the San Francisco Planning Department

SAN FRANCISCO
PLANNING
DEPARTMENT

Central Reception
1650 Mission Street, Suite 400
San Francisco CA 94103-2479

TEL: **415.558.6378**
FAX: **415.558.6409**
WEB: **http://www.sfplanning.org**

Planning Information Center (PIC)
1660 Mission Street, First Floor
San Francisco CA 94103-2479

TEL: **415.558.6377**
Planning staff are available by phone and at the PIC counter.
No appointment is necessary.

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November 10, 2014

Board President David Chiu
and Members of the Board of Supervisors
c/o Ms. Angela Calvillo
Clerk of the Board of Supervisors
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Subject: Conditional Use Appeal - 115 Telegraph Hill Boulevard
Planning Commission Motion No. 19232 (Case No. 3013.1375EC)

Dear President Chiu and Supervisors,

Pursuant to the requirements of Section 308.1 of the Planning Code, the Telegraph Hill Dwellers (THD) ("Appellant") submitted the signatures of 61 individuals, representing the qualified owners of 34.7% of the area within 300 feet of the project site, to appeal the Planning Commission's approval of a Conditional Use Authorization (CUA) for the construction of a 15,544 square foot, 3-unit luxury condominium building at a sensitive, extremely unique location near the top of Telegraph Hill along the Filbert Street steps, and rehabilitation of an existing cottage at the southeast corner of the lot.

Founded in 1954, THD has long worked and advocated for the preservation of affordable housing, small independent businesses, parks and open spaces, and the character of our neighborhood. Contrary to urban myth, THD's membership consists of long term home owners, renters, individuals on fixed income, artists, writers, film makers, poets and small business owners, who share a love for and interest in preserving the historic essence and livability of Telegraph Hill and North Beach.

1. UNIQUE NATURE AND LOCATION OF THE PROJECT SITE.

The project site is extraordinary. Its nature and location at the convergence of the Filbert Steps, Telegraph Hill Boulevard, and the Pioneer Park steps are unique in the City of San Francisco. The area surrounding Coit Tower and Pioneer Park is one of San Francisco's premier destinations for residents and visitors from around the world and is considered an iconic symbol of San Francisco, equivalent in stature to the Golden Gate Bridge. The Urban Design Element of the General Plan recognizes Telegraph Hill as an "Outstanding and Unique Area" that contributes in an extraordinary degree to San Francisco's visual form and character. (Policy 2.7 of the Urban Design Element of the San Francisco General Plan.) The SF Recreation and Parks Department web page states: *"Located at the top of Telegraph Hill, Pioneer Park is the site of world-famous landmark Coit Tower. At 4.89 acres, Pioneer Park offers wide, breathtaking views of the city and the bay. The park space was built in 1876 to commemorate the country's centennial anniversary."* [Emphasis added]

Earlier this year the San Francisco Arts Commission refurbished Coit Tower's historic murals, and the Recreation and Parks Department completed a $1.7 million renovation of Coit Tower and replaced the concessionaire. Today, at least 400,000[1] people visit Pioneer Park and Coit Tower each year. More than half of these visitors come by foot or by bus. The proposed project will obliterate the breathtaking views of the city now enjoyed by the thousands of residents and visitors who walk up the Filbert Street stairs from North Beach or arrive by the Coit #39 bus, and will create an unsafe situation for those who are forced to cross the project's driveway to reach the crosswalk to Pioneer Park and Coit Tower.

2. SCOPE OF APPEAL.

Appellant is appealing the Planning Commission ("Commission") approval of the CUA because the project does not meet the criteria set forth in Planning Code Section 303(c) for approving a CUA. In addition, the Commission failed to impose adequate conditions to mitigate the impacts of a two-year or longer construction period. The Commission also erred in approving the restoration of the existing rear yard cottage to its pre-1995 variance[2] condition as a one-unit cottage when it was actually a two-unit building prior to 1995. See **Exhibit 8** for pages 1 and 2 of Planning Commission Motion No. 13782, adopted November 17, 1994.

The Appellant will demonstrate that the Commission should not have approved a CUA because the project:

- Fails to meet the three criteria for a CUA set forth in Planning Code Section 303(c);
- Violates both the procedural and substantive provisions of the Planning Code;
- Is inconsistent with key applicable provisions of the objectives and policies of the city's general plan;
- Is inconsistent with the Proposition M Priority Planning Policies set forth in Planning Code Section 101.1(b);
- Is contrary to the applicable Residential Design Guidelines; and
- Fails to include adequate conditions of approval to mitigate for the significant impacts of construction.

Appellant has proposed a design alternative, prepared by the architectural firm of EHDD, that would preserve some of the public views from the Pioneer Park stairway from Telegraph Hill Boulevard, reduce the overall scale and mass of the proposal, decrease the depth of the excavation, and lessen the construction impacts. [See **Exhibit 6.**] Appellant also proposes additional conditions of approval that will help to mitigate the impacts

[1] Based on data supplied by Terry Grimm, Coit Tower Concessionaire, and conversation with Cassandra Costello Property Manager, San Francisco Recreation and Park Department, confirmed that this visitation estimate is reasonable.
[2] The variance decision is dated May 19, 1995 (Case No. 93.180V).

associated with the development of this sensitive parcel. These proposed additional conditions are discussed more fully below.

All references in this letter to Exhibits are to Exhibits 1 through 16 attached to the Appeal of Exemption from Environmental Review filed by Susan Brandt-Hawley on November 7, 2014, and are incorporated herein by this reference. The Table of Exhibits is also attached to this letter for reference.

3. PLANNING CODE SECTION 303 CRITERIA FOR CONDITIONAL USE AUTHORIZATION ARE NOT MET.

As detailed below, the project does not meet the three criteria required by Planning Code Section 303(c) for a CUA.

> ***Criteria No. 1 (Sec. 303(c)(1)):*** *"That the proposed use or feature, at the size and intensity contemplated and at the proposed location will provide a development that is necessary or desirable for, and compatible with, the neighborhood or the community* [Emphasis added.]

The proposed project is the development of a 3-unit luxury condominium building for speculation with unit sizes ranging from 3,685 to 4,275 square feet each plus a 3,767 square foot 3-car parking garage and restoration of the rear cottage as a single-family home. The size of these new condominiums is not compatible with the neighborhood where according to city records, the average unit size within 300 feet of the project site is 833 square feet. [See **Exhibit 7.**] Indeed, even the area devoted to each parking place -- at 1,245 square feet each -- far exceeds the average unit size of the immediate area.

The project applicant informed the Appellant that he expects to sell the three new condominiums for between $8 million and $10 million each. With the current over-heated real estate market in the city, the sales prices could even be much higher.

When voting against the CUA at the Commission hearing on September 11, 2014, one of the Commissioners could not find this project to be "necessary and desirable" citing to the Planning Department's *Quarterly Pipeline Report*[3] showing that 197% of the housing allocation for above moderate housing have been entitled[4] and that the property taxes generated by the proposed project would contribute very little to the construction of affordable units in the city.

The proposed new large, luxury condominiums will not enhance the supply of "family" housing in the neighborhood or city; rather, they will create additional pressure

[3] The *Quarterly Pipeline Report* is available on the Planning Department website at: http://www.sf-planning.org/ftp/files/publications_reports/residential-pipeline-quarterly-dashboard/2014Q1.pdf

[4] Appellant notes that the Department's *Quarterly Pipeline Report* shows that as of the second quarter of 2014, only 15% the entitled projects in the pipeline are affordable to households of moderate income.

on the existing affordable and workforce housing resulting in a decrease in the economic and demographic diversity of the neighborhood and the community. Therefore, the proposed new condominiums are not "necessary and desirable" for or "compatible" with the neighborhood and community.

Additionally, the proposed project's mass, scale and design are not compatible with the historic development pattern and design character of the surrounding neighborhood. Specifically, the proposed project conflicts with the human proportions finer scale and detail that characterize the nearby older and historic buildings in the Telegraph Hill and North Beach area.

Furthermore, the size and mass of the proposed property at the proposed location -- at the convergence of the top of the narrow Filbert Street steps, the Pioneer Park stairway to Coit Tower and the bus stop -- will impair public views from the Filbert Street steps and the Pioneer Park stairways currently enjoyed by residents of the city and visitors from around the world. [See **Exhibit 10.**] The project sponsor's own "Ghosted Massing" (at the same height as the current proposal) clearly shows the adverse impact of the proposed development as seen from the southern stairways within Pioneer Park. [See **Exhibit 11.**] Indeed, the Recreation and Park Department shared Appellant's concerned about view blockage from public viewing areas. See **Exhibit 5** for a letter dated July 28, 1993 from the Recreation and Park Department to the Planning Department for a previously proposed project at the same height as the proposed project. Appellant's alternative design would preserve some of this view from the Pioneer Park staircase. **[See Exhibit 12.]** Planning Department staff acknowledged at the hearing on September 11, 2014, that they did not consult with the Recreation and Park Department.

For over a century, this site was developed with 5 buildings that provided 11 residential units, offering housing for up to 20 people without impairing public views from within Pioneer Park. As can be seen from the photo attached as **Exhibit 13**, visitors and residents enjoyed the downtown view over the Bill Bailey cottage prior to 1995.

When voting against the CUA at the Commission hearing on September 11, 2014, Commissioner Moore stated that one of the reasons the CUA could not be justified is the project's failure to address the public interest value of preserving the public views from the Filbert Street steps and from the stairways within Pioneer Park.

As confirmed by architectural historian and Telegraph Hill resident Katherine Petrin, the height and mass of the proposed project would "eliminate a singular, sweeping view (bay to Financial District to Nob and Russian Hills, looking from the north) in a city distinguished internationally by the quality of its views." [See **Exhibit 3.**] Ms. Petrin also notes that the proposed project will diminish views in a manner that negatively impacts the historic context of Coit Tower and Pioneer Park, and will keep the Filbert Steps in shade creating a canyon effect due to a nearly solid wall plane to the south.

For the reasons discussed above, the size and intensity of the proposed project at the top of Filbert Street Steps will not provide a development that is compatible, necessary or desirable with the neighborhood or community.

> ***Criteria No. 2 (Sec. 303(c)(2):*** *"That such use or feature as proposed will not be detrimental to the health, safety, convenience or general welfare of persons residing or working in the vicinity," with respect to aspects including but not limited to the following:*
>
> *(A) The nature of the proposed site, including its size and shape, and the proposed size, shape and arrangement of structures;*
>
> *(B) The accessibility and traffic patterns for persons and vehicles, the type and volume of such traffic, and the adequacy of proposed off-street parking and loading and of proposed alternatives to off-street parking, including provisions of car-share parking spaces, as defined in Section 166 of this Code;*
>
> *(C) The safeguards afforded to prevent noxious or offensive emissions such as noise, glare, dust and odor.* [Emphasis added.]

The proposed site is immediately adjacent to the only vehicular route to Coit Tower and Pioneer Park. Over 400,000 persons each year arrive by foot, by MUNI bus on the #39 Coit, or by car or tour bus on narrow, winding Telegraph Hill Boulevard. The driveway and curb cut for the proposed project's parking garage at the very top of the Filbert Street steps, immediately adjacent to a MUNI bus stop, the cross walk to the Pioneer steps and a blind curve, creates an unsafe traffic condition that will be detrimental to the health, safety, convenience and general welfare of thousands of visitors who use these steps, the MUNI Bus # 39 (Coit) and/or Telegraph Hill Boulevard.

As stated by Commissioner Moore[5] at the September 11, 2014, hearing, one of the primary reasons why a CUA cannot be justified is the project's impact on pedestrian safety at this location where the top of the Filbert Street steps and the proposed driveway converges. Commissioner Moore opined that a level landing over the entire width of the stairs is required for public safety, and that, as proposed there will be no safety zone for pedestrians as they step up onto the new driveway. Commissioner Moore also pointed out that the curb cut, in its proposed location, creates an additional safety issue in that it will be located at a blind curve instead of on a straightaway.

Letters from local residents who use the Filbert Street steps to walk to work and home daily via the Filbert Street steps testify that the driveway at the very top of the stairs will create a dangerous condition for pedestrians, especially those unfamiliar with the

[5] Commissioner Moore is a professional architect and urban designer, and a certified planner. She is the only member of the Planning Commission with professional credentials in the field.

location, even if the garage door is "recessed" 7'-6" from the face of the building's front façade with flashing lights to signal exiting cars. [See **Exhibit 3**.] A photograph showing intensive pedestrian use of the Filbert Street steps, attached as **Exhibit A,** is evidence of the concerns voiced by Commission Moore and residents of the area.

In addition to impairing pedestrian movement and safety, the proposed garage/driveway at this location will create conflicts with Muni buses and add to recognized traffic congestion on Telegraph Hill Boulevard leading to Coit Tower, resulting in further detriment to the "safety, convenience and general welfare" of persons residing or working in the vicinity, as well as those visiting Coit Tower and the park. Incredibly, the Planning Department staff, when questioned by several of the commissioners and specifically by Commissioner Richards at the September 11, 2014 public hearing, stated they had never consulted with San Francisco Municipal Transit Authority (SFMTA) or the Department of Public Works Bureau of Street Use and Mapping (DPW).

Further detriment to the "safety, convenience and general welfare" of persons residing, visiting or working in the vicinity will result from construction activities associated with the project due to the highly unusual characteristics of the project site. As first revealed during the Planning Commission hearing on September 11, 2014, and not considered by the Planning Department in determining the project to be exempt from environmental review, the project applicant intends to stage concrete pumping to the project site from the intersection of Kearny and Filbert Streets at the bottom of the Filbert steps next to Garfield Elementary School. See **Exhibit B** for a photograph showing a school bus turning around in this same location. The Department did not advise the Commission that this construction activity would seriously impact Garfield Elementary School, including potential safety, air quality and noise impacts from concrete trucks and concrete pumping equipment, nor did it consult with the San Francisco Unified School District (SFUSD) concerning this project change. Given the amount of concrete necessary for the proposed project, the number of truck trips required to deliver the concrete to the site will be significant. [See **Exhibit 14**.] Concrete pumping trucks are notoriously unstable and there is ample evidence in published literature to this effect.[6] Given the potential impacts to school children, the SFUSD should be invited to participate in the Transportation Advisory Staff Committee (TASC) referenced in Appellant's proposed additional conditions of approval set forth in **Exhibit 16**.

Additional detriment to the "safety, convenience and general welfare" of persons residing in the vicinity will result from the project's deep open excavation of at least 32 feet required for the proposed car elevator shaft. According to geotechnical engineer Lawrence Karp, given the geological history and nature of the project site, the excavation "will significantly affect neighboring properties and leave a latent condition that irreparably relieves lateral and subjacent support along the southern" flank of Pioneer Park

[6]See: http://www.bing.com/videos/search?q=concrete+pumping+accidents&qpvt=concrete+pumping+accidents&FORM=VDRE#view=detail&mid=5971EA12C6C01DC7002E5971EA12C6C01DC7002E

..." with resultant "serious hazards." [See **Exhibits 1 and 2.**] In addition, the number of trucks trips required to carry away the excavated material from the project site, whose only vehicular access is Telegraph Hill Boulevard that dead ends in the Coit Tower parking lot, will add to traffic congestion and interfere with MUNI, resulting in further detriment to the "safety, convenience and general welfare" of persons residing and working in the vicinity, and to thousands of visitors. [See **Exhibit 14.**]

> ***Criteria No. 3:*** *"That such use or feature as proposed will comply with the applicable provisions of this [Planning] Code and will not adversely affect the General Plan."* (Sec. 303(c)(3))

As detailed below, the project does not meet Criteria No. 3 because it fails to comply with applicable provisions of the Planning Code and is inconsistent with the Objectives and Policies of the General Plan.

A. The Project fails to comply with the following applicable provisions of the Planning Code:

(1) Enhancement and Improvement of the Filbert Steps would require a permit from DPW and a General Plan Referral that the Project Sponsor deliberately circumvented.

Prior to April 29, 2014, the proposed plans, which state "(E) STAIRS TO BE RE-GRADED," included a landing of approximately 10 feet between the top of the steps and the proposed new garage door/driveway. Nick Elsner of DPW advised Ms. Hilyard via e-mail dated April 28, 2014, that the proposed modification to the steps would require a major encroachment permit. Subsequently on April 29, 2014, Daniel Frattin, the project attorney, informed Ms. Hilyard via e-mail that the proposed landing at the top of the steps would therefore be eliminated because it would otherwise require a general plan referral, additional environmental review, and a major encroachment permit which would have to have been acted on by this Board. See **Exhibit 4** for April 8, 2014 e-mail from David Swetz, project architect, to Gretchen Hilyard, planner for the project, including the plans (Sheets A0.5, A0.6, A3.1) showing the proposed realignment and modification to the Filbert Steps. See also the April 28 e-mail from Nick Eisner and the April 29 2014 e-mail from Daniel Frattin.

It is clear that improvement and reconstruction of the Filbert steps were part of the project as first proposed, but were deliberately deleted to avoid general plan referral, major encroachment requirements and additional environmental review. Yet, the project applicant and the Commission discussed enhancement and improvement of the Filbert steps even though the nature and scope of such improvement is undefined and will likely require a general plan referral and additional environmental review. Finally, improvement and enhancement of the Filbert Steps, as well as covering the Filbert Street steps with a pedestrian tunnel

during construction[7] must be the subject of a future agreement requiring the project sponsor to indemnify the city for any injuries to persons and or properties and to repair and replace any portion of the Filbert Street steps damaged during construction.

(2) *Merger of the rear cottage to its alleged original configuration violates Planning Code Section 317*:

When it was determined that the project owners had *de facto* demolished, then expanded the envelope of existing rear cottage without a valid permit after the 1995 variance and conditional use authorization had lapsed, the project applicant decided to revert the cottage to its pre-variance condition in order to avoid seeking a new variance to legalize the previous work. As a part of the project, the Commission approved a design for the "renovation and restoration of the cottage located at the rear of the property, returning it to its pre-variance form." The project applicant used photographs of the rear cottage that was partially, but illegally restored to support his proposal to "return" the cottage to a one-unit building. (See Plans dated 9/16/14, Sheet A2.7 submitted to this Board by the project applicant and Planning Department.) However, as clearly evidenced by the conditional use authorization Motion No. 13782 adopted November 17, 1994 (Case No. 93.180VC), the cottage contained two units in its previous, pre-variance form, not one unit. [See **Exhibit 8.**]

Notwithstanding that the Department and Commission were advised that the current configuration of the rear cottage was changed without the benefit of a valid building permit or a valid variance, the Commission nevertheless approved the plans for deconstruction of that portion of the cottage that required a rear yard variance. See **Exhibit 8** for the permit history from DBI's on-line permit tracking information showing that the permit for expansion of the rear yard cottage had expired and that the rear yard variance granted to enlarge it became null and void by operation of law. The photographs on Sheet A.2.9 of the Plans dated 9/16/14 clearly demonstrate that the original cottage was the subject of a de-facto demolition. The Commission's approval is based on the project sponsor's erroneous representation of the prior status of the rear cottage.

The procedures for unit merger are set forth under Planning Code Section 317,[8] and they were not followed. No application to merge the two previously existing units into one was submitted, no public notice was given and no hearing on the Section 317 requirements was held to determine if the criteria for unit merger were met. The Commission was informed again at the September 11, 2014

[7] See #23 of General Notes on project plans revised on 9/16/14.

[8] Planning Code Section 317 was first adopted in 2008. Inasmuch as the 1994 conditional use authorization and the 1994 variance decision are null and void because they were not implemented within 3 years and Section 317 applies to the merger of the two pre-1995 variance units into one.

hearing that the original building contained two units. The Commission's action allowing the merger of the two units into one without compliance with the provisions of Section 317 is a fatal procedural error making the conditional use approval null and void.

B. The Project fails to comply with the following Objectives and Policies of the City's General Plan.

HOUSING ELEMENT

Objectives and Policies

OBJECTIVE 1:
IDENTIFY AND MAKE AVAILABLE FOR DEVELOPMENT ADEQUATE SITES TO MEET THE CITY'S HOUSING NEEDS, ESPECIALLY PERMANENTLY AFFORDABLE HOUSING.

As stated in Objective 1, "ABAG has allocated more than 31,000 new housing units in City and County of San Francisco through the year 2014, with over 60% of those units required to be affordable to households of moderate income (defined as 120% of Area Median Income) or below." [Emphasis added.]

In conflict with this objective, the number of new high-end housing units that are not affordable to households of moderate income approved in the city far exceeds the number of new units that are affordable to households of moderate income. Indeed, the Planning Department's own data showing that as of the second quarter of 2014, only 15% the entitled projects in the pipeline are affordable to households of moderate income. See Planning Department's *Pipeline Report, 2nd Quarter, 2014*. The proposed project will further exacerbate this imbalance by approving new units ranging from a minimum of $8 to $10 million.

OBJECTIVE 11:
SUPPORT AND RESPECT THE DIVERSE AND DISTINCT CHARACTER OF SAN FRANCISCO'S NEIGHBORHOODS.

Objective 11 provides that "San Francisco is a city of neighborhoods, each with a distinct character and quality" underscoring that "no policy should be applied without first examining its applicability to each specific neighborhood's unique context." Telegraph Hill and North Beach is one of the city's iconic neighborhoods, with a distinct and historic character.

Policy 11.1:
Promote the construction and rehabilitation of well-designed housing that emphasizes beauty, flexibility, and innovative design, and respects existing neighborhood character. [Emphasis added.]

Policy 11.2:
Ensure implementation of accepted design standards in project approvals.

Policy 11.3:
Ensure growth is accommodated without substantially and adversely impacting existing residential neighborhood character. [Emphasis added.]

In conflict with this objective and implementing policies, the bulk and design of the proposed new construction is inconsistent with the existing context of Telegraph Hill, particularly at this highly visible site which can be seen not only from Pioneer Park and the Filbert Street steps, but its massive south-facing wall will read as a huge wall against Telegraph Hill when viewed from the Financial District, Chinatown, Russian Hill and Nob Hill. [See **Exhibit 15.**]. As noted by architectural historian and Telegraph Hill resident Katherine Petrin, the height and mass of the proposed project would "eliminate a singular, sweeping view (bay to Financial District to Nob and Russian Hills, looking from the north) in a city distinguished internationally by the quality of its views." [See **Exhibit 3.**]

The proposed building is not designed in a manner that respects the existing neighborhood character. It fails to relate to the Filbert Street steps in that it overwhelms the human scale by creating a wall along this highly used pedestrian way, and does not defer to the prevailing height and bulk of nearby buildings in North Beach and on Telegraph Hill. Ms. Petrin confirms that project will diminish views in a manner that negatively impacts the historic context of Coit Tower and Pioneer Park, and put the Filbert Steps in shade creating a canyon effect due to a nearly solid wall plane to the south. [See **Exhibit 3.**]

Policy 11.6:
Foster a sense of community through architectural design, using features that promote community interaction.

Policy 11.9:
Foster development that strengthens local culture and sense of place and history.

Telegraph Hill's "culture and sense of place and history" include the public realm consisting of Coit Tower and its open spaces, public stairways and views, and the relationship to the surrounding built environment. The architectural design, mass and scale of the project impair this sense of community, culture and sense of place.

URBAN DESIGN ELEMENT

The project is inconsistent with the specific Objectives and Policies of the Urban Design Element of the General Plan that are of particular importance to defining the framework for developing this unique and special site.

Objectives and Policies

OBJECTIVE 1:
EMPHASIS OF THE CHARACTERISTIC PATTERN WHICH GIVES TO THE CITY AND ITS NEIGHBORHOODS AN IMAGE, A SENSE OF PURPOSE, AND A MEANS OF ORIENTATION.

Policy 1.1:
Recognize and protect major views in the city, with particular attention to those of open space and water. [Emphasis added.]

- Protect major views whenever it is feasible
- Overlooks and other viewpoints for appreciation of the city and its environs should be protected and supplemented, by limitation of buildings and other obstructions where necessary and by establishment of new viewpoints at key locations. [Emphasis added.]
- Visibility of open spaces, especially those on hilltops, should be maintained and improved, in order to enhance the overall form of the city.

Policy 1.3:
Recognize that buildings, when seen together, produce a total effect that characterizes the city and its districts.

- Buildings should emphasize and reflect the topographic form of the city – here of Telegraph Hill -- and should not stand out prominently in the city pattern.

Policy 1.8:
Increase the visibility of major destination areas and other points for orientation.

- Views from streets and other public areas should be preserved, created and improved and should be fostered in public and private development.

San Francisco's image and character, and that of Telegraph Hill, in particular, is defined by its views, topography, streets, building form and major landscaping that assists in orienting the residents and visitors traveling by foot, automobile and public transportation.

As explained above, despite the so-called "view corridors" incorporated into the project design, the proposed development will seriously impair or entirely eliminate the major views and vistas of downtown from the public stairways leading up from Telegraph

Hill Boulevard to Pioneer Park and will completely obliterate the public views from the Filbert Street steps. Further, the visibility of the hilltop park on Telegraph Hill will be impacted by the project's 4 to 5 story south-facing facade that will read within the cityscape as a huge wall protruding from Telegraph Hill. **[See Exhibit 15.]** Therefore, the project's south-facing facade must step down to the south to be consistent with the topography of the hill as it slopes to the south by incorporating deep upper floor deck/terraces to reduce its mass and conform to the natural topography.

OBJECTIVE 2:
CONSERVATION OF RESOURCES WHICH PROVIDE A SENSE OF NATURE, CONTINUITY WITH THE PAST, AND FREEDOM FROM OVERCROWDING.

Objective 2 lists *"Fundamental Principles for Conservation"* to be adhered to in designing new buildings, including the following:

- Provide visual interest and enrichment consistent with the historic scale and texture of the San Francisco.
- Conserve the important design character of historic or distinctive older areas, including some uniformity of detail, scale, proportion, texture, materials, color, and building form.
- Use textured materials with human scaled proportions consistent with the finer scale and detail that characterize older areas. [Emphasis added.]
- Reflect the character of nearby older buildings of historic or architectural merit.
- Do not block or otherwise impair pleasing street views of the Bay, downtown or distant hills, or other parts of the city. [Emphasis added.]

Policy 2.6:
Respect the character of older development nearby in the design of new buildings.

- Exercise care in the design of new buildings to be constructed in older areas of established character.
- Require a similarity or successful transition in scale, building form and proportion. The detail, texture, color and materials of the old should be repeated or complemented by the new.
- Bulky buildings that intrude upon or block important views of the Bay, Ocean or other significant citywide focal points are particularly disruptive. [Emphasis added.]

The proposed project fails to adhere to these fundamental principles and policies. The detail, scale, proportion, texture, materials, and building form of the proposed project, are inconsistent with and does not "conserve the important design character" of the Telegraph Hill area. It also conflicts with the "human scaled proportions consistent with the finer scale and detail" that characterize the nearby older and historic buildings in the Telegraph Hill and North Beach area. Most significant of all, the project blocks and

otherwise impairs public views of downtown and other parts of the city, which is one of the most important characteristics of the project's setting on Telegraph Hill.

Policy 2.7:
Recognize and protect outstanding and unique areas that contribute in an extraordinary degree to San Francisco's visual form and character.

Policy 2.7 states as follows:

"All areas of San Francisco contribute in some degree to the visual form and image of the city. All require recognition and protection of their significant positive assets. Some areas may be more fortunately endowed than others, however, with unique characteristics for which the city is famous in the world at large. Where areas are so outstanding, they ought to be specially recognized in urban design planning and protected, if the need arises, from inconsistent new development that might upset their unique character. [Emphasis added.]

"It is the combination and eloquent interplay of buildings, landscaping, topography and other attributes that makes them outstanding. For that reason, special review of building proposals may be required to assure consistency with the basic character and scale of the area. Furthermore, the participation of neighborhood associations in these areas in a cooperative effort to maintain the established character, beyond the scope of public regulation, is essential to the long-term image of the areas and the city." [Emphasis added.]

Policy 2.7 is the most directly applicable of all of the General Plan objectives and policies to the development of 115 Telegraph Hill Boulevard. This Policy lists Telegraph Hill first among the "Outstanding and Unique Areas" that "contribute in an extraordinary degree to San Francisco's visual form and character" to be recognized and protected.

Significantly, **Policy 2.7** acknowledges that the participation of THD and its cooperative efforts to maintain the character of Telegraph Hill beyond the scope of public regulation is essential to the long-term image of Telegraph Hill and its world famous visual form and image.

Policy 2.7 lists the *Special Characteristics of Telegraph Hill* as:

- A hilltop park with the highly visible green of trees from which Coit Tower rises above all else.
- Low, small-scale buildings with predominantly flat roofs and light pastel colors, hugging the topography in a highly articulated form, which contrasts with the power of downtown construction. [Emphasis added.]
- Cliffs and complex stairs and walkways on the east side above the waterfront, with buildings perched precariously along the slope and trees interspersed.

- Intimate pedestrian scale and texture of streets and housing, with sudden and dramatic views of the Bay and downtown through narrow openings. [Emphasis added.]

The project is inconsistent with these special characteristics and will adversely impact the visual form and character of Telegraph Hill. The overall mass and scale of the project contrasts sharply with the "low, small-scale buildings" and fails to "hug the topography in a highly articulated form." Both as viewed from the Filbert Street steps and Pioneer Park, and as seen against Telegraph Hill from the south, the development will significantly impact the visual form and character of this outstanding and unique area of San Francisco.

Further, the dramatic views of downtown now enjoyed by thousands of pedestrians along the Filbert Street steps and the Pioneer Park stairs will be entirely eliminated. [See **Exhibit 11.**] Contrary to the findings in Commission's motion, the 5-foot gap at the western end of the property and the narrow 3-foot openings between the units would be far above pedestrian eye level and otherwise too narrow to function as a view corridor towards downtown from the Filbert Steps or the Pioneer Park stairs.

OBJECTIVE 3:
MODERATION OF MAJOR NEW DEVELOPMENT TO COMPLEMENT THE CITY PATTERN, THE RESOURCES TO BE CONSERVED, AND THE NEIGHBORHOOD ENVIRONMENT.

Objective 3 provides that:

"As San Francisco grows and changes, new development can and must be fitted in with established city and neighborhood patterns in a complementary fashion. Harmony with existing development requires careful consideration of the character of the surroundings at each construction site. The scale of each new building must be related to the prevailing height and bulk in the area, and to the wider effects upon the skyline, views and topographic form." [Emphasis added.]

Policy 3.1:
Promote harmony in the visual relationships and transitions between new and older buildings.

- New buildings should be made sympathetic to the scale, form and proportion of older development.

Policy 3.3:

Promote efforts to achieve high quality of design for buildings to be constructed at prominent locations.

- Special efforts should be made to promote the best architectural solutions for buildings at prominent locations, such as tops of hills or fronting on permanent open space such as parks. [Emphasis added.]

As discussed above, the proposed project design, especially its rear façade, would impose a wall against Telegraph Hill when viewed from downtown and areas to the south because it does not reflect the topography of the hill by failing to step down the rear facade. The project design is not "sympathetic to the form and proportion of older development" in the area, but is in sharp contrast to the character of North Beach and Telegraph Hill. Given the prominent, highly visible location of the project site near the peak of Telegraph Hill and fronting on Pioneer Park, a contextually appropriate design should be required by this Board.

Policy 3.4:
Promote building forms that will respect and improve the integrity of open spaces and other public areas.

- New buildings should not block significant views of public open spaces, especially large parks and the Bay. [Emphasis added.]
- Buildings near these open spaces should permit visual access, and in some cases physical access, to them. [Emphasis added.]
- Where separation of pedestrian and vehicular circulation levels is possible in provision of such open space, such separation should be considered. [Emphasis added.]

The proposed project does not adhere to this policy and significantly impacts the public realm. The proposed project clearly blocks or otherwise impairs significant public views of downtown and other parts of the city and does not allow for visual access to these views. Further, the project does not provide adequate separation between the project's new driveway and the heavily used pedestrian stairs/bus stop and the pedestrian cross walk to Pioneer Park and Coit Tower. [See **Exhibit 3.**] This Board should require a 10-foot deep landing at the top of the Filbert Street steps as originally proposed by the project architect and applicant to safeguard pedestrian safety.

OBJECTIVE 4:
IMPROVEMENT OF THE NEIGHBORHOOD ENVIRONMENT TO INCREASE PERSONAL SAFETY, COMFORT, PRIDE AND OPPORTUNITY

The "Fundamental Principles for Neighborhood Environment" enumerated as a part of **Objective 4** includes the following:

- "Private lands that are landscaped or developed as open space contribute to the visual and recreational resources of the city."

Given its unique and special location in the city, this principle should be applied to any development at 115 Telegraph Hill Boulevard. By devoting a portion of the project site to a public view corridor or open space available to the public, the proposed project would meet this policy.

Policy 4.4:
Design walkways and parking facilities to minimize danger to pedestrians.

- Pedestrian walkways should be sharply delineated from traffic areas, and set apart where possible to provide a separate circulation system.
- Walkways that cross streets should have pavement markings and good sight distances for motorists and pedestrians.

The project site is located on the Filbert Street steps, a pedestrian corridor used by hundreds of tourists and residents who walk up to Coit Tower/Pioneer Park and use the pedestrian cross walk to access the stairway up to Coit Tower. In the absence of a landing at the top of the stairs, the project's new garage and driveway will be located between the top of the pedestrian stairs and the pedestrian cross walk resulting in a pedestrian safety hazard as pedestrians step onto the driveway to reach the pedestrian crosswalk. The fact that the project sponsor abandoned his original design with a 10-foot deep landing at the top of the Filbert Street steps in order to avoid a major encroachment permit, general plan referral and additional environmental review proves that the project as currently proposed totally disregards pedestrian safety. We urge this Board to impose the original design unless this Board determines that no parking should be included in the project, consistent with the city's transit first policy.

4. THE PROJECT IS INCONSISTENT WITH PLANNING CODE SECTION 101.1 PRIORITY PLANNING POLICIES OF THE GENERAL PLAN ADOPTED BY THE VOTERS OF SAN FRANCISCO.

Planning Code Section 101.1(b) codified the eight Priority Planning Policies in Proposition M adopted by the San Francisco voters in 1986, which required the inclusion of these eight policies in the preamble to the city's General Plan as the basis upon which all inconsistencies in the General Plan are to be resolved. All projects must be reviewed for consistency with these policies. For the reasons set forth below, the Commission erred in finding that the project is consistent with the following:

Priority Planning Policy 8: *"That our parks and open space and their access to sunlight and vistas be protected from development."* (Sec. 101.1(8))

It is undisputed that the proposed development before this Board would seriously impair or eliminate the public vistas from stairways within Pioneer Park and will obliterate all existing views from the Filbert Street steps. [See **Exhibit 12.**]

The "view corridors" shown on the approved plans, which consist of two 3-foot slots and a 5-foot set back from the east property line, will preserve none of the public views of downtown from either the Filbert Street steps or Pioneer Park. The so-called "view corridor" on the western edge of the property already exists over the neighbor's property and includes only 5 feet on the project site. The only "view" from the Filbert Street steps is through a narrow gate located on the neighbor's property for which the project applicant claims to have a private agreement to install a see-through gate. This view, which is touted by the project sponsor as preserving major views, will be there regardless of whether the project site is developed or left vacant because it relies primarily on the 3–foot wide gate on the neighbor's property without any design revision to effectuate a meaningful view corridor from the project site. Furthermore, the photomontages presented by the project applicant are taken from a much higher elevation and thus, quite misleading. See **Exhibit 9** for an enlargement of the section on Sheet A3.12 of the 9/16/14 plans.

Appellant's proposed alternative, prepared by the eminent architectural firm of EHDD, would reduce the height of the proposed development by one floor, eliminate the off-street parking to ensure pedestrian safety and create a 18 foot (inclusive of the 3 ½ inches on the neighboring property to the east) "view corridor" at the top of the Filbert Steps. [See **Exhibit 12.**] Appellant urges the Board of Supervisors to adopt the EHDD massing.

> ***Priority Planning Policy 2:*** *"That existing housing and neighborhood character be conserved and protected in order to preserve the cultural and economic diversity of our neighborhoods."* (Sec. 101.1(2))

As discussed above, these proposed new luxury condos, ranging in size from 3,685 to 4,275 square feet each – which does not even count the 3,767 square foot garage -- are incompatible with the surrounding neighborhood and are approximately 5 times the average unit size within 300 feet of the project site. See **Exhibit 7** for a housing unit spreadsheet containing the square footage of every unit within 300 radius of the project site. The proposed project will destroy rather than preserve the cultural and economic diversity of the neighborhood and community and will create additional pressure on the existing affordable housing by contributing to an increase in evictions of lower income tenants by real estate speculators.

One of the experiences of walking up the Filbert Street steps from North Beach is the visual enjoyment of the finer scale of the buildings leading up to the top of Filbert Street steps. The size and intensity of the project in this context will adversely affect the neighborhood character because the project is totally incompatible with the overall hill town character of North Beach and Telegraph Hill.

> ***Priority Planning Policy 3:*** *"That the City's supply of affordable housing be preserved and enhanced."* (Sec. 101.1(3))

As described above, the proposed new super-luxury condos to be priced at an estimated $8 to $10 million each will not enhance the city's supply of affordable housing. The Planning Department has confirmed in its *Pipeline Report, 2nd Quarter 2014* that as of the second quarter of 2014, only 15% the entitled projects in the pipeline are affordable to households of moderate income and that San Francisco is overbuilding luxury housing rather than moderate income housing. The proposed project will further exacerbate this imbalance.

> ***Priority Planning Policy 4:*** *"That commuter traffic not impede Muni transit service or overburden our streets or neighborhood parking."* (Sec. 101.1(4))

Because the driveway and curb cut for the garage of the proposed project are located at the very the top of the heavily used Filbert Street steps, immediately adjacent to a Muni Bus stop and the major pedestrian crosswalk to Coit Tower, the driveway will inevitably create conflicts between vehicular, pedestrian and Muni service. The #39 Coit bus passes by the project site twice every 20 minutes. The garage entrance will also require the relocation of the existing stop sign located within the proposed new driveway. Therefore, the project will impede Muni transit service, especially during construction.

> ***Priority Planning Policy 7:*** *"That landmarks and historic buildings be preserved."* (Sec. 101.1(7))

As described above, the project applicant and the Commission discussed enhancement and improvement of the existing Filbert Street steps even though the nature and scope of such improvements is unclear and may require a general plan referral and additional environmental review. It also appears that the historic rock wall is likely to be impacted by the construction of the new driveway and curb cut. Appellant notes that the actual location of the rock wall is not accurately depicted on the existing and proposed site plans. Without precise plans showing the actual reconfiguration of the sidewalk at the top of the stairs, there is a potential that the historic wall may be adversely affected.

In addition, as noted in the letter to this Board by architectural historian and Telegraph Hill resident Katherine Petrin, the scale of the proposed project will negatively impact the surroundings of Pioneer Park and Coit Tower, a National Register designated site, which contribute to the overall integrity of these valued public places.

5. THE PROJECT IS INCONSISTENT WITH OBJECTIVES AND POLICIES OF THE CITY'S RESIDENTIAL DESIGN GUIDELINES.

The project, as proposed, conflicts with the following Residential Design Guidelines, among others:

> ***GUIDELINE:*** *Protect major public views from public spaces.*
>
> *"Protect major views of the City as seen from public spaces such as streets and parks by adjusting the massing of proposed development project to reduce or eliminate adverse impacts on public view sheds."*
>
> (Residential Design Guidelines, page 18)
>
> ***"GUIDELINE:*** *Design building facades to enhance and complement adjacent public spaces."*
>
> *"Special attention is necessary to ensure that the building's facades enhance the public realm."*
>
> (Residential Design Guidelines, page 20)

In direct conflict with the above Guidelines, the proposed project will completely impair major public views of the downtown skyline currently enjoyed by thousands of people each year from public spaces, including views from the Filbert Street steps and the Pioneer Park stairways and landings. [See **Exhibit 10.**] The project will also obscure views of Coit Tower and Pioneer Park from the south since the rear of the building imposes a massive fort-like structure. [See **Exhibit 15.**]

As stated before, the project has two major facades, one facing Coit Tower and Pioneer Park, and the other facing the Financial District, Chinatown, Russian Hill and Nob Hill. Both facades are a part of the public realm – one viewed from the adjacent public stairs and public park, and the other (south facing) seen from the Financial District, Chinatown, Russian Hill and Nob Hill -- a major "postcard" view of Telegraph Hill that will be adversely affected by the proposed project. Both facades fail to comply with the above and other residential design guidelines. [See **Exhibit 15.**]

> *"**GUIDELINE:** Design the scale of the building to be compatible with the height and depth of surrounding buildings."*
>
> *"It is essential for a building's scale to be compatible with that of surrounding buildings, in order to preserve neighborhood character."*
>
> (Residential Design Guidelines, page 23)

One need only look at the adjacent cottage to the west demonstrates the project's

incompatibility with the height and depth of the nearby buildings to the west and south.

6. THE COMMISSION'S CONDITIONS OF APPROVAL ARE INADEQUATE AS TO IMPACTS OF CONSTRUCTION.

The conditions of approval of the final Commission motion are inadequate to address the most significant construction impacts.

On Title Sheet A0.0 of the plans approved by the Commission, General Notes 23 through 33, inclusive, address construction staging and management of the project to mitigate the significant impacts of project construction. Appellant requests that these "notes" with clarification be included as specific conditions of project approval to ensure that safe pedestrian access on the Filbert Street steps be maintained, that conflicts between pedestrians, vehicular traffic, construction trucks and equipment be minimized, and that Muni and vehicular access to Coit Tower be maintained for the duration of construction. See **Exhibit 16** for a copy of the proposed conditions of approval.

7. SUMMARY.

The Appellant has demonstrated that the Commission's Conditional Use Authorization should not have been approved because the project:

- Fails to meet the three criteria for a CUA set forth in Planning Code Section 303(c),
- Violates both the procedural and substantive provisions of the Planning Code;
- Is inconsistent with key applicable provision of the Objectives and Policies of the city's General Plan;
- Does not meet the provisions of Section 101.1(b) [the Proposition M priority policies];
- Is contrary to the applicable Residential Design Guidelines; and
- Fails to include adequate conditions of approval to mitigate for the significant impacts of construction.

A Conditional Use Authorization should be granted only if the Board imposes the additional conditions of approval in **Exhibit 16** and requires modification of the project design to include the following:

- Reduction of the overall height of the proposed project by one floor for each segment of the building;
- Addition of 12-15-foot deep decks on second levels and above on the "rear" elevation to reduce the massing of the rear façade so that it reflects the down hill topography;
- Inclusion of a substantial view corridor on the east side of the property;

- Incorporation of a level landing at the top of the Filbert Street Steps similar to the original proposal as shown on the plans with a revision date of February 13, 2014, included in **Exhibit 4,** to ensure pedestrian safety. Alternatively, eliminate the off-street parking, which will promote and comply with the San Francisco's Transit First Policy.

Appellant's concerns are shared by many residents near the project site who previously sent letters and e-mails to the Planning Commission in opposition to the CUA and the Department's determination that the project is exempt from environmental review. Copies of 51 opposition letters and e-mails are attached hereto as **Exhibit C.**

Based on the foregoing, it is respectfully submitted that this Board should grant Appellant's appeal and overrule the Commission's action approving the CUA, or to impose the above conditions of approval to mitigate the adverse construction impacts and to require design modification to be consistent with that shown in **Exhibit 6.**

Sincerely,

Vedica Puri
President

TABLE OF EXHIBITS

115 Telegraph Hill Boulevard – Planning Department Case No. 2013.1375CE
Appeal of Exemption from Environmental Review
and
Conditional Use Authorization

Exhibit 1 — Geotechnical Letter dated November 6, 2014 from Lawrence Karp to Board of Supervisors.

Exhibit 2 — Sheet A3.5 of Project Plans dated 5/19/14, section of proposed building showing the depth of excavation for car lift shaft.

Exhibit 3 — Letters from Judy Irving and Katherine Petrin to Board of Supervisors re: Pedestrian safety and public enjoyment of view corridor.

Exhibit 4
- E-mail and attachments from David Swetz (Project architect) to Gretchen Hilyard (planner for project) dated April 7, 2014 re: proposed scope of work for Filbert Steps.
- E-mail from Nick Eisner of DPW to Gretchen Hilyard dated April 28, 2014 re: proposed scope of work for Filbert Steps would require a major encroachment permit.
- E-mail from Gretchen to Daniel Frattin (Project attorney) and Frattin's response dated April 29 and April 30, 2014 re: General Plan Referral and environmental review requirements.

Exhibit 5 — Letter dated 8/4/1993 from Recreation and Park Department raising issues related to a previous proposed project.

Exhibit 6 — Appellant's alternative prepared by EHDD.

Exhibit 7 — Unit Sizes and Average Unit size within 300 Radius of Project Site.

Exhibit 8
- Pages 1 and 2 of Planning Commission Motion No. 13782 describing the cottage in 1993 as a two unit building.
- Permit history of rear cottage showing cancellation of permits to merge two units into one and to expand the footprint of the rear cottage as a single family home.

Exhibit 9 — Section showing public views from Coit Tower and Pioneer Park over proposed project from Sheet A3.12 prepared by Project Architect from Plans dated 9/16/14 before this Board.

Exhibit 10 Vantage Point based photograph showing current view from Pioneer Park towards the Filbert Steps prepared by Project Architect.

Exhibit 11 Ghosted Image of approximate height and mass of proposed Project viewed from Pioneer Park towards Filbert Steps prepared by Project Architect.

Exhibit 12 Ghosted Image of Appellant's Alternative prepared by EHDD overlaid over Exhibit 12.

Exhibit 13 Photograph showing pre-1995 view over the Bill Bailey Cottage prior to demolition by the current property owner.

Exhibit 14 Load Count letter dated October 10, 2014 from Granite to Telegraph Hill Dwellers.

Exhibit 15 Comparison of current view and view with Project from Financial District, Nob Hill, Chinatown, and Russian Hill

Exhibit 16 Proposed additional conditions of approval based on Notes No. 23 to 33 on Sheet A0.0 of the Plans dated 9/16/14 before this Board.

ADDITIONAL EXHIBITS ATTACHED TO THIS LETTER

Exhibit A Photograph showing intensive pedestrian and bicycle traffic on the Filbert Street Steps.

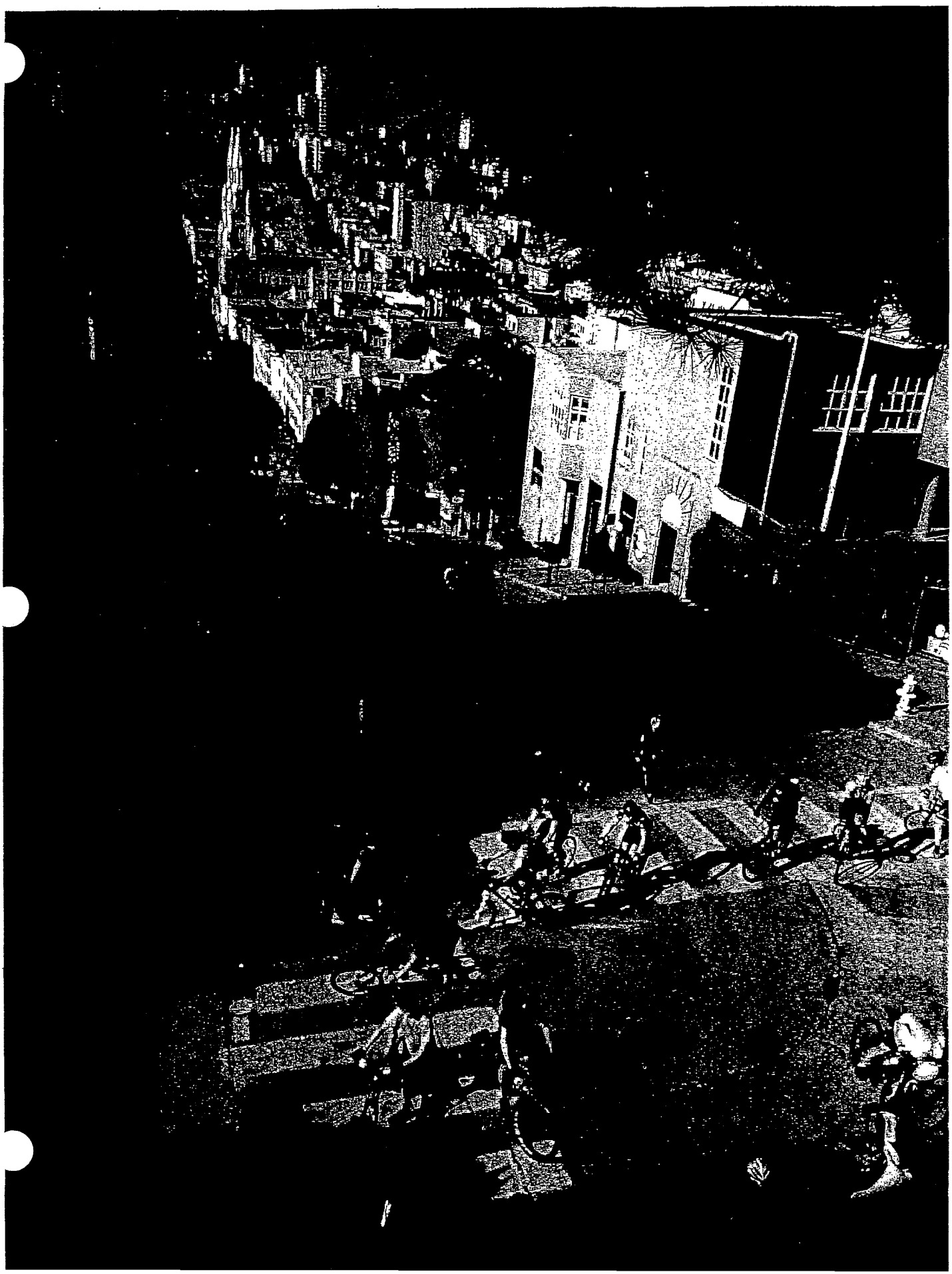
Exhibit B. Photograph of Garfield Elementary School and school bus turn around at the location where the project sponsor plans to stage concrete pumping to the project site.

Exhibit C Letters and e-mails opposing the proposed project submitted to the Planning Commission.

USW 804762931.4

Exhibit A

Photograph showing intensive pedestrian and bicycle traffic on the Filbert Street steps.



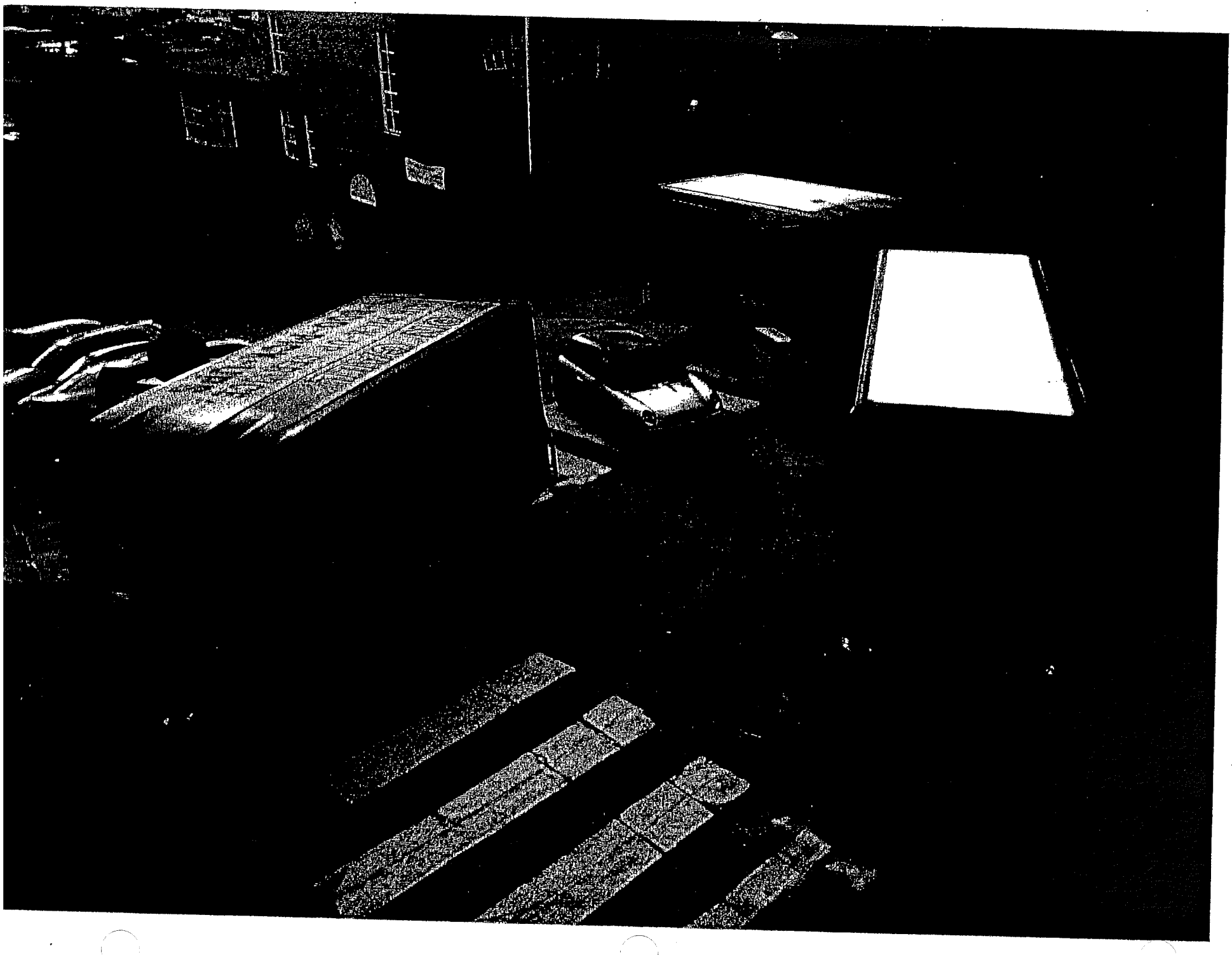


Exhibit B

Photograph showing a school bus turning around at the intersection of Kearny and Filbert Streets (at the bottom of the Filbert steps next to Garfield Elementary School) where the Project Sponsor plans to stage concrete pumping to the project site.

Exhibit C

Copies of 51 letters and emails sent to the Planning Commission in opposition to Conditional Use Authorization and Determination of Exempt from Environmental Review.

September 1, 2014

Cindy Wu, President
Planning Commission
City and County of San Francisco
1650 Mission Street, Suite 400
San Francisco, CA 94103

Re: Case No. 3013.1375CE
115 Telegraph Hill Blvd.
Environmental Review Required

Dear President Wu and Commissioners,

I write to urge you to not approve the proposed three-unit condominium project at 115 Telegraph Hill Boulevard, including its 3,742 square foot parking garage (the "Project") because the Certificate of Determination of Exemption from Environmental Review issued by the Planning Department on June 10, 2014, is legally inadequate for the Project as proposed. As set forth in greater detail below, the Project is not exempt from environmental review.

The Planning Department has issued a categorical exemption under classes 1 and 3 of the CEQA Guidelines. These categories are designed for minor, environmentally benign projects involving existing facilities, new construction, and conversions of small structures and minor alterations, because such projects normally have no significant environmental impacts.

Importantly, CEQA provides that all categorical exemptions are rebuttable and *shall not be used* for a project that *may* have any potentially significant environmental impact due to its particular circumstances. (CEQA Guideline § 15300.2) The particular circumstances in this case are several, including the remarkably unique and special setting of the Project on the Filbert Steps and Telegraph Hill Boulevard immediately across from Pioneer Park, and the topography and geological nature of the Project site where massive excavation for the proposed parking garage will be necessary.

Unique Location of the Project Site. The Project Site is located at a very important intersection of the Filbert Steps and Telegraph Hill Boulevard, the only vehicular access to Coit Tower. The narrow Filbert Steps that comprise most of the northern boundary of the Project Site is a key and primary pedestrian access point from North Beach to Pioneer Park and Coit Tower and is therefore used by hundreds of people daily. Based on San Francisco Recreation and Parks Department data, as cited in the San Francisco Chronicle (May 14, 2014), over 200,000 people visit Coit Tower each year, and many more visit Pioneer Park. More than half of all visitors to Coit Tower/Pioneer Park come by foot or by bus.

The Project site touches Telegraph Hill Boulevard at its northeast corner for only 13 feet, a narrow slot where the driveway and curb cut for the Project's proposed parking garage will be located right at the top of the Filbert Steps where pedestrians stop to catch their breath, where the 39 Coit bus stops to let MUNI passengers disembark. All pedestrians have to cross the driveway to reach the mid-block pedestrian crosswalk connecting the Filbert Steps and bus stop to the stairway in Pioneer Park leading up to Coit Tower.

Topography and Geological Nature of the Project Site. Lawrence B. Karp holds a doctorate in civil engineering and an Earthquake Engineering Certificate from UC Berkeley and is a licensed civil engineer, geotechnical engineer and architect in California. Mr. Karp has over 45 years experience in design and construction with specialization in stability evaluation of excavations and slopes, site development and construction logistics. After reviewing the geotechnical report prepared for the proposed Project, Mr. Karp has opined that, in his professional opinion, the "Geotechnical Investigation" report prepared by Earth Mechanics Consulting Engineers (6/22/13) used by the Planning Department to evaluate the Project pursuant to CEQA is totally inadequate in its analysis of the site's geotechnical characteristics. As Mr. Karp points out in his letter dated July 16, 2014 (copy attached), Earth Mechanics' report fails to discuss the 33-foot deep vertical excavation required for the car lift and parking garage shaft at the edge of the Filbert Steps and "comes nowhere near the standard-of-care for a proper report of geotechnical investigation for the intended project." Based on Mr. Karp's expert opinion as to the inadequacy of the Earth Mechanics report, the Planning Department did not have sufficient information upon which to base its finding that the Project would have no significant geotechnical impacts.

Excavation and Construction Impacts. While construction impacts are not normally considered to be unusual as they are temporary in nature, the unique setting of the Project and its relationship to public use and amenities demands analysis of the potentially significant impacts on traffic, MUNI service and pedestrians from construction and construction-related activities including impacts from the following: (1) extraction and disposal of huge amounts of rock and soil from the 33-foot deep excavation necessitated by the car lift and garage shaft with only an approximately 13' street frontage at the top of the Filbert Steps for construction staging, (2) shoring and underpinning of the historic Filbert Steps and Telegraph Hill Boulevard, (3) closing the Filbert Steps during construction, (4) impeding Muni service and other vehicular travel on Telegraph Hill Boulevard to stage and provide access to the construction site, (5) moving construction equipment on and off of the site, (6) staging of trucks during concrete pours, and (7) dust and noise impacts associated with construction.

Based on computer modeling of the proposed plans for the Project, it is estimated that 2,546 cubic yards (over 4,328 tons) of rock and dirt will have to be removed from the site. Assuming the existing 3-ton limit on Telegraph Hill Boulevard is waived for the Project and that each load will be 8 tons, this would require 541 loads or 1,082 trips (1 in-bound and 1 out-bound)

using a 26-foot long/25-foot wide superdump truck. If the existing 3-ton limit on Telegraph Hill Boulevard is adhered to, the excavation would require over 6,000 truck trips in smaller trucks.

These truck load numbers do not include the loads required to pour the concrete for the mat foundation (an estimated additional 252 trips based on 8-ton loads), the truck loads required to import soil to be compacted before pouring the mat foundation, or the truck trips required to bring lumber and other construction materials to the site. The impacts of this number of truck trips on pedestrian travel by hundreds of people who use the Filbert Steps, on vehicular traffic on Telegraph Hill Boulevard, including MUNI service to Coit Tower, and on fire and emergency services, were not considered by the Planning Department in finding the project exempt for all environmental review.

The Fair Argument Standard. Even if the Project is aligned with an exemption category as claimed by the Department, the standard of review as to whether an exception may defeat the exemption is the "fair argument" standard. If the record before the City includes a fair argument that the Project may have a significant environmental impact, the exemption fails.

The fair argument standard triggers an EIR if any substantial evidence in the record – that is, facts or reasonable assumptions/expert opinions based on facts – supports a fair argument that significant impacts may occur, even if a different conclusion may also be well supported. This standard markedly differs from the deferential review normally enjoyed by agencies:

> ... if a lead agency is presented with a fair argument that a project may have a significant effect on the environment, the lead agency shall prepare an EIR even though it may also be presented with other substantial evidence that the project will not have a significant effect.

(Guideline § 15064, subd.(f), subd.(l).) Importantly, if there is a dispute among experts, the City must defer to the evidence in favor of environmental review. (*E.g.*, Guideline § 15064, subd. (f).) In this case there is a substantial difference in opinion regarding the potential impacts of performing the deep excavation of the Project site.

Substantial Evidence Defeats the Categorical Exemption. The information before the Planning Department and Commission more than fulfills the low-threshold requirement for the requisite "fair argument" that the proposed Project may have environmental impacts based on, among other things:

- Massive, unstudied excavation of the steep site for the 33-foot deep vertical excavation required for the car lift shaft and other geotechnical impacts;

- Traffic impacts related to construction on MUNI service, pedestrian and vehicular travel and fire and emergency services;

- Transportation impacts, especially vehicular/pedestrian conflicts from the driveway and garage at the top of the Filbert Steps;

- Inconsistencies with City land use plans and policies related to preserving public views from public parks and public open spaces, as the Project would block views from the pedestrian stairways and landings of Pioneer Park across the Filbert Steps;

- Impacts related to pedestrian safety from proposed new driveway location between the top of the Filbert Steps and the pedestrian cross walk to Pioneer Park due to the lack of any landing at the top of the Filbert Steps requiring pedestrians to step onto the driveway for the proposed garage;

- Potential damage to the historic Filbert Steps during construction and/or potential relocation or reconstruction of these steps;

- Neighborhood character incompatibility based on mass, scale and design;

- Failure to consult with DPW, DPT (MUNI), Recreation and Parks Department, and the Fire Department;

- Failure to require environmental review of new off-street parking in the Telegraph Hill/North Beach area pursuant to Board of Supervisors File No. 10-0638;

- The need to reconfigure the sidewalk and bus stop and relocate the bus stop to accommodate the proposed driveway requiring removal of a portion of the historic stone wall separating the Telegraph Hill Boulevard and the Filbert Steps;

- Noise and light impacts associated with the flashing lights and/or beeping sounds of warning signals that will be required for automobile ingress and egress from the garage to alert pedestrian walking up the Filbert Steps;

- Cars accessing the garage must cross a double yellow line on a blind curve by making a sharp right hand turn;

- Failure to timely consult with DPW to determine conditions of approval required to ensure the safety of pedestrians on the Filbert Steps; and

- If DPW requires the Filbert Steps to be relocated or reconstructed, additional environmental and project review will be required (i.e. the project description may be incomplete and CEQA review segmented).

Conclusion. The discussion above clearly shows that the Certificate of Determination of Exemption from Environmental Review issued by the Planning Department on June 10, 2014 is legally insufficient. Therefore, I urge the Commission to disapprove the Project or continue this matter with directions to the Department to prepare a new legally adequate environmental review document for the Project to assess the impacts set forth above.

Sincerely,

Gerry Crowley
7 Fielding St.
San Francisco, CA 94133

cc: Jonas P. Ionin, Commission Secretary
Supervisor David Chiu
Commissioner Rodney Fong
Commissioner Michael Antonini
Commissioner Rich Hillis
Commissioner Christine Johnson
Commissioner Kathrin Moore
Commissioner Dennis Richards
John Rahaim, Director of Planning Department
Elizabeth Watty, Case Planner

September 2, 2014

TO: San Francisco Planning Commission - Elizabeth.Watty@sfgov.org
RE: 115 Telegraph Hill Boulevard 17,000 plus sq. ft. Development on Filbert Steps

This is a follow up to my earlier letter. Let me be clear. I am in favor of a development on 115 Telegraph Hill Boulevard. Just not this one.

Firstly, this is not about the Developers. They appear to be professional people. It's about the special land, the Neighbors, Tourists, the views and the light from the Filbert Steps, not just from Coit Tower.

I must say this is not a "family friendly housing" buzz words the Developer represents for support. In fact, they will likely be sold to a high tech mogul or a second home for a foreign oligarch. It's three new approximately 5,000 plus ft., buildings and a fourth existing to be redone, totaling 17,000 or more sq. ft. that the broker will sell between $1,500-$2,000 a foot or well over $30 million. The Developer's objective is to maximize profits. Under other circumstances I would support that, I am a businessman. But this is my neighborhood for forty years. I love it. So do the Tourists who have no voice and the Neighbors.

The buildings on the Developer's plan are a maximum build out of the lot. The thousands of visitors to San Francisco's Coit Tower everyday (accessed by walking the world famous Filbert Steps, now look out at the City and enjoy sunlight views or the evening lighted downtown. See photos attached. They will lose that privilege to three or four very well heeled lucky owners if this plan passes. We will as neighbors lose the entire view from the Steps, and the light. We will look at what I see as an "in your face " façade." See their exhibit A 3.7 attached.

Personally, I will have to look at it every day as I walk by. To me it has no charm and blocks entirely a world class view.

This special land view area of Telegraph Hill is unique. It's like a "baseball team", i.e. quasi private/quasi public.

I can speak for myself and other neighbors who feel as I do. But the millions of Tourists who walk these Steps over time have no advocate but us.

To those who support this because you are tired of a decaying empty lot with a chain link fence, I empathize. However Tourist views from the Filbert Steps and charming buildings can be compatible. Instead of four buildings over 17,000 sq. ft. i.e. neighborhood Shopping Center Size, there could be two charming new buildings set back plus the expanded existing building. The scale could be like Upper Alta Street

Buildings which are next to the development. They will be on lower grade so City views would be protected.

Just look at the attached façade on Exhibit A3.7. Visualize it you walk up Filbert Steps. No set back. Little charm. Takes away sunlight from Filbert Steps walkway, darkens the experience for neighbors and Tourists alike.

This project appears rushed; many neighbors have not gotten notice. I who have owned on the Filbert Steps since 1977, just heard of it several months ago. Eric Breisacher, who lives two doors down said he had no notice.

Some of supporters' letters are from the Developer's interested service providers and family members. This is understandable. Some other letters are from people tired of an unkempt lot. Also understandable.

Opponents of the project have real concerns about removing views, light, lack of charm, and possible destruction of a delicate Telegraph Hill substructure, an issue for over one hundred years.

Please walk up and look at the City from the Steps, then look at Developers Exhibit A 3.7, part of submission. The facts speak for themselves.

Two additional smaller and set back structures with charm added to the existing expanded structure is a win-win.

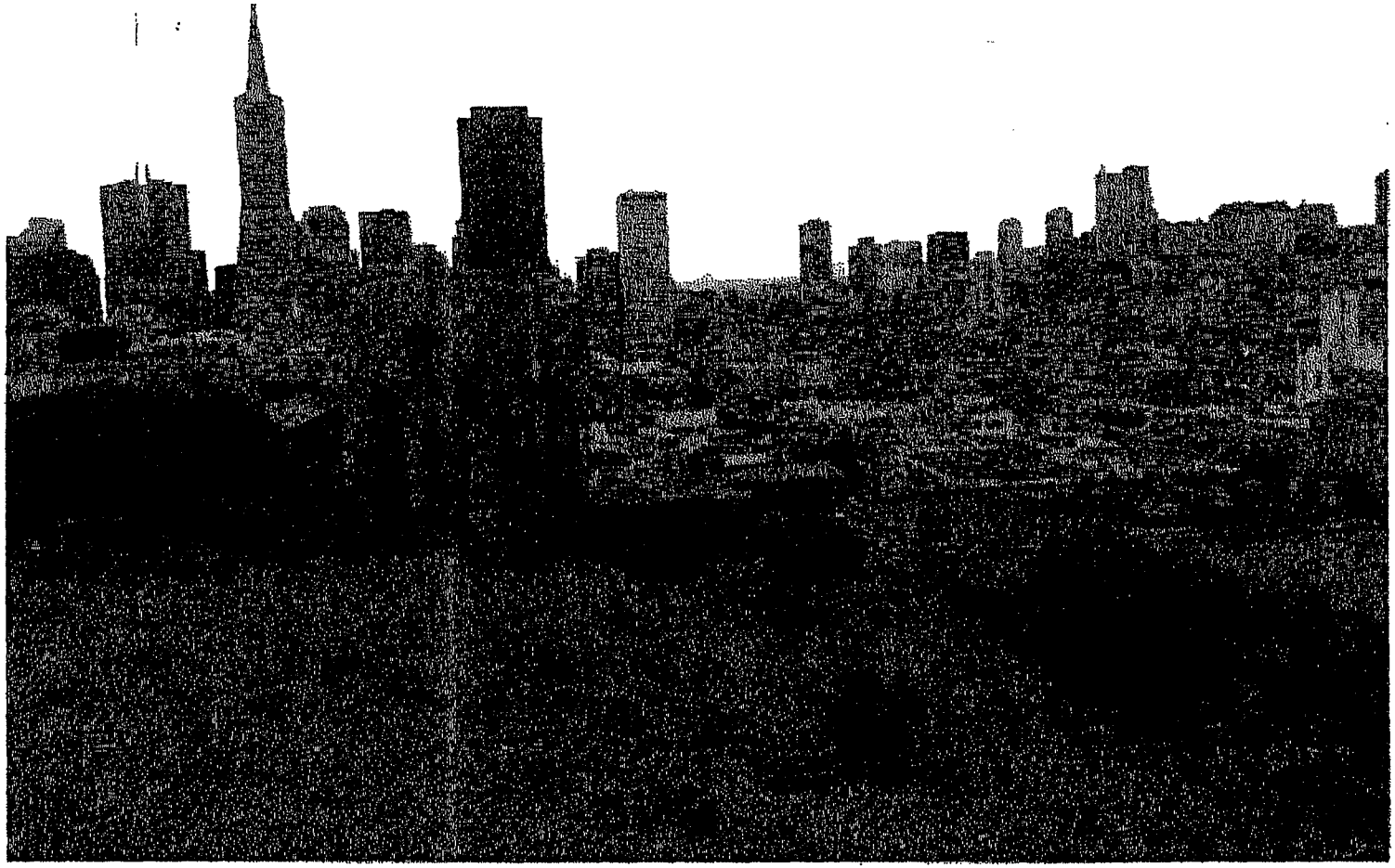
Sincerely,

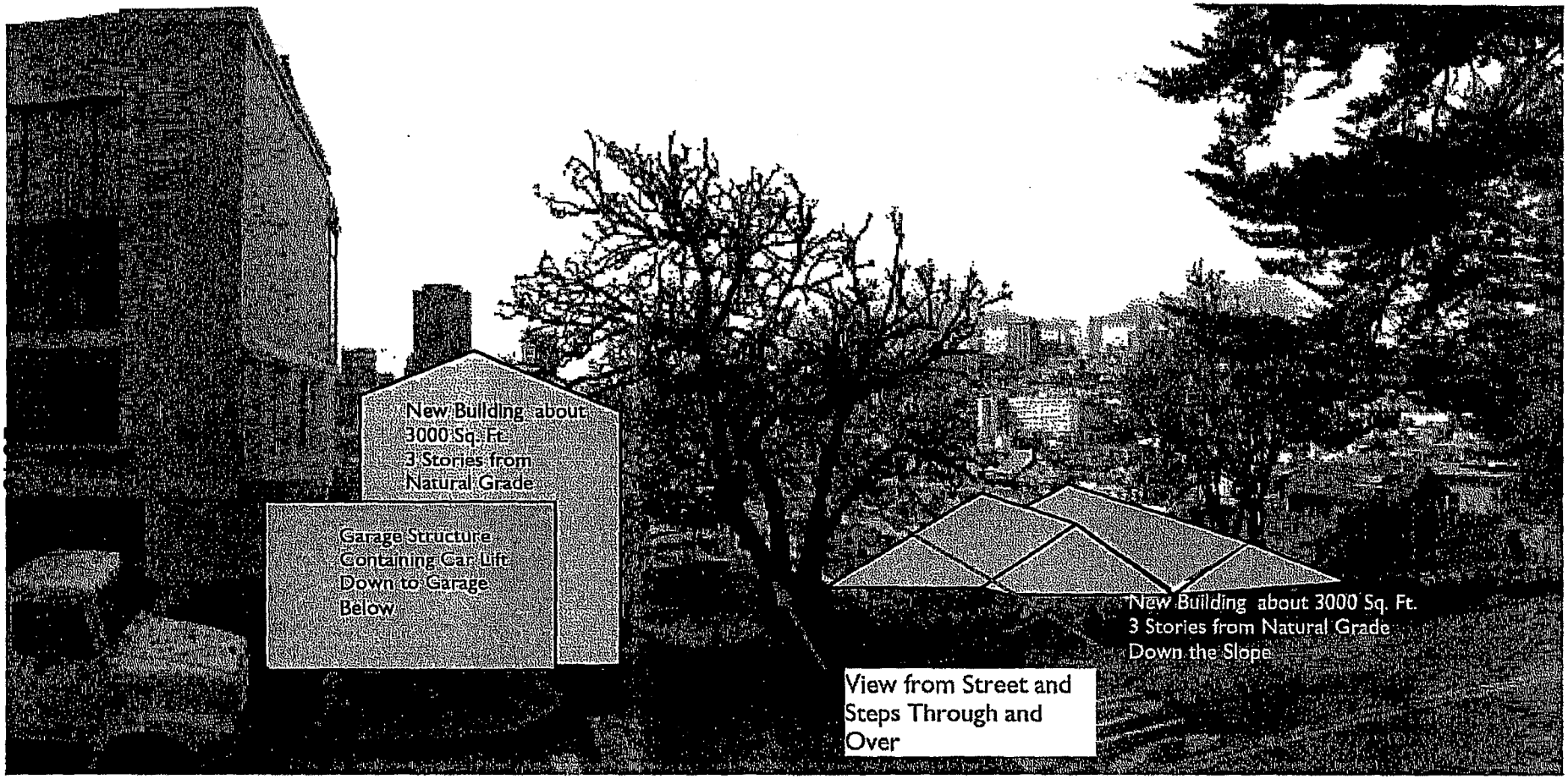
Peter Dwares, Esq.
331 Filbert Street

Peter Dwares
Dwares Group
331 Filbert Street
San Francisco, CA 94133
415-986-5885
415-986-5893 fax
415-260-6530 cell

1 FRONT FACADE LOOKING SOUTHEAST

The upper half of this view could be kept.




New Building about
3000 Sq. Ft.
3 Stories from
Natural Grade
Garage Structure
Containing Car Lift
Down to Garage
Below
New Building about 3000 Sq. Ft.
3 Stories from Natural Grade
Down the Slope
View from Street and
Steps Through and
Over

From: Erich Breisacher <erichsan@yahoo.com>
Reply-To: Erich Breisacher <erichsan@yahoo.com>
Date: Fri, 5 Sep 2014 18:41:05 -0700
To: "cwu.planning@gmail.com" <cwu.planning@gmail.com>
Cc: "wordweaver21@aol.com" <wordweaver21@aol.com>, "planning@rodneyfong.com" <planning@rodneyfong.com>, "richhillissf@yahoo.com" <richhillissf@yahoo.com>, Kathrin Moore <mooreurban@aol.com>, "christine.johnson@sfgov.org" <christine.johnson@sfgov.org>, Dennis Richards <drichards@salesforce.com>, "Commissions.Secretary@sfgov.org" <Commissions.Secretary@sfgov.org>, "Elizabeth.Watty@sfgov.org" <Elizabeth.Watty@sfgov.org>
Subject: 115 Telegraph Hill Project Planning Case No. 2013.1375C

September 5, 2014

President Cindy Wu
San Francisco Planning Commission
San Francisco Planning Department
1650 Mission Street, 4th Floor
San Francisco, CA 94103

RE: 115 Telegraph Hill Blvd.
Planning Case No. 2013.1375C

Dear President Wu and Members of the Planning Commission:

We are writing to vehemently oppose the Conditional Use Authorization for the proposed project at 115 Telegraph Hill Blvd, Case No. 2013.1375C. We, as some of the closest and most impacted property owners that sent letters against the project and attended the last commission hearing on July 17, have serious concerns about the project, including that this project is being rushed through without all the proper due diligence by all the appropriate city departments and this commission. Especially in light of the recent earthquake, our properties and potentially our lives will be put in jeopardy if the project is built without proper consideration for the massive excavation being planned for the hill the project is planned to build upon.

There are many concerns and questions about this project that have been completely unaddressed. This project will negatively affect the surrounding properties and iconic landmarks (i.e. Coit Tower, Filbert Steps, Pioneer Park, etc.) and is against the public's interests. Therefore, we are literally dumbfounded that an Environmental Impact Report was not required along with a proper Geo-technical report that includes the full 33.5 feet deep excavation sampling at multiple sites on the property. If the city process fails to properly protect the neighboring property owners by failing to require an Environmental Impact Report, a proper Geo-technical report, and addressing real concerns from neighbors we believe the city/commission will be liable in the event of a minor or catastrophic event 1 or 10 years from now from earth movement, water flow

changes, earthquake affects, and/or cracks in properties.

The project proposes a massive excavation 33.5 feet down *directly adjacent* to the Filbert Steps/Coit Tower/neighboring properties, however the following issue remain unaddressed:

- *The Geo-technical report only samples 5 feet and was refuted by a well known geologist that is familiar with Telegraph Hill and the quarry history;*
- *This large excavation is most likely going to change the water table drainage (there is water on the hill so possibly flooding or dampening neighboring properties);*
- *Movement of the hill during earthquakes will change possibly causing catastrophic results in the future (properties previously did well in the last few earthquakes), liquefaction and hillside sliding potential as seen in other parts of the hill (we are in communication with the USGS at this time);*
- *Property/foundation cracks and movement for the surrounding properties are highly likely, including from inevitable Construction Vibration; and*
- *The cottage at 383 Filbert is a masonry foundation that is connected to all the next door properties - if it moves so will the surround properties.*

Additionally, the proposed changes to "help" neighboring properties put forth by a commissioner at the last hearing would do exactly the opposite. In fact, these proposed changes would instead be detrimental to the neighboring properties and public interest. The changes were to put the public access between 383 Filbert and the new developments due to views from Telegraph Hill Blvd.

- *The vast majority or people walk up the Filbert Steps - not Telegraph Hill Blvd which is somewhat dangerous to walk on with the blind corners.*
- *The popular public views would not be accessible from the Filbert Steps with the proposed changes.*
- *The safety and noise issues would be greatly affect the neighboring properties if the public access was moved next to 383 Filbert. Note at least one recent burglary occurred just a few months ago by accessing 391 Filbert from the 115 Telegraph property (police report available). This safety issue along with noise from late night revelers would cause a huge problem for the neighbors instead of actually helping.*
- *The suggested changes (pulled back west wall with addition of windows) would have a significant impact on the privacy of surrounding neighbors and the mass of the planned project will still create significant shadowing, worse at certain time of some seasons in the year.*

Please consider the serious concerns of the next door affected neighbors and how this project will affect our lives and properties, not to mention the public's interest. Many close neighbors (living next to this project - close or bordering the project) feel the commission and the city are not taking into consideration how this massive excavation will affect the neighboring properties and public interest. Some longtime residents are getting ready to move (but will be required to disclose the affects of this project thereby

affecting the value of their properties), and others feel compelled to look into ways to protect their properties if the commission/city fails to address all of the main concerns.

We therefore strenuously request a thorough review with a careful attention paid particularly to the following:

- The excavation to 33.5 feet, drilling, pile driving, construction vibration, water seepage and alterations in drainage patterns of this entire project;
- Conduct a proper Environmental Impact Report;
- Require a proper Geo-technical report looking at the full 33.5 feet deep soil at multiple areas of the property site;
- Answer liability questions and remedies (including insurance and who would be liable during construction or after in perpetuity) if the hill and nearby properties are damaged as a result of this project including water table drainage changes, earth movement, building and foundation cracks, catastrophe caused by the excavation during construction in the future, hillside liquefaction and slides, injury/death, earthquake affects, and third party damage (such as the masonry foundation cottage at 383 Filbert causing movement to neighboring properties).

We are hereby putting everyone involved with this project, including the city and this commission on notice for liability in the event of a catastrophic event caused by this project including earth movement, water flow changes, earthquake affects, injuries/death and cracks in properties if the proper city process fails to properly protect the neighboring property owners by failing to require an Environmental Impact Report, a proper Geo-technical report, and addressing real concerns from neighbors. We reserve the right to take any action, legal or otherwise to address these issues.

We respectfully request that this commission oppose the Conditional Use Authorization and to address our concerns be addressed before any approval of any project at this site.

Regards,

Neighbors on Filbert Steps and Kearny Street adjacent to 115 Telegraph Property

Erich Breisacher
391 Filbert Street

September 8, 2014

Cindy Wu, President
Planning Commission
City and County of San Francisco
1650 Mission Street, Suite 400
San Francisco, CA 94103

Re: Case No. 3013.1375CE
115 Telegraph Hill Blvd.

Dear President Wu and Commissioners,

We write to you today as the owners of two properties immediately adjacent to this construction, who as senior citizens in their 80's are going to have their lives dramatically impacted by two or more years of dirt, dust, noise, and most important, jackhammering, not to mention risk given the scope of excavation, uncertain soil conditions and disruption of the subterranean aqua culture. Since it appears there is no point in the review/approval process where consideration of these impacts of construction issues on neighboring public and private property are a required criteria, we would like to use this opportunity to address the wider impacts on the public realm which do come under Planning Commission jurisdiction.

The opportunity to play a role in how this site shapes the experience of visitors to San Francisco and Coit Tower in the future is a privilege as well as a right for both the developer and the Commission. You, the Planning Commission, are the only ones in a position to advocate for the public interest.

Coit Tower is one of the most heavily visited tourist destinations in the city, as well as a popular destination for local and regional residents. Not all of those visitors choose to take the elevator to the top of Coit Tower, the cost of which for a family of four can exceed $20. Surely there are many who either cannot afford the ride, don't have time to wait in line, are afraid of heights, whatever. Yet those folks have taken the time and trouble to walk, bus or drive to the Tower and most expect, given the location, a spectacular view of the city including downtown to the south. That view will be lost forever if the current proposed design for 115 Telegraph Hill Boulevard is approved. Yes, the developers have agreed to open a view corridor on the western edge of the site, but frankly I was shocked at how quickly the Commission embraced that suggestion without any attempt to negotiate a more beneficial solution for the visitors to Coit Tower.

For a moment, try to visualize the view of downtown San Francisco as it exists now versus the view that will remain under the current proposal. The farther north you move the viewer-- e.g. from the Filbert Steps, to Telegraph Hill Boulevard, to the stairs leading up to the Tower from the site, to the terrace on the south side of the Tower—the narrower and more diminished the view becomes. Indeed, if the view

corridor remains at the current point, the stairway and terrace do not come into play at all. They are located too far to the east. The only people who would benefit from the view corridor would be pedestrians using the Filbert stairs and, for a brief moment, the passengers in vehicles using Telegraph Hill Boulevard. Those pedestrians accessing the Tower from the north are simply out of luck unless they pay to ride to the top of the Tower.

This is not your typical development site. While these structures might fit in very well on Broadway west of Van Ness, at this location they become a symbol to the hundreds who pass this location daily, and view it from afar, of greed and privilege affordable only to the 1%. The 1% have far more choices in how and where they live their life than the vast majority of the public who choose to visit and live in San Francisco. Hopefully, the Commission will have the courage to treat this as a public realm issue and more strongly advocate for the public interest

We all have friends who as visitors to San Francisco complain about the how the city has changed in recent years with the lack of cleanliness and street and sidewalk maintenance, clutter and unattractiveness of sidewalk "furnishings", not to mention a wide variety of homeless issues. They ask why we as a city do not address these issues, which is also a way of asking why we as residents do not exercise our right to a cleaner and safer city. San Francisco will no doubt remain a popular tourist destination, but the on the ground visitor and resident experience, of which this project will be a part, is changing dramatically. Please hear us and reflect on these issues.

Sincerely,

Nan and Nathan Roth
1436 Kearny Street
San Fancisco, CA 94133
Tel. 415-398-7893
Email: nanroth88@gmail.com

Cc: Commissioner Rodney Fong
Commissioner Michael Antonini
Commissioner Rich Hilis
Commissioner Christine Johnson
Commissioner Kathrin Moore
Commissioner Dennis Richards
Jonas P. Ionin, Commission Secretary
Elizabeth Watty, Case Planner
Supervisor David Chiu

From: Gregory Chiampou <gchiampou@gmail.com>
Date: Thu, 11 Sep 2014 07:37:52 -0700

>>> My name is Greg Chiampou, and I have lived (as a renter, and for a long time now, as an owner) on Telegraph Hill for twenty years and live right next door to 341 Filbert, a two unit property which Mr. Ricks invested in last year and began renovating earlier this year.
>>
>>
>>> This week, my wife and I want to publicly withdraw our prior support of Mr. Ricks as a developer of the 115 THB parcel. This parcel is two doors down from our home. While we would like the 115 parcel to not remain vacant and abandoned-looking, we cannot support Mr. Ricks as a developer based on our experience with him as a developer of the nearby 341 Filbert building. He has skirted the building codes, evidenced a lack of concern with our neighborly issues, and disregarded straightforward neighborly communications during his current development project at 341 Filbert Street.
>>
>>> We filed a complaint with DBI last week, citing that Mr. Ricks's project at 341 Filbert had gone way beyond the scope of his permit, and the DBI is now investigating. We filed our DBI complaint only after our most recent outreach to Mr. Ricks was again rebuffed, and only after we realized his prior responses and communications with us about the 341 Filbert project and its roof deck were completely evasive and self-serving. We researched our DBI complaint with both DBI and the Planning Dept. before filing, and while the complaint is still under investigation, we confirmed to ourselves that he neither fully disclosed or talked straight with his neighbors or with City zoning compliance.
>>
>>> Our recent experience with Mr. Ricks at 341 Filbert does not bode well for his much larger neighborhood project at 115 THB. We want to withdraw our prior public support and join the many immediate neighbors who do not support Mr. Ricks in his acquisition and re-development efforts of 115 THB.
>>
>> Sincerely,
>>
>> Greg & Jennifer Chiampou
>> 345 Filbert Street
>> San Francisco

From: Howard Wong <WongAIA@aol.com>
Date: Mon, 8 Sep 2014 03:09:00 -0400
To: <Elizabeth.Watty@sfgov.org>, <Commissions.Secretary@sfgov.org>, Dennis Richards <drichards@salesforce.com>, Kathrin Moore <mooreurban@aol.com>, <wordweaver21@aol.com>, <Rick.Crawford@sfgov.org>, <cwu.planning@gmail.com>, <richhillissf@yahoo.com>, <planning@rodneyfong.com>, <john.rahaim@sfgov.org>, <sarah.b.jones@sfgov.org>
Subject: DESIGN IS THE SOLUTION: 115 TELEGRAPH HILL BLVD. CONDOS Case No. 3013.1375CE

DESIGN IS THE SOLUTION: 115 TELEGRAPH HILL BLVD. CONDOS
Case No. 3013.1375CE, 115 Telegraph Hill Blvd.
"Everything you can imagine is real." —Pablo Picasso
<http://www.goodreads.com/author/show/3253.Pablo_Picasso>

San Francisco's top industry is tourism---16 millions visitors a year and $8.5 billion annually. In Tripadvisor's 2014 readers' poll of the world's top 25 destinations, San Francisco is number 25. A commonality among top world cities is rich historicism and beauty---like Istanbul (#1), Rome (#2), London (#3), Prague, Marrakech, Paris, Siem Reap, Florence, Barcelona, Budapest, Chiang Mai.

People intuitively love human-scaled and historical sites. Over time, planning and urban design should nurture San Francisco's Mediterranean-scale and beauty---for esthetic and economic reasons.

An American Myth: Big mass and bulk are better than spatial quality. Frank Lloyd Wright, Julia Morgan and Bernard Maybeck demonstrate otherwise.

- Irrespective of size, residential buildings on steep hills, with great views, are inherently valuable.
- Well-designed architecture adds value, while honoring the surrounding scale and site.
- Stepping down with hilly slopes, buildings gain rooftop terraces and spatial richness.

Regards,
Howard Wong, AIA

Protect Coit Tower

July 7, 2014

Cindy Wu, President
Planning Commission
City and County of San Francisco
1650 Mission Street, Suite 400
San Francisco, CA 94103

Re: *Proposed Luxury Condos and Garage Project at 115 Telegraph Hill Blvd, Case No. 3013.1375CE*

Dear President Wu,

I write on behalf of Protect Coit Tower, a nonprofit citizens group dedicated to the preservation of Coit Tower and the historic Depression-era murals that reside inside. As you know, Coit Tower is an iconic symbol of our unique city, known to every San Franciscan and instantly recognized around the world. Because of Lillie Hitchcock Coit's generous bequest "to beautify the city I have always loved," for 80 years Coit Tower and its murals have been a permanent gift to the people of San Francisco and have been enjoyed by millions of visitors from around the world.

Following voter approval in June 2012 of a ballot measure creating a Coit Tower Preservation Policy, the city engaged in the largest renovation project in Coit Tower's history, spending $1.7 million to fix the building from top to bottom and painstakingly restoring the damaged Depression-era murals to fabulous condition. The city also proceeded with a major upgrade of the interior operations of Coit Tower, bringing in a new concession company to improve the gift shop, implement regular mural tours, greet visitors as they enter, and implement new Art Commission guidelines to ensure the Tower and murals are more easily enjoyed by visitors and protected from damage.

This is why, less than two months after you, the Mayor, and other city leaders joined with the community for a grand Coit Tower Reopening Celebration on May 14, 2014, it is a shock to discover that the Planning Commission later this month is scheduled to vote to waive a full environmental review and greenlight the construction of a large luxury condo project and multi-unit garage at 115 Telegraph Hill Boulevard immediately adjacent to Coit Tower. If approved, this would have serious short-term and long-term impacts on public access to Coit Tower. Construction and long-term environmental impacts from this project on Coit Tower need to be fully analyzed, particularly as it relates to the likely restrictions on public access to Coit Tower and Pioneer Park via the southern steps, the complete closure of the Filbert stairs pedestrian access to Coit Tower, and the serious impediments the project would create for the 39 Coit Muni bus and other vehicle access to Coit Tower.

Why on earth would the city not at least take the time to fully and adequately analyze the potential impacts of this proposed project on Coit Tower so soon after the voters made clear the importance of Coit Tower and $1.7 million in public funds have been expended to restore the Tower to beautiful shape? Furthermore, the new Coit Tower concessionaire is working hard to make his operation successful, and the impacts of this project on his ability to succeed, and consequently for the city to receive the millions in revenue that Coit Tower visitors provide, should at least be understood before allowing this project to proceed with a special waiver from the Planning Commission.

I hope you will take this information into consideration as you consider this issue.

Sincerely,

Jon Golinger
Protect Coit Tower

Cc: All Members, San Francisco Planning Commission
Elizabeth Watty, San Francisco Planning Commission
Supervisor David Chiu



7/7/2014

Ms. Cindy Wu

President

San Francisco Planning Commission

Re: Case # 3013 1375CE (115 Telegraph Hill Avenue)

As the newly-placed concessionaire at Coit Tower, I need to express real concerns over the three condo proposal at 115 Telegraph Hill Boulevard. As the operator, this project would certainly impact me negatively with reduced numbers of visitors able to use the transit system, further reduction of personal vehicles and the Filbert steps. The iconic Coit Tower, which was closed for six and half months for renovations has only been opened for two months. The tower is now producing income that supports several city parks as well as the tower. The lease with Recreation and Parks Department took two years of negotiations with neighbors and concerned citizens and the reduction in the visitors to Coit Tower would constitute grounds for renegotiations with the city or put me at risk for outright failure to meet the minimum financial terms of the lease.

In general terms I am usually a proponent of peoples' property rights, but the impact of this project appears to cast a very large shadow on the surrounding area... affecting not only the park and tower but the wellbeing of many neighbors. The end result of this working well for only the three condo owners and the developer. Additionally, to consider a project of this magnitude without a comprehensive environmental impact study would be hasty and ill conceived.

If this project is approved, I would hope the Planning Department could make it conditional on less disruption to the surrounding area and consider the negative impact the project will bring to Telegraph Hill, Pioneer Park and Coit Tower, but as the project currently stands, I encourage you to reject the project as currently proposed.

Respectfully,

Terry Grimm

One Telegraph Hill

San Francisco, CA 94133

1315 Montgomery St.
San Francisco, CA 94133
July 16, 2014

Cindy Wu, President
Planning Commission
City and County of San Francisco
1650 Mission Street, Suite 400
San Francisco, CA 94103

RE: Proposed Project for 115 Telegraph Hill Blvd.

Dear President Wu and Members of the Commission:

There are many letters opposing this project in your package. Stan Teng's letter does a particularly good job of addressing the architectural issues. In aggregate, other letters in opposition thoroughly cover major issues having to do with neighborhood compatibility, inappropriate massing, disruption of traffic on Telegraph Hill Way, hazards to pedestrians and blocking views from the Filbert Steps and Pioneer Park. For this reason, I will restrict my comments to the deeply excavated parking garage proposed for this project and to the developer's interaction with our neighborhood association.

There is no precedent that I know of for such a garage in this area. I agree with, but will not reiterate, Mr. Teng's arguments as to why a special parking exemption should not be granted to this project. Excavation from sidewalk level is almost 33' as shown on the Unit 1 Cross-section on sheet A3.4. At this point, we have nothing that explains how this massive excavation is to be accomplished without compromising the structural integrity of Telegraph Hill Blvd. and the Filbert Steps. Though such an excavation is technically possible with the shoring methods used for the construction of basements in large commercial buildings, it is not obvious how the necessary equipment would be employed in this location. Clearly, however, a colossal amount of excavated material would need to be taken out via Telegraph Hill Blvd., which is often backed up under normal conditions. Access to Coit Tower and the park would necessarily be disrupted in a major way for many months by the logistics of shoring the hill and removing an enormous quantity of excavated material in an area where there is no way to park and load dump trucks without blocking the road. All of the above-listed mechanical and logistical problems can be eliminated by requiring that parking for the project be at grade. A redesign with this stipulation would dramatically reduce the project's impact upon the neighborhood and the surrounding infrastructure.

Mr. Ricks presented his project to the Telegraph Hill Dwellers' planning and zoning committee on three separate occasions. In the original presentation, we heard of the developer's intention to preserve view corridors for pedestrians, maintain the character of the existing streetscape, not excessively crowd the steps, and so forth. In the presentation, it was expressly noted that the project was not at the maximum height allowed, and that this was being done both to preserve views and avoid the perception of a solid wall facing the Filbert Steps. We offered suggestions for improving the project, to which the developer appeared, from his own comments, to be receptive. Successive iterations, surprisingly, got worse rather than better. Provisions for views and public access were eliminated entirely. In the final proposal, not only are the buildings expanded all the way to the height limit, but also the stair penthouses project through that limit. Clearly, the developer had no intention of compromising the profitability of his project by attending to the concerns of nearby residents or its negative impacts upon the neighborhood. Those of us who spent a considerable amount of time with Mr. Ricks discussing these matters are left wondering why he gave us lip service leading us to believe that he wanted to be a good neighbor, when in the end he completely disregarded every recommendation that he received. If he had no intention of working with us to make a better project, why did he waste our time?

Sincerely,



Dan Lorimer

Stan Teng /
333 Greenwich St. #2
San Francisco, CA 94133

9 July 2014

Ms. Elizabeth Watty
City of San Francisco Planning Department
1650 Mission St. , Suite 400
San Francisco, CA 94103

RE: Case No. 3013.1375CE
Proposed Project at 115 Telegraph Hill Blvd.

Dear Ms. Watty:

This letter is to express my concern about the required special approvals and the overall design of the proposed project at 115 Telegraph Hill Boulevard.

I live quite near (within 340 feet) of the project site and pass by it at least twice a day and hence have an intimate knowledge of the neighborhood and the site. In addition, I am an architect that has lived and worked in San Francisco since 1981.

My concerns are for both the application for Conditional Use and for the compliance of the project design with the SF Planning Code including the Residential Design Guidelines.

The Planning Code's stated purpose of a CU is to determine if the proposed use is necessary or desirable to the neighborhood, and whether the use complies with the San Francisco General Plan.

CU Item 1: Number of Units

The developer of the project has publicly stated that his interest in the property is speculative. Therefore, the definition of "necessary" is skewed. It may be necessary to this developer to maximize the size of the units, but units of 4138 to 4583 square feet are out of character, compatibility and affordability of the neighborhood and certainly not necessary. The developer has also publicly stated that there is an absolute need for parking, as these types of units would otherwise not be marketable. Marketability is not "necessary" to the neighborhood and is a result of the developer's choice of programming the project as a high end luxury development requiring special approvals.

CU Item 2: Parking Exemption

The parking ratios Planning Code of Section 249.49 were developed with good reason for the Telegraph Hill / North Beach Residential Special Use district. Those reasons include the generation of additional traffic by new dwellings and garages and the problems created by the need for garage access including large doors and the effect on the public right of way. Approval of a conditional use for garage might be justified as a "wash" as far as the taking away of street parking but there are important additional consequences that impact the neighborhood including additional traffic at a already heavily trafficked location.

The subject property is located at an important and heavily trafficked juncture of six existing elements; a narrow curving roadway to a major City attraction, a major pedestrian sidewalk used by both for residents and tourists connecting Telegraph Hill to North Beach, a MUNI bus route and passenger stop, a crosswalk connecting the sidewalk to Pioneer Park and the location of two desperately needed street parking spaces. Such a confluence of elements at a single point is not the location for the entrance to a new parking garage.

Unfortunately the project does not offer any mitigation of the impacts of the requested CU items. None of the CU items are of benefit or necessary to the neighborhood and on the contrary would be detrimental to the neighborhood.

Conformance with the Residential Design Guidelines?

Without going into a lengthy detailed analysis of the project in terms of the Residential Design guidelines a number of major incompatibilities with the Guidelines are present:.

" Guideline; Protect Major Public Views From Public Spaces" And "Design Building Facades To Enhance And Complement Public Spaces"

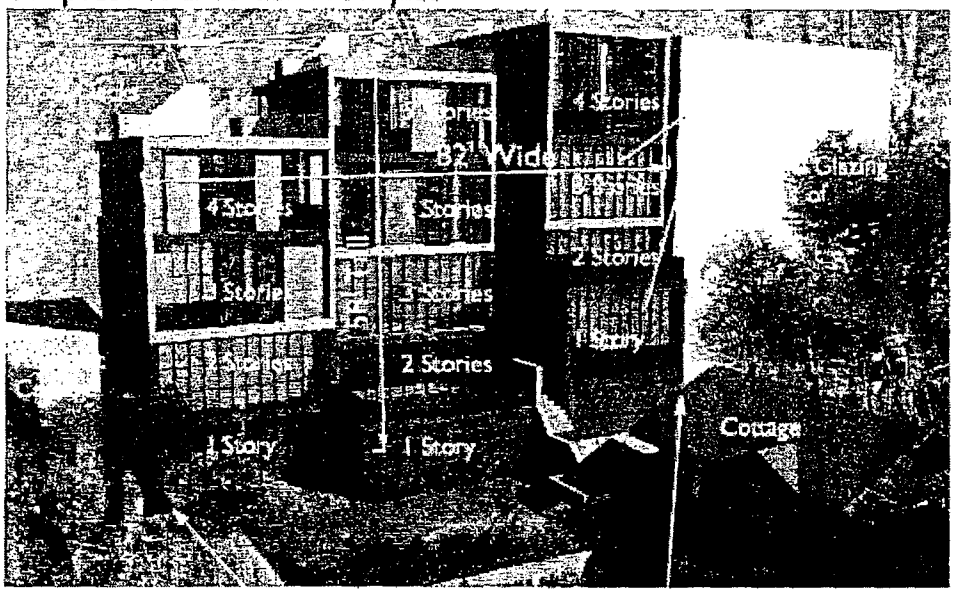
It should be noted that the project has two major facades, one facing Coit Tower and Pioneer Park, the other façade facing the Financial District, Chinatown, Russian Hill and Nob Hill as seen from Telegraph Hill or conversely, Telegraph Hill as seen from the Financial District, Chinatown, Russian Hill and Nob Hill. This is a major "postcard" view of Telegraph Hill that will be adversely affected by the proposed project.

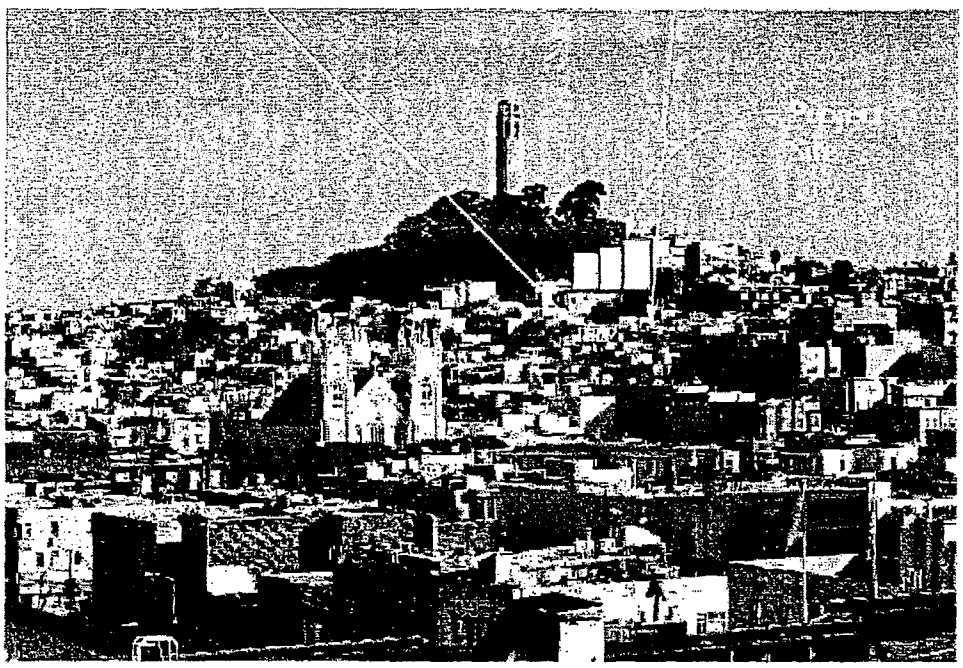
The project's façade along Telegraph Hill Blvd. resembles the set of "Hollywood Squares" and is overtly out of character and scale with the neighborhood. The rear (South facing) façade is a 4 to 5 story wall of monotonous rectangular patterns and glass that will read within the cityscape as a huge reflective surface as it is facing due south and will receive a great amount of sunlight.

" Guideline; "Design The Scale Of The Building To Be Compatible With The Height And Depth Of Surrounding Buildings"

Please see attached project rendering to understand the size of the development and its scale, especially as viewed from the South.

Proposed Rear Facade of Project





View of Project of Telegraph Hill as seen from the Financial District, Chinatown, Russian Hill and Nob Hill.

In summary, my concerns about the project may be distilled to these simple points:

1. The special conditions of use being requested are necessary and of benefit only to the speculative project sponsor and are not necessary, with no benefit and are detrimental to the neighborhood.

2. The project fails to comply with the Residential Design Guidelines especially with respect to:

- Design The Scale Of The Building To Be Compatible With The Height And Depth Of Surrounding Buildings
- Protecting Major Public Views From Public Spaces
- Design Building Facades To Enhance And Complement Public Spaces

As an architect I am an advocate for new construction - but not for buildings that are inappropriate and detrimental to the neighborhood and City and for the benefit of the few.

Sincerely,



Stan Teng
Architect, AI.A.

THE DWARES GROUP
PROPERTY DEVELOPMENTS

331 Filbert Street
San Francisco, CA 94133
(Between Telegraph Hill Blvd.
(Lombard) and Montgomery St.
near Coit Tower)

Phone: 415-986-5885
Facimile: 415-986-5893
E-mail: pldwares@aol.com
PETER L. DWARES, PRESIDENT

July 7, 2014

Cindy Wu, President
Planning Commission
City and County of San Francisco
1650 Mission Street, Suite 400
San Francisco, CA 94103

Re: Case No. 3013.1375CE
115 Telegraph Hill Blvd.
Telegraph Hill-North Beach Residential SUD
Request for Conditional Use Authorizations

Dear President Wu and Commissioners,

I am writing to express my concerns regarding the proposed project at 115 Telegraph Hill Blvd. and respectfully request that the Planning Commission not approve the Conditional Use Authorizations for this project.

I have owned at 331 Filbert, steps away from the property, since 1977. I observe traffic jams thus project would exacerbate significantly.

I love the scale of the Filbert Steps. We have no parking on the Steps.

It is rare that a local, neighborhood project rises to the level that I bother to write the Commission, but the proposed luxury condominium project at 115 Telegraph Hill Blvd., if built as proposed, would be a terrible planning mistake that will adversely impact San Francisco's world renowned Telegraph Hill, Coit Tower and the surrounding 4.89 acre Pioneer Park. Fundamentally, the issue at stake is about protecting the public's interest in Pioneer Park and Coit Tower. This is not about any particular neighbor's self-interest or views – this is about the public interest and the public's views, parks, access and pedestrian safety.

As San Francisco residents we have a collective duty to safeguard these treasures for future generations. The proposed project, if approved, will have an array of significant, adverse impacts to Coit Tower and Pioneer Park.

The proposed project would:

- Block the sweeping views of San Francisco enjoyed by thousands of Pioneer Park users

- Create permanent dangerous conditions for pedestrians coming up the Filbert Steps and Telegraph Hill Blvd. (by creating a new curb cut on the curviest section of Telegraph Hill Blvd. at the very top of the Filbert Steps coming up from Kearny Street)
- Exacerbate traffic congestion for visitors and residents to Coit Tower on Telegraph Hill Blvd. both during and after construction. I have long felt a driveway there is a very bad idea.
- Adversely impact users of the 39 Coit Tower MUNI bus both during and after construction (particularly because the current bus stop will be next to their new driveway)
- Eliminate access from the Filbert Steps to Coit Tower for up to two years while the project sponsor digs 30 feet for a new parking garage on this highly constrained site
- Reward the current owners for demolishing 11 units of affordable housing and replacing them with three market rate, 4,000 to 5,000 square foot, condos.
- Reward the current owners for their defacto demolition of the historic cottage on the southern edge of the property.

Please come and look at the site on a typical busy weekend day.

I hope that the Commission will reject the project as currently propose and encourage the project sponsor to come back with a more compatible project that better fits this unique important site which will be less impactful to Pioneer Park, the Filbert steps and Telegraph Hill Blvd.

Sincerely,

Peter Dwares
331 Filbert Street
San Francisco, CA 94133

STEWART
MORTON

9 July 2014

TO: San Francisco Planning Commission

FROM: Stewart Morton

RE: 115 Telegraph Hill Blvd / Case # 3013.1375CE

I reside at 1730 Kearny St, near the corner of Lombard St and at the beginning of Telegraph Hill Blvd. I have been a Telegraph Hill Dweller since the 60's. I am so very concerned about the probable impact of the proposed new construction at #115. I cannot imagine how the Planning Department would not require an EIR based on so many problematic issues.

There has to be an "impact" on the placement of their driveway/garage door at the top of the Filbert Stairs which is at the #39 Bus Stop AND Stop Sign AND Cross Walk.

There has to be an "impact" from the massive excavation necessary to place the four stories within the 40 foot height limit, with the only access for the trucks and equipment from Telegraph Hill Blvd. This is not a small project.

Which brings up my third questionable "impact". This is a very BULKY, IMPOSING on the neighborhood building.

I have attended four meetings with the Owner-to-be/Developer held by the neighborhood and have continually requested that what I thought was best for the neighborhood was to have THREE distinctive looking facades for Units 1, 2 and 3. Telegraph Hill is a collection of mostly 15, 20, and 25 foot wide buildings. Lewis Butler has acknowledged he is talented enough to design this concept successfully and I certainly agree.

The Owner-to-be/Developer has continually stated he would do what the neighborhood wanted, as long as it did not fight him on the garage for only 3-4 cars. With the planned car elevator and recessed garage door, things are looking up. 3-4 cars can be manageable.

Now can we have THREE wonderfully differently facades, architecturally, not just with different painting! . . . and with a bit smaller scale which belongs on Telegraph Hill. This site is very noticeable from COIT TOWER and PIONEER PARK which has an extremely high number of visitors annually.

DO YOUR BEST FOR SAN FRANCISCO!

PO BOX 330339 SAN FRANCISCO 94133-0339
TEL 415/441-3322 FAX 415/441-4411 EMAIL: MR.STEWARTMORTON@GMAIL.COM

July 9, 2014

Cindy Wu, President
Planning Commission
City and County of San Francisco
1650 Mission Street, Suite 400
San Francisco, CA 94103

Re: Proposed Luxury Condos and Garage at 115 Telegraph Hill Blvd, Case No. 3013.1375CE

Dear President Wu,

I am a cousin of Lillie Coit and write to you on behalf of members of the Coit family from around the country to strongly urge you to not approve the plans being proposed for a large luxury condo and a garage project at 115 Telegraph Hill Blvd, which could seriously restrict public access to the newly restored Coit Tower.

I can tell you that every member of the Coit family I know is proud to be a part of the great treasure Cousin Lillie left 80 years ago to the City of San Francisco she loved. For many years, my father Chapin Coit participated in various efforts to celebrate Coit Tower's history and continued graceful beauty as part of the San Francisco skyline. Over the last few years I have been honored to be a part of the successful citizen campaign to support the preservation and restoration of the one and only Coit Tower.

This is why it came as quite a shock to learn that, just two months after reopening Coit Tower to the public following a historic renovation, the Planning Commission is considering waiving a full environmental review and approving the construction of a large luxury condo project and multi-unit garage at 115 Telegraph Hill Boulevard at a pivotal location along the only road up to to Coit Tower. If approved, this would have serious short-term and long-term impacts on public access to Coit Tower that at least should be thoroughly studied before being approved.

I sincerely hope that clearer heads will prevail and you will at least decide to take the time to fully and adequately analyze the potential impacts of this project on access to Coit Tower before approving this proposal. Coit Tower is so very important to us all.

Sincerely,

Susie Coit Williams
Debbie Coit Smith
Philip Hersee Coit
Felicia Coit Pasley
Belle Coit Druding
Karen Coit Wozniak
Corey Walker Jones

PROTECT PIONEER PARK:
115 TELEGRAPH HILL BOULEVARD PROJECT
TO: Elizabeth Watty, Planning Department and Planning Commission
Also For Planning Commission Meeting Package----July 17, 2014 Hearing

Cindy Wu, President, Planning Commission
City and County of San Francisco
1650 Mission Street, Suite 400
San Francisco, CA 94103

RE: Case No. 3013.1375CE, 115 Telegraph Hill Blvd.
Telegraph Hill-North Beach Residential SUD
Request for Conditional Use Authorizations

Unfortunately, this project has become progressively taller and bulkier over time. In past community meetings, the project sponsor presented buildings well below the height limit, to preserve public view corridors from Pioneer Park---for residents and visitors alike. Also, the addition of rooftop elevator/ stair penthouses and railings exacerbate height issues and view obstructions.

The 115 Telegraph Hill Boulevard Project should revisit the direction of earlier designs.

I am the founder and a leader of the Pioneer Park Project, which led to new stairways and the south terrace at Coit Tower. Pioneer Park is one of San Francisco's oldest parks---an outlook for ships and a signal station starting in 1849. Coit Tower opened in 1933 without architect Arthur Brown's intended south terrace, which the Pioneer Project completed. The south terrace and filbert steps have timeless views that need to be protected for everyone.

The design does not integrate the sites' sloping topography, contributing to view obstructions. The building does not step down in height with the southerly slope of Telegraph Hill. As a result, the project's west elevation is a huge blank wall---the most public face of the project.

The project's north elevation, facing Coit Tower, would benefit from a more traditional massing---without the wrap-around "trim" surrounding each of the three buildings. A decomposed massing would better conform to San Francisco's ubiquitous bay windows, insets, setbacks, step-backs....

As an architect, I see better options than construction disruptions to residents, pedestrians, Muni riders and car drivers by closures of the Filbert stairs and Telegraph Hill Boulevard. Construction logistics, staging and phasing can mitigate years of disruptions---albeit at a bit more cost.

Sincerely,
Howard Wong, AIA

7 July 2014

Ms. Elizabeth Watty
City of San Francisco Planning Department
1650 Mission Street, Suite 400
San Francisco, California 94103

RE: Proposed Project at 115 Telegraph Hill Blvd.

Ms. Watty:

I am a resident of Telegraph Hill and am writing with regard to the proposed project at 115 Telegraph Hill Boulevard.

To be clear, I do not oppose new construction on a site that has been vacant for many years. But I do oppose this project as it is currently designed precisely for the reasons that the project sponsor himself initially stated in 2012: architecturally, it will be a bad neighbor and will have the effect of creating a canyon, a solid wall plane on the narrow Filbert Steps, one of the most important pedestrian routes to Coit Tower along the edge of Pioneer Park. The access and excavation required will certainly impact, if not destroy, the Filbert Steps and will eliminate one of Telegraph Hill's most important vistas to Nob Hill and the downtown skyline.

The proposed project will have a significant impact beyond the site boundaries, during and after construction, when tons of soil are removed. The encroachment on the Filbert Steps must be considered and analyzed. The proposed location of a driveway and garage entry at the top landing of the stairs, on a blind curve, at a MUNI bus stop, is beyond ill-considered. The proposed project will disrupt and endanger vehicle traffic, MUNI operations and, most importantly, the thousands of pedestrians, visitors and residents alike who visit this site.

I urge the Planning Commission to carefully consider all aspects of this project, deny the requested Conditional Use permits, and seek a major re-design of this project. In my opinion, this is exactly the kind of inappropriate project for which the California Environmental Quality Act was created – for its impacts on traffic, noise, birds and wildlife, historic resources, and the overall environment.

Sincerely,

Katherine Petrin
Architectural Historian
333 Greenwich Street #2
San Francisco, CA 94133

F. JOSEPH BUTLER
ARCHITECT

324 Chestnut Street
San Francisco
California 94133

415 533 1048
fjosephbutler@hotmail.com

07 July 2014

Ms. Cindy Wu, President
San Francisco Planning Commission
1650 Mission Street, Suite 400
San Francisco, CA 94103

Re: 115 Telegraph Hill Boulevard

Dear President Wu:

From 1995 to 2001 some three dozen residents of Telegraph Hill organized, hundreds of neighbors funded, and RPD/DPW executed the Pioneer Park Project. The $1.6 million project improved pedestrian access with three new stairways, provided ADA access to Coit Tower and its murals, and began reforesting the five acre Park at the summit.

From its use as a semaphore in 19th Century San Francisco (before electricity or the telegraph was invented) to the present, the Park's importance has always been about its 360 degree vistas from the center of the San Francisco Bay. Our project made the most of the expansive views from this early City park by carefully siting the overlooks, stairs and benches to orient visitors from the world over to the Bay and San Francisco.

Several low buildings formerly at 115 Telegraph Hill Boulevard afforded views from the Park to the Financial District below. The stair from the Tower to Filbert Street (attached) was designed to take advantage of the view, from its landings and a bench at the top. Now a private development there threatens this public view from the Park. This stairway is one of the three designed to safely guide pedestrians to and from the summit. It's risers are faced with 575 etched (attached) named tiles, sold by the community to raise $287,500 of the $333,000 we contributed to the City.

At a THD meeting in 2012, we urged the Sponsors to acknowledge the public vistas by shaping their building to preserve them. Their plans however have only changed for the worse, with the building heights growing taller, denying the import of contributions by hundreds in our community.

I urge your Commission to reject this application as inconsistent with the Urban Design Masterplan which calls for the retention of scenic vistas from public parks. Send this proposal back for a design that honors the Park's vistas, and the contributions of our community.

Sincerely,

F. Joseph Butler, AIA

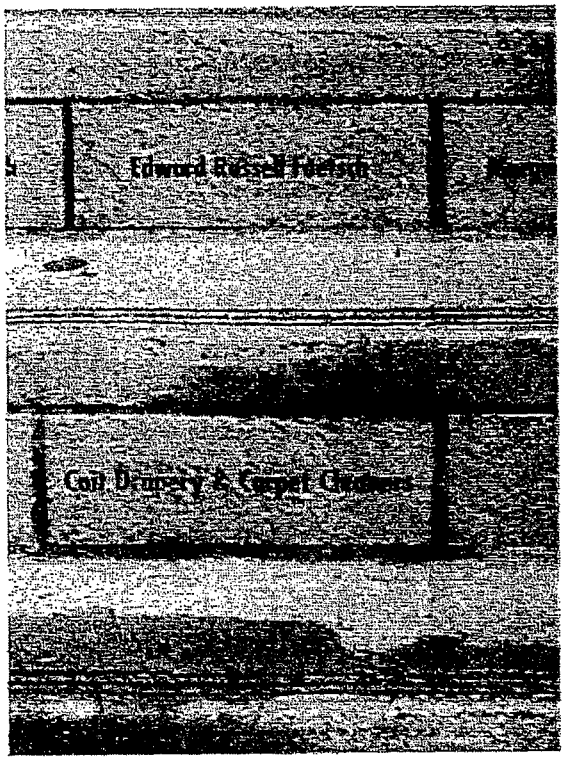
F. Joseph Butler, AIA

cc. Members of the Commission

MEMBER OF THE AMERICAN INSTITUTE OF ARCHITECTS







Filbert Stair bench in Pioneer Park looking over 115 Telegraph Hill Boulevard to the Financial District, and some of the 575 etched, named stair tile risers.

From: Stan Hayes
Sent: Wednesday, July 09, 2014 5:44 PM
To: 'cwu.planning@gmail.com'; 'planning@rodneyfong.com'; 'wordweaver21@aol.com'; 'plangsf@gmail.com'; 'richhillissf@yahoo.com'; 'Mooreurban@aol.com'; 'hbsugs@sbcglobal.net'; 'commissions.secretary@sfgov.org'; 'david.chiu@sfgov.org'; 'Judson.true@sfgov.org'; 'Elizabeth.Watty@sfgov.org'
Subject: REQUEST FOR ENVIRONMENTAL ANALYSIS - 115 Telegraph Hill Blvd (Case No. 3013.1375CE)

Members of the Planning Commission –

My wife and I own a house and live at 25 Napier Lane, where we have resided for ten years and I have lived since 1995.

I was a planning commissioner for a town in Marin County for sixteen years. In that time, I experienced many of the same development issues and pressures as you have on projects such as this. Like you, I've had to balance the rights of project proponents with community concerns about project impacts.

I'm sure that you, like me, have found that the best decisions are informed ones. Ones that identify, fairly analyze, and adequately account for the environmental impacts of a project, both seen and unforeseen. Ones that weigh in a balanced fashion the relative merits of reasonable project alternatives, not simply as proposed.

The site of the 115 Telegraph Hill project is an unusually sensitive one. It's located along the narrow, winding, and heavily travelled approach to Coit Tower, one of the San Francisco's most iconic landmarks, just reopened after extensive and protective renovation and now again enjoyed by thousands of visitors.

The City has a strong stake in protecting, and avoiding the interruption of, the visitor experience at Coit Tower and the surrounding Pioneer Park due to such factors as permanent loss of view corridors, traffic delays and disruption during construction, and continuing traffic and pedestrian safety dangers after construction (e.g., driveway access at the top of and directly across the Filbert Steps).

To ensure that these and other issues are addressed and mitigated, my wife and I strongly urge you to require an environmental analysis of at least the following:

• Size and massing of buildings (e.g., over-sized buildings leading to unnecessary loss of view corridors)

• Traffic safety and circulation (e.g., adverse impacts on Coit Tower visitor traffic, public transit including rider safety at bus stops, and local resident access)

• Geotechnical safety (e.g., adverse impacts on adjoining structures and the Filbert Steps, particularly excavation of a large auto elevator shaft immediately adjacent to the Filbert Steps)

• Construction impacts (e.g., extended periods of delay and access disruption to local residents, visitor traffic, public transit, and concession business)

• View corridors (e.g., loss of views from key visitor locations including incoming and outgoing traffic vantage points, Pioneer Park and the memorial steps leading to it, and the upper Filbert Steps).

We further urge you to require that the environmental analysis consider alternatives to the proposed project, as commonly required under CEQA.

Sincerely,

Stan Hayes

25 Napier Lane
San Francisco, CA 94133
(415) 298-0489 (cell)
mailto:shayes@environcorp.com <mailto:shayes@environcorp.com>

From: Nan Roth <nanroth88@gmail.com>
Date: Wed, 9 Jul 2014 16:37:00 -0700
To: Elizabeth Watty <Elizabeth.Watty@sfgov.org>
Subject: July 17, 2014 Planning Commission Hearing--Case No. 3013.1375CE (115 Telegraph Hill Boulevard

Please include the following Comments in the information provided to the Commission in regard to the project below to be heard by the Planning Commission on Thursday, July 17, 2014:

115 Telegraph Hill Boulevard
Case No. 3013.1375CE

Members of the Commission:

We urge the Commission to deny this application.

It was with shock and dismay that my husband and I first heard about this application and pending hearing from a neighbor on June 29. We own two properties adjoining the project site, Lots 28 and 37 at 1436 Kearny Street and 357 Filbert Street respectively. Although we had attended a project presentation at a neighborhood meeting on July 31, 2013, and met briefly later with a Mr. Jeremy Ricks, who we understood to be the developer with a recorded Option to Purchase the site, we had heard nothing further and to date have not been provided with drawings, plans or any information regarding the proposal to be presented on July 17, 2014.

I was invited to a meeting of the Telegraph Hill Dwellers held on July 3, 2014, at which two copies of drawings, without any dimensions, were made available in the absence of the project sponsors, to be shared by all of the attendees. Thus I only had a few minutes to glance at them. Frankly, I was shocked and dismayed by what I saw—three monster trophy mansions, taking up every inch of the permitted building envelope, without any concessions to the setting, and the complete destruction of the hillside above our house leaving a huge glass wall over a stone block base with a small level rear yard. I know tradition requires paying a compliment before critiquing a presentation, but I dare anyone to find a feature to admire or speak of favorably.

This makes us very uncomfortable. What is the strategy behind imposing this on both the neighborhood and the Commission? We see a lot of mediocre design and construction around this city, but never anything as boldly bad as this, and in such a sensitive and high profile location. Surely their architect is capable of better work, but at the end of the day, he serves his client. So what is the hidden agenda?

I would like to caution the Commission in regard to suggesting incremental modifications. This design defies tweaking. It needs to be rethought and redesigned from the ground up. We know everyone is tired of the unkempt lot, the vandals and trespassers. That too is a strategy—get the neighbors so tired of the mess and the transients that they will accept anything. This is one of the most important vacant sites in the City. It's widely visible, is part of the setting for one of our most visited landmarks, and is the most heavily used pedestrian approach to Coit Tower.

I would also like to raise an often overlooked issue, subsurface groundwater and drainage. An excavation such as this design requires can have devastating impacts on neighboring properties. For example, a broken sprinkler head at Coit Tower broke the seal on our newly installed steel-enforced concrete floor and flooded our basement. We have a sump pump and it normally catches

any storm drainage, but this was at a deeper subterranean level and the water backed up behind a barrier a few feet downhill and the pressure built up until it broke through the floor. The City has three wells on the stretch of the Filbert Steps adjacent to the project site. There is free flowing subterranean water on Telegraph Hill. Water can be very unpredictable—water seeks its own way. Of all the places we have lived on Telegraph Hill, this location is the most vulnerable.

Thank you for your consideration of my comments.

Sincerely,

Nan and Nathan Roth
1436 Kearny Street
San Francisco, CA 94133
nanroth88@gmail.com

From: Judy Irving <films@pelicanmedia.org>
Date: Tue, 08 Jul 2014 13:41:00 -0700
To: Elizabeth Watty <Elizabeth.Watty@sfgov.org>
Subject: 115 Telegraph Hill Blvd. (Case No. 3013.1375CE)

Dear Elizabeth Watty and Planning Commission,

I'll leave it to others to describe the massive, inappropriate scale of the proposed project, and the views it would block. The last thing we need in San Francisco is more luxury condos (the entire city agrees on this point, having turned down 8 Washington and approved Proposition B). Please send this developer back to the drawing board. What he proposes doesn't work on any level. I'll give you just one example:

I've lived on the east side of Telegraph Hill for 13 years, and I walk over the hill via the Filbert Steps to my office, which is on Stockton on the west side. Daily I see pedestrians, mostly tourists, straining up the Filbert Steps from North Beach, then stopping at the top to get their bearings, catch their breath, and figure out how to proceed. The place where people congregate is exactly the spot where 115 Telegraph Hill Blvd wants to install a driveway! This is a very bad idea. These tourists are not paying attention to traffic hazards; they are disoriented and tired; the last thing they need is cars coming and going across the sidewalk where they all congregate.

This same spot is also where people get on and off the Coit 39 bus, and where people cross the street to continue up the steps to Coit Tower. Please leave the sidewalk intact so that all these people will stay safe, i.e., do not allow a driveway to cut through there.

My understanding is that new curb cuts are no longer allowed in this area, in any case. Is the project asking you for a special favor, only to endanger pedestrians' safety and create liability for the city? To say the least, it's poor planning. For this and many other reasons, the project as proposed should be rejected.

In a better world this lot, with its spectacular views, would be a PARK: "South Slope Park." I hope someday that's what actually happens. We need a better vision for Telegraph Hill, our world-class tourist attraction, better than luxury condos.

Best regards,

Judy Irving
Producer/Director
"The Wild Parrots of Telegraph Hill"
"Pelican Dreams" (Fall 2014 Premiere)

Pelican Media
1736 Stockton Street, Suite 2
San Francisco, CA 94133

415-362-2420 phone
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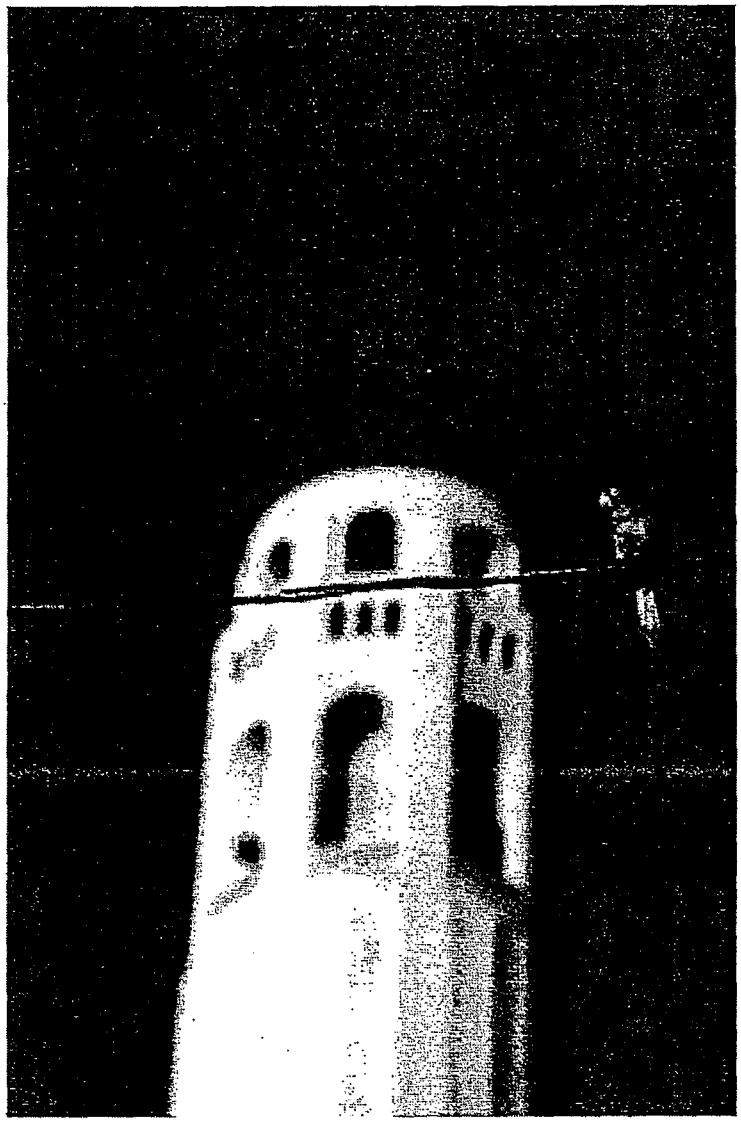

From: Mary Etta Moose [mailto:maryetta.moose12@gmail.com]
Sent: Monday, July 07, 2014 11:20 AM
To: Watty, Elizabeth (CPC)
Subject: 115 Telegraph Hill Blvd.

July 7, 2014
VIA EMAIL (c/o Elizabeth Watty) <wlmailhtml:Elizabeth.Watty@sfgov.org>)

Cindy Wu, President
Planning Commission
City and County of San Francisco
1650 Mission Street, Suite 400
San Francisco, CA 94103

Re: Case No. 3013.1375CE
115 Telegraph Hill Blvd.
Telegraph Hill-North Beach Residential SUD
Request for Conditional Use Authorizations

Dear President Wu and Commissioners,

I am writing to express my concerns regarding the proposed project at 115 Telegraph Hill Blvd. and respectfully request that the Planning Commission not approve the Conditional Use Authorizations for this project.

It is rare that a local, neighborhood project rises to the level that I bother to write the Commission, but the proposed luxury condominium project at 115 Telegraph Hill Blvd., if built as proposed, would be a terrible planning mistake that will adversely impact San Francisco's world renowned Telegraph Hill, Coit Tower and the surrounding 4.89 acre Pioneer Park. Fundamentally, the issue at stake is about protecting the public's interest in Pioneer Park and Coit Tower. This is not about any particular neighbor's self-interest or views – this is about the public interest and the public's views, parks, access and pedestrian safety.

As San Francisco residents we have a collective duty to safeguard these treasures for future generations. The proposed project, if approved, will have an array of significant, adverse impacts to Coit Tower and Pioneer Park.

The proposed project would:
• Block the sweeping views of San Francisco enjoyed by thousands of Pioneer Park users
• Create permanent dangerous conditions for pedestrians coming up the Filbert Steps and Telegraph Hill Blvd. (by creating a new curb cut on the curviest section of Telegraph Hill Blvd. at the very top of the Filbert Steps coming up from Kearny Street)
• Exacerbate traffic congestion for visitors and residents to Coit Tower on Telegraph Hill

Blvd. both during and after construction
• Adversely impact users of the 39 Coit Tower MUNI bus both during and after construction (particularly because the current bus stop will be next to their new driveway)
• Eliminate access from the Filbert Steps to Coit Tower for up to two years while the project sponsor digs 30 feet for a new parking garage on this highly constrained site
• Reward the current owners for demolishing 11 units of affordable housing and replacing them with three market rate, 4,000 to 5,000 square foot, condos.
• Reward the current owners for their defacto demolition of the historic cottage on the southern edge of the property

I hope that the Commission will reject the project as currently proposed and encourage the project sponsor to come back with a more compatible project that better fits this unique important site which will be less impactful to Pioneer Park, the Filbert steps and Telegraph Hill Blvd.

Sincerely,

Mary Etta Moose
1962 Powell Street
San Francisco, CA 94133

Subject: 115 Telegraph Hill Blvd. Project Case 2013.1375
From: Erich Paul <erichsan@yahoo.com>
To: christine.lamorena@sfgov.org,cwu.planning@gmail.com
CC: Elizabeth.Watty@sfgov.org,yasso@surewest.net,sandyyasso@surewest.net

July 15, 2014

San Francisco Planning Commission
San Francisco Planning Department
1650 Mission Street, 4th Floor
San Francisco, CA 94103

Subject: 115 Telegraph Hill Blvd. Project Case 2013.1375

Dear Planning Commission,

We, some of the closest and most impacted property owners just found out about this project after receiving the first and only notice from the city about this project postmarked June 26, 2014 for the meeting July 17, 2014. We were never given notice, nor contacted by the developer at any point prior to this letter until after we contacted city planning ourselves to inquire about the project. We spoke to the developer last week for the first time and learned details of the project plans only then. Only after this did we realize the scope of the project and the how it would severely impact our properties located directly below the project. We believe our properties will be the most affected of any surrounding properties. *For this reason, we would like to request a delay in the Planning Commission hearing so that all the close by neighbors can be properly notified and brought into the process.*

From what we have just learned, we list below some concerns of the property owners located below the project that are within 26 feet.

Project is being treated differently by the Planning Commission than other neighborhood projects by not requiring special approvals.
As with every other project no matter how minor on Telegraph Hill, variances and other special approval actions have always been required with a multitude of notifications. For some reason this property is being treated differently by not requiring a variance. We would like to understand why this project is being treated different. For example, 391 Filbert owners spent almost 16 years working with the neighborhood for two separate variances for a final remodel. The property, zoned the same as 115 Telegraph Hill did not build to height maximum, built a "cottage" style that fit within the neighborhood that the neighbors approved (neighbors even designed the windows), and the house was

separated from neighboring properties out of concern for neighbor shadowing and views. The owner accommodated the cottage look for the neighborhood even though that was not the original plan and has retained the cottage look on the west side of the Filbert Stairs that was altered so much when the historic cottages were demolished on 115 Telegraph. Another recent project by a close neighbor at 331 Filbert building required a process to notify neighbors to add an indoor elevator. There are many other examples.

Massive excavation digging down almost to the neighboring home foundations below the property will potentially cause earth movement and cracking for neighboring properties

In times of real worry by the city about earthquake impacts (requiring soft story upgrades for many buildings), there seems to be little attention to the impact of excavating a very large section of the property. The plans call for two floors below the Filbert Step next to 383 Filbert within a few feet of the two lower property foundations. We have not seen any structural engineering report, Geotechnical Report, and no way of knowing what the impact would be on earth movement or earthquakes one year or 10 years from now. It is most likely that there would be earth movement with such a large excavation. All three properties below have foundations connected and therefore all properties would be impacted if 383 Filbert moves, which has a brick masonry foundation. Telegraph Hill has been known to move even with bedrock (As seen above Broadway two years ago).

Construction Vibration and soil/bedrock removal will cause earth movement and cracking in neighboring properties

A major problem in San Francisco that causes cracks and movement in neighboring houses is Construction Vibrations. Several structural engineers we have spoken to mentioned that excavating and removal of bedrock/soil could have profound effects on neighboring properties resulting in floor/wall/glass cracking and movement. This along with a minimum of two years of construction noise/vibration has the potential to profoundly impact neighboring properties.

Construction Noise/Vibration/Disruptions will render working from home a near impossibility (as well as affect pets)

Living and working from home will be very difficult during the minimum of two years of construction.

The project will shadow the lower properties and block most morning light and much of the daytime light, prevent solar generation, and block Eastward Views

The new project at 115 Telegraph builds so high that all morning light to the neighboring properties below would be severely impacted. Solar Panels only can face east on the cottage roofs as with 383 Filbert and therefore would be severely diminished on existing and new installs. Views would also be affected severely to the east. The remodel nearby (26 feet from the project) on the Filbert Steps at 391 Filbert Street, almost 30% of the property was not built on by separating the property from 383 Filbert

for light/shading improvement for the neighbor. An open space was made bigger in the SE corner so that another neighbor retained a view of Coit tower from small area of the house.

The best Stairway Views in San Francisco, the top of Filbert Steps in front of the property and the lower steps to Coit Tower will be completely blocked.

Anyone in the neighborhood and the 250,000 tourists that visit Coit Tower know, it isn't just the views from the top of Pioneer Park that are amazing, it is the walk up Filbert Steps right in front of this property where almost everyone stops to take photos and enjoy the view. This continues with the stairs up to Coit Tower which will partially lose their views. This Filbert Step View is very special that should be considered before completely being blocked.

And Finally, there is a family of Red Tail Hawks that hunt and possibly live on the property will be affected

Most afternoons, watch for the Red Tails – great viewing.

From what we have learned in the last few days we found out about this project, here are our questions for the Planning Commission:

1. Why weren't all of the closest neighbors notified and worked with by the developer and city previous to approval?
2. Why was this development treated differently in the variance and approval requirement process from all the neighboring properties with similar zoning?
3. Why hasn't the impact of a large excavation not been given severe scrutiny considering earth movement on Telegraph Hill (above Broadway etc.)?
4. Why hasn't earthquake impact after excavation been scrutinized for neighboring properties?
5. Where is the Geotechnical report and structural engineering report (developer mentioned he didn't have a structural engineer yet)? Where is the excavation and shoring plan for the project?
6. Why hasn't shadowing and loss of morning light of neighboring properties been addressed?
7. Why hasn't the impact of the neighborhood on construction noise, vibration, dust, and worker/equipment impact be considered?
8. Why hasn't the view from the Filbert Steps where almost every tourist walks up stops for photos been considered before being completely blocked?
9. Why hasn't the views up/down to Pioneer Park been considered as they will all but disappear?
10. Why hasn't the design of this project considered the prevalent cottage style that makes the neighborhood so special and other new remodels have followed?
11. Lastly, Why hasn't the family of red tail hawks that hunt and possibly live on the property been considered and how will they be affected?

If this project moves forward without the closest neighbors affected involved in the process, it is a remarkable deviation from all the other projects in this historic famous neighborhood. A project of smaller proportions and impact might have less scrutiny, but this is a massive project affecting many properties and people and as such simply cannot be allowed to proceed without thorough examination of all the parameters. The nearby properties, that were not contacted, asked or involved will be severe impacted during the minimum two year construction and long after. Some residents will not want to live next to this project through the construction phase or even possibly after due to loss of light, shadowing, potential earth movement, building cracking, earthquake concerns, etc. Unfortunately, all this needs to be disclosed if renting out or selling our properties so we would be in a terrible dilemma.

Again, without the involvement of the neighbors most impacted, this represents a serious devation from the standard and historic San Francisco process we respectfully, strenuously request a postponement so that all the of problematic issues can be sorted out.

Regards,

Neighbors on Filbert Steps and Kearny Street adjacent to 115 Telegraph Property

Jim and Sandy Yasso
1454 Kearny and 1456 Kearny

Erich Breisacher
391 Filbert Street

From: Mark Bittner <mark.bittner@earthlink.net>
Date: Tue, 8 Jul 2014 11:49:00 -0700
To: Elizabeth Watty <Elizabeth.Watty@sfgov.org>
Subject: Case No. 3013.1375CE, 115 Telegraph Hill Blvd Project

Dear Ms. Watty,

My name is Mark Bittner. I am a homeowner and 40-year resident of the North Beach/Telegraph Hill area. When I first arrived here in 1973, this place was unique and magical to a degree that I'd never seen anywhere else in America. It's these two qualities that, over the years, have been drawing visitors, one of the foundations of this city's economy. Lately, I've been watching an alarming trend where developers push bland or downright ugly projects that undermine what is so extraordinary about this place. Case No. 3013.1375CE, at 115 Telegraph Hill Blvd, is one such project. Pioneer Park with Coit Tower is one of the most beautiful spots in the city. This apartment project would substantially alter its character. If we make our neighborhoods look more and more like any other neighborhood in any other city in America, what reason does anyone have to come here anymore? And why should the residents of this city have to endure someone's lack of imagination? This project has one purpose and one purpose alone: to make one speculator a bundle of money. The rest of the city loses. I ask the Planning Commission to reject this proposal.

Sincerely,

Mark Bittner
Author, "The Wild Parrots of Telegraph Hill"

From:	Timothy Ferris
To:	Watty, Elizabeth (CPC)
Cc:	CalSky.com Alerter
Subject:	115 Telegraph Hill Blvd Project
Date:	Monday, July 07, 2014 11:57:50 PM

Dear Ms. Watty,

Regarding the proposed three residences at 115 Telegraph Hill Blvd., in our meetings with the developer, Jeremy Ricks, he assured us that he wanted to hear our thoughts and to respond accordingly in a revised design. Our conversations have been friendly and Mr. Ricks invariably polite.

We expressed just two concerns:

1. That something of a view corridor be preserved between the buildings;
2. That the design of the homes be more individualistic relative to one another, and of a vitality more nearly comparable to that of other homes near the top of the hill—rather than resembling, as I rather unkindly put it, the concrete cubes of an East Berlin housing project.

As neither of these concerned appears to have been addressed in the most recent revision, we are unable to support the proposed project at this time.

Yours,

Carolyn & Timothy Ferris

From: Julie Jaycox <juljaycox@gmail.com>
Date: Wed, 9 Jul 2014 16:56:44 -0700
To: Elizabeth Watty <Elizabeth.Watty@sfgov.org>
Cc: Cindy Wu <cwu.planning@gmail.com>, Rodney Fong <planning@rodneyfong.com>, Gwyneth Borden <plangsf@gmail.com>, Kathrin Moore <Mooreurban@aol.com>, <commissions.secretary@sfgov.org>, David Chiu <david.chiu@sfgov.org>, Judy Irving <films@pelicanmedia.org>, Katherine Petrin <petrin.katherine@gmail.com>, Stan Hayes <shayes@environcorp.com>, Hisashi Sugaya <hbsugs@sbcglobal.net>
Subject: 115 Telegraph Hill Blvd (Case No. 3013.1375CE)

To Elizabeth Watty and Planning Commission:

Besides the fact that this project is grossly over-scaled for the location and the neighborhood, creates a huge reflective glass wall across the south side of Telegraph Hill, blocks panoramic views from most Pioneer Park locations, and is a luxury condominium project that will most likely house people who are rarely in residence, the actual construction of this project will have some extreme effects on the locality. Due to its accessibility from only one street - which is also the only street that accesses Coit Tower - the disruption to the people who live there and the large number of people who visit will be absolute.

This project has ONLY ONE ACCESS POINT - a narrow, heavily trafficked winding road with turnaround available only at the Coit Tower parking lot. Living next to the huge building project on the 200 block of Green Street at Montgomery, I can say that this proposed construction project will probably look like this for minimally 2 years:

• excavation requires multiple dump truck trips arriving empty and being filled, with no off-road loading area, creating dust and dropping debris

• cement truck traffic with subsequent noisy pouring time, with no off-road parking space

• excavation requires debris boxes dragged in, filled, traded out - most likely needing the Coit Tower parking lot for any maneuverability at all, with no off-road loading/parking space

• excavation may require blasting rock from a substrate known to be crumbly and unstable (look at the hill that fell down above Broadway near Montgomery just a few years ago)

• local resident parking at the Coit Tower parking lot replaced for years by construction parking or debris box turn-around

• cranes to lift in large structural components and the necessity to close the road for each use, crane engines/machinery running the entire visit to the site

I believe a comprehensive traffic and pedestrian study needs to be made before anything is approved on this project. I understand there will be NO environmental impact studies. There are too many people who access this location to block access for the number of years it will take to finish this construction or to put them in danger once there is a driveway in a location where a stairway, bus stop and crosswalk all meet. Having worked in a location on a street leading to the

Tower, I have seen the countless numbers of tourists who climb up and down Telegraph Hill every day, in all seasons. It never stops.

It is also undeniable that the City and Park and Rec are interested in Coit Tower being a viable and regular income stream. Coit Tower was just reopened after a significant renovation with a new vendor inside the building who has taken over the lease longterm. The lines to go to the top to see the views have increased. Pioneer Park is being continually groomed to deal with the bad decisions of previous landscapers to try to overcome the ingrown views. The planting of native plants is in progress to encourage bee foraging and local bird and animal visits.The 39 bus, after years of being neglected by the MTA, has been rerouted at the bequest of Telegraph Hill residents to wait for tourists in front of Pier 39 to increase ridership up to the top of the hill. *But this will all be to no avail if construction of this huge project goes forward on the only street that accesses both this address and Coit Tower.*

This project has so many detrimental issues that will not be reviewed by the City (for an unknown reason/decision by someone in the Planning Department, apparently) that it would be folly to approve it as is. Please reconsider any idea to allow this monstrous project to disrupt the enjoyment of a gorgeous part of San Francisco's historic Telegraph Hill, and disrupt the function of a beloved local monument.

Thank you.

Julie Jaycox
307 Green Street SF CA 94133

From: Tony Gantner <AFGANTNER@aol.com>
Date: Wed, 9 Jul 2014 16:12:40 -0400
To: <Elizabeth.Watty@sfgov.org>
Subject: 115 Telegraph Hill Blvd. (Case # 3013.1375CE)

Dear Ms. Watty:

I am writing to express my objections to the proposed condominium project at 115 Telegraph Hill Blvd (Case No. 3013.1375CE) as it is presently envisioned.

As you are no doubt aware, since World War II, the history of Northeastern San Francisco is littered with development proposals that may have seemed appropriate to some at the time, but wrong to the many who lived in or around the subject areas.

Some of those proposals, fantastical now, were judged by proponents as perfectly reasonable at the time. A few examples: extending the Embarcadero Freeway north past Broadway along the eastern (Bay) side of Telegraph Hill, as part of a proposed over-water bridge between San Francisco and Tiburon with exit ramps at Stockton and Francisco; a parking garage under Washington Square Park; proposed seven towers at Aquatic Park--the twin Fontana Towers were unfortunately built; 8-lane tunnels under Russian Hill; a proposed series of hotels along the Northern Waterfront halted at the ballot; highrises on Russian Hill---one built just down the alley from me at the time, now prevented by 40 foot height limits approved by a then-enlightened Board of Supervisors; and more recently, development proposals along the Northern Waterfront that would have breached existing height limits---turned back by unequivocal votes of the people of San Francisco. This is only a partial list of the horrors perpetuated on Northeast San Francisco that faded away as in a fevered dream.

The reason for bringing up the above matters is that it is far better to make good faith efforts to seriously consult with the neighborhoods potentially effected by development projects, which in the present instance appears to many reasonable observers as out-of-scale, inappropriate in location, with adverse environmental impacts. It is my understanding that this proposal effectively slid by the Telegraph Hill neighborhood and is shortly to be heard before the Planning Commission.

I well know the location in question. I live several blocks away and have walked by it hundreds of times. The project is inappropriate in its present form---a massive condominium project, hugely disruptive, that would be completely out-of scale---particularly given its location, contiguous to Pioneer Park and Coit Tower. Is there a more iconic location in San Francisco? Is there a more fragile neighborhood in San Francisco? Is traffic not a serious concern along one of the most beloved streets and visitor/Muni routes to Coit Tower? Is there any neighborhood in San Francisco where scalability is more important?

Postpone this matter, have the project proponents make a good faith effort to work with the neighborhood, then scale back the proposal to try and reach some form of consensus.

Thank you for your kind attention to this matter.

Sincerely,
Tony Gantner
235 Chestnut St.
San Francisco, CA 94133
415/596-3626

From: Chris <wcchouteau@gmail.com>
Date: Mon, 7 Jul 2014 11:10:22 -0700
To: Elizabeth Watty <Elizabeth.Watty@sfgov.org>
Cc: <thdpz@mindspring.com>
Subject: Stop proposed development at 115 Telegraph Hill Blvd

Dear Elizabeth Watty,

I am writing you as a concerned San Franciscan. Telegraph Hill is one of the City's many treasures, a pocket neighborhood of small buildings on dead end streets and pedestrian byways that juxtaposes the quaint foreground of cottages with breathtaking views of the City, bay, both bridges, Alcatraz, Yerba Buena Island, Angela Island, Marin County and the East Bay. This delicious mix of the reassuring comforts of a human scale environment and the expansiveness of such grand vistas offer residents and tourists alike the experience we call San Francisco.

This proposed development is out of scale, will mar the hillside, will block views from important public spaces and will give little back to anyone other than the developer and a few owners, who based on the likely cost, may or may not actually spend much time there, as so often is the case with hyper-expensive real estate.

Scale this project way back. Consider the cottages that were originally there and so abruptly demolished as design criteria for the type of project that would be compatible with the City's greater needs for maintaining the quality of this quaint neighborhood, it's glorious views and the public use of it's beauty and it's public spaces.

Sincerely,

Chris Chouteau

From: Lance Carnes lacarnes@gmail.com
Subject: Proposed project at 115 Telegraph Hill Blvd (Case No. 3013.1375CE)
Date: July 8, 2014 at 10:20 AM
To: Elizabeth Watty Elizabeth.Watty@sfgov.org
Cc: THD Planning & Zoning thdpz@mindspring.com

Dear Elizabeth,

The above-mentioned project as currently designed will have numerous negative effects on the sensitive and dense neighborhood atop Telegraph Hill:

Pedestrian safety: The proposed Filbert Steps pathway changes near Telegraph Hill Blvd. would create dangerous conditions for the thousands of pedestrians who use this route annually;

Traffic congestion: The already traffic-choked route to the Tower would be further constricted due to the proposed development, both before and after construction;

Public transit access: the current Muni stop is on the driveway of the proposed development and would be an unsafe place to wait or off-board; and

Historic resources demolished: The historic cottage on the southeast edge of the site would be removed.

For these and other reasons this project needs to be reviewed carefully and revised to allow it to better fit into the current neighborhood. There is a forum where this can be done constructively: the **Telegraph Hill Dwellers (THD) Planning & Zoning Committee.** By attempting an end-run around this forum the developers have shown an unneighborly attitude and disdain for the existing community. The developers need to first meet with the THD committee for a plan review. Other project developers who have used this forum have found that not only are their projects more acceptable to neighbors but that their projects are greatly improved in general.

I encourage the Planning Commission to reject the current project and direct the owners and developers to begin meeting with neighbors to come up with a plan that will work for all concerned.

Respectfully,
Lance Carnes
North Beach resident

From: johanna abate johanna1115@yahoo.com
Subject: Housing Project on Telegraph Hill
Date: July 6, 2014 at 7:44 PM
To: Elizabeth.Watty@sfgov.org
Cc: thdpz@mindspring.com

Regarding a proposal for a massive, luxury housing project proposed for the large, long vacant parcel at 115 Telegraph Hill Blvd. on the Filbert steps at the top of Telegraph Hill :

This project would:
• Block the sweeping views of San Francisco enjoyed by Pioneer Park users
• Create permanent dangerous conditions for pedestrians coming up the Filbert Steps and Telegraph Hill Blvd. (by creating a new curb cut on the curviest section of Telegraph Hill Blvd. at the very top of the Filbert Steps coming up from Kearny Street).
• Exacerbate traffic congestion for visitors and residents to Coit Tower on Telegraph Hill Blvd. both during and after construction
• Adversely impact users of the 39 Coit Tower MUNI bus both during and after construction (particularly because the current stop will be next to their new driveway)
• Eliminate access from the Filbert Steps to Coit Tower for up to two years while the project sponsor digs 30 feet for a new parking garage on this highly constrained site
• Reward the current owners for demolishing 11 units of affordable rent-controlled housing and replacing them with three luxury, 4,000 to 5,000 square foot, condos.
• Reward the current owners for their defacto demolition of the historic cottage on the southern edge of the property

NO NO NO NO NO!!!!!

Johanna Abate
SF Resident since 1977

From: jan blum <1janblum@sbcglobal.net>
Subject: 115 Telegraph Hill Case 3013.1375CE
Date: July 7, 2014 at 1:14:05 PM PDT
To: Elizabeth.Watty@sfgov.org

To: San Francisco Planning Commissions

RE: REJECT THE PROJECT PROPOSED FOR 115 TELEGRAPH HILL

Dear Commissioners:

One of the oldest, iconic and visited areas in San Francisco is Telegraph Hill with its many historic homes and landmarks - especially those at the top of Telegraph Hill and the surrounds of Coit Tower.

The project proposed for 115 Telegraph Hill is not in the interest of San Francisco in many ways.

It will impede views enjoyed by our millions of tourists, and add to the already overly congested conditions experienced by both pedestrians and the 39 Coit. It will impede access to the Tower itself during 2 years of construction. The planned underground parking garage will add more cars to the streets, and further congest the already highly constrained access to Coit Tower itself.

The project would replace 11 units of affordable rent controlled housing while displacing the 11 households with a mere 3 overlarge apartments in the form of yet more luxury condos for the few. And an historic cottage on the property would be destroyed in the effort.

Please reject this overly aggressive, improperly sited, effort to build McMansions on small scale. historic Telegraph Hill.

Thank you.
Jan Blum
2160 Leavenworth Street
94133

From: gary near <gjnear2001@yahoo.com>
Subject: 115Telegrsph Hill-Case #3013
Date: July 9, 2014 at 6:02:20 PM PDT
To: ElizabethWatty@sfgov.org
Cc: Thdpz@mindspring.com

Dear Ms Watty

Certain peices of propery, due to the fickeled way of past circumstances, acquire a significance commanding consideration beyond the ordinary.
The above property, commonly known as the legendary site of "Bill Baileys' cottage" is such a propery.It is also the site af the cottage behind Bill's -a good friend and fatherly to me-that was my endeared home for over 10years circa 1970 and forward.
The community efforts to preserve, which raised around $60,000 now buried somewhere in the bowels of SF Foundation, the cottage and to do something worthwhile to honor the many couragious causes that Bill attaches to his legacy is well known.
Strongly suggest that the Planning Commision would be appropriate to crank in this background in its consideration of the pending case.
Kind Regards,

Gary Near

From: Dennis McElrath dennismcelrath@yahoo.com
Subject: Condominium project at 115 Telegraph Hill Blvd..
Date: July 6, 2014 at 11:40 AM
To: Elizabeth.Watty@sfgov.org

Dear Ms. Watty:
I should like to join the voices of many local residents here on Telegraph Hill in strenuously objecting to the construction of a large condominium project at 115 Telegraph Hill Blvd..
It is obvious that the many adverse consequences of this projrct would negatively impact the Hill but also the larger community and visitors who now enjoy the hill and tower.
Very Sincerely Yours,

Dennis McElrath

383 Lombard St. #405
San Francisco, CA 94133
Phone 415 397 0201

From: David Burnett ddburnett@yahoo.com
Subject: Case # 3013.1375CE Proposed Telegraph Hill Development
Date: July 8, 2014 at 1:25 PM
To: Elizabeth.Watty@sfgov.org

After reviewing the proposed project drawings I have come to the conclusion that the proposed project for 115 Telegraph Hill Blvd. would have the following negative impacts.

1) The proposed project would create a southern wall on the boundary of Pioneer park obstructing park user views.
2) The proposed curb cut for the proposed garage entrance would create a hazard for pedestrians using Telegraph Hill Blvd. and the Filbert steps.
3) If it could be done I would like to see more than 3 units on this site.

DAVE BURNETT

From: **Chotsie Blank** <chotsieblank@gmail.com>
Date: Sun, Jul 6, 2014 at 1:57 PM
Subject: Telegraph Hill Condominiums
To: Elizabeth.Watty@sfgov.org

I am shocked and appalled that a project of this nature has just come to the residents of Telegraph Hill's attention. I can't believe an environmental study would approve such a project. I am unable, on such short notice, to attend the meeting, however I am firmly opposed to the construction that would so heavily impact the area and that such disregard for the neighborhood has taken place.

Sincerely,

Charlotte Blank
Calhoun Terrace

From: Paul'n'Shanti Kohler paul.and.shanti@gmail.com
Subject: Opposition to 115 Telegraph Hill Blvd Development
Date: July 6, 2014 at 8:50 PM
To: Elizabeth.Watty@sfgov.org
Cc: thdpz@mindspring.com

P lanning Commission:

We would like to express our opposition to the proposed to the proposed project at 115 Telegraph Hill Blvd (Case No. 3013.1375CE) for the following reasons:

- Block the sweeping views of San Francisco enjoyed by Pioneer Park users

- Reward the current owners for demolishing 11 units of affordable rent-controlled housing and replacing them with three luxury, 4,000 to 5,000 square foot, condos.

- Reward the current owners for their defacto demolition of the historic cottage on the southern edge of the property

Please see to it that these property owners are not rewarded for their bad behavior, and other property owners aren't sent the wrong message.

Yours sincerely,

Paul & Shanti Kohler

534 Filbert St

San Francisco, CA 94133

From: / <sherrysean@aol.com>
To: Elizabeth.Watty <Elizabeth.Watty@sfgov.org>
Sent: Mon, Jul 7, 2014 4:51 pm
Subject: new development atop telegraph hill

The news of a large development atop Filbert en route to Coit Tower has come as a potential disaster to the area. View blockage and general ugliness aside, the concern really lies in pedestrian safety and access to Coit Tower while construction occurs.
Please consider the many impending headaches and serious problems that can be stopped by vetoing this project for the wealthy.

Thank you.
Sherry O'Donnell

From: Susan Wintersteen <susan.wintersteen@gmail.com>
Sent: July 9, 2014 9:51:59 AM PDT
To: Elizabeth.Watty@sfgov.org
Subject: 115 Telegraph Hill Blvd Project

Dear Miss Watty:

I want to express my great concern about plans for the proposed luxury condominium project at 115 Telegraph Hill Blvd. I was not aware of the planned project until the Telegraph Hill Dwellers sent information to us. Shouldn't we have been given a heads up about projects like this planned in our neighborhood?

I think the information supplied by THD about the development project truly shows the impact it would have on the public's views, parks, access and pedestrian safety:

The proposed project would:

* Block the sweeping views of San Francisco enjoyed by Pioneer Park users

* Create permanent dangerous conditions for pedestrians coming up the Filbert Steps and Telegraph Hill Blvd. (by creating a new curb cut on the curviest section of Telegraph Hill Blvd. at the very top of the Filbert Steps coming up from Kearny Street)

* Exacerbate traffic congestion for visitors and residents to Coit Tower on Telegraph Hill Blvd. both during and after construction

* Adversely impact users of the 39 Coit Tower MUNI bus both during and after construction (particularly because the current stop will have to be moved but will still be next to their new driveway)

* Eliminate access from the Filbert Steps to Coit Tower for up to two years while the project sponsor digs 30 feet for a new parking garage on this highly constrained site

* Reward the current owners for demolishing 11 units of affordable rent-controlled housing and replacing them with three luxury, 4,000 to 5,000 square foot, condos.

* Reward the current owners for their defacto demolition of the historic cottage on the southern edge of the property

I have lived at 275 Telegraph Hill Blvd. for over 20 years and am very familiar with the neighborhood and the adverse impact it would have on Telegraph Hill. The Hill is already impacted by the tremendous amount of tourists coming up to the area.

In addition, construction of structures like this contribute to the fragile hillside problems and how it affects the surrounding areas. Seriously! Dig 30 feet for a new parking garage in this area on a fragile hillside?

I think the City has a great responsibility by protecting the Hill and not allowing projects like this to be developed.

Regards,

Susan Wintersteen

Subject: 115 Telegraph Hill Blvd. (Case No. 3013.1375CE)
Date: 2014-07-09 09:00
From: tompublic@noyesfamily.com
To: Elizabeth.Watty@sfgov.org

Dear Elizabeth Watty and Planning Commission,

While I have read various things in papers, I finally got to see the plans last night in a presentation to the Telegraph Hill Dwellers Board of Directors.

There are some basic things that concern me and they should definitely concern the planning commission. I thin the project must be rejected on these alone.

It is my understanding the EIR is being waved!

Amazingly this is being done for a project that has to dig, and probably blast, deeply into Telegrapyh Hill with a short distance of the iconic tower and immediately under the only road accessing Coit Tower.
The only way machinary can access the property is through a narrow strip and the far north-east end, right off of Telegraph Hill Blved. Yet they claim they will be able to keep disturbance small. This is clearly impossible. Huge disruptions will have to be present hours and frequently over at least the planned 18 months - which we know never comes in on time.

The entrance to the final property for automobiles will be right across the Filbert steps, the only south-west entrance to the park and Coit Tower. There seems no way that can not be hazardous and all designs necessitate blocking nearly all of the side walk, even the last elevator design. It would seem a vehicle, in this case, has to completely clear the top of the steps and sidewalk without any delay, waiting for door or elevator, simply for public safety. I can already imagine the law suits against the city - and my taxes - as a visitor steps out in the street to get around the end of a car, as we do on many streets in San Francisco, but NOT in so dangerous a location.

While there are other issues about the proposal, it seems to me clear that waiver of the EIR has no merit whatsoever. If anything, the city should insist on an independent 3rd party EIR, not controlled by the project owners, to get an unbiased assessment.

Best regards,

Tom and Mary Noyes
432 Vallejo St. Unit A
San Francisco, CA 94133
tompublic@noyesfamily.com

From: susansf@ix.netcom.com
Sent: Jul 9, 2014 11:34 AM
To: Elizabeth.Watty@sfgov.org
Subject: 115 Telegraph Hill Blvd

Regarding a proposal for a massive, luxury housing project proposed for the large, long vacant parcel at 115 Telegraph Hill Blvd. on the Filbert steps at the top of Telegraph Hill :

This project is not suitable for this site. It would interfere with the ability of visitors and neighbors to use and enjoy the surrounding area. It would disrupt pedestrian traffic, auto traffic, and MUNI. It would obliterate spectacular views of downtown enjoyed by those who hike from Kearney to Coit Tower. Coit Tower is one of San Francisco's most iconic and precious treasures. The proposed massive structures would detract from the setting.

Susan Beard
SF Resident 43 years

From: Lifetheatre (cynthia)
To: Watty, Elizabeth (CPC)
Subject: 115 Telegraph Hill Blvd Project
Date: Tuesday, July 08, 2014 6:58:34 AM

Dear Ms. Watty,

I'm writing to protest the building of luxury condo's on Telegraph Hill. Case #3013.1375 CE.
As a twenty year resident of North Beach/Telegraph Hill, and renter, I've seen the rents rise over the years to the point where only the wealthy can live in our beautiful neighborhood. If I were to try and move here now, there would be no way I could afford even the most modest of apartments.
To eliminate 11 units of affordable housing to build four enormous apartments is just unfair. It makes me very sad to think that San Francisco is going the way of Manhattan, it's becoming a place where only the very rich can live.
People in our neighborhood take walks and Coit Tower is a popular route for us. To deny access to our most favorite evening walk for two years, especially after the relentless construction on Columbus is just depressing. This once again caters to the needs of the few over the quality of life for the many. Don't let this happen to our neighborhood, which is really like a small town.
Please do not allow them to build this building!
Thank you,
Cynthia Cristilli
418 Lombard Street
San Francisco, 94133

From: nomads18@yahoo.com
To: Watty, Elizabeth (CPC)
Subject: Telegraph Hill condos
Date: Tuesday, July 08, 2014 9:07:09 PM

It seems a natural human tendency to oppose change of any kind but, in fact, some things need opposition. While I personally have no issue at stake in the condo construction on Telegraph Hill I see the proposed structures as described as having a deleterious effect on the community by disrupting the wonderful visage from Pioneer Park.

The very existence of your organization is testament to society's intention to protect the community from the unwarranted advance of any one individual or group. While it is the essence of America's promise that everyone has the right to advance his dreams it must be done without interfering with others" right to do the same.

Your task is not an easy one but I ask that you give the proposed project the closest possible scrutiny. Does it really preserve the community's values? I do not think so.

Robert Demchick

550 Battery Street

San Francisco, CA

From:	blandina farley
To:	Watty, Elizabeth (CPC)
Subject:	no condo on telegraph hill!!!!!
Date:	Monday, July 07, 2014 5:34:33 PM

As resident of North Beach?Telegraph Hill I absolutely oppose the luxury condo on the Filbert Steps on Telegraph hill and you will find that mostly all neighbors feel the same and you will be in for yet another battle in court

From:	Deena Landau
To:	Watty, Elizabeth (CPC)
Subject:	115 Telegraph Hill Blvd
Date:	Tuesday, July 08, 2014 11:10:20 AM

To: San Francisco Planning Commission

I am writing to ask that the Planning Commission not issue permits for the proposed luxury condo project at 115 Telegraph Hill Blvd. I believe it would be a terrible planning mistake that would adversely impact Telegraph Hill, Coit Tower, and Pioneer Park.

The proposed project would:

- Create permanent dangerous conditions for pedestrians coming up the Filbert Steps and Telegraph Hill Blvd. (by creating a new curb cut on the curviest section of Telegraph Hill Blvd. at the top of the Filbert Steps coming up from Kearny Street)
- Exacerbate traffic congestion for visitors and residents to Coit Tower on Telegraph Hill Blvd. both during and after construction
- Adversely impact users of the 39 Coit bus both during and after construction (particularly because the current stop will have to be moved but will still be next to the new driveway)
- Eliminate access from the Filbert Steps to Coit Tower for up to two years while the new parking garage is built
- Eliminate 11 units of affordable rent-controlled housing, replacing them with three luxury, 4,000 to 5,000 square foot condos

Losing 8 units of rent-controlled housing in San Francisco has a great impact. Replacing 11 units of housing with 3 luxury condos at this time in this city would be further indication of San Francisco's indifference toward the housing crisis and income divide facing us today.

Respectfully,

Deena Landau
1429 Kearny Street #6
San Francisco, CA 94133

From: Mottly275@aol.com
To: Watty, Elizabeth (CPC)
Subject: CASE NO, 3013.1375CE (115 TELEGRAPH HILL BLVD.)
Date: Wednesday, July 09, 2014 12:13:08 PM

SAN FRANCISCO PLANNING COMMISSION

COMMISSIONERS:

I HAVE JUST BECOME AWARE OF YOUR HEARING ON JULY 17, THE PROPOSAL TO BUILD THREE LUXURY CONDOS AND UNDERGROUND PARKING, ON FILBERT ST. BETWEEN KEARNY AND TELEGRAPH HILL BLVD

I HAVE LIVED AT 275 TELEGRAPH HILL BLVD. SINCE 1981 AND IN NORTH BEACH SINCE 1967. I RECALL CLEARLY THE PRIOR CONTROVERSY AND VIGOROUS DEBATE WHICH BEGAN WITH THE SPECULATIVE PURCHASE OF THIS HILLSIDE LOT .THIS HUGE UNDERTAKING IS FAR MORE DAMAGING THEN THE PROJECTS PROPOSED IN THE LATE 1980'S.

I KNOW MOST OF MY NEIGHBORS, MANY OF WHOM HAVE LIVED IN THIS NEIGHBORHOOD FOR MUCH LONGER THAN I. I PLAN ON HELPING TO BUILD A LARGE AND UNRELENTING OPPOSITION TO THIS OUTLANDISH PROJECT.

MICHAEL MOTT
275 TELEGRAPH HILL BLVD. NO 2
SAN FRANCISCO, CALIFORNIA
E MAIL MOTTLY275@AOL

From:	LEERADNER
To:	Watty, Elizabeth (CPC)
Subject:	condos at 115 Telegraph Hill Blvd.
Date:	Monday, July 07, 2014 11:12:27 AM

Dear Ms. Watty:
I am writing to express my concern on the proposed 3 condominiums at 115 Telegraph Hill Blvd. (case 3013.1375.ce).
Why in the world would 3 condominiums take precedence and destroy 15 rental units in the process. It is this kind of thinking that continues to exacerbate the critical housing shortage in S.F.

Please express my concerns to the proper parties at the Planning Department & Commission.

Sincerely,
Lee Radner
405 Davis Ct. #703
San Francisco, CA. 94111
415-986-2896

From: John Reed
To: Watty, Elizabeth (CPC)
Subject: 115 Telegraph Hill Blvd Project
Date: Monday, July 07, 2014 11:48:14 AM

Dear Elizabeth Watty;
I received the attached email today from Vedica Puri, President of Telegraph Hill Dwellers regarding the proposal before the Planning Commission to allow the following construction at 115 Telegraph Blvd. I want to stand firmly opposed to permitting this construction to take place for the reasons well stated by Vedica Puri. I've been feeling that San Francisco has been taken over by an army of bulldozing contractors and this is just one more nail in that coffin. Please stand with San Francisco residents and for San Francisco and do not allow this assault on Telegraph Hill to take place.
Sincerely,
John T Reed
THD resident

From:	Judith Robinson
To:	Watty, Elizabeth (CPC); Chiu, David (BOS); thdpz@mindspring.com
Subject:	115 Telegraph Hill Blvd. project
Date:	Tuesday, July 08, 2014 12:20:38 PM

Judith Robinson
562 B Lombard Street
San Francisco, California 94133-7057
415 788 9112

8 July, 2014

TO: S. F. Planning Commission
FROM: J. Robinson
RE: 115 Telegraph Hill Blvd. (Case No. 3013.1375CE)
On hearing agenda for Thursday, July 17

I am a resident and property owner on Telegraph Hill.

I wish to strongly oppose a proposed development for 115 Telegraph Hill Boulevard.

The project is:
1) out of scale for the small site;
2) would block views from the top of Telegraph Hill and the newly-restored Pioneer Park at Coit Tower;
3) curtail walking and vehicle access to the Tower and Hill, among other adverse effects.

It would violate the integrity and beauty of an important public site in San Francisco.

Please OPPOSE the project as designed. Thank you for taking my views into consideration.

cc: Supervisor David Chiu
Telegraph Hill Dwellers

From:	Liz Vasile
To:	Watty, Elizabeth (CPC)
Subject:	Proposed condominium project at 115 Telegraph Hill Blvd (Case No. 3013.1375CE)
Date:	Tuesday, July 08, 2014 10:32:59 PM

Attn: San Francisco Planning commission

I am writing to express my concern, as an urban geographer, public historian, San Francisco registered business owner, and citizen, with the proposed project at 115 Telegraph Hill referenced above. As presently designed, the project will have numerous negative effects on the sensitive and dense neighborhood atop Telegraph Hill:

Pedestrian safety: The proposed Filbert Steps pathway changes near Telegraph Hill Blvd. would create dangerous conditions for the thousands of pedestrians who use this route annually;

Traffic congestion: The already traffic-choked route to the Tower would be further constricted due to the proposed development, both before and after construction;

Public transit access: the current Muni stop is on the driveway of the proposed development and would be an unsafe place to wait or off-board; and

Historic resources demolished: The historic cottage on the southeast edge of the site would be removed.

Housing impacts: In a city already reeling from the effects of spiraling rents and holder of the title of least affordable major urban area in the country, the proposed project would reward the current owners for demolishing 11 units of affordable rent-controlled housing and replacing them with three luxury, 4,000 to 5,000 square foot, condos.

For these and other reasons this project needs to be reviewed carefully and revised to allow it to better fit into the current neighborhood. There is a forum where this can be done constructively: the **Telegraph Hill Dwellers (THD) Planning & Zoning Committee.** By attempting an end-run around this forum the developers have shown an unneighborly attitude and disdain for the existing community. The developers need to first meet

with the THD committee for a plan review. Other project developers who have used this forum have found that not only are their projects more acceptable to neighbors but that their projects are greatly improved in general.

I encourage the Planning Commission to reject the current project and direct the owners and developers to begin meeting with neighbors to come up with a plan that will work for all concerned.

Respectfully,
Elizabeth Vasile
Independent Consultant and San Francisco registered business

Elizabeth Vasile, Ph.D.
Genius Loci
Historical Geographies Cultural Heritage Program Development
Tel. 415.509.4543

From: Termeh Yeghiazarian
To: Watty, Elizabeth (CPC)
Subject: 115 Telegraph Hill Blvd Project
Date: Tuesday, July 08, 2014 10:57:37 AM
Dear Planning Commissioners,

I am seriously concerned that plans to build large scale condos are even being considered for a densely populated and small scale neighborhood such as North Beach and Telegraph Hill. My neighborhood is already dealing with traffic and parking issue and variety of issues due to over population, we don't need yet another project that will add to these issues. Specially not a condo which will most likely serve corporate transients rather than provide affordable housing for the locals, something that this city desperately needs.

Commissioners, I rely on you to make your decisions based on how well a project will serve my neighborhood's well being and longevity. I rely on you to consider the impact that this condo project and all future projects proposed for North Beach will have in the long run. Also, please consider how approval of this project will trigger many other similar proposals in the future and endanger the unique demography and character of my neighborhood.

I request that you reject the proposed project for 115 Telegraph Hill Blvd.

Thank you,
Termeh Yeghiazarian
473-A Union Street

From:	Catherine Accardi
To:	Watty, Elizabeth (CPC)
Subject:	115 Telegraph Hill Blvd Project
Date:	Monday, July 07, 2014 11:46:57 AM

Elizabeth,

I just wanted you to hear from a life-long resident of San Francisco, born and raised on Telegraph Hill.

The 115 Telegraph Hill Blvd. project is very disturbing to those of us that care about North Beach. Just about all citizens are aware of the mind-boggling influence of developers on local government. It is a malignancy than cannot be stopped all-together. But how about we try to keep the silly super-building trend confined to areas like south of Market and not let the malignancy creep up to Telegraph Hill.

I understand if city government does not care about our votes but adverse developments on Telegraph Hill will also impact the safety and desirability that draws tourists to the iconic Coit Tower and Pioneer Park. Think about the long-time $$$ not just the short-term $$$ from developers. Pass along this message to the people at City Hall that decide what happens to their citizens' neighborhoods.

Catherine Accardi



September 3, 2014
VIA EMAIL (cwu.planning@gmail.com)

Cindy Wu, President
Planning Commission
City and County of San Francisco
1650 Mission Street, Suite 400
San Francisco, CA 94103

Re: Case No. 3013.1375CE
115 Telegraph Hill Blvd.

Dear President Wu and Commissioners,

On behalf of the Telegraph Hill Dwellers (THD), I thank the Planning Commission for continuing this matter on July 17, 2014 with direction to the project sponsor to explore design alternatives to address the public interest and the specific and challenging conditions at the top of the Filbert Street Steps at this most iconic site. For the sake of brevity, THD's letter to the Planning Commission dated September 9, 2014, including all attachments thereto, and the report prepared by Lawrence B. Karp, Geotechnical Engineer, dated July 16, 2014 (Karp Letter), which addresses the inadequacies of the "Geotechnical Investigation" prepared by Earth Mechanics Consulting Engineers (6/22/13), used by the Planning Department to evaluate the Project pursuant to CEQA are incorporated herein by reference as though fully set forth.[1]

Suggestions offered by Commissioners included the following:

1) Preserve significant public views (from the top of the Filbert Steps and from the stairways and landings within Pioneer Park) by adding a view corridor of at least 13 feet 5 inches along the eastern edge of the property by specifically suggesting 23 feet width for each of the three townhouse units;
2) Reduce the scale and massing;
3) Step down the southern (rear) façade of the buildings by incorporating decks and terraces, to provide articulation and to avoid a massive rear façade;
4) Redesign the front façade so the project has the character of 3 distinct residences that reflect the scale and mass of the existing development patterns typical for the slopes of Telegraph Hill;

[1] Copies of the Karp Letter were hand-delivered to the Commission at the July 17, 2014 hearing.

5) Remove the stair penthouses and replace them with of roof hatches or eliminate roof decks; and
6) Several Commissioners provided additional design suggestions:
   - Eliminate the driveway and garage from the project to avoid conflicts between vehicular, pedestrian and public transit at this location at the top of the Filbert Steps, adjacent to a Muni bus stop and a mid-block pedestrian crosswalk heavily utilized by persons accessing the Pioneer Park stairs to Coit Tower via the Filbert Steps and the 39 Coit bus;
   - The 3,742 sq. ft. devoted to parking is excessively large for three or four cars;
   - Consider an alternative project with higher density and smaller units on the site – noting that the site previously provided 11 units of housing and that unit sizes in excess of 4,000 sq. ft. is unnecessarily large for family housing.

While the project sponsor's latest design represents *an* attempt to respond to Commissioners' suggestions, it fails to address those suggestions in a thoughtful and material manner. The new plans presented to the Planning Department (1) still fail to reduce the height, mass and scale in any meaningful way, (2) fail to provide meaningful view corridors, and (3) fail to properly consider or ignore entirely important urban design principles for this unique site.

Most significantly, public views from the Filbert Steps and from the Pioneer Park stairs across from the site will be completely obliterated. The two 3-ft. slots shown on the revised plans as "view corridors" and the 5 ft. set back from the east property line, which was touted as an 8 ft.-3 inch view corridor by the project sponsor in his e-mail to the planner, provide no actual view corridors for the following reasons:

1) The Project is only set back 5 feet from the western property line. The additional 3 feet 3 inches belongs to the downhill neighbor to the west. A partial proposed site plan, basement plan and elevations are attached hereto respectively as Exhibits 1, 2 and 3. (Exhibits 1-3 as attached to this letter are "partial plans"; in other words, we have enlarged parts of the plans to so that you can view the numbers stated on the plans (which are otherwise illegible). The full plans are in the hard copy file with the Planning Department.)
2) The revised plans clearly show that their new "view corridor" at the western 5 feet of the property will provide no public views from the Filbert Steps landing at this point. The elevation of the Filbert Steps landing at this point is at 230.3 feet SF Datum, whereas the eave line of the downhill cottage is at 238.6 feet SF Datum or 8.3 feet above this landing. Furthermore, the landing is about 5 feet lower than the top of the stairs leading to the project's rear yard, which is at 235 feet SF Datum. By the time the height of the planter is added, the top of the planter will be about 237 feet plus SF Datum and would block any view. Therefore, no real view corridor will exist at the bottom landing of the Filbert Steps. See Exhibit 3. It is also worth noting

that these revised plans include adding a new steel entry gate on the neighboring property to the west.

3) As can be seen from the partial elevation (see Exhibit 3), the two 3-foot separations between the townhouses do not create view corridors. These so-called "view corridors" are actually narrow slots – 3 feet wide and approximately 50 feet deep. Furthermore, at the top of the Filbert Steps, the 3 foot 6 inch slot to the east of the project site is not on the project site but part of a separate lot belonging to another individual.

The revised project also ignores other design suggestions by Commissioners in that:

1) It fails to address the conflict between vehicles entering and exiting the garage, pedestrian traffic and Muni line #39. This Muni route has two trips in front of the proposed driveway every 20 minutes seven days a week;
2) It does not address elimination of the garage, which if eliminated would automatically reduce the height of the two eastern units one story by turning the garage level into habitable space;
3) Alternatively, it does not reduce the size of the garage;
4) It fails to significantly reduce the project height;
5) It fails to increase the unit density to provide additional units and smaller units that would be more affordable;
6) It fails to replace the roof penthouses with roof hatches or otherwise eliminate the roof decks;
7) It fails to revise the façade design from that previously presented to the Commission and ignores the Commission's concerns regarding compatibility of the project with the character, scale and massing of the existing buildings of Telegraph Hill; and
8) It fails to redesign the project to step the building to the south to reflect the slope of the lot thereby ignoring the Commission's request for appropriate massing.

As we testified at the July 17, 2014 hearing, the Telegraph Hill Dwellers spent innumerable hours during 2012 working with the project sponsor and architects to address public interest issues associated with the development of this unique site. This latest scheme ignores both THD's previous suggestions and Commissioners' suggestions for redesign.

There is no reason why the site cannot be developed in a manner that preserves public interest and achieves compatibility with neighborhood character. To that end, the architectural firm of EHDD has been engaged to prepare massing studies and alternative site plans that incorporate the following design principles, including those suggested by Commissioners:

- Design a project that addresses the urban design principles as articulated in the Urban Design Element of the San Francisco General to ensure compatibility with the special characteristics of outstanding and unique areas including Telegraph Hill;

- Design a project that complies with the Residential Design Guidelines;
- Step the development to reflect the slope of the site in both directions;
- Minimize excavation and construction impacts;
- Reduce the mass and scale of the project;
- Explore options with and without parking; and
- Explore options with additional units that would still provide family-sized units.

The studies presented to the Commission will include a preferred alternative that represents the *maximum* height, massing and scale acceptable to THD. THD is still concerned that the exterior architectural design of the proposed building would be incompatible with the character of Telegraph Hill. As directed by the Commission at its July 17 hearing, the front façade should be designed so the project has the character of 3 distinct residences that reflect the existing development patterns and cladding typical for the slopes of Telegraph Hill. We urge the Commission to require the project sponsor to work with the neighbors and Department staff to achieve such a design.

We agree with Commissioner Antonini's comments of July 17 wherein he suggested that project approval be conditioned to assure that impacts to the Filbert Steps and Telegraph Hill Boulevard be minimized during construction. In response to Commissioner Antonini's comments, Lewis Butler, the project architect, stated that a construction platform would be built on the project site and all excavation and construction would be staged from that platform while keeping Telegraph Hill Boulevard and the Filbert Steps open. If this Commission approves any project at this site, we respectfully suggest that Mr. Butler's statement related to these construction logistics be made one of the conditions of the conditional use authorization.

Finally, we again request that this Commission continue any decision on this project until the Department has contacted the Fire Department, the SFMTA and the Department of Public Works regarding any comments or concerns they may have as to transportation, pedestrian safety and emergency vehicle access during and after construction.

We respectfully urge you to seriously consider THD's preferred option.

Sincerely,

Vedica Puri
President

cc: (All by hard copy, hand delivery)
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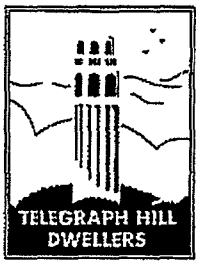


July 9, 2014

Cindy Wu, President
Planning Commission
City and County of San Francisco
1650 Mission Street, Suite 400
San Francisco, CA 94103

Re: Case No. 3013.1375CE
115 Telegraph Hill Blvd.
Telegraph Hill-North Beach Residential SUD

Dear President Wu and Commissioners,

The Telegraph Hill Dwellers has spent innumerable hours reviewing this Project and working with the project architects. We did so because in 2012, earlier designs were in the proverbial ballpark -- nearing appropriate heights and massing. We are not sure what happened to cause a sudden and complete change that is now enshrined in the current version of the Project now before the Planning Commission. But as currently proposed, the Project creates grave impacts that cannot be overlooked and should cause this Commission great pause.

The property owners, Tracy Kirkham and Josef D. Cooper (herein "Applicants"), applied through their authorized agent for a conditional use authorization to construct a three unit condominium building and to rehabilitate an existing two-story cottage on the site. Telegraph Hill Dwellers, a neighborhood organization that has long fought to preserve Telegraph Hill's affordable housing, parks, open spaces and character, urges you to deny the Conditional Use Application ("Application") for the construction of a three-unit condominium building and rehabilitation of an existing cottage at the southeast corner of the lot ("Project") at 115 Telegraph Hill Boulevard ("Project Site") because the Certificate of Categorical Exemption issued for the Project is legally inadequate and the Project described in the Application does not meet the Planning Code criteria for the requested Conditional Use Authorizations. Alternatively, the Commission should continue this matter and require the Department to prepare a new environmental review document for the Project, and require the Project to be redesigned to reduce the mass and scale of the proposed new condominium building to address the unique location of the Project Site.

A. THE PROJECT SITE AND ITS HISTORY

1. *Unique Nature and Location of the Project Site*

The nature and location of the Project Site are unique in the City of San Francisco. The area surrounding Coit Tower and Pioneer Park is one of San Francisco's premier destinations for residents and visitors from around the world. Coit Tower and Pioneer Park are considered iconic symbols of San Francisco, equivalent in stature to the Golden Gate Bridge. The Urban Design Element of the General Plan recognizes Telegraph Hill as an "Outstanding and Unique Area" that contributes in an extraordinary degree to San Francisco's visual form and character. Listed as a special characteristic of Telegraph Hill is its "hilltop park with the highly visible green of trees..." (See Policy 2.7 of the Urban Design Element of the San Francisco General Plan.) The SF Recreation and Parks Department web page states: "Located at the top of Telegraph Hill, Pioneer Park is the site of world-famous landmark Coit Tower. At 4.89 acres, Pioneer Park offers wide, breathtaking views of the city and the bay. The park space was built in 1876 to commemorate the country's centennial anniversary." [Emphasis added]

It is not only a resource for visitors. Scores of office workers, other San Francisco residents, Tai Chi practitioners and joggers use the park throughout the day. In other words, the Project Site is in the heart of a very well used public area. Unfortunately, our analysis reveals that the Project -- as proposed -- will greatly diminish this world-renowned public resource and compromise the public's experience at Pioneer Park.

By the early 1990's, Pioneer Park was in state of disarray. As one of the very few open green spaces in the densest part of the City, neighborhood leaders and residents banded together to fix this situation. In 1995, the Pioneer Park Project, a public-private partnership, involving the Telegraph Hill Dwellers, San Francisco Beautiful, the Department of Public Works, and the Recreation and Parks Department brought together professional landscape architects, designers, fund-raisers and environmental educators, all working *pro bono*. The Pioneer Park Project developed the plans to rebuild stairways, paths and terraces, restore natural habitat, and deal with the problems of erosion, safety and handicap access. They raised over $1.6 million from public and private sources to implement the Pioneer Park Project. Over 500 individuals supported Pioneer Park by participating in the "Step into History" program and contributing $500 or more to have his or her name engraved on a tile placed on a stair riser in one of the park's new pedestrian stairways.

Earlier this year the San Francisco Arts Commission refurbished Coit Tower's historic murals, and the Recreation and Parks Department completed a $1.7 million renovation of Coit Tower and installed a new concessionaire. Today, over 200,000 people visit Coit Tower each year, and many more visit Pioneer Park. More than half of the visitors to Coit Tower/Pioneer Park come by foot or by bus.

The Project Site is located at a very important intersection. First, the narrow Filbert Steps that comprise the northern boundary of the Project Site is a key and primary pedestrian access point to Pioneer Park and is therefore used by hundreds of people daily. Second, the Filbert Steps meet

Telegraph Hill Boulevard, also the only vehicular access to Coit Tower and Pioneer Park, at the northeast corner of the Project Site (where the driveway and curb cut for the Project are proposed). The proposed driveway is located between the Muni stop for the 39 Coit bus and the mid-block pedestrian cross walk that crosses Telegraph Hill Blvd. to Pioneer Park and Coit Tower. A stop sign currently located within the proposed driveway will require relocation and the sidewalk extended to the west to accommodate relocation of the stop sign. The proposed garage and curb cut are located at a blind curve for cars traveling to and from Coit Tower.

2. ***Topography of the Site***

The Project Site has a cross slope that exceeds 20% in both directions. The 82.5-foot long north property line, with frontage on the Filbert Steps, has an elevation difference of 22.38 feet. The east property line has an elevation difference of approximately 40 feet. The west property line has an elevation difference of approximately 16 feet, and the south property line has an elevation difference of approximately 11 feet. (See the topographic survey attached to the Case Report.)

Except for an existing cottage on the southeast corner of the Project Site, it is vacant. None of the former buildings located on the Project Site had on-site parking and there is no existing curb cut from Telegraph Hill Blvd. to the Project Site. Telegraph Hill Blvd. is a narrow, dead-end, winding street that experiences heavy traffic volumes associated with Coit Tower visitation. The only place for a vehicle to turn around on Telegraph Hill Blvd. is at the Coit Tower parking lot at the end of the road.

3. ***History of the Current Lot***

The Project Site originally consisted of three separate lots containing five small-scale buildings providing 11 units of rent-controlled and affordable housing to artists, photographers, writers and workers, including the legendary longshoreman and activist Bill Bailey. (See photos attached as **Exhibit A**.)

- Acquired by the Applicants in 1990, their parcel map application to merge the three lots into one was granted in 1993, creating the current 7,517 sq. ft. lot.

- In 1997, the Applicants submitted a Conditional Use Application to develop a six-unit condominium on the site, rehabilitate the cottage located in the southwest corner of the lot, and demolish the rest of the buildings. The approved plans for the remaining cottage required a variance.

- In a community-wide effort to prevent the demolition of the Bill Bailey cottage, it was lifted off its site and relocated to a Muni's railway storage yard, where it was destroyed by fire before it could be brought back to Telegraph Hill.

• While the 1997 conditional use application and variance application were granted, both expired because no work had been undertaken within three years. All site and alteration permits expired and were subsequently cancelled.

• On December 2, 1999, the Applicants submitted and were issued an over-the-counter permit (No. 9925477) to repair dry rot for 115 Telegraph Hill Boulevard (the remaining cottage). Work was never completed and this permit expired on April 11, 2001. The dry rot repair essentially gutted the interior, removed all exterior finishes but the plywood.

• The Applicants' current Conditional Use Application to this Commission, dated February 13, 2014, states that the cottage is "run-down" and that "[t]he run-down vacant lot is out of character with the rest of the neighborhood, and detracts from the well-kept and landscaped surroundings." However, the run-down condition of the site and the cottage is solely attributable to the Applicants' failure to maintain the property.

In the 1950's, developers attempted to ring the base of Pioneer Park with a wall of luxury residences up to the maximum height limit of 40 feet by demolishing historic, smaller scale affordable housing stock and by merging smaller lots. Some of these battles were won, and some were lost. A few inappropriately large buildings exist at the base of Pioneer Park, but for the most part views from the park remain unobstructed. Notwithstanding the Applicants' claim that the trees and dense foliage from Pioneer Park preclude and public view to the south and southeast, this Project will obliterate any and all views now enjoyed by the public from the Filbert Steps and from the Pioneer Park pedestrian stairway from Telegraph Hill Blvd. to Coit Tower.

B. PROJECT DESCRIPTION

Now, the Project consists of constructing a three-unit condominium building and renovation of the existing rear cottage with four off-street parking places[1]. The plans are internally inconsistent and lacking important dimensions. Furthermore, there are no plans for the renovation of the cottage. Simply stated, the Project plans are inconsistent with the Project description.

1. Number of Off-Street Parking Spaces: The Conditional Use Application and the published Public Notice requests four parking spaces, but the plans submitted to the Commission show only three parking spaces.

2. Rear Cottage Rehabilitation: The Project application is incomplete for failure to include any plans for the rehabilitation of the cottage at the rear of the Project Site, which represents one of the four housing units proposed for the Project Site. If the Applicants' intend to rely on the previously approved plans to rehabilitate the cottage, which are no longer valid, a rear yard variance would be required. In any event, the Application is incomplete without renovation plans for the cottage.

[1] The CU application requests four off-street parking spaces but the plans show three.

3. Scope of Work for the Side Walk and the Filbert Steps: The Application states that the Filbert Steps will be removed. Apparently, via an exchange of e-mails between the Applicants and the environmental review planner, the Applicants decided that the wholesale replacement of the Filbert Steps involved "too many impediments" such as a General Plan Referral and the approval of a Major Encroachment Permit by the Board of Supervisors. The foregoing notwithstanding, the Project will still require relocation of a bus stop and stop sign, and appears to require relocation of the first set of the Filbert Steps at the west end the Project Site, as shown on the Plans. (See Sheet A0.1 and Sheet A0.6 of the plans attached to the Case Report.) Relocation of the bus stop, stop sign will require removal of a portion of the historic stone wall.

4. Encroachment of Cottage onto Adjacent Lot: The existing and proposed site plan show that the existing cottage encroaches on the adjoining private property to the west. (See Sheet A0.5 and Sheet A0.6 of the plans attached to the Case Report.) However, the site survey did not.

C. NEIGHBORHOOD OUTREACH

In the Applicants' letter to the Commission, their communications with THD are misrepresented. The Applicants and/or their architect met with THD's Planning and Zoning Committee on three separate occasions: July 12, August 30, and October 11 of 2012. These meetings were open to all THD members. The project sponsor and architect stated their intent to accommodate the Committee's suggestions as to project design, protecting public views from Pioneer Park, pedestrian safety and traffic issues relating to a new garage.

At the July 12, 2012 meeting, the project architect presented massing studies, including a much smaller scale project than currently being proposed, with heights below 40-ft without stair penthouses or other rooftop features. The Committee's concerns and suggestions were set forth in an email to the project architect, Lewis Butler, on July 30, 2012 (Attached as **Exhibit B**).

At the October 11, 2012 Committee meeting, the project sponsor and architect presented a project of a smaller scale and massing that better reflected the site's topography, would not overwhelm the small cottages down hill from the Project Site and would preserve more of the existing public views from Pioneer Park. Those plans included a passage from the Filbert Steps to a small view platform accessible by the public. These plans presented two buildings well within the 40-ft height limit, but without stair penthouses, roof decks or other rooftop features above 40 ft. (Attached as **Exhibit C**). With only two new units, the Committee noted that this October 11, 2012 plan would not require a conditional use for a project with a total of three units and three off-street parking spaces. The Committee was generally impressed by this plan, but still expressed concerns about potential impacts to pedestrian safety and traffic relating to the proposed garage and curb cut at the top of the Filbert Steps.

Subsequently, nine months later, a pre-application neighborhood meeting was noticed for July 30, 2013, at which completely different plans were presented, essentially the plans now before

the Commission. Needless to say, neighbors and THD members were shocked, frustrated and felt betrayed.

D. THE ISSUED CATEGORICAL EXEMPTION IS LEGALLY INADEQUATE.

1. ***A Categorical Exemption may not be issued for a project that may have any potentially significant impacts due to its particular circumstances.***

CEQA provides that categorical exemptions *shall not be used* for a project that *may* cause a substantial adverse change due to its particular circumstances. (CEQA Guideline Section 15300.2(c).) The Project's particular circumstances are its unique location immediately across from Pioneer Park and Coit Tower and its relationship to Telegraph Hill Boulevard and the Filbert Steps. Significant impacts may result from, but are not limited to, the following:

- The lack of any landing at the top of the Filbert Steps requiring pedestrians to walk onto a driveway with a recessed garage that is not visible to pedestrian traveling east to Coit Tower;
- The need to reconfigure the sidewalk and bus stop and relocate the bus stop to accommodate the proposed driveway requiring removal of a portion of the historic stone wall separating the Telegraph Hill Boulevard and the Filbert Steps;
- The noise and light impacts associated with the flashing lights and/or beeping sounds of warning signals that will be required for automobile ingress and egress from the garage to alert pedestrian walking up the Filbert Steps;
- The facts that cars must cross a double yellow line on a blind curve to make an sharp right hand turn to access the garage;
- As acknowledged by the Planning Department, additional environmental review may be required if DPW requires changes to the design of the Filbert Steps to meet their requirements, such as a landing at the top of the Filbert Steps;
- Replacement or modification of the Filbert Steps would required a General Plan Referral and a Major Encroachment Permit approved by the Board of Supervisors;
- Blockage of a public view corridor from the pedestrian stairways and landings of Pioneer Park; and
- Construction impacts, while not are normally considered to be unusual, the setting of the Project Site and a two year construction period demands analysis of construction and construction-related traffic impacts including, but not limited to, shoring and underpinning of the historic Filbert Steps, providing access to the construction site, moving construction equipment on and off of the site, removing rocks and soil from the excavation that will be 30 feet below the sidewalk, staging of trucks during concrete pours and the noise impacts associated with construction.

2. ***Categorical Exemption is legally insufficient because a "fair argument" can be made that the Project may have potentially significant impacts.***

The Categorical Exemption is legally insufficient because a "fair argument" can be made that the Project may have the following impacts:

- The transportation impacts, especially vehicular/pedestrian conflict;
- The failure to timely consult with DPW to determine if the Filbert Steps will require relocation or reconstruction thereby requiring additional environmental review and segmenting the Project resulting in an incomplete project description;
- Geotechnical impacts;
- Construction impacts;
- Inconsistencies with the General Plan and Priority Planning Policies, including the impact on public views from a public park; and
- Failure to require environmental review of new off-street parking in the Telegraph Hill/North Beach area pursuant to Board of Supervisors File No. 10-0638.

The above lists of the insufficiency of the Categorical Exemption are merely samples and not a complete list.

E. THE CONDITIONAL USE APPLICATION DOES NOT MEET THE CRITERIA IN SECTION 303(c) OR 151.1(g) OF THE PLANNING CODE

The Project requires two separate Conditional Use Authorizations under the San Francisco Planning Code: (1) to provide more than the maximum allowable on-site parking spaces in Telegraph Hill/North Beach Residential Special Use District (Sec. 249.49); and (2) to allow four dwelling unites on a lot zoned RH-3 (Sec. 209.1(h)). Given the unique and sensitive location of the Project Site, the findings required for approving each of these conditional use authorizations cannot be made.

1. ***Conditional Use Authorization For Off Street Parking – Special Criteria Not Met.***

The Project is located in the Telegraph Hill/North Beach Residential Special Use District where Planning Code Sec. 249.49 limits the amount of new off-street car parking to three parking spaces for each four dwelling units. A maximum of one car for each dwelling is allowed subject to Conditional Use Authorization only if the Planning Commission can find, in addition to the Section 303(c) criteria, that the specific criteria set forth in Sec. 151.1(g)(1)(A) are met. Three of the required findings, and reasons they cannot be made, are set forth below:

> **"Vehicle movement on or around the project does <u>not unduly impact pedestrian spaces or movement, transit service</u>, bicycle movement, or the overall traffic movement in the district." [Sec. 151.1(g)(1)(A)(i)]**

The Project cannot meet this criterion and will unduly impact pedestrian spaces, movement and transit service for the following reasons:

<u>Impacts on Pedestrian Movement and Safety</u>: The Project Site is located on the Filbert Steps, a pedestrian corridor used by hundreds of tourists and residents who walk up to Coit Tower/Pioneer Park on these steps. The new garage and driveway at this particular location –

between the top of the pedestrian stairs and the pedestrian cross walk – would be a pedestrian safety hazard in that there will be no landing at the top of the stairs before the driveway. Because the garage door will be indented 5-6 feet to provide for an entry court off of the driveway to Unit 1 of the building, an even greater safety hazard will be created for pedestrians coming up the stairs right at the garage entrance, most of whom, whether residents or visitors to the City, will be unfamiliar with this condition.

Impacts on Traffic Congestion: The Project will cause an increase in the use of Telegraph Hill Blvd., the only vehicular access to Pioneer Park and Coit Tower. Over the years, residents along the Boulevard have experienced the traffic impacts generated by Coit Tower, including adverse impacts to air quality and emergency vehicle access. Tourists and residents competing for the limited spaces in the Coit Tower parking lot often results in a long line of cars queuing up the Boulevard with engines idling, waiting to park. Attempting to address these impacts by limiting the number of cars going up to Coit Tower and Pioneer Park on Telegraph Hill Boulevard, the City has installed signs encouraging people to use public transit (MUNI's Coit 39 bus) or walk to Coit Tower via the Filbert Steps, both of which will be impacted by the location of the Project's proposed new parking garage.

Construction Traffic: The existing and proposed site plan show that access to the construction site is limited to approximately 13 feet right at the top of the Filbert Steps. The construction activities include, but are not limited to, excavation, shoring and/or underpinning the Filbert Steps, equipment access, truck loading during the excavation phase, trucks delivering reinforcing bars and queuing during the concrete pour phase, unloading of materials during the superstructure and interior finish phases.

More importantly, there is no information provided to enable this Commission to make an informed decision. The information includes, but is not limited to:

- There is a 3-ton truck limit on the size of trucks on Lombard (from Stockton Street) and Telegraph Hill Boulevard. Assuming this would apply to the construction trucks, smaller trucks will require more truck trips
- Will the Filbert Steps have to be closed to accommodate the construction and for how long.

Impacts on Transit Service: The 39 Coit Bus Stop is located right where the proposed new curb cut and driveway are located. The sidewalk will have to be reconfigured and the bus stop and stop sign relocated a short distance to the west.

"Accommodating excess accessory parking does not degrade the overall urban design quality of the project proposal." [Sec. 151.1(g)(1)(A)(ii)]

The proposed 3,742 square foot parking garage will degrade the overall urban design quality of the Project and the surrounding area.

Accommodating a 3,742 square foot parking garage as a significant part of the Project at this unique location across from Pioneer Park and Coit Tower will, by necessity, add to the overall mass and height of the proposed new structure, resulting in a building design that is not contextual for this outstanding and unique urban setting. Not only will the 40-foot high Project plus stair penthouses impact views from public areas, including the Filbert Steps and Pioneer Park, but it will obscure views of Coit Tower and Pioneer Park from the south since the rear of the building presents a massive fort-like structure.

The Commission's Residential Design Guidelines provide for the protection of "major public views of the City as seen from public spaces such as streets and parks by adjusting the massing of proposed development project to reduce or eliminate adverse impacts on public view sheds." Pursuant to these guidelines, while views from private buildings are not protected, "[v]iews from public areas, such as parks, are protected." (See Residential Design Guidelines, page 18.) The views from Pioneer Park are recognized and protected by Policy 2.7 of the Urban Design Element of the General Plan. San Francisco Recreation and Parks Department, expressed such concerns about blockage of these views in a letter dated July 29, 1993, with respect to the development at this site (Attached as **Exhibit D**).

> **"Excess accessory parking does not diminish the quality and viability of existing or planned streetscape enhancements." [Sec. 151.1(g)(1)(A)(vi)]**

The Project will diminish the quality and viability of existing or planned streetscape enhancements in that the proposed new garage entrance will be located between the top of the Filbert Steps where a Muni Coit 39 Bus stop is located and the major pedestrian crosswalk to Coit Tower. The Project will require removing an area of the existing pedestrian sidewalk to accommodate the new curb cut and driveway, which will necessitate the relocation of the existing stop sign at a blind corner on Telegraph Hill Blvd. (See Existing and Proposed Site Plans.) The proposed new parking garage will decrease the existing pedestrian streetscape, require removal of a section of the historic stone wall and impact pedestrian safety and convenience at this heavily used pedestrian crossing.

2. ***Conditional Use Authorization For 4 Dwelling Units in RH-3 Zone -- Criteria Not Met.***

The Project is located in the RH-3 Zoning District, where Section 209.1(h) and a fourth unit is allowed only with a Conditional Use Authorization by the Planning Commission. The Project with four dwelling units on a single lot cannot meet each of the criteria set forth in Section 303(c) for the reasons discussed below:

> **"That the proposed use or feature, at the size and intensity contemplated and at the proposed location will provide a development that is necessary or desirable for, and compatible with, the neighborhood or the community."(Sec.303(c)(1))**

The Applicants who are the current owners of this property previously demolished 4 of the 5 modestly-sized buildings located on this site that once provided 11 affordable, rental housing

units occupied by artists, photographers and writers. The construction of large luxury condominiums now proposed at this site is not "necessary and desirable" for or "compatible" with the Neighborhood. Admittedly designed to attract extremely affluent buyers, the Project includes the construction of three new condominiums units each ranging in size from 4,100 to 4,600 square feet (in addition to a 3,742 square foot parking garage). San Francisco is currently experiencing a surge in high-end residential development because it has not maintained a balance of affordable and middle class housing in its neighborhoods, thereby loosing its economic diversity.

Furthermore, a project at this sensitive location across from Pioneer Park at the top of the narrow pedestrian Filbert Steps that will negatively impact traffic, transit, pedestrians, and views from public places, is hardly a development the is necessary and/or desirable for the neighborhood or community.

The Applicants appear to have intentionally failed to maintain the property and have gutted and stripped the remaining cottage so that it became uninhabitable all after the Planning Commission approved a permit to renovate it in 1997. They now argue that the Project is necessary and desirable because the existing cottage is in "disrepair" and the site is "run down and vacant for over 10 years." The Applicants have also refused to grant permission to neighbors who have volunteered to maintain it as an attractive green space. Inasmuch as the "run down" condition of the property is solely attributable to the Applicants' failure to maintain the property, its existing condition cannot support a finding that the Project is necessary and desirable for the neighborhood.

The Project's mass, scale and design are incompatible with the existing structures and historic development pattern of the surrounding area. One of the experiences of walking up the Filberts steps from the base of Telegraph Hill is enjoying the finer scale buildings that line the steps. The Project's size and intensity at this location, is incompatible with the overall character of the buildings in North Beach and Telegraph Hill, as well as with the buildings located to the west and south of the site. The west exterior wall of the proposed new structure (facing Kearny St.) presents a solid blank wall towering over the adjacent structure at 381-383 Filbert Street. In addition, the south facing façade of the Project presents a highly visible fortress-like wall towering above the buildings to the south of the site obstructing the visual form and character of Pioneer Park that is described in the Urban Design Element of the General Plan as a "hilltop park with the highly visible green of trees from which Coit Tower rises." (See Policy 2.7 of the Urban Design Element of the San Francisco General Plan.) The Applicants attempt to justify the scale by using the maximum height for all the buildings along the Filbert Steps instead of the existing urban context and historic development patterns.

The current Project design is incompatible with the special character of Telegraph Hill and will chip away at its unique character that attracts and endears this neighborhood to residents and visitors alike. Continuation of the height and design of the two existing building located east of the Project Site on Telegraph Hill Boulevard will forever change the unique character of Telegraph Hill.

In their submittal to the Commission, the Applicants' architect misinterprets and/or misrepresents the design character of Telegraph Hill with the following statement:

> "The building design draws from historical elements of Telegraph Hill by referencing the rustic and industrial quality of fenestration from the quarry and shipyards once existing in the surrounding neighborhood. Weathered and treated wood louvers and exterior features mimic the fishing cottages and residences of Telegraph Hill."

The Telegraph Hill Historic District case report describes the architectural character of Telegraph Hill as follows:

> "The typical structure is a rectangle in plan, often with addition of rear shed(s) and/or porch(es) on the down hill or view side. *Usually it has a difference of one, two or more floors between its uphill and downhill sides*. Often it is *one story at access level with lower floors added as the hill drops*. It is clad in *rustic wood siding, laid horizontally*, and it has a gable roof with either bard boards or false front. Ornamentation is restrained...Windows are often double hung, often two-over-two or four-over-four, or else wooden casements." [Emphasis added.]
>
> Telegraph Hill Historic District Case Report, Page 3

"Fishing cottages" and "industrial quality fenestration from the quarry and shipyards" were never historic elements of Telegraph Hill and "mimicking" them does not integrate the Project contextually into its surroundings.

> **"That such use or feature as proposed will not be detrimental to the health, safety, convenience or general welfare of persons residing or working in the vicinity" with respect to "the nature of the proposed site" and "[t]he accessibility and traffic patterns for persons and vehicles, the type and volume of such traffic..."(Sec. 303(c)(2))**

As discussed above, given the unique nature and location of the Project Site on the main route to Coit Tower used by more than 200,000 individuals each year who arrive by foot, bus or car, the parking garage will impede pedestrian movement and safety, require the relocation of a stop sign, create conflicts with the Muni bus stop, and add to the recognized traffic congestion on Telegraph Hill Blvd. leading to Coit Tower. The Project would, therefore, be detrimental to the health, safety, convenience and general welfare of persons residing or working in the vicinity, as well as thousands of visitors to Coit Tower and Pioneer Park.

F. INCONSISTENCY WITH THE PRIORITY POLICIES OF THE MASTER PLAN.

Planning Code Sec. 101.1 establishes eight Priority Planning Policies and requires the Planning Commission to find that the Project is consistent with these policies before approving the Project. The Project is inconsistent with the following Priority Planning Policies:

"That existing housing and neighborhood character be conserved and protected in order to preserve the cultural and economic diversity of our neighborhoods." (Sec. 101.1(2))

Construction of new luxury condos will not preserve the cultural and economic diversity of our neighborhood, particularly given the high rate of evictions of lower income tenants by speculators in our neighborhood who are converting the former homes of writers, poets, artists and blue collar workers into luxury TICs and condos.

"That the City's supply of affordable housing be preserved and enhanced." (Sec. 101.1(3))

New uber luxury condos each to be priced in the millions, designed to attract affluent buyers, will not enhance the City's supply of affordable housing; but will increase the City's supply of overpriced housing for multi-millionaires. The cottage which could be been renovated at a reasonable cost was left vacant and the so-called "dry rot repair" was essentially a de facto demolition. The photographs of the cottage in the Department's file clearly showed that the exterior and interior stud walls, ceiling joists, etc. were completely removed and replaced.

"That commuter traffic not impede Muni transit service or overburden our streets or neighborhood parking." (Sec. 101.1(4))

In their application, the Applicants claim that the property is located in a relatively low-density area comparing to other neighborhoods. However, the Applicants conveniently forget that the residents along Lombard Street, which feeds into Telegraph Hill Boulevard, have had to bear the high volume of traffic generated by Coit Tower. The Coit Tower parking lot has a limited number of parking spaces resulting in a long line of cars, queuing up as far down the hill as the Stockton/Lombard intersection, with engines idling, waiting to park.

Further, as the entrance and curb cut for the Project's proposed 3,742 square foot parking garage will be located at the very the top of the heavily used Filbert Steps, next to a Muni Bus stop and the major pedestrian crosswalk to Coit Tower, conflicts between vehicular, pedestrian and Muni service will result. The garage entrance will also require the relocation of a stop sign, which is currently located within the proposed new driveway.

During construction, construction trucks will use the bus stop area to load and unload. During concrete pours, trucks will queue waiting for their turn, again at the bus stop or at the top of the Filbert Steps, which will exacerbate the existing traffic congestion on the narrow two-lane Telegraph Hill Boulevard, as well as on Lombard Street, which feeds into Telegraph Hill Boulevard. As mentioned above, after construction is completed, because of the turning radius required, access to the garage will require crossing the double yellow line into the on coming lane of traffic in order to make the tight turn into the driveway, thereby creating additional traffic

impacts that must be considered cumulatively with existing traffic conditions on Telegraph Hill Blvd.

"That our parks and open space and their access to sunlight and vistas be protected from development." (Sec. 101.1(8))

It is undisputed that the views from Pioneer Park and the stairs leading down to Telegraph Hill Boulevard will be impacted. The so-called "view corridor" included in the Project plan is a narrow tunnel -- 3'6" wide and approximately 50'-6" long – located above ground level. At the ground level, the "view corridor" is wider on north side narrowing towards the south where the view is. Even at a glance, it is clear that the separation between Unit 1 and Unit 2 is needed to allow access to the existing cottage at the rear of the lot, and not motivated by a magnanimous gesture of the Applicants' desire to preserve a "public view corridor."

G. RECOMMENDATIONS

We respectfully ask the Commission to either deny the conditional use application or continue this matter and review and be redesigned in accordance with the following recommendations:

1. Require the Project to be redesigned as proposed by the Applicants and presented to THD on October 11, 2012, with only two units, without roof decks and penthouses, maintaining a large open view corridor between them. (See **Exhibit C**.) Alternatively, require a reduction in massing by eliminating the top floor of each of the new units and eliminating the roof decks, glass railings, stair and elevator penthouses to maximize public views from Pioneer Park and its stairways. [Private open space can be provided by terracing the rear yard or adding decks to the south-facing (rear) façades of the new condo structures without diminishing public views. Even without the top floor, all the units can by be redesigned to have at least three bedrooms each.];

2. Require changes to the design and exterior material to be more compatible with the cottages to the west in order to maintain the character of the neighborhood and the experience of walking up the Filbert Stairs to Coit Tower/Pioneer Park;

3. Require significant separation between the units facing on the Filbert Steps to allow significant public views through the building mass;

4. Eliminate the off-street parking spaces;

5. Require one of the units be affordable to replace at least one of the affordable units previously removed from the market by the Applicants;

6. Articulate the blank west wall that looms above the small cottage located below it on the Filbert Steps to provide scale and visual interest;

7. Require the south-facing (rear) façade of the building to be stepped down to eliminate the fort like appearance; and

8. Impose conditions of approval to address the construction traffic impacts and the conflict between vehicle/Muni/pedestrian conflict caused by the Project's driveway.

H. CONCLUSION

The discussion above clearly shows that the Certificate of Categorical Exemption is legally insufficient. Therefore, this Commission must direct the Department to prepare a new legally adequate environmental review document. THD has also demonstrated that the Project cannot meet all of the criteria necessary for the requested the Conditional Use Authorization to construct four dwelling units and the additional criteria required for four off-street parking spaces. Thus, this Commission should either deny the conditional use application or continue this matter and require the Department to prepare a new environmental review document for the Project, and require the Project to be redesigned in accordance with our recommendations listed above.

Sincerely,

Vedica Puri
President

cc: Commissioner Michael Antonini
Commissioner Rodney Fong
Comissioner Richard Hillis
Commissioner Kathrin Moore
Commissioner Hisashi Sugaya
Commissioner Christine Johnson
John Rahaim, Director of Planning
Scott Sanchez, Zoning Administrator
Elizabeth Watty, Planner
Tina Tam, Presevation Planner
Gretchen Hilyard, Preservation Planner
Sarah Jones, ERO
Heidi Kline, Environmental Planner
Jessica Range, Environmental Planner

P & Z COMMITTEE'S COMMENTS & SUGGESTIONS ON 115 TELEGRAPH HILL BLVD.

Date: Mon, 30 Jul 2012 11 12·17 -0700
To: Lewis Butler <Butler@butlerarmsden.com>
Subject: P & Z COMMITTEE NOTES ON 115 TELEGRAPH HILL BLVD

Hi Lewis,

The Committee thanks you for your presentation and especially appreciates the quality and clarity of the materials presented, which provided a massing study without specific design details. We understand that although you and your client propose a "modern" approach for the site, design details will be discussed with us later Although these notes are provided to fully and openly inform you and your client of the issues that this site raises, we hope that our comments will lead to further discussions and future meetings. Please consider our comments in this light.

The Committee identified 2 major issues: Massing & parking, and generally discussed design issues. We address the parking issues first.

1. Adding a Parking Garage.

It is our understanding that the decision of the Board of Supervisors on 424 Francisco (Motion No. M10-88) would require environmental review, likely and EIR, if a new garage is proposed as a part of the development Telegraph Hill Dwellers joined with the Chinatown Community Development Corp. (CCDC) on the appeal of the exemption determination on the 424 Francisco case and would not support disregarding or overlooking that decision on this or any other project in the North Beach/Telegraph Hill area. We feel that the fact that there may have been no curb in this location a very long time ago (per the RE Broker for this property who also attended our meeting) is irrelevant to the application of the 424 Francisco decision today

The committee discussed several potentially serious impacts from the addition of a garage at this location

- Pedestrian Safety· The Filbert steps in front of the subject site are a highly used pedestrian corridor Hundreds of people walk up to Coit Tower/Pioneer Park on these steps. Adding a garage and driveway at this particular location -- right at the top of the stairs between the stairs and the pedestrian crosswalk – could create a safety hazard

- Adding to Traffic Congestion. Attempting to limit the number of cars from coming up to Coit Tower/Pioneer Park has been a many-year campaign of the Telegraph Hill Dwellers. There have been numerous studies addressing the serious traffic issues and the pollution from cars waiting in long lines to get to the Tower The solution and community goal has been to limit the number cars from coming up to Coit Tower by limiting available parking and encouraging people to walk (up the Filbert Steps) or take the 39 Coit Bus. [More information on this campaign and the issues can be provided if it would be helpful.]

Questions Assuming the proposed addition of a garage at the site will require the preparation of an EIR to address these and other issues, with an uncertain outcome, would your client be

willing to go ahead with the purchase? Would the project be financially infeasible without a garage? Would a project without parking be financially feasible if the parcel were re-subdivided into 3 or 4 separate legal lots with single-family homes instead of condos? (See suggested alternative approach below.) As we discussed at the meeting, it is a fact that many homes on Telegraph Hill with great views do not have garages/dedicated parking.

2. Building Massing/Design Comments:

The Committee very much appreciates the concept of 3 separate houses with space between them. However, the problem with the massing as presented is the fact that the building would be a solid mass at the pedestrian level along the Filbert Steps, with no pedestrian views through the proposed "garage" that would form the base of the condos. A related concern is the absence of front entrances at the street/steps level.

Recommendation: That the space between the buildings be extended to the level of the steps and that a front entry to each building be located at that level as well.

Even though "option 5" as presented is below the 40 foot height limit, the site is still subject to the City's Residential Design Guidelines and the Urban Design Element of the General Plan, which require the protection of "major public views in the City as seen from public spaces such as streets and parks by adjusting the massing of proposed development project to reduce or eliminate adverse impacts on public view sheds." It is our understanding that views from public areas, such as the Filbert steps and Pioneer Park are protected regardless of the building height otherwise allowed. The existing trees that currently obscure the view may not be there in future years.

Recommendation: That you give consideration to reducing the proposed height along the Filbert steps. In particular, Committee members expressed concern with the dramatic difference between the height of the cottage to the west and the proposed height of the building proposed at 121 Telegraph Hill.

One of the architects on our Committee suggested that consideration be given to alternative massing schemes, including locating the structures at other locations on the site – perhaps setting the cottages back from the steps with gardens at the front along the steps as a way to protect views. Is there an existing topographic survey of the site? Or, at least a schematic section north-south and east-west through the site?

3. Alternative Approach Suggested:

As an alternative approach that could address the parking and massing issues discussed above, it was suggested that instead of adding parking to the site, the lot could be re-subdivided into 4 separate legal lots, with a single-family home on each lot instead of building condos over a garage base. This approach would allow each home to be larger and potentially be designed so that (1) their heights along the Filbert Steps could be reduced, thereby protecting "major public views from public spaces" as required by the City's Residential Design Guidelines and Urban Design Element of the General Plan, would also address massing issues; (2) allow for real space/gardens between the buildings at "ground" level to enhance pedestrian views from the steps; and (3) allow for entries at the "ground" level. It would also eliminate the requirement

for an EIR related to the addition of parking at this sensitive site.

4. Design Details:

Although the presentation specifically did not focus on design details, you stated that your client likes a "modern" approach to the site, but that the intent is to "recall" the neighborhood pattern without resurrecting the old buildings. The following are several general comments made by committee members:

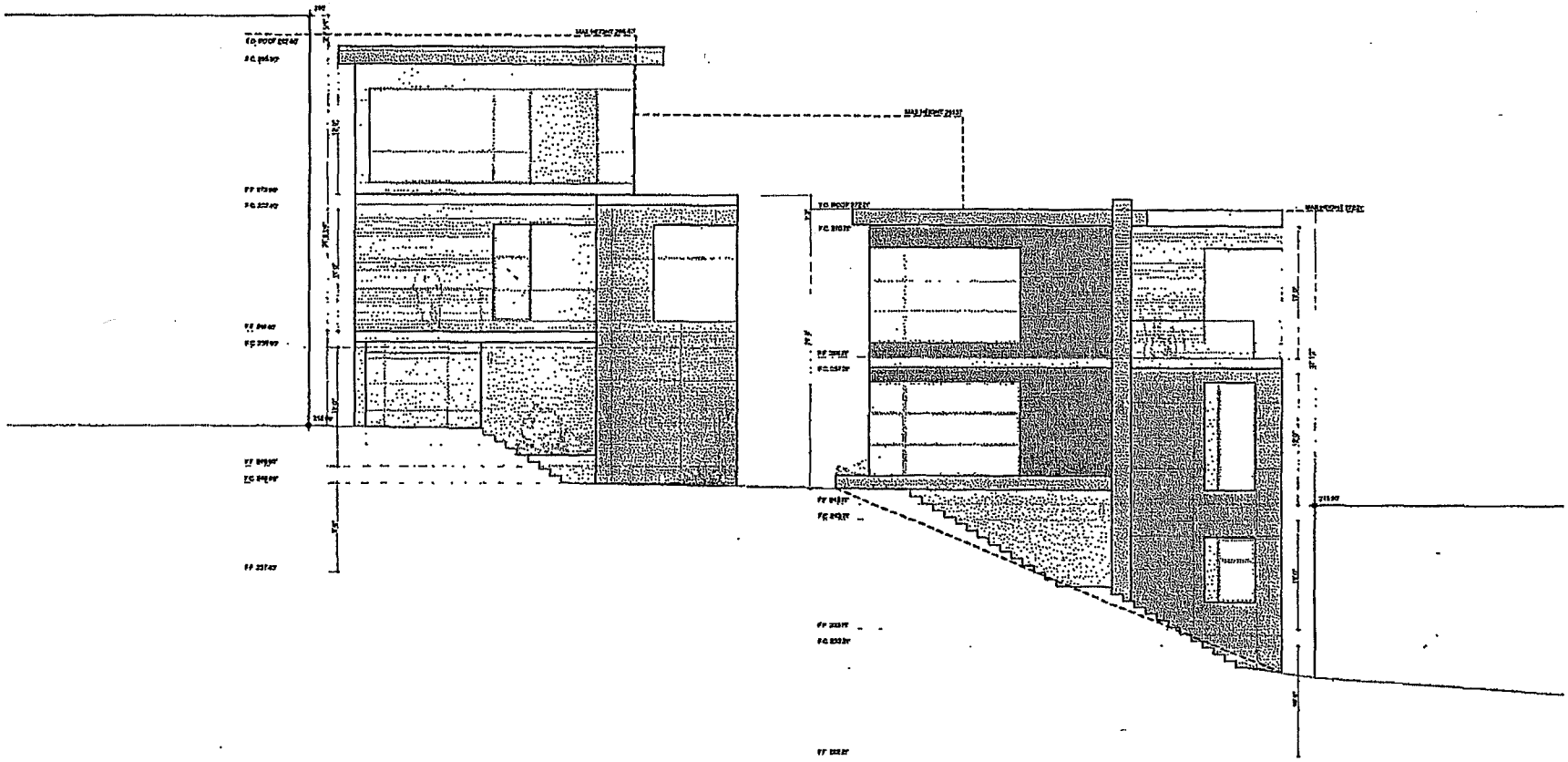
- Views of the back (south façade) are important since it is highly visible from many viewpoints near and far.
- Would like to see a reduction in the amount of glass on the front facades.
- Would like to see entrances on the Filbert steps side.
- As mentioned above, would like separation between the buildings visible to pedestrians on the Filbert steps.
- Questions were raised as to the appropriateness of bays on the Filbert steps facade. Bay windows are not characteristic of cottages on Telegraph Hill.
- Concern was expressed as to the height differential between the small cottage on the west and the first building in the project. This dramatic difference should be reduced.
- Would like to see the design bridge the architectural styles of cottages to the west to the larger building on the east. However, as Committee members pointed out, the building on the east does not fit the neighborhood character of North Beach/Telegraph Hill.

In response to your suggestion that we provide some examples of new buildings on the Hill that we feel fit the character of the area, here are a few:

1320 Kearny
407 Filbert
324 Chestnut
1059 Union (details, not scale) see Macondary Lane side

EXHIBIT "C"

2631



SCHEMATIC FRONT ELEVATION

115 TELEGRAPH HILL
SAN FRANCISCO, CA

Butler Armsden
architects

OCTOBER 11, 2012

City and County of San Francisco

Recreation and Park Department

RECEIVED
AUG 04 1993
CITY & COUNTY OF S.F.
DEPT. OF CITY PLANNING

July 29, 1993

Mr Jim Nixon
Department of City Planning
450 McAllister Street
San Francisco, CA 94102

Dear Mr. Nixon.

This is in regard to the project that we recently discussed on the Filbert Street Steps adjacent to Telegraph Hill Blvd. and Pioneer Park. The Recreation and Park Department has several concerns about the possible impact of this project on the park

The first concern is impact on view This project would effectively block the sight line from the viewing area at the rear of Coit Tower, down into North Beach and across to Nob Hill. Even though current landscaping in this area substantially limits the view, planting schemes often change over the years and the proposed construction would preclude any future use of this view corridor

The second concern regards the increase the project may cause in the use of Telegraph Hill Blvd. Over the years, some of the residents along the Boulevard have complained about the traffic generated by Coit Tower, and possible impact on emergency vehicle access, etc The problem is caused by tourists and residents competing for the limited spaces in the Coit Tower parking lot which often results in a line of cars waiting to park I am concerned that the project may increase the use of the Boulevard and parking lot, adding to the number and volume of complaints.

Thank you for this opportunity for input. If you have any questions please do not hesitate to contact me at 666-7080

Very truly yours,

Tim Lillyquist
Assistant to the General Manager

4220t

McLaren Lodge, Golden Gate Park
Fell and Stanyan Streets

FAX: (415) 668-3330
Information: (415) 666-7200
TDD: (415) 666-7043

San Francisco 94117

EXHIBIT "D"

rroll, John (BOS)

From: BOS Legislation (BOS)
Sent: Wednesday, November 12, 2014 5:00 PM
To: susanbh@preservationlawyers.com; president@thd.org; dfrattin@reubenlaw.com; jreuben@reubenlaw.com; nshan@mindspring.com; pz@thd.org; Givner, Jon (CAT); Stacy, Kate (CAT); Byrne, Marlena (CAT); Rahaim, John (CPC); Sanchez, Scott (CPC); Jones, Sarah (CPC); Starr, Aaron (CPC); Rodgers, AnMarie (CPC); Tam, Tina (CPC); Range, Jessica (CPC); Ionin, Jonas (CPC); BOS-Supervisors; BOS-Legislative Aides; Calvillo, Angela (BOS); Caldeira, Rick (BOS); Watty, Elizabeth (CPC)
Cc: BOS Legislation (BOS); Lamug, Joy; Carroll, John (BOS); Somera, Alisa (BOS)
Subject: 115 Telegraph Hill Boulevard - CEQA and Conditional Use Appeals - Supplemental Documentation from Project Sponsor

Categories: 141064, 141059

Good afternoon,

Please find linked below a letter received by the Office of the Clerk of the Board from Daniel Frattin, attorney for Reuben, Junius & Rose, LLP, representing the project sponsor, concerning the California Environmental Quality Act **and** Conditional Use appeals of the proposed project at 115 Telegraph Hill Boulevard.

Project Sponsor Letter - 11/12/2014

u are invited to review the matters on our Legislative Research Center by following the links below.

Board of Supervisors File No. 141059 - CEQA Appeal
Board of Supervisors File No. 141064 - Conditional Use Appeal

The appeal hearings for these matters are scheduled for November 18, 2014.

Regards,

John Carroll
Legislative Clerk
Board of Supervisors
San Francisco City Hall, Room 244
San Francisco, CA 94102
(415)554-4445 - Direct | (415)554-5184 - General | (415)554-5163 - Fax
john.carroll@sfgov.org | board.of.supervisors@sfgov.org

Please complete a Board of Supervisors Customer Service Satisfaction form by clicking here.

The Legislative Research Center provides 24-hour access to Board of Supervisors legislation, and archived matters since August 1998.

Disclosures: *Personal information that is provided in communications to the Board of Supervisors is subject to disclosure under the alifornia Public Records Act and the San Francisco Sunshine Ordinance. Personal information provided will not be redacted. Members of the public are not required to provide personal identifying information when they communicate with the Board of Supervisors and its committees. All written or oral communications that members of the public submit to the Clerk's Office regarding pending legislation or hearings will be made available to all members of the public for inspection and copying. The Clerk's Office does not redact any information from these submissions. This means that personal information—including names, phone numbers, addresses and similar information that a member of the public elects to submit to the Board and its committees—may appear on the Board of Supervisors website or in other public documents that members of the public may inspect or copy.*

REUBEN, JUNIUS & ROSE, LLP

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November 12, 2014

By Messenger

FOR PURPOSES OF THE CEQA APPEAL PLEASE NOTE:

RECEIVED AFTER THE ELEVEN-DAY DEADLINE, BY NOON, PURSUANT TO ADMIN. CODE, SECTION 31.16(b)(5)
(Note: Pursuant to California Government Code, Section 65009(b)(2), information received at, or prior to, the public hearing will be included as part of the official file.)

Clerk of the Board
San Francisco Board of Supervisors
One Dr. Carlton B. Goodlett Place
San Francisco, CA 94102

Re: 115 Telegraph Hill Boulevard; Project Sponsor's Brief in Opposition to Appeals of Categorical Exemption and Conditional Use Authorization
Hearing Date: November 18, 2014
Our File No.: 7058.01

Dear Clerk of the Board,

At Mr. Frattin's request, please find enclosed eighteen copies of the above-referenced brief, an electronic copy of this brief is also being sent via Dropbox to BOSLegislation@sfgov.org.

Very truly yours,

REUBEN, JUNIUS & ROSE, LLP

Gillian Allen
Paralegal

Enclosures

James A. Reuben | Andrew J. Junius | Kevin H. Rose | Daniel A. Frattin
Sheryl Reuben[1] | David Silverman | Thomas Tunny | Jay F. Drake | John Kevlin
Lindsay M. Petrone | Melinda A. Sarjapur | Mark H. Loper | Jody Knight | Jared Eigerman[2,3] | John McInerney III[2]

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November 12, 2014

By Messenger

Mr. John Carroll
Legislative Clerk
San Francisco Board of Supervisors
One Dr. Carlton B. Goodlett Place
San Francisco, CA 94102

Re: 115 Telegraph Hill Boulevard; Project Sponsor's Brief in Opposition to Appeals of Categorical Exemption and Conditional Use Authorization
Hearing Date: November 18, 2014
Our File No.: 7058.01

Dear Mr. Carroll,

At your request, please find enclosed an electronic version of the above-referenced brief on CD in lieu of an email link.

Very truly yours,

REUBEN, JUNIUS & ROSE, LLP

Gillian Allen
Paralegal

Enclosure

James A. Reuben | Andrew J. Junius | Kevin H. Rose | Daniel A. Frattin
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REUBEN, JUNIUS & ROSE, LLP

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November 12, 2014

President David Chiu
San Francisco Board of Supervisors
One Dr. Carlton B. Goodlett Place
San Francisco, CA 94102

Re: 115 Telegraph Hill Boulevard; Project Sponsor's Brief in Opposition to Appeals of Categorical Exemption and Conditional Use Authorization
Hearing Date: November 18, 2014
Our File No.: 7058.01

Dear President Chiu and Supervisors:

We represent Jeremy Ricks, sponsor of the proposed residential building (the "Project") at 115 Telegraph Hill Boulevard. This letter is submitted in opposition to appeals of the Project's Categorical Exemption ("CatEx") and Conditional Use ("CU") Authorization by the Telegraph Hill Dwellers ("Appellants").

These appeals are based on numerous factual inaccuracies and specious allegations; they are insufficient to overturn the sound decisions of the Planning Commission and Environmental Review Officer for the following reasons:

- Public support for the Project is unparalleled on Telegraph Hill. In a neighborhood well known for reflexive opposition to development, 43 residents and the North Beach Neighborhood Association have submitted letters in support of the Project. Letters of support are included at **Exhibit A**.
- The Project's design, scale, and massing will be compatible with the neighborhood;
- The Project meets all Code criteria for CU Authorization and is consistent with the City's General Plan and Residential Design Guidelines;
- The Project will provide numerous public benefits, including an estimated $200,000 in additional tax revenue, repairing the Filbert Street Steps and improving the pedestrian experience, adding four dwelling units to the City's housing market; and improving a currently blighted, vacant lot; and
- Appellants fail to meet the threshold requirements for overturning the Project's CatEx, as they:
    - Do not to establish that any "unusual circumstances" apply to the property or Project proposal; and

REUBEN, JUNIUS & ROSE, LLP

November 12, 2014

President David Chiu
San Francisco Board of Supervisors
One Dr. Carlton B. Goodlett Place
San Francisco, CA 94102

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Hearing Date: November 18, 2014
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- Appellants fail to meet the threshold requirements for overturning the Project's CatEx, as they:
    - Do not to establish that any "unusual circumstances" apply to the property or Project proposal; and

- Present no substantial evidence to establish a reasonable possibility that significant environmental effects will arise from such "unusual circumstances".

Detailed responses to specific allegations raised in Appellants' briefs are provided below.

A. Project and Site Description

The property is a 7,517 square foot lot located on the south side of Telegraph Hill Boulevard, between Montgomery and Kearny Streets on Telegraph Hill near Coit Tower. The site is within an RH-3 (Residential-House, Three Family) Zoning District, and is bordered along a portion of its north side by the pedestrian-only Filbert Street steps, leading up to Pioneer Park and Coit Tower.

The property previously consisted of three separate lots that were merged into one larger lot in 1993. It previously contained five buildings, all of which were determined to be unsound by the Department of Building Inspection in the early 1990s. Four were demolished in 1997. A one-unit cottage constructed in 1906 remains on the site, but is uninhabitable in its present condition and has sat vacant for more than 10 years. Images of the existing site and surrounding area are attached as **Exhibit B**.

The Project will construct a 15,544 square foot three-unit residential building including a garage with three off-street parking spaces. In addition, the Project will renovate and restore the existing uninhabitable cottage, returning one dwelling unit to the City's housing stock.

The new building will appear as three single-family dwellings, each less than 40 feet tall, that are designed to step down the hill in response to the naturally sloping topography. Each unit will feature a vegetated roof with sustainable native plants. The Project will feature an attractive modern design with a scale and massing compatible with other homes in the immediate area. Significant side setbacks have been provided on each of the building portions in order to retain views to downtown and appear as single-family dwellings. The Project will incorporate significant landscaping to match the surrounding area, and will feature sustainable elements such as solar panels, vegetated roofs, and low-water demand plumbing fixtures. In order to minimize inconvenience to residents and visitors, the Project will voluntarily implement numerous construction "best practices" above and beyond those required by the Planning and Building Codes. Plans depicting the Project's design are attached as **Exhibit C**. Construction improvement measures are summarized in **Exhibit D**.

B. Background

On September 3, 2014, the Planning Department issued a CatEx for the Project, finding it categorically exempt from further environmental review under a CEQA Class 1 (exterior renovations to an existing single-family residence that is not an historic resource) and Class 3

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(construction of a multi-family residential structure with up to four dwelling units in a residential zone). A copy of the Project's CatEx is attached as **Exhibit E**.

On September 11, 2014, the Planning Commission approved the Project by granting CU authorization, to allow for a total of four dwelling units on a lot zoned RH-3.

In October 2014, Appellants filed appeals of both the Project's CatEX and CU authorization. A joint hearing on these matters will be held by the Board on November 18, 2014.

C. The CatEx is Properly Issued Under CEQA

Appellants' CatEx appeal mischaracterizes the project, contains wholly speculative claims of environmental impacts unsupported by fact, and neglects to mention the appropriate standard of review for challenges to a categorically exempt project applying the "unusual circumstances" exception.

1. Standard of Review Under CEQA

Certain categories of projects are exempt from environmental review under CEQA, because they generally do not have significant effects to the environment. Where a project is exempt, no further environmental evaluation is required unless a recognized exception applies (e.g. there is a reasonable possibility of significant environmental effects due to unusual circumstances). (*CEQA Guidelines* §15300.2.) Once a lead agency determines a project is exempt, project opponents seeking to apply the unusual circumstances exception bear the burden of demonstrating that the project will have significant impacts and that those impacts are caused by unusual circumstances. (*Voices for Rural Living v. El. Dorado Irrig. Dist* (2012) 209 CA4th 1096, 1108.)

There is a split of authority regarding the evidentiary standard for establishing that there is a "reasonable possibility" of significant environmental impacts that make a project ineligible for an exemption. Some courts defer to the lead agency's determination, upholding an exemption so long as there is "substantial evidence" to it. Others have held that an exemption may not be sustained if opponents make a "fair argument", based on substantial evidence, that significant impacts will occur. (*Fairbank v. City of Mill Valley* (1999), 75 Cal. App. 4th 1243, 1259 (citations omitted).)

Substantial evidence is "**facts**, reasonable assumptions **predicated on facts**, and expert opinion **supported by facts.**" (*CEQA Guidelines* § 15384). **Argument, speculation, unsubstantiated opinion or narrative, or evidence that is clearly inaccurate or erroneous** or otherwise **not credible** is not substantial evidence. (*CEQA Guidelines* § 15064(f)(5).)

Appellants claims would fail under either standard, due to the absence of any substantial evidence to support of their claims.

REUBEN. JUNIUS & ROSE, LLP

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i. No substantial evidence of significant impacts due to unusual circumstances.

Appellants have not established that any "unusual circumstances" apply to the site or the Project proposal. "Unusual circumstances" must "differ from the general circumstances of the projects covered by a particular categorical exemption" and "create an environmental risk that does not exist for the general class of exempt projects." (*Banker's Hill v. City of San Diego* (2006) 139 Cal. App. 4th 249, 278.) Appellants' brief skips this portion of the analysis entirely and instead lists a number of factors that they believe could contribute to environmental effects. These factors include the presence of a sensitive intersection, site topography, geology, and an allegedly incomplete project description, etc. In addition, Appellants fail to establish any "reasonable possibility" that the Project will result in significant environmental effects due to the unusual circumstances, as **Appellants present no substantial evidence of any significant effects.**

As discussed below, Appellants' baseless complaints and bald statements of opinion are insufficient to meet this standard:

> **Construction Impacts.** Appellants speculate that the Project will create dangerous conditions for pedestrians coming up the Filbert Steps or require pedestrians to cross "heavy construction traffic." These statements are inaccurate and unsupported by any factual evidence. They rely on a demonstrably flawed analysis regarding the extent of excavation and construction activities for the Project, and fail to demonstrate how any significant impacts would occur, no less impacts caused by unusual circumstances.
>
> The Appellant asserts that the weight limit on Telegraph Hill Blvd. is an unusual circumstance giving rise to significant impacts related to the volume of construction traffic. This is flawed on two counts. First, weight limits are not unusual on San Francisco streets. A total of 170 streets or segments of streets are subject to the same three-ton weight limit as Telegraph Hill Boulevard. (SF Transportation Code Sec. 501(b).) More importantly, the weight limit does not apply to deliveries:
>
> > [F]or the purpose of delivering materials or equipment to be used in the actual and bona fide repairs, alteration, remodeling or construction of...any building or structure upon such restricted Street for which a building permit has previously been obtained.
>
> (Id. at subs. (c).) MUNI buses, garbage trucks and utility vehicles are also exempt from these weight limits. (Id.)
>
> Thus, the Appellants calculation of 10,000+ truck trips is a massive overstatement of construction traffic. In reality:
>
> - Demolition and excavation will involve removing 3,500 cubic yards of soil that will be trucked off-site in 10-yard dump trucks. Over a 12-week period, this

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amounts to 700 trips (inbound and outbound), not the 7400 estimated by the Appellants. On a daily basis, assuming weekday delivery only, this translates to less than six trucks a day.

- Approximately 50-75 concrete-truck deliveries are estimated over a six- to ten-week period, for a total of 100 to 150 trips, rather than the 2,656 trips estimated by the Appellants. On a daily basis, assuming weekday delivery only, this translates to two or three trucks per day.

The City routinely finds less-than-significant construction impacts for far larger projects in more heavily trafficked locations. This is largely due to the temporary and intermittent nature of construction impacts, as well as regulations requiring the coordination of construction actives with various City agencies including the San Francisco Department of Public Works (DPW), the San Francisco Municipal Transportation Agency, and the Transportation Advisory Staff Committee, to ensure the minimum feasible level of disruption to circulation on public rights-of-way and public safety. Examples of large projects deemed to have less-than-significant impacts, include the following located on some of the City's busiest pedestrian, transit and auto thoroughfares:

- 690 Market St./Ritz Carlton – Construction of an eight-story addition above a restored 16-story office building and two-story garage at Market/Kearny Streets. (Addendum to Final Mitigated Negative Declaration: 690 Market Street, available at http://sfmea.sfplanning.org/2013.1601E_Add.pdf, at p. 25.)

- 1333 Gough Street/1481 Post Street – Construction of a 36-story residential building with 262 dwelling units and 438 parking spaces in a four-level, below-grade parking garage. (Draft Enivronmental Impact Report: 1335 Gough Street/1481 Post Street at pp. S2, S27, available at http://sfmea.sfplanning.org/2005.0679E_DEIR.pdf.)

- Moscone Center Expansion – Expansion of convention facility by 300,000+ square feet. (Draft Environmental Impact Report: Moscone Center Expansion Project at p. S.11, available at http://sfmea.sfplanning.org/2013.0154E_DEIR.pdf.)

Although the Project is far smaller than these projects and will not cause significant impacts, the Sponsor agreed to implement a number of improvement measures to minimize temporary inconvenience caused by construction. These include:

- Limiting deliveries to morning hours, when traffic to Coit Tower is lightest. The MUNI line serving the Tower does not start running until 9:20 a.m.

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- Staging concrete trucks at the intersection of Filbert and Kearny rather than on Telegraph Hill Boulevard to avoid temporary lane closures on Telegraph Hill Boulevard.

- On-site staging of dump trucks and delivery vehicles to avoid temporary lane closures on Telegraph Hill Boulevard.

- Constructing a pedestrian tunnel, so that the Filbert Street Steps may remain open throughout construction.

Pedestrian Impacts. Appellants' state that the Project is located at a "sensitive intersection" due to its proximity to a tourist destination, on a "blind curve," near to a MUNI bus and mid-block pedestrian cross walk. Appellants also posit that the Project is unusual because it would place a curb cut across a relatively busy sidewalk.

However, garage entries near pedestrian crossings, bus stops, busy intersections or tourist destinations are not an unusual circumstance in San Francisco. Many residential infill development projects are located in close proximity to tourist attractions, within heavily trafficked areas, near to MUNI bus stops and mid-block pedestrian crossings. For that matter, the F-Market Streetcar, Cable Car and MUNI buses pick up and drop off thousands of tourists daily on traffic islands and at busy intersections. The Project's location near such activities is simply not unusual, but rather commonplace.

In point of fact, the pedestrian crossing here is better situated than many in San Francisco: there is no vehicular cross traffic and all cars are controlled by stop signs on either side, meaning that they are moving at slow speeds and drivers have an opportunity to observe pedestrians. The roadways, intersections, and sidewalks in this area have been designed to provide safe conditions for visitors by foot or vehicle.

The Appellants' speculative opinion that tourists may be distracted from safely crossing the street due to the scenic environment is unsupported by fact, and, even if true, is an existing condition rather than an impact that is attributable to the Project. In any case, the record contains substantial evidence that the Project has been effectively designed to respond to existing conditions and specific design criteria related to development on Telegraph Hill:

- The project will provide parking for only three cars, which will minimally increase traffic. Cars coming from and going to the Project are unlikely to even cross the mid-block crossing, as the only destination in that direction is the Coit Tower parking lot.

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- Unlike most residential garages in San Francisco, the Project's garage will provide for internal maneuvering of vehicles so that cars can face forward when exiting.

- The garage will be set back 7.5 feet from the property line, allowing drivers to pull out and observe pedestrian conditions before crossing the sidewalk.

- The garage will also incorporate a flashing beacon to alert pedestrians to the presence of a vehicle, which neighboring garages do not feature.

- Those cars will not even cross the mid-block pedestrian crosswalk when pulling into the garage.

There is no factual evidence to suggest that the Project will have any significant impacts on pedestrian safety. We also note that Appellants' assertion that the MUNI Route #39 bus stop would be relocated as part of the Project is false. It would stay in its current location. The stop sign adjacent to the Project would be relocated slightly (by approximately 1 foot) to allow for a new curb cut along Telegraph Hill Boulevard, which is immaterial to the CEQA determination.

Site Topography/Geotechnical Impacts. Appellants state that the site has a cross slope exceeding 20% in both directions and that the east property line has a 45% slope. Many residential infill development sites are on steeply sloping sites. These factors are not "unusual circumstances." San Francisco is a City known for its hilly topography. As shown in the map included as **Exhibit F**, large areas of the City are located in areas with steep slopes or in zones of elevated seismic risk. This includes nearly all of SoMa, the Marina, the Financial District, the Bayfront, Telegraph Hill, Mount Sutro, Twin Peaks, Bernal Heights and Potrero Hill, among others.

The courts have held that the geotechnical features of infill projects such as soil quality and water runoff conditions are common issues of proper construction technique that are "satisfactorily addressed by standard building code requirements," and therefore are not "unusual circumstances." (*Association for Protection of Envt'l Values v. City of Ukiah* (1991) 2 CA4th 720, 735). In issuing the Negative Declaration for an earlier development proposal at the Property, the City relied on enforcement of the Building Code as an adequate safeguard against geotechnical impacts. See **Exhibit G**.

Since then, Building Code regulations have become even more stringent. The California Building Code mandates that "excavation for any purpose shall not remove lateral support from any foundation without first underpinning or protecting the foundation against settlement or lateral translation." (Sec. 1804.1.) San Francisco has augmented these requirements with its Slope Protection Act, which requires submittal of reports

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prepared by a licensed geologist and licensed geotechnical engineer for review by a licensed geotechnical engineer or the Structural Advisory Committee at DBI to "verify that appropriate geological and geotechnical issues have been considered and that appropriate slope instability mitigation strategies, including drainage plans if required, have been proposed." (San Francisco Building Code Sec. 106A.4.1.4.4.) Permits are denied that fail to comply with the Building Code or otherwise create a reasonable likelihood that construction would "create unsafe conditions or would increase the likelihood of hillside instability." (Id at Sec. 106A.4.1.4.5.)

The Appellants fail to offer substantial evidence that the foregoing protections—that are implemented as a matter of law—are insufficient or that significant impacts are reasonably likely occur in spite of them. The Appellant's geotechnical engineer asserts that cutting into the hillside could damage neighboring properties due to "impairment of lateral and subjacent support and alterations in the groundwater regime." (Karp Letter at p. 3.) Mr. Karp goes on to assert that "no solution is practicable from following codes or regulations." (Id.) In essence, Appellants assert that there is no way to construct a three-unit building on Telegraph Hill without causing significant and unavoidable damage to surrounding homes.

However, Mr. Karp's professional qualifications alone do not substantiate his general opinions and his letter does not amount to substantial evidence showing the potential for geotechnical impacts. For example, Mr. Karp concludes that dewatering impacts will be substantial without providing any information about the level at which groundwater will be encountered. He posits a loss of lateral and subjacent support to adjoining buildings without any consideration given to feasible shoring methods that are routine – and required – under the Building Code. He asserts –without any evidence whatsoever—that no excavation greater than ten feet has occurred within some undefined "proximity of the south side of Pioneer Park and Coit Tower." (Id. at 1.) Though he includes a four-page list of "references," he has not tied them to any of his specific conclusions, nor has he submitted them into the public record. Some of these reports are from projects as far away as Jackson Square and are unlikely to be relevant. Many other residential projects have been built on the same hillside without resulting in a catastrophic ground failure.

In contrast to the unsubstantiated opinions presented in the Mr. Karp's letter, a preliminary geotechnical report for the site found that the risk from liquefaction, surface rupture, lateral spreading, densification and landslides from the Project to be low. The geotechnical letter also provides recommendations should groundwater be encountered during excavation. Though the scope of excavation has changed since the initial proposal, DBI's permit review procedures ensure that potential settlement and subsidence impacts of excavation (including dewatering) will be adequately addressed in accordance with the Building Code, including the Slope Protection Act, and further monitoring

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activities or site-specific reports be undertaken as required to avoid any harm to neighboring properties.

Historic Resources. Appellants state that construction of the Project will require removal of a portion of the historic stone wall separating Telegraph Hill Boulevard from the Filbert Steps. This is false and is directly contradicted by evidence in the record. The Project will not remove or relocate the stone wall surrounding Telegraph Hill Boulevard. Project plans (attached as **Exhibit C**) clearly show that this feature will remain in place. Further, a Historic Resource Evaluation prepared for the Project and approved by the Planning Department's Historic Preservation Staff states that the Project would not directly or indirectly involve historic resources or cause significant impacts to any historic resources. The portion of the Filbert Steps adjacent to the Project is concrete with pipe-rail handrails, and Department Preservation Staff have determined that its components are not historic. In any event, it will be repaired and replaced in kind.

Aesthetics. Appellants state that the public enjoys views from the Filbert Steps and Pioneer Park, and that new construction will block a public view corridor, resulting in significant aesthetic impacts. The Appellants neglect to mention that CEQA was amended, effective January 1, 2014, to provide that "aesthetics and parking impacts of a residential, mixed-use residential, or employment center project on an infill site within a transit priority area shall not be considered significant impacts on the environment." (Cal. Pub. Res. Code Sec. 21099.) As a matter of law, the Project's aesthetic impacts are no longer significant under CEQA.

CEQA aside, the Project will have no impact on established vistas from Coit Tower or the view terrace at Pioneer Park. A View Study showing images from both locations, attached as **Exhibit B**, shows that the Project will block no significant view and will remain largely invisible from either location.

Consistency with the General Plan. Appellants state that the Urban Design Element of the General Plan identifies Telegraph Hill as an "Outstanding Unique Area," and that the Filbert Steps and Pioneer Park are protected by Priority Policies of the General Plan and specific design criteria of the Urban Design Element. Appellants also speculate that the Project will be inconsistent with the Housing Element of the General Plan.

The requirement for design consistency with the General Plan, including the Urban Design and Housing Elements, is not an "unusual circumstance." Rather, it is common to all projects in the City. Further, Appellants' provide no factual evidence that the Project as designed is inconsistent with these policies, or—more importantly—that such alleged inconsistency would give rise to any significant environmental effects. To the contrary, the Project's design has received thorough review by the Planning Department, Residential Design Team, Zoning Administrator, and Planning Commission, and has

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been repeatedly found consistent with the City's residential and urban design guidelines, including criteria specific to design on Telegraph Hill.

Project Description. Appellants claim that the Project description is incomplete because it does not provide a detailed description of improvements to the Filbert Steps required to meet DPW requirements, does not identify the need for a General Plan Referral, and does not adequately describe all potential road closures on Telegraph Hill Boulevard in order to construct the Project.

These statements do not constitute "unusual circumstances." It is common for residential infill Projects to require further approvals from DPW or other City agencies to coordinate construction activities in public rights of way. Temporary lane closures to accommodate construction activities are also commonplace, and as noted above, will be minimized by improvement measures. Further, Appellants provide no evidence that the Project description fails to meet the standards set forth under Section 31.08(1)(a) of the San Francisco Administrative Code for local procedures and requirements necessary to implement CEQA. Finally, Appellants present no facts or evidence that would support a claim of any potentially significant environmental impacts arising from the current Project description.

In short, Appellants have failed to establish the presence of any unusual circumstances at the site; and present no substantial evidence that a potentially significant environmental effect could arise from any such unusual circumstances. **Because Appellants have not met the threshold requirements for additional environmental review, the appeal should be denied.**

ii. Previous Environmental Review at the Property

The Project is the second proposal reviewed by the Planning Department under CEQA for this location in the past 20 years. In 1993, the Department issued a Negative Declaration for a significantly more dense and similarly sized project on the same site (proposing to construct a 14,900 gsf residential building containing 7 dwelling units and up to 7 off-street parking spaces). Following a thorough review of the previous proposal's potential for traffic, parking, noise, geological, shadow, aesthetics, construction activities and other potential environmental impacts, the Department found that the only potential impact requiring mitigation was construction air quality. This factor no longer requires CEQA mitigation for current projects because it is now regulated by ordinance. (*San Francisco City Health Code*, Article 22B).

The current Project is substantially smaller than the previous proposal (providing significant setbacks, containing three fewer units and parking spaces). Weight should be given to the Department's previous determination regarding the lack of potential impacts for the substantially larger project at this site when analyzing the current exemption determination.

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D. The Conditional Use Authorization Was Properly Issued

Appellants' CU appeal contains numerous inaccurate and misleading statements, interspersed with wholly unsupported allegations that the Project's size, setting (and the economic status of future residents) are somehow inconsistent with (1) Planning Code findings for CU authorization; (2) General Plan findings; and (3) the City's Residential Design Guidelines.

These allegations are baseless. Rather, the Project's design has received thorough review by the Planning Department, Residential Design Team, Zoning Administrator, and Planning Commission, and has been repeatedly found consistent with the City's residential and urban design guidelines. In fact, the record is filled with information and analysis supporting the Commission's decision to approve the CU authorization. Appellants' claims also willfully ignore the numerous Project benefits as discussed below.

1. The Project Complies with All Planning Code Criteria for Conditional use Authorization.

   i. The Project is Necessary or Desirable for, and Compatible with the Neighborhood.

The Project is necessary and desirable in that it will provide in-fill housing in a residential neighborhood, on a lot that has sat vacant for more than 10 years. The lot is currently blighted and underutilized, and the absence of development is a detriment to the neighborhood and creates a gap in the urban fabric along the Filbert Street walkway and stairs. The Project will improve the site by constructing an attractive modern development and incorporating landscaping to match the surrounding area. This will create a sense of visual consistency in the area.

Appellants bemoan the Commission's decision to authorize the development of four dwelling units on the Property, which is zoned RH-3. However, the Property is a 7,517 square-foot lot that, prior to 1997, contained five separate buildings. The Planning Code allows for development of up to one dwelling unit for each 1,000 square feet of lot area in the RH-3 Zoning District with CU authorization. As a result, the Property could contain up to seven units with CU approval. The **Project is proposing a lower density of development that what would otherwise be possible.**

Likewise, Appellants' attack on the size of the Project and its proposed dwelling units is unwarranted. The housing stock on Telegraph Hill is varied; the average unit size cited by the Appellant masks the fact there are numerous units that are significantly larger or smaller. The type of development proposed by the Project will certainly not be out of character with neighborhood.

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The reality is that this Project will benefit the City in numerous ways, including:

- Constructing market rate condominiums that John Stewart of the John Stewart Company estimates in his support letter (attached in Exhibit A) will generate more than $200,000 a year in revenue to the City in tax increment, in addition to intermittent transfer tax fees, which will go into the City's General Fund and serve a myriad of different budget items including, but not limited to, infrastructure upgrades; the City's Health Department; the Recreation and Parks Department, homeless shelter maintenance, and more.
- Converting a blighted and chain-link bordered lot that has been vacant for over 10 years and is currently utilized for numerous illegal activities and poses safety liabilities;
- Contributing three new family-sized units to the City's housing goals, which is currently in short supply;
- Renovating and restoring a currently vacant and uninhabited cottage;
- Repairing the Filbert Street Steps and improving the pedestrian experience with adjacent plantings and additional safety elements such as handrails and attractive lighting; and
- Incorporating significant setbacks to provide a view corridor between the buildings to allow views to downtown, all while providing a much-needed informal gathering area at the top of the steps for pedestrians;
- Contributing architecturally significant development that is well-designed an contextually sensitive to the larger neighborhood;
- Adding sustainable elements such as solar panels, vegetated roofs, and low-water demand plumbing fixtures;
- Voluntarily adopting a range of construction "best practices" above and beyond requirements established in the Planning and Building Codes, in order to ensure minimal disruption to the neighborhood, despite the fact that the Project is exempt under the California Environmental Quality Act (CEQA) and requires no construction mitigation.

The Project's numerous public benefits easily meet this criterion.

ii. The Project Will Not be Detrimental to the Health, Safety, Convenience or General Welfare of Persons Residing or Working in the Vicinity.

Appellants' characterization of the Project's garage access as detrimental to "thousands of visitors" each year is absurd.

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The location of the Project's parking garage will not impede pedestrian movement or safety. The Project will include a 3-car garage accessible by a single curb-cut similar to other homes in the immediate area. Despite Appellants' baseless assertions to the contrary, the Project has been specifically designed to minimize any potential pedestrian conflicts. The entrance will be recessed 7'6" from the Property line, and the garage itself will be large enough to allow for internal maneuvering of vehicles. As a result, vehicles will not need to back out garage, and will have ample distance to observed pedestrian movement before entering the roadway. In addition, this location is currently safeguarded by a stop sign and painted pedestrian crosswalk, forcing vehicular traffic to come to a complete stop and making this area of Telegraph Hill Boulevard arguably the safest area of the street. The Project's garage door will also incorporate safety features such as a flashing beacon to alert operation, which neighboring garages do not contain. These conditions, coupled with the low volume of vehicles expected to enter and exit the proposed three-car garage, belie the fact that the Project's garage entrance will not be detrimental to the public.

2. The Project Is Consistent with Priority Policies of the City's General Plan.

Appellants' brief merely lists a number of General Plan findings with no supporting discussion, apparently inferring Project inconsistencies with the same. While Appellants' concerns are unclear, we address the Project's compliance with each below.

i. Housing Element

The Project would directly advance policies of the City's Housing Element by creating new infill housing on a residentially-zoned lot that has sat vacant for the past 10 years. As noted by the Planning Department, the current lot is blighted and creates a gap in the otherwise continuous street wall. In addition, the Project will rehabilitate the currently condemned single-unit cottage at the rear of the lot, returning a dwelling to the City's housing market. Moreover, the Housing Element encourages development of new housing at all income levels and in a variety of sizes and configurations, particularly in infill locations that are well-served by public transit. The Project will further this goal by creating three new family-sized dwelling units.

ii. Urban Design Element

The Urban Design Element provides that driveways across sidewalks should be kept to a practical minimum, and that walkways and parking facilities be designed to minimize danger to pedestrians. The Project will achieve this standard by providing:

- A single 10-foot wide curb cut and one 12-foot wide garage door, which is comparable with the size of garage doors on surrounding properties;
- A garage area with sufficient space for maneuvering vehicles internally with an entrance recessed 7'6" from the property line, in order to exit the garage without needing to be backed out in reverse and with ample space to observe pedestrian activity before crossing the sidewalk; and

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- Installing warning signs to alert pedestrians on the Filbert Steps to the presence of a driveway, as well as mirrors to enhance the view of drivers exiting the garage.

In addition, the Urban Design Element also recognizes Telegraph Hill as an outstanding and unique area with special characteristics including (i) a hillside park with a highly visible green of trees from which Coit Tower rises above all else; (ii) low, small-scale buildings having predominantly flat roofs and light pastel colors, hugging the topography in a highly-articulated form which contrasts the power of downtown construction; (iii) cliffs and complex stairs and walkways on the east side above the waterfront, with buildings perched precariously along the slope and trees interspersed; and (iv) intimate pedestrian scale and texture of streets and housing, with sudden dramatic views of the Bay and downtown through narrow openings.

The Planning Department has properly determined that the Project is compatible with these special characteristics as follows:

- The Project exists well below Coit Tower and will have no visual impact on the prominence of the landmark;
- The building portions are designed to include flat, landscaped roofs and maintain a scale and massing consistent with other nearby structures;
- The Project visually respects the topography of the street and hill by "stepping-down" the laterally sloping topography of the Filbert Street steps; and
- The Project will preserve the intimate pedestrian scale and texture of streets and housing by incorporating landscaping, setbacks of at least 8' from the front property line along Filbert Street, and side setbacks along the west side of each of the three new units to provide for views of downtown.

Appellants have provided no contradictory analysis of the Project's design pursuant to these standards.

3. The Project Complies with the City's Residential Design Guidelines.

Appellants claim, without explanation, that the Project is somehow inconsistent with the City's Residential Design Guidelines and will adversely affect a "major postcard'" view of Telegraph Hill.

These claims are directly contradicted by design analysis contained in the Project's approval motion. In fact, the Project has been thoroughly reviewed by the Department's Residential Design Team and has been repeatedly found consistent with key design principals of the Residential Design Guidelines as follows:

i. Ensure that the building's scale is compatible with surrounding buildings;

Despite Appellants' melodramatic description of the Project as a "massive" and "fort-like structure," its height and scale are consistent with buildings throughout the neighborhood.

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In fact, the Project will appear from the street as three separate dwelling units, which each occupy 23' 10" of frontage, consistent with the width of building facades found throughout the neighborhood. This design can be seen in the renderings attached as Exhibit X. The height of the eastern-most portion of the building is consistent with the adjacent three-story-over-garage building at 109/111 Telegraph Hill Boulevard. Further, the buildings are designed to "step down" the street in relation to the naturally sloping topography of telegraph hill. The eastern-most building portion will be 2' 3" shorter than the adjacent building; the middle building portion will be 5'8" shorter than the eastern-most portion, and the building portion to the west will be 9'4" shorter that the height of the middle portion.

ii. Ensure that the building respects the mid-block open space;

The Project will reduce the size of the existing rear-yard cottage on the property by eliminating a portion of the building that was expanded as part of a 1995 Variance approval. This will improve the Property's contribution to mid-block open space.

iii. Maintain light to adjacent properties by providing adequate setbacks;

The Project achieves this standard by stepping back the rear facades of its building portions and incorporating generous side setbacks exceeding Code standards. The eastern-most building portion extends less than 8' deeper than its neighboring building to the east at the lowest two levels, and then transitions to a depth equal to the adjacent building for all subsequent floors. Each building portion to the west then steps back with regard to building depth. In addition, the Project incorporates a 5' side setback along its west property line, for a total separation of 8'4" between buildings. These substantial setbacks effectively maintain light to adjacent properties.

iv. Provide architectural features that enhance the neighborhood's character; and

The Project achieves this standard by providing an attractive modern design that is compatible with the surrounding mix of architectural styles, as clearly depicted in the renderings attached as **Exhibit C**. Specifically, the Project will enhance neighborhood character by providing attractive recessed entry courts, green roof decks featuring sustainable native plants, and extensive landscaping.

v. Choose building materials that provide visual interest and texture to a building.

The Project will be built with high-quality, attractive exterior materials that complement surrounding structures while contributing visual interest and texture the neighborhood, as shown in the Project renderings attached as **Exhibit C**. These materials include a mix of concrete, stucco, weathered steel planters, Corten steel panels, wood screens and panels, frosted glass, and fixed wood louvers on the front façade.

Appellants' bald statements of opinion on this point are directly contradicted by the Planning Department's thorough analysis of the Project's design and determination of consistency with the City's Residential Design Guidelines.

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4. The Project Will Restore the Existing Rear Yard Cottage to Pre-Variance Building Envelope.

As part of the Project, the Sponsor will restore an existing, uninhabited cottage at the rear of the site. The cottage was expanded by approximately 160 square feet as part of a Variance granted in the 1990s. Building permits for the expansion were approved, and the expansion was built. However, no final inspection was obtained.

During the Planning Department's review of the current Project, the Appellant asserted that the Variance was never perfected and was now expired. Accordingly, the Sponsor was required to either revert the existing cottage to its pre-variance envelope, or seek a new variance to complete the expansion. The Sponsor elected to return the cottage to its pre-variance envelope.

Appellants now allege that the cottage must be restored to two units that existed in it in the 1990s or that the Sponsor must seek permission under Section 317 to merge the units. This is ludicrous. There is no second residential unit in the cottage – either in reality or under any legal definition – that is being removed. The "cottage" is an empty, wood-framed shell without kitchens, bathrooms, or, drywall, for that matter. The second unit present there until the early 1990s was never clearly a legal dwelling unit: it was accessed by a ship's ladder and did not meet Building Code standards. In any event, it was removed in the late 1990s when no special entitlement was required for its removal. The DBI and Planning Department have confirmed that there is one legal unit existing within the cottage. No special approval is required to remove a unit that does not exist and which is not legally authorized to exist.

E. Conclusion

The appeals are meritless and should be denied. The Project is an attractive, thoughtfully-designed residential infill development that meets and exceeds the criteria for CU authorization and is consistent with the General Plan and Residential Design Guidelines. Appellants have simply failed to establish the threshold requirements for justifying additional environmental review. Accordingly, we respectfully request that the appeals be denied.

Respectfully,

REUBEN, JUNIUS & ROSE, LLP



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July 8, 2014

Ms. Elizabeth Watty
San Francisco Planning Department
1650 Mission St., 4th Floor
San Francisco, CA 94103

Subject: 115 Telegraph Hill Blvd.

Dear Ms. Watty,

My wife and I live about 200 yards north of the subject site on the same street. We are in receipt of a Telegraph Hill Development Alert which warns of a "massive, luxury condominium project." The bulletin states that "this is not about a particular neighbor's self-interest or views - this is about *public interest*." Fair enough. In that regard, from a public policy and planning perspective, what is the best use for this site? Let's briefly run through some options:

- Commercial – Inconsistent with zoning
- A Park – The site is uniquely unsuited for this use because of its 2:1 slope, customary high winds, and budget constraints at the Open Space Committee. Additionally, there's already a park above it.
- An affordable HUD-subsidized rental project- This site would support maybe 10-12 small units that would only have a remote chance of being financeable if a project-based Section 8 contract were available from HUD, which it isn't. Even then, it would not underwrite well because of the land basis and the fact that there's no economy of scale operationally.
- A Low Income Housing Tax Credit development - A small project on this site would not pass muster with the Low Income Housing Tax Credit Committee, and even if it did, an off-the-charts subsidy from the Mayor's Office of Housing would be required, which is an equally unlikely prospect.
- HUD Section 811 –Developmentally Disabled – This non-profit, only HUD-insured and subsidized program is tailored to small unit size (10-20); however, it would not meet reasonable HUD criteria for accessible social services, let alone neighborhood objection to high frequency visitation traffic.
- A market rate rental– Because of the high land costs and the fact that the project would have tenant incomes too high to qualify for Low Income Housing Tax Credits, or the City's Housing Trust Fund (Prop C) and because there's no economy of scale, this option is fiscally infeasible.

John K. Stewart
285 Telegraph Hill Blvd.
San Francisco, CA 94133
Istewart@Isco.net

- Market Rate Condominiums – This development category is financeable and will generate over $200,000 a year in revenue to the City in tax increment, plus intermittent transfer tax fees. These additional tax increment revenues will go into the General Fund for myriad different budget items including, but not limited to, infrastructure upgrades; the City's Health Department; Rec & Parks; Homeless Shelter maintenance, on and on. This has the substance and feel of public interest. Not parenthetically, the City has an operational deficit of $134M per year which could use some help.

There are some sites that cry out for mixed income; some for affordable and/or market rate rentals. All would have far better economy of scale than this tiny parcel. In this case, the City should capitalize on the highest and best use which the current proposal offers. At 3 units, it's hardly "massive". It is indeed, "luxury" but then its values comport with the surrounding homes ringing Coit Tower. Architecturally, there are elements which thoughtfully mirror the Gardner Dailey design directly next door to the east. It's doubtful that the curb cuts constitute an unsolvable safety problem. It blocks no views. Lastly, lest we forget, it is code compliant and needs no variance.

I concur with the recommendation from some of my fellow Hill dwellers that the developer upgrade and beautify the Filbert steps leading to the site.

It is not in the public's best interest to let this lazy asset remain fallow, as it has for years. Besides, it's a refuse-collecting eyesore.

Sincerely,

John K. Stewart

CC: David Chiu, President of the Board Supervisor, City of S.F.
John Rahaim, Planning Director, City of S.F.
Olson Lee, Director, Mayor's Office of Housing
Anne Halsted
Robert Mittelstadt
Rod Freebairn-Smith
Judy O'Shea
Irene Tibbits
Gussie Stewart
Wells Whitney
Lynda Spence
Janet Crane
Michael O'Shea
Julie Christensen

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July 7, 2014

Ms. Elizabeth Watty
San Francisco Planning Department
1650 Mission Street, 4th Floor
San Francisco, CA 94103

Subject: 115 Telegraph Hill Boulevard.

Dear Ms. Watty:

The purpose of this letter is to convey a message of strong support for the proposed new development at 115 Telegraph Hill Boulevard from the undersigned individuals, all of whom are, or have been, residents of Telegraph Hill; they are also intimately familiar with the site, its history, and immediate environs.

We support the proposed development at 115 Telegraph Hill Boulevard because....

- It will extinguish what has been, for years, an empty and unattractive lot which has served increasingly as a refuse collection point and occasional unauthorized occupancy. It is also a fire-hazard. Many passersby, especially foreign tourists, discard burning cigarettes as they walk by without putting them out.
- The proposal complies with existing planning and zoning regulations and requires no variances.
- The clean modern design and rich surface materials are consistent with the adjacent Gardner Dailey structure to the immediate east and with the eclectic architecture found on many blocks of Telegraph Hill.
- When built out, no neighbor's south-facing cityscape views will be affected. The new buildings will not obstruct views from Pioneer Park or Coit Tower. Furthermore, the applicant and his architect have thoughtfully provided a generous view corridor to the city skyline, from the front to the rear of the property, which never existed when the pre-existing buildings were there.
- There will be little or no shadow effect on neighboring properties.
- Our City desperately needs housing of all types as evidenced by the Mayor's goal of 30,000 new units.
- This site-when improved-will generate tax increment to the City in excess of $200,000 per year thus helping significantly to mitigate the City's $134M annual operating deficit.

Converting this site from an empty, bleak lot to a place with elegantly designed homes generating much needed revenue for the City seems like an obvious choice. After literally decades of stasis, it's time to get on with it.

Gussie Stewart	Anne Halstead	Lynda Spence	Janet Crane
John Stewart	Wells Whitney	Bob Mittelstadt	Rod Freebairn-Smith

DocuSigned by:
Lynda Spence
CF9CC291E4B4480

Judy M. O'SHEA

MICHAEL J. O'SHEA

IRENE LINDBECK

DocuSigned by:
Robert Mittelstadt
10DD7A5FFD57482

DocuSigned by:
Gail Switzer

Judy M. O'SHEA

DocuSigned by:
Robert Mittelstadt
10D7A5FF1J37482

MICHAEL J. O'SHEA

IRENE LINDBECK

DocuSigned by:
Paul Switzer
Paul Switzer

July 8, 2014

Ms. Elizabeth Watty
San Francisco Planning Department
1650 Mission Street, 4th Floor
San Francisco, CA 94103

Subject: **115 Telegraph Hill Blvd.**

Dear Ms. Watty:

I am writing to respond to the "Telegraph Hill Development Alert" from Telegraph Hill Dwellers' Planning & Zoning Committee that was emailed to me yesterday and which urged that their members contact you to complain about the 115 Telegraph Hill Boulevard residential development project. I received this email because I am a member of Telegraph Hill Dwellers ("THD") for about the past twenty years, I am a former Board member of THD for six years, and I have lived two doors from the proposed development for the past twenty years. My family and I completely support the 115 Telegraph Hill Blvd. project, as do many of our immediate neighbors, and I categorically reject the demonizing and erroneous statements in the email sent by THD.

The THD email declares the project will:

1) *"Block the sweeping views of San Francisco enjoyed by Pioneer Park users."* I have seen the views for 20 years, and the proposed project does not block historic views from Coit Tower or the base of the tower.

2) *"Create permanent dangerous conditions for pedestrians coming up the Filbert Steps and Telegraph Hill Blvd. (by creating a new curb cut on the curviest section of Telegraph Hill Blvd. at the very top of the Filbert Steps coming up from Kearny Street)"*. This location has two stop signs on either side (what better way to exit a driveway?)

   There are curb cuts throughout Telegraph Hill Boulevard, and the specific site historically had a curb cut, and furthermore it is not the curviest point of the Boulevard. It's ironic that THD successfully advocated installing a crosswalk and staircase up to Coit Tower at exactly that same spot on the Boulevard in 1997 (including the installations of the two stop signs) but now for some reason considers it a dangerous spot for any traffic.

3) *"Exacerbate traffic congestion for visitors and residents to Coit Tower on Telegraph Hill Blvd. both during and after construction."* This is a four unit project which will not add measurably to traffic congestion on the Hill, and the units will have garages.

4) *"Adversely impact users of the 39 Coit Tower MUNI bus both during and after construction (particularly because the current stop will have to be moved but will still be next to their new driveway)."* I understand that the bus stop will continue as always, and it is an unsubstantiated claim by THD.

5) *"Eliminate access from the Filbert Steps to Coit Tower for up to two years while the project sponsor digs 30 feet for a new parking garage on this highly constrained site".* I am sure there will be some short-term interruptions, but that is true for all construction projects (as my neighbors who have their homes painted or sidewalks repaved) and disturbances can and should be addressed as part of the proposal.

6) *"Reward the current owners for demolishing 11 units of affordable rent-controlled housing and replacing them with three luxury, 4,000 to 5,000 square foot, condos."* This seems a sly comment, as the residences there in 1994-1997ish were un-inhabited and largely uninhabitable. (The larger houses were occasional flop houses.) Also, prospective developer, Jeremy Ricks, did not remove the former houses, although this comment makes it sound as if he did. The current owners, the Coopers, bought and emptied the parcel years ago, and they were blocked from further developments.

7) *"Reward the current owners for their de-facto demolition of the historic cottage on the southern edge of the property."* This is a sly and curious comment. There was a beautiful, historic cottage on the original parcel ("Bill Bailey's cottage") that was moved to another location (the Mission?) by the Coopers by popular request. The existing cottage on the property is uninhabitable, not historic, and an eyesore. I believe it was largely propped up by the Coopers to establish that they were continuing to develop the property, but that was years ago and it remains an eyesore of no significance.

THD is capable of meticulous research, but sly and erroneous claims like the above two claims make me question their motives as well as their means.

I previously wrote your offices on June 2nd (see my letter below) with my support of the 115 Telegraph Hill Boulevard residential project. I reiterate my support.

Thank you,

Greg Chiampou
345 Filbert Street
San Francisco, CA 94133
Tel. 415.845.4479

April 1, 2014

San Francisco Planning Commission
City and County of San Francisco
1650 Mission Street
San Francisco, CA 94103

RE: Support for Conditional Use Application
115 Telegraph Hill Boulevard/363 Filbert Street
Case No.: 2013.1375C

Dear Commissioners,

I have lived at 381 Filbert Street since 1997. My home is immediately next door to the proposed new building at 115 Telegraph Hill Boulevard. I believe the project deserves your support. The property has been largely vacant for nearly twenty years, wrapped with a chain-link and with only the shell of a cottage remaining. The owner has been receptive to my suggestions about the design, which will be both attractive and at an appropriate scale for this location. I look forward to the property being cleaned up and improved.

Thank you.

Sincerely,

Mary K Kew 1 April 2014
Mary Kay Kew
381-383 Filbert Street

July 7, 2014

Ms. Elizabeth Watty
San Francisco Planning Department
1650 Mission Street, 4th Floor
San Francisco, CA 94103

Subject: 115 Telegraph Hill Boulevard.

Dear Ms. Watty:

The purpose of this letter is to counteract some comments made by representatives of the Telegraph Hill Dwellers organization regarding this project. Here are their points, with my counter arguments:

- The project would block sweeping views of San Francisco enjoyed by Pioneer Park visitors – ***In fact, by my own observation (I have pictures) the trees and vegetation on the top and sides of the hill already block all views on that side of Pioneer Park and this project in no way makes that worse.***
- The project would adversely impact users of the 39 Coit Tower MUNI bus both during and after construction. – ***I have been told that there will be absolutely no effect on the bus stop during or after construction, nor to the Filbert steps either below or above the project site.***
- The project would eliminate access from the Filbert steps for up to 2 years and create dangerous conditions nearby. – ***I have been told that there will not be limitations on the access of the Filbert steps at any time.***
- The project would "reward" the current owners for demolishing affordable housing and an historical cottage – ***The demolition of housing on the property occurred many years ago and is not relevant to this project. The cottage which remains is in fact unlivable at present but is not now planned to be demolished during this project.***

Thank you for consideration of these points and corrections to misstatements made by neighborhood opponents to the project. Converting this site from an empty, bleak lot to a place with elegantly designed homes generating much needed revenue for the city still seems like an obvious choice.

Sincerely yours – Wells Whitney

Wells Whitney

1308 Montgomery St.

San Francisco, CA 94133

From:	MARINA GALLI
To:	Watty, Elizabeth (CPC)
Subject:	Support of 115 Telegraph Boulevard
Date:	Sunday, July 06, 2014 5:51:16 PM

July, 6th 2014

Ms. Elizabeth Watty
San Francisco Planning Department
1650 Mission Street - 4th Floor
San Francisco, CA 94103

Subject: Support of proposed development of 115 Telegraph Hill Boulevard

Dear Ms. Watty,

Monty Reedy and I are writing to you to support the proposed development of 115 Telegraph Boulevard. We believe it is high time that this vacant and desolate lot be turned into a home that contributes to the Telegraph Hill community and also beautifies the approach to Coit Tower. As neighbors, we frequently walk up Telegraph Hill Boulevard and past the 115 Telegraph Hill Boulevard lot. We often wish there was a lovely home that was thoughtfully built, instead of a blighted empty lot. It is our understanding that the owners are proposing a well thought out architectural plan that complies with city ordinances. We should work with them to create something in keeping with the neighborhood.

Wouldn't it be better to have a family or couple living in a newly built, well manicured home, where currently there is nothing but dirt and an unsightly chain link fence? The lot is filled with litter because of the wind tunnel effect, caused by no building on the lot.

Think of the jobs the construction and ongoing maintenance will create, the increased tax base, the additional stimulus to the community. The city needs to embrace and welcome residents who want to set up roots here and improve the city.

Further, it would be nice to have the driveway that once existed reinstated. In an emergency, there is no place to turn around until you get all the way to the top of the hill.

We are neighbors, we are taxpayers and we are supporters of the development of this unused parcel, 115 Telegraph Hill Blvd.

Thank you for your consideration.

Kind regards,

Marina Galli, CFA
& Monty Reedy

From: Friea Berg
To: Watty, Elizabeth (CPC)
Subject: I support "luxury condos on Telegraph Hill"
Date: Thursday, July 10, 2014 9:10:39 AM

Hi,

I live in the North Beach/Telegraph Hill neighborhood – don't see why TDH is so upset about the condo development project. Personally I suspect TDH would fight any new project, and leaving that lot vacant and surrounded by a chain link fence is ridiculous.

So ... wanted to voice my support for the project. Looks reasonable enough.

I have no stake in this, don't know any of the involved folks.

-Friea

Friea Berg | Strategic Alliances | friea@splunk.com | Direct 415.852.5820 | Mobile: 415.254.1544 | twitter.com/friea
San Francisco | Cupertino | London | Hong Kong | Washington D.C. | Seattle | Plano | Singapore | Munich | Tokyo

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From: Lauren Haugh
To: Watty, Elizabeth (CPC)
Subject: Supporting the project on 115 Telegraph Hill
Date: Wednesday, July 09, 2014 11:46:15 AM

Dear Ms. Watty,

I would like to express my strong support for the proppsed project at 115 Telegraph Hill. The Filbert steps are one of my favorite places to run. I have lived in the city for over 7 years and I don't think I have seen a bigger eye sore than this vacant lot. I have always wondered why it has remained vacant for so long. Last week I met Jeremy Ricks and his architects who were visiting the spot and looking at plans. I approached them and asked if they were developing the project etc... They showed me the plans and I absolutely love what they are proposing. I think that it will be a great addition to the neighborhood. I asked them if there was anything that I could do to help and they suggested that I write a letter of support, hence this email. I understand that there are no variances to this project and it falls under the height limit.
I would like to show my strong support for this project.

Sincerely,
Lauren Haugh
650-996-1090
S.F Resident

June 8, 2014

Ms. Elizabeth Watty
San Francisco Planning Department
1650 Mission Street, 4th Floor
San Francisco, CA 94103

Subject: 115 Telegraph Hill Blvd.

Dear Ms. Watty:

As immediate neighbors to the proposed project, we would like to express our support for the new development by Jeremy Ricks' group at 115 Telegraph Hill Blvd. We have lived three homes away from the site for the past fifteen years, we have reviewed Mr. Rick's proposed plans as of May 2014, and we have long appreciated the site, its history, and the immediate environs.

We support the proposed development at 115 Telegraph Hill Blvd. for several reasons:

- The proposed building plan:
  - Has clean lines, open courtyards, and modern elements that contribute to the neighborhood's architecture.
  - Does not block views from Pioneer Park's rear lawn area or Coit Tower.
  - Does not block any neighbors' south facing views, and has little or no shadow impact on neighboring residences.
- Now an empty lot, the proposed building site offers an opportunity to:
  - Add residential units and tax-payers to both the neighborhood and the city.
  - See new residents be motivated to maintain the heavily tourist-trafficked Filbert stairs area in front, including keeping the area clean, graffiti-free, and planted.

We remember the former buildings on this site. After a long period of abandonment, we are glad to see this proposed plan for 115 Telegraph Hill Blvd.

Sincerely,

Greg Chiampou
345 Filbert Street
San Francisco, CA 94133

From:	Regan Anderlini
To:	Watty, Elizabeth (CPC)
Subject:	115 Telegraph Hill Boulevard Townhouses
Date:	Tuesday, July 08, 2014 9:20:39 PM

Ms. Watty,

I am a resident of the Telegraph Hill neighborhood in San Francisco and I am writing in support of the proposed development at 115 Telegraph Hill Blvd. Recently there has been some heated discourse on our neighborhood email list, and I fell it is important that I let you know that my husband and I both support the idea of replacing the unsightly vacant lot that now exists with a tastefully conceived development. I have read the document sent to the list by Jeremy Ricks of Telegraph Hill Housing, LLC and support the ideas presented in his communication.

Thank you for your consideration,

Regan Anderlini
300 Filbert St

From: Vincent scholl
To: Watty, Elizabeth (CPC)
Subject: 115 Telegraph Hill Support
Date: Wednesday, July 09, 2014 11:11:01 AM

Ms. Watty

I am writing to support the proposed project of 115 Telegraph Hill. I often run the Filbert steps with my girlfriend (Lauren Haugh, who I think is also writing a letter of support). We met with the project sponsor and his team of architects at the site and reviewed their plans. I feel that what they are proposing is both reasonable and quite spectacular and would be a VERY welcomed addition to the neighborhood. I strongly support the project.

Best

Vince Scholl

From: Lois Chess
To: Watty, Elizabeth (CPC)
Subject: SUPPORT for 115 Telegraph Hill Development
Date: Tuesday, July 08, 2014 4:15:10 PM

Just so you know, not everyone is against developing this site. It has been empty way too long. Good luck. I hope if passes.

Lois Chess
415-385-7505

From: Marcy Albert
To: Watty, Elizabeth (CPC)
Subject: SUPPORT FOR 115 Telegraph Hill Boulevard (Case No. 2013.1375CE
Date: Wednesday, July 09, 2014 12:01:42 PM

I have read both the supporting and opposing sides of this development and it looks to me to be a perfectly delightful development. I encourage you to support it.

Marcy Albert
101 Lombard St #304W
San Francisco, CA 94111
415-627-6900

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From: david.taylor10@comcast.net
To: Watty, Elizabeth (CPC)
Subject: 115 Telegraph Hill
Date: Wednesday, July 09, 2014 11:14:15 AM

Hi Elizabeth,

I support the project at 115 Telegraph Hill as shown and am looking forward to getting rid of that eyesore lot.

Thank you,

David Taylor
1460 Montgomery Street
650 339 1476

From: Dana Rivera
To: Watty, Elizabeth (CPC)
Subject: Supporting project at 115 Telegraph Hill
Date: Wednesday, July 09, 2014 12:37:55 PM

Hi Elizabeth,

I am writing in support of the proposed project at 115 Telegraph Hill. As a neighbor at 279 Filbert Street, I believe the project will fit into the character of the neighborhood and will fill a current void.

I have reviewed the details of Jeremy's proposal with him and because the project is below the zoned height limit and requires no variances, I urge the Planning Commission to support this project.

Thank you for your consideration.

Best,
Dana Rivera

From:	Cal J.
To:	Watty, Elizabeth (CPC)
Subject:	Support for proposal of 115 Telegraph Hill
Date:	Wednesday, July 09, 2014 10:55:02 AM

Ms. Watty,

I own a TIC close to Telegraph Hill and often visit the Coit Tower area. Just last month I took some relatives that were visiting from out of town. We walked up the Filbert St stairs and one of them commented how ugly the vacant lot that sits on 115 Telegraph Hill was. When I spoke to Jeremy Ricks about his project I discovered that this lot has been vacant for over 15 years. I don't understand why/how one of the most beautiful and important streets in all of SF could have such a thing. I have reviewed the plans that Jeremy and his architects have proposed and I think that they would be an absolutely wonderful addition to the neighborhood. The proposed homes have a nice modern feel but also keep with the consistency of the neighborhood.

This letter is in STRONG support of the proposed 115 Telegraph Hill project. I urge the planning commission to pass the project as is.

Thank you,
Calvin Chan

June 10, 2014

Ms. Elizabeth Watty
San Francisco Planning Department
1650 Mission Street, 4th Floor
San Francisco, CA 94103

Subject: 115 Telegraph Hill Blvd.

Dear Ms. Watty:

As immediate neighbors to the proposed project, I would like to express support for the new development by Jeremy Ricks' group at 115 Telegraph Hill Blvd. I have lived three homes away from the site for the past fifteen years, and have reviewed Mr. Rick's proposed plans as of May 2014.

I support the proposed development at 115 Telegraph Hill Blvd. for several reasons, but the main reason is that the current empty lot is a MAJOR EYESORE that has essentially become a big garbage dump. It is sad to see such a beautiful location littered with trash and graffiti.

The proposed building plan is thoughtful, and I appreciate the clean lines and modern elements that would complement the neighborhood's architecture. From my review of the plan, I do not see any impact on views from Pioneer Park's rear lawn area or Coit Tower, block any neighbors' south facing views, and has little or no shadow impact on neighboring residences.
The project would also bring tax dollars and jobs to our city/neighborhood.

I welcome the proposed project and appreciate that Mr Ricks has worked with the neighbors to create residences that would be an asset to Telegraph Hill.

Sincerely,

Jennifer Mattson Chiampou
345 Filbert Street
San Francisco, CA 94133

From:	Janet Crane
To:	Watty, Elizabeth (CPC)
Cc:	Silcox, Louis; Rod Freebairn-Smith
Subject:	115 Telegraph Hill Boulevard
Date:	Tuesday, July 08, 2014 5:01:09 PM

Dear Ms. Watty:

I am a 40 year resident of Telegraph Hill and wish to support the right of the property owner to build homes on this lot.

I understand that the project does not require any variances and has received design approval from the Planning Department. This is a logical site for luxury homes.

It is reasonable to discuss with the property owner how the most difficult impacts of construction will be mitigated for the neighbors and that the Filbert Steps should be brought into good condition at that property line. Those discussions should occur with any significant construction site in a congested area. However, the project should not be attacked because it is not a park.

I am adding my name to the other letters of support that have been sent by our neighbors.

Best regards,
Janet

Janet Crane
Freebairn-Smith & Crane
Planning, Urban Design, Architecture
442 Post Street
San Francisco CA 94102
415 398 4094
jcrane@f-sc.com

From:	Alexis Donoghoe
To:	Watty, Elizabeth (CPC)
Subject:	115 Telegraph Hill - Vote of Approval
Date:	Wednesday, July 09, 2014 2:16:36 PM

To whom it may concern:

I live in North Beach (529 Filbert St.) right near 115 Telegraph Hill. I walk to work up and over Telegraph Hill and pass by this empty lot everyday, so I am familiar with this proposal. I have reviewed the details of Jeremy's proposal with him and I think the project will be a welcomed addition to the neighborhood. I strongly support the project and urge the planning commission too as well, especially as it is below the height limit and requires no variances.

Fellow Neighbor,

Alexis Donoghoe

John Fitzgerald
381 Filbert Street
San Francisco, CA 94133
(415) 397-6630 / groundfitz@yahoo.com

Attention: City of San Francisco Planning Department

I am John Fitzgerald. I reside at 381 Filbert, the garden apartment below 383 Filbert. I have lived here for seventeen years.

Telegraph Hill is a wonderful place to live! The views are fantastic and I especially appreciate that every day of the year people from all over the world are climbing the Filbert steps on their way up to, and down from, Coit Tower.

I have met with Jeremy Ricks and seen his plans for developing the properties next door. I look forward to having neighbors, instead of the empty, often trashed and blighted lots that have been next door for many years. Indeed, I think Mr. Ricks' residences will be a welcome addition to the neighborhood.

I trust that you will give his proposal a fair hearing.

Sincerely,

John J. Fitzgerald

From: Dustin Haytema
To: Watty, Elizabeth (CPC)
Subject: Support for proposed Telegraph Hill Property
Date: Wednesday, July 09, 2014 11:10:31 AM

Dear Ms. Watty,

I have been renting an apartment near North Beach for over two years and walk near Coit Tower everyday on my way to work. Before even speaking to Mr. Ricks about the proposed project, I have commented on the vacant lot with many neighbors and tourists over the past year. It has been a huge eye sore for all local residents and tourists alike and sometimes even frequents vagrants at night.

I recently sat down with Mr. Ricks to discuss the building project and the proposed plans for 115 Telegraph Hill and am strongly in support of its development. Based on my experience, the project clearly falls under the height limit and there are clearly no proposed variances, thus making this project a perfect fit for that lot. This beautifully designed building will only add to the neighborhood as a whole.

I look forward to supporting this project through to completion.

Please contact me with any questions.

Best,
Dustin Haytema

From:	brad hedrick
To:	Watty, Elizabeth (CPC)
Subject:	Fwd: support for 115 Telegraph Hill
Date:	Wednesday, July 09, 2014 12:38:01 PM
Attachments:	Plans Final reduced.pdf

Elizabeth,

I hope this note finds you well. I have lived in North Beach for many years now and know Jeremy Ricks from HS. Jeremy has brought me up to speed on the details of his proposal of the 115 Telegraph Hill Project, which seems like a great idea considering the lot he is pursuing has been vacant for so long. I foresee the project being a welcomed addition to the neighborhood. Per the plans, it looks the structure is below the height limit, and would not requires any major variances if any. Just thought i would shoot over a note to mention my firm support of the project and urge the planning commission too as well.

Always happy to chat.

brad hedrick
4154979844
520 chestnut St no 104
SF CA.

From:	peter iskandar
To:	Watty, Elizabeth (CPC)
Cc:	pi_iskandar@yahoo.com
Subject:	115 Telegraph Hill Project Support
Date:	Wednesday, July 09, 2014 4:54:46 PM

Hi Elizabeth,

I live nearby and am a property owner at 1835 Grant Ave. I recently reviewed the plans for Jeremy's project at 115 Telegraph Hill and I think this project will be a nice addition to the neighborhood. As far as I can tell the project will add desired property value to the surrounding area, will clean up an underused vacant lot, and does not exceed any size limits or require any variances.

I support the project and urge the planning commission to do so as well.

Sincerely,

Peter Iskandar
1835 Grant Ave.

From: shane
To: Watty, Elizabeth (CPC)
Subject: Support for 115 Telegraph Hill
Date: Wednesday, July 09, 2014 11:19:12 AM

Dear Ms. Watty,

My wife and I have lived in North Beach for over 3 years. We often visit Coit Tower, especially when we have out of town visitors.
For some time I have thought that this unpleasant vacant plot of land should be developed as it would add MUCH beauty to the area.
I have met with Jeremy Ricks and reviewed his plans and think that what he is proposing, in its CURRENT state, would be an absolutely fantastic addition to the neighborhood. I strongly believe that this project should be approved and ask the commission to vote yes on this project.

Thanks,
Shane Kennedy

From:	Dana Kueffner
To:	Watty, Elizabeth (CPC)
Cc:	PMHeinemann@aol.com
Subject:	Re: 115 Telegraph Hill Boulevard - Planning Case No. 2013.1375C
Date:	Tuesday, July 08, 2014 8:51:50 PM

Dear Ms. Watty, President Wu and Commissioners:

Let me apologize in advance for the informal nature of this correspondence.

My husband, Peter Heinemann, and I are wanting to go on record as strong supporters of the above referenced project.
Peter and I have lived on Telegraph Hill for the past 30 years. Our home is located at 335 Greenwich Street, approximately 6 parcels north/east of 115 Telegraph Hill Blvd.

We believe that the project has been very thoughtfully designed. The owner and their architects have listened to and addressed a wide variety of community concerns and issues. They should be commended for all their efforts.

Please add our names to the list of supporters of this plan.
Thank you for your kind attention.

Sincerely,

Dana L. Kueffner and Peter M. Heinemann
335 Greenwich Street
San Francisco, CA. 94133

From: dennis leary
To: Watty, Elizabeth (CPC)
Date: Wednesday, July 09, 2014 5:36:56 PM

Hey Elizabeth, my name is Dennis Leary; I live at 80 Alta St on Telegraph Hill. I am writing to express my support for the proposed development at 115 Telegraph Hill Blvd. I think the project would be an improvement over the vacant lot that now exists; I also do not think the proposed construction would disrupt the neighborhood in any manner. I have lived on the Hill for 9 years, and am well familiar with the politics up here. I hope the fear-mongers do not sabotage yet another attempt to better the neighborhood. If you need to talk to me further about this matter, please do not hesitate to contact me. Thanks very much.

From: Jady Manibusan
To: Watty, Elizabeth (CPC)
Subject: 115 Telegraph Hill
Date: Wednesday, July 09, 2014 10:58:23 AM

Dear Ms. Watty,

I live at 34 Jasper Place and am writing this email in strong support of the proposed project on 115 Telegraph Hill. The land has been an eye sore to the neighborhood and the city as a whole as hundreds of tourists view this vacant lot every everyday as they drive up to Coit Tower. I have met with Jeremy Ricks and reviewed his plans for the new structure and believe that it will be a welcomed addition to the neighborhood and I think that planning should strongly support the project in its current form. I am aware that the project is below the height limit and does not require any variances so I see no reason why the commission should not support it.

Many Thanks
Jady Manibusan

From:	McCandless, Michael
To:	Watty, Elizabeth (CPC)
Subject:	Support for 115 Telegraph Hill
Date:	Wednesday, July 09, 2014 1:07:21 PM

Hi Sally,

I have reviewed the details of Jeremy's proposal for 115 Telegraph Hill and I think the project will be a welcomed addition to our neighborhood. Given that it's well below the height limit and requires no variances I strongly support the project and urge the planning commission too as well.

All the best,

Michael

Michael McCandless
289 Chestnut Street
San Francisco, CA 94133
415-699-8324

From: Bill Ricks
To: Watty, Elizabeth (CPC)
Subject: Support for development of 115 Telegraph Hill Blvd
Date: Tuesday, July 08, 2014 4:17:20 PM

> Dear Liz,
>
> I am writing you to display my strong support for the proposed development at 115 Telegraph Hill Blvd. I am a long-time resident of the Bay Area, and long-time admirer of Coit Tower and Telegraph Hill. I am an owner of 339 and 341 Filbert Street.
>
> I have met several times with the owner and the architect of the proposed development of this property. I feel that their proposal for 3 homes on this property is very appropriate for this location. I have long marveled that an unsightly property surrounded by a chain-link fence was allowed to exist in this iconic location. The proposed 3 stylish homes on this site would add a great deal of value and beauty to the neighborhood.
>
> Please feel free to contact me if you have any questions or comments.
>
> Regards,
>
> Bill Ricks
> 925-890-3933

From: Silcox, Louis
To: Watty, Elizabeth (CPC)
Subject: 115 Telegraph Hill Boulevard, aka 363 Filbert Street
Date: Tuesday, July 08, 2014 1:32:14 PM
Importance: High

Dear Ms. Watty,

I am the real estate agent who is involved in the sale of this property. I am also a long-time resident and property owner on Telegraph Hill, having lived here since the 1980's. My home is just six doors away from the parcel that has long been vacant, an eye-sore, a place for homeless to camp and a fire-hazard also, in my opinion. I will be writing a formal letter to you later today and emailing it to you. I just sent you an email from several other neighbors who currently live nearby, with the exception on one couple, who have now moved to another part of the city. Among those who signed that letter are a number of civic and charitable organization leaders, two architects and a couple who live in a Gardner Dailey designed residence a few doors away on Telegraph Hill Boulevard. There are also two architects who have signed. Having studied architecture at U.C. Berkeley myself, I have a tremendous appreciation for good architectural design.

While I may be involved in marketing and selling the finished product, my main interest in seeing this property developed is as a neighbor.

Sincerely and with kind regards,

Louis

Louis J. Silcox, Jr.
Senior Marketing Consultant
Sotheby's International Realty
117 Greenwich Street
San Francisco, CA 94111
415 296-2229 Direct
415 297-2277 Cellular
415 901-1701 Facsimile
www.SFEstates.com
BRE License # 00949191

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July 8, 2014

Ms. Elizabeth Watty
San Francisco Planning Department
1650 Mission Street, 4th Floor
San Francisco, CA 94103

Re: 115 Telegraph Hill Boulevard (3 *Proposed Townhouses + remodel of an existing Cottage*)
Planning Case No. 2013.1375C
Hearing Date: July 17, 2014

Dear Ms. Watty, President Wu and Commissioners:

I have been a resident on Telegraph Hill since 1976 and love it dearly. In my early years there I was a renter while I studied architecture at U.C. Berkeley and have always considered myself fortunate indeed to call "The Hill" my home. Since then I was able to purchase my own home on the hill and I treasure it dearly. There is nowhere else in San Francisco that I would prefer to live.

I have also been a successful real estate agent in San Francisco since 1987 and I specialize in Telegraph Hill properties. Over the years I have learned that there are few homes in our neighborhood that are larger than two bedrooms, while there is a significant demand for such homes.

I support this project of 3-4 bedroom homes plus the remodeling of the existing cottage because good housing is needed everywhere in our city and family sized homes are very much needed on Telegraph Hill. I believe that a neighborhood that is rich in its eclecticism must by definition include family homes and homes that can also serve handicapped or very elderly persons as well as able bodied ones who can walk quickly up a hill with two full bags of groceries and their brimming briefcases. I can still remember being able to do that myself. The three townhouses that are proposed can serve any of these individuals as a proper and wonderful place to call home.

The project has already passed design review and does not seek any variances. Contrary to what some claim, it does not impact the public views from either Pioneer Park or Coit Tower. I live next to Coit Tower and walk this area regularly, so I can attest to that fact. Additionally, there was a driveway and curb cut previously, as evidenced by photographs that have already been provided to you. The sidewalk and curb were expanded out several years ago by the city when an additional stairway to Coit Tower on the South slope was created. A few people claim that this driveway cut never existed, which is a false statement. I do believe that there are a few individuals who oppose this project that do, in fact, have a personal vendetta against the sellers/current owners of this property and would rather it remain abandoned than have them benefit ever, in any way, from the sale of the property. Unfortunately, these few people have the ears of many uninformed residents on the hill and I imagine that their specious claims have generated dozens or even more letters to you in opposition of this handsome project.

Mr. Ricks and his architect, Lewis Butler have made several concessions and accommodations to the neighbors requests and demands, some very costly, including dramatically reducing the overall mass of the structure, particularly at the rear, a very costly reconfiguration of the garage structure, reducing the height of a major portion of the structure, volunteering to create a view corridor for pedestrians, that

was never there when the previous structures were there. I remember those derelict structures well. They were actually deemed unsound by the city before a permit was issued by the city to demolish them.

I have over the course of the past several years witnessed break-ins onto the property and into the cottage, people dumping garbage there, people constantly loitering there smoking marijuana and drinking alcohol at all hours and lots of graffiti as well. Even though the owners cut back the weeds, it remains a severe fire-danger in my opinion. I often see passersby, some of them tourists, who may not know any better, flick lit cigarettes aside with them sometimes landing in the weeds. A severe fire-hazard, if there ever was one!

This project will provide a great deal of revenue for our city, new homes for four families, possibly even multi-generational families, many construction jobs, many service jobs such as landscapers & gardeners, decorators, house-cleaners, window washers and other maintenance personnel. Beyond that, it will extinguish a fire-hazard and what has long been an attractive nuisance and will most certainly improve overall safety and quality of life for its immediate and nearby neighbors. The neighbor, who in my view has the most potential to be impacted by this construction, Mary Kay Kew, wholeheartedly supports this project.

In closing, I and many of my well informed neighbors support this project and look forward to the day when there are beautiful homes ready to welcome all sorts of new neighbors and friends.

Sincerely and with kind regards,

Louis J. Silcox, Jr.
337 Greenwich Street
San Francisco, CA 94133
415 788-2008

From:	Chris Stockton
To:	Watty, Elizabeth (CPC)
Subject:	Condominium Project at 115 Telegraph Hill Boulevard
Date:	Sunday, July 06, 2014 9:13:38 AM

Case 3013.1375

As a long standing member of Telegraph Hill Dwellers and as a resident of Telegraph Hill, on Chestnut Street, please be advised that I do not oppose the development of the property at 115 Telegraph Hill Boulevard for condominiums as long as the building does not exceed the usual 40' height limit and provides for the usual rear yard open space.

Chris Stockton,
Architect, retired

May 5, 2014

SF Planning Commission
1660 Mission Street, First Floor
San Francisco, CA 94103-2479

Re: Proposed Project @115 Telegraph Hill

Dear Planning Commission Members:

I have been a homeowner in San Francisco for more than a decade. Last year, I purchased a home in the Telegraph Hill neighborhood.

Recently, I had the opportunity to review the preliminary plans for a proposed project at 115 Telegraph Hill. I believe this proposal would be a welcome addition to our neighborhood providing an attractive multi-family structure on what is now a poorly maintained, vacant lot.

While I understand that you must take into consideration a variety of issues in your decision-making process, this appears to be a well-thought out proposal from a reputable, local firm. Most importantly, the overall plan would fit nicely into our existing neighborhood.

As a homeowner who lives close by and has an interest in the future of our neighborhood and San Francisco as a whole, I enthusiastically support the proposed plans. Thank you for your consideration.

Sincerely,

Olivia Ware
112 Alta Street
San Francisco, CA 94133
(650) 868-7955
ocware@gmail.com

From:	Andrea Winograd
To:	Watty, Elizabeth (CPC)
Subject:	115 Telegraph Hill
Date:	Wednesday, July 09, 2014 4:07:56 PM

Ms. Watty

My name is Andrea Winograd and I live at 1437 Hyde Street, and I have reviewed the details of Jeremy's proposal on 115 Telegraph Hill with him and I think the project will be a welcomed addition to the neighborhood. The project is below the height limit and requires no variances so I strongly support the project and urge the planning commission too as well. The vacant lot has been there for way too long and this is the perfect project for the property.

Please share my email of support with the planning commission and respective supervisors.

Thank you!

Andrea Winograd

From:	Justin Yonker
To:	Watty, Elizabeth (CPC)
Subject:	Fwd: Support for Proposed Project at 115 Telegraph Hill
Date:	Wednesday, July 09, 2014 4:39:24 PM

SF Planning Dept.

To Whom It May Concern,

I am a nearby neighbor and owner of my residence at 527 Union Street. I have reviewed the plans for Jeremy's project at 115 Telegraph Hill and I think the project will be a welcomed addition to our neighborhood. The project appears to be below the height limit, does not appear to require any variances, does not appear to have any negative effect on the neighborhood, and adds value to all nearby properties. Therefore I support the project and urge the planning commission to do so as well.

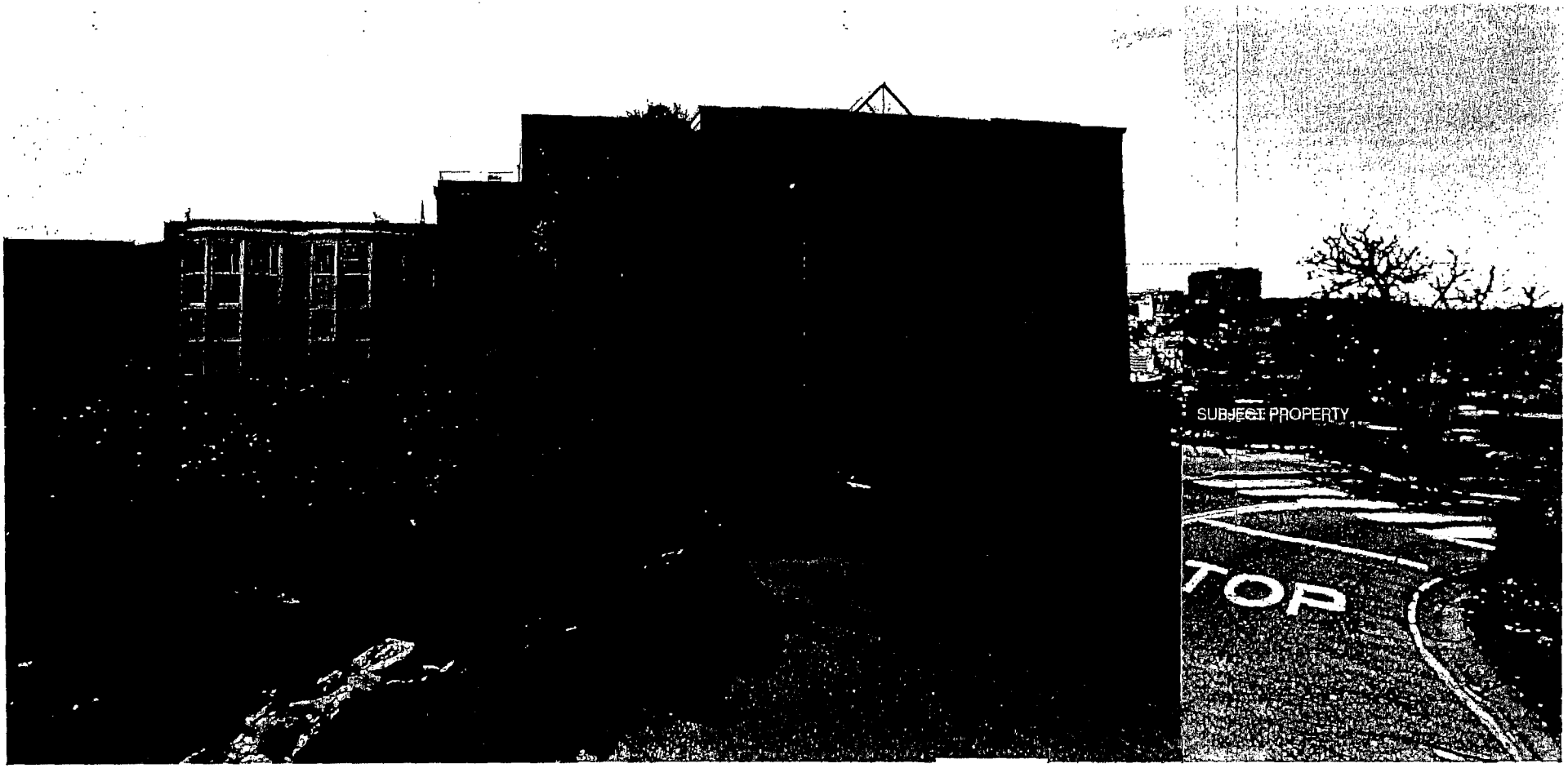
Sincerely,

Justin Yonker

Master Builders
C: 415-806-4676
O: 415-567-8886

justin@masterbuilderssf.com
www.masterbuilderssf.com

Please consider the environment before printing this e-mail

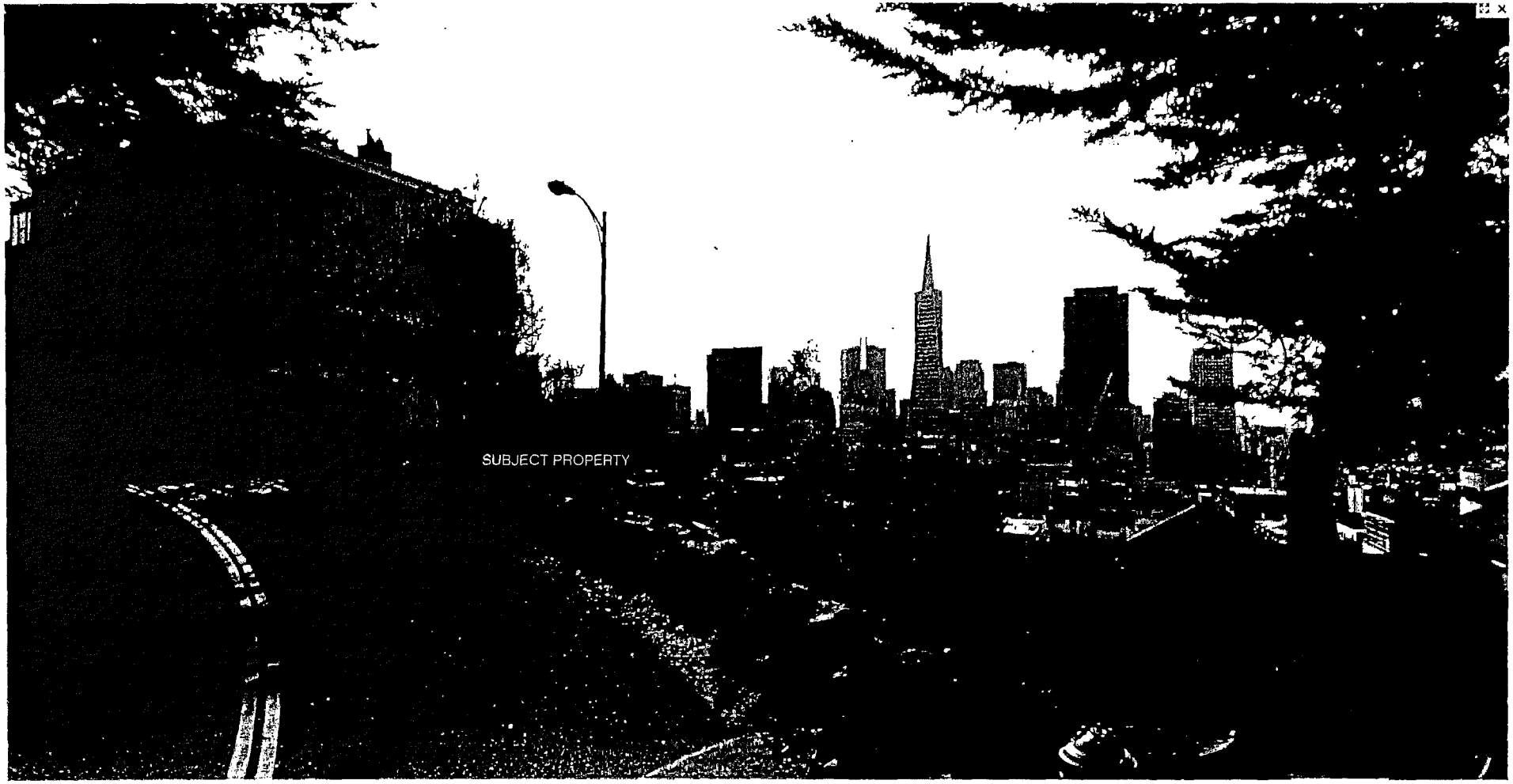


BLOCKFACE EAST OF SUBJECT PROPERTY

2695

115 TELG. , HILL BLVD., SAN FRANCISCO, CA 94133

BUTLER ARMSDEN
CHITECTS



BLOCKFACE WEST OF SUBJECT PROPERTY

2696

115 TELGRAPH HILL BLVD., SAN FRANCISCO, CA 94133

BUTLER ARMSDEN
ARCHITECTS



BLOCKFACE OPPOSITE FROM SUBJECT PROPERTY

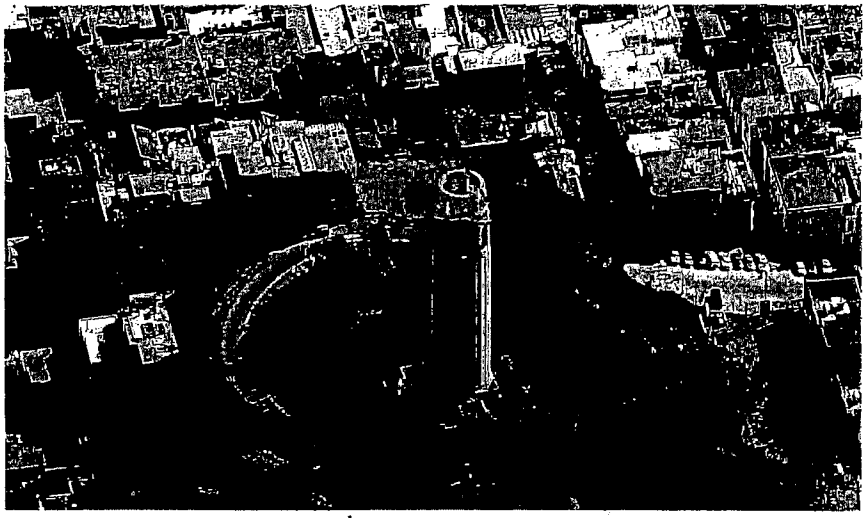
2697



AERIAL VIEW NORTH



AERIAL VIEW EAST



AERIAL VIEW SOUTH

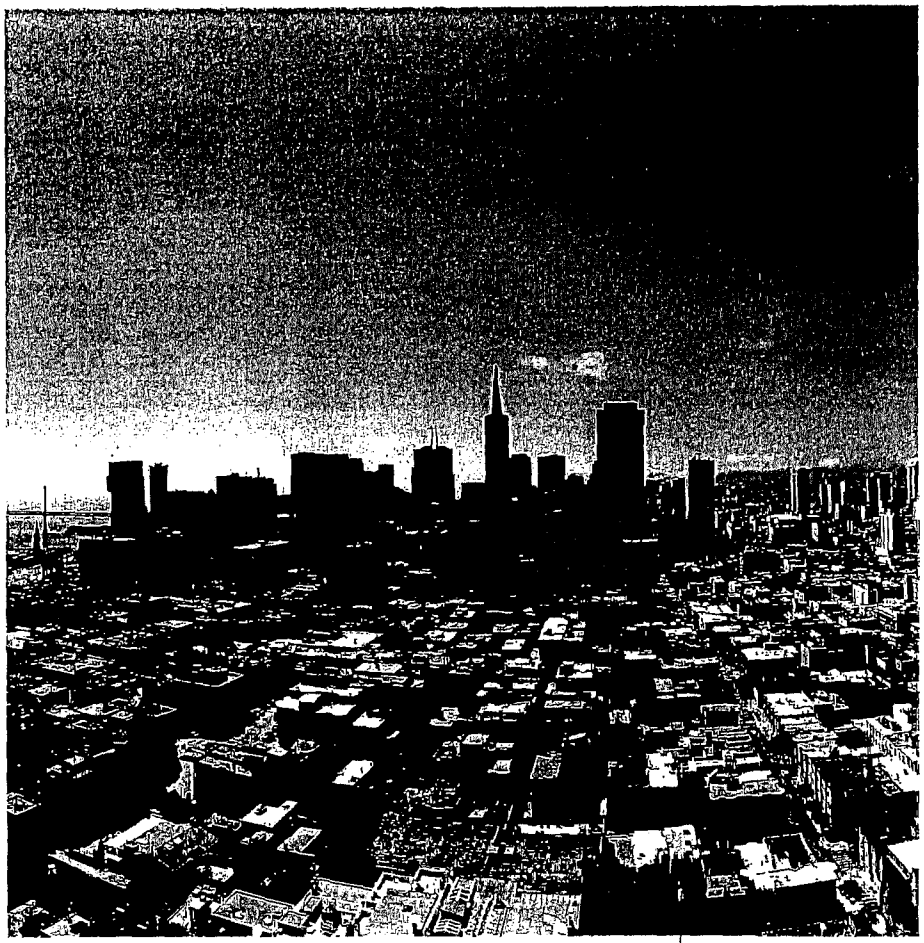


AERIAL VIEW WEST

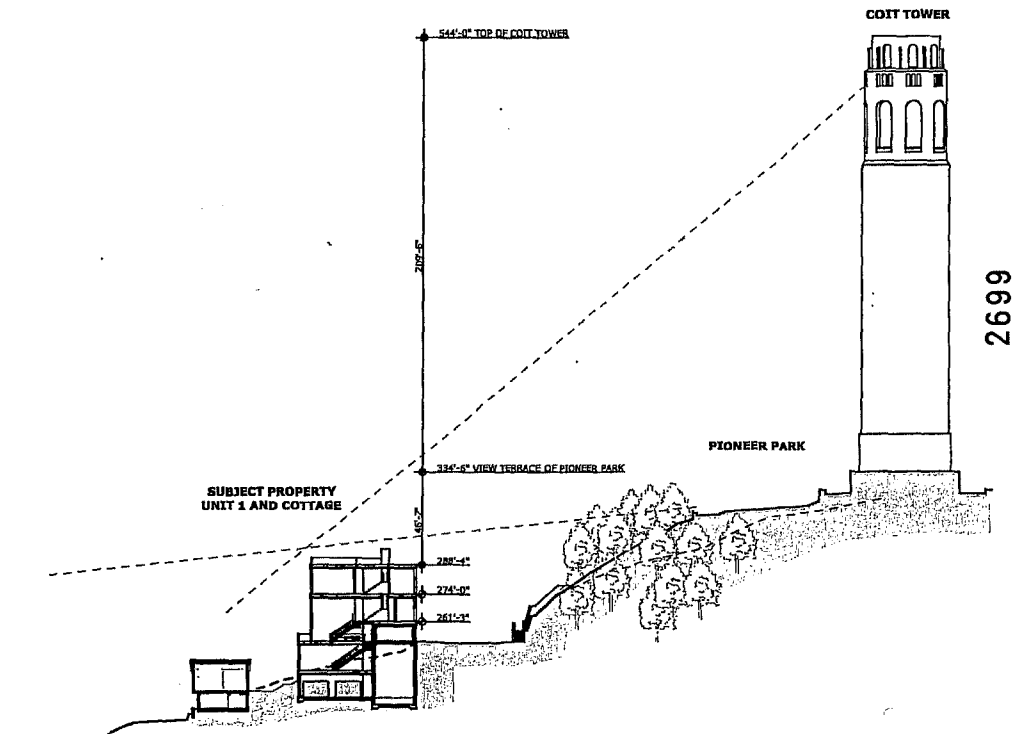
2698

115 TELGRAPH HILL BLVD., SAN FRANCISCO, CA 94133

BUTLER ARMSDEN ARCHITECTS



VIEW FROM COIT TOWER
(TREE COVER TOO DENSE FROM PIONEER PARK)



OUTLINE OF PROPOSAL SHOWN

2699

115 TELG[illegible] HILL BLVD., SAN FRANCISCO, CA 94133

BUTLER ARMSDEN
ARCHITECTS

ABBREVIATIONS

&	AND
∠	ANGLE
@	AT
℄	CENTERLINE
Ø	DIAMETER
#	NUMBER
(D)	DEMOLISH
(E)	EXISTING
(N)	NEW
(R)	REMOVE
A.B.	ANCHOR BOLT
ABV.	ABOVE
ADJ.	ADJACENT
A.F.F.	ABOVE FINISHED FLOOR
AGGR.	AGGREGATE
ALN.	ALIGN
ALUM.	ALUMINUM
APPROX.	APPROXIMATE
ARCH.	ARCHITECUTRAL
AV.	AUDIO VISUAL
BD.	BOARD
BLDG.	BUILDING
BLK.	BLOCK
BLKG.	BLOCKING
BM.	BEAM
B.O.	BOTTOM OF
B.U.R.	BUILT UP ROOFING
B/W	BETWEEN
CAB.	CABINET
CEM.	CEMENT
CER.	CERAMIC
CLG.	CEILING
CLKG.	CAULKING
CLR.	CLEAR
C.M.U.	CONC. MASONRY UNIT
C.O.	CENTER OF
COL.	COLUMN
CONC.	CONCRETE
CONT.	CONTINUOUS
DBL.	DOUBLE
DTL.	DETAIL
DIA.	DIAMETER
DIM.	DIMENSION
DN	DOWN
DR.	DOOR
DS.	DOWNSPOUT
DWG.	DRAWING
DWR.	DRAWER
E.	EAST
EA.	EACH
ELEC.	ELECTRICAL
ELEV.	ELEVATION
ENCL.	ENCLOSURE
EQ.	EQUAL
EQUIP.	EQUIPMENT
EXT.	EXTERIOR
F.D.	FLOOR DRAIN
F.F. & E.	FURNITURE, FIXTURES & EQUIP.
F.F.	FINISH FLOOR
FIN.	FINISH
FLR.	FLOOR
FLUOR.	FLUORESCENT
FIXT.	FIXTURE
F.O.	FACE OF
F.O.C.	FACE OF CONCRETE
F.O.F.	FACE OF FINISH
F.O.S.	FACE OF STUD
FNDN.	FOUNDATION
FT.	FOOT OR FEET
FTG.	FOOTING
FURR.	FURRING
GALV.	GALVANIZED
GA.	GAGE
G.F.I.C.	GROUND FAULT INTERCEPTOR CIRCUIT
GL.	GLASS
GR.	GRADE
GRND.	GROUND
GSM.	GALVANIZED SHEET METAL
GYP.	GYPSUM
H.B.	HOSE BIB
H.C.	HOLLOW CORE
HDWD.	HARDWOOD
HDWR.	HARDWARE
HT.	HEIGHT
HORIZ.	HORIZONTAL
HR.	HOUR
INSUL.	INSULATION
INT.	INTERIOR
LAM.	LAMINATE
LAV.	LAVATORY
L.O.	LINE OF
LT.	LIGHT
MAX.	MAXIMUM
MED. CAB.	MEDICINE CABINET
MECH.	MECHANICAL
MEMB.	MEMBRANE
MTL.	METAL
MTD.	MOUNTED
MFR.	MANUFACTURER
MIN.	MINIMUM
MIR.	MIRROR
MISC.	MISCELLANEOUS
N.	NORTH
N.I.C.	NOT IN CONTRACT
NO.	NUMBER
NOM.	NOMINAL
N.T.S.	NOT TO SCALE
O/	OVER
O.A.	OVERALL
OBS.	OBSCURE
O.C.	ON CENTER
O.D.	OUTSIDE DIAMETER
OPNG.	OPENING
OPP.	OPPOSITE
P.G.	PAINT GRADE
PL.	PLATE
PLAM.	PLASTIC LAMINATE
PLYWD.	PLYWOOD
PR.	PAIR
PROP.LN.	PROPERTY LINE
P.T.	PRESSURE TREATED
R.	RISER
RAD.	RADIUS
R.D.	ROOF DRAIN
RDWD.	REDWOOD
REF.	REFERENCE
REFR.	REFRIGERATOR
REINF.	REINFORCED
REQ.	REQUIRED
RESIL.	RESILIENT
R.L.	RAIN LEADER
RM.	ROOM
R.O.	ROUGH OPENING
S.	SOUTH
S.C.	SOLID CORE
SCHED.	SCHEDULE
SD	SMOKE DETECTOR
SECT.	SECTION
SHR.	SHOWER
SHT.	SHEET
SIM.	SIMILAR
SL.	SLOPE
S.L.D.	SEE LANDSCAPE DRAWINGS
SPEC.	SPECIFICATION
SQ.	SQUARE
S.S.D.	SEE STRUCTURAL DRAWINGS
S.S.	STAINLESS STEEL
STD.	STANDARD
STL.	STEEL
STOR.	STORAGE
STRUC.	STRUCTURAL
SYM.	SYMMETRICAL
T.	TREAD
T.B.	TOWEL BAR
TEL.	TELEPHONE
T.&G.	TONGUE AND GROVE
THK.	THICK
TMPR.	TEMPERED
T.O.	TOP OF
T.O.P.	TOP OF PAVEMENT
T.O.W.	TOP OF WALL
T.S.	TUBULAR STEEL
T.V.	TELEVISION
TYP.	TYPICAL
U.O.N.	UNLESS OTHERWISE NOTED
V.C.T.	VINYL COMPOSITION TILE
VERT.	VERTICAL
V.I.F.	VERIFY IN FIELD
W.	WEST
W/	WITH
WD.	WOOD
W/O	WITHOUT
W.P.	WATERPROOFING
WT.	WEIGHT

SYMBOLS

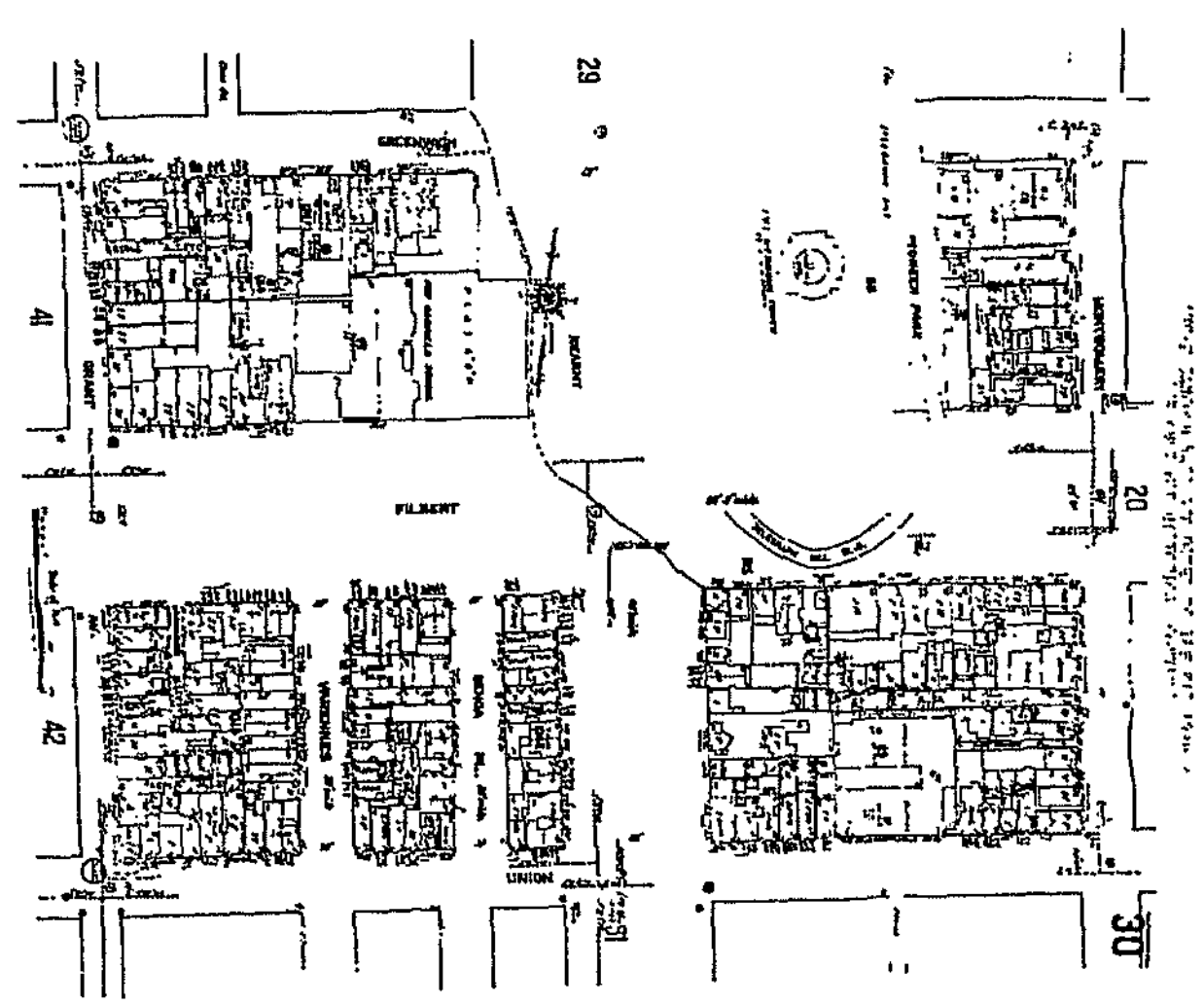
- DRAWING/DETAIL REFERENCE TAG — DRAWING OR DETAIL — SHEET WHERE DRAWING/DETAIL OCCURS
- SECTION REFERENCE TAG — BUILDING SECTION — SHEET WHERE SECTION OCCURS
- INTERIOR ELEVATION REFERENCE TAG — INTERIOR ELEVATION — SHEET WHERE INTERIOR ELEVATION OCCURS
- ALIGN
- HIDDEN LINE
- STUD WALL (UNLESS NOTED OTHERWISE)
- CONCRETE STRUCTURE, S.S.D.
- INSULATION IN SECTION (BATT)
- INSULATION IN SECTION (RIGID)
- LATH AND PLASTER IN SECTION
- GYPSUM BOARD IN SECTION
- PLYWOOD IN SECTION
- FINISH WOOD IN SECTION
- GLASS IN SECTION
- DOOR TAG
- WINDOW TAG
- PLUMBING FIXTURE TAG / PLUMBING FITTING TAG
- APPLIANCE TAG
- EQUIPMENT TAG
- REVISION TAG
- MATCHLINE
- WORKPOINT OR DATUM
- WALL TYPE TAG
- THRESHOLD

GENERAL NOTES

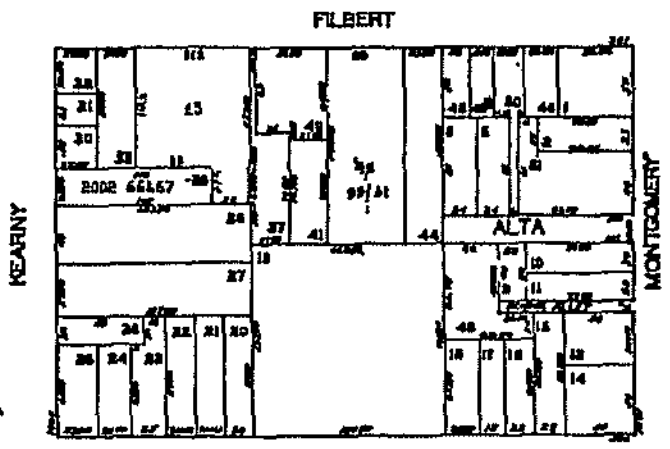
1. ALL WORK SHALL BE IN COMPLIANCE WITH ALL APPLICABLE LOCAL BUILDING CODES AND REGULATIONS. CONTRACTOR SHALL BE RESPONSIBLE FOR PERMITS APPLICABLE TO SPECIFIC TRADES OR SUBCONTRACTORS.
2. CONTRACTOR WILL HAVE EXAMINED THE PREMISES AND SITE SO AS TO COMPARE THEM WITH THE DRAWINGS AND WILL HAVE SATISFIED HIMSELF AS TO THE CONDITION OF EXISTING WORK AND ADJACENT PROPERTY PRIOR TO SUBMISSION OF BID. NO ALLOWANCES WILL SUBSEQUENTLY BE MADE ON BEHALF OF THE CONTRACTOR BY REASON OF ANY OMISSION ON HIS PART TO INCLUDE THE COSTS OF ALL ITEMS OF WORK, EITHER LABOR OR MATERIALS, WHETHER THEY ARE OR ARE NOT ESPECIALLY OR PARTICULARLY SHOWN OR NOTED BUT WHICH ARE IMPLIED OR REQUIRED TO ATTAIN THE COMPLETED CONDITIONS PROPOSED IN THE DRAWINGS.
3. ALL SUBCONTRACTORS TO THE GENERAL CONTRACTOR SHALL INSPECT THE SITE AND SHALL CONVEY ANY QUESTIONS REGARDING DESIGN INTENT AND SCOPE OF WORK TO THE ARCHITECT PRIOR TO SUBMITTING BID AND PRIOR TO COMMENCING WORK.
4. CONTRACTOR SHALL COORDINATE THE WORK OF THE VARIOUS TRADES AND SUBCONTRACTORS AND SHALL BE RESPONSIBLE FOR ANY ACTS, OMISSIONS, OR ERRORS OF THE SUBCONTRACTORS AND OF PERSONS DIRECTLY OR INDIRECTLY EMPLOYED BY THEM.
5. CONTRACTOR TO ASSUME SOLE RESPONSIBILITY FOR JOB SITE CONDITIONS INCLUDING SAFETY OF PERSONS AND PROPERTY FOR THE DURATION OF THE PROJECT.
6. CONTRACTOR TO CONFORM TO HOMEOWNERS ASSOCIATION RULES AND GUIDELINES.
7. CONTRACTOR TO NOTIFY ARCHITECT IMMEDIATELY AND PRIOR TO ORDERING OF ALL LONG LEAD ITEMS AND OF APPROXIMATE DELIVERY DATES.
8. ALL CONSTRUCTION MATERIALS AND SUPPLIES TO BE STORED, HANDLED, AND INSTALLED ACCORDING TO MANUFACTURERS' RECOMMENDATIONS.
9. IF ERRORS OR OMISSIONS ARE FOUND IN THE DRAWINGS THEY SHALL BE BROUGHT TO THE ATTENTION OF THE ARCHITECT BEFORE PROCEEDING WITH THE WORK.
10. DRAWINGS SCHEMATICALLY INDICATE NEW CONSTRUCTION. THE CONTRACTOR SHOULD ANTICIPATE, BASED ON EXPERIENCE, A REASONABLE NUMBER OF ADJUSTMENTS TO BE NECESSARY TO MEET THE DESIGN OBJECTIVES AND SHOULD CONSIDER SUCH ADJUSTMENTS AS INCLUDED IN THE SCOPE OF WORK.
11. WHEN SPECIFIC FEATURES OF CONSTRUCTION ARE NOT FULLY SHOWN ON THE DRAWINGS OR CALLED FOR IN THE GENERAL NOTES, THEIR CONSTRUCTION SHALL BE OF THE SAME CHARACTER AS SIMILAR CONDITIONS.
12. ALL DIMENSIONS TO BE TAKEN FROM NUMERIC DESIGNATIONS ONLY; DIMENSIONS ARE NOT TO BE SCALED OFF DRAWINGS.
13. THESE NOTES TO APPLY TO ALL DRAWINGS AND GOVERN UNLESS MORE SPECIFIC REQUIREMENTS ARE INDICATED APPLICABLE TO PARTICULAR DIVISIONS OF THE WORK. SEE SPECIFICATIONS AND GENERAL NOTES IN THE SUBSECTIONS OF THESE DRAWINGS.
14. ALL DIMENSIONS ARE TO FACE OF FINISH, U.O.N.
15. WEATHER STRIP ALL DOORS LEADING FROM HEATED TO UNHEATED AREAS. PROVIDE VINYL BEAD TYPE WEATHER STRIPPING AT THESE DOORS AND WINDOWS. ALL SIDES OF THE DOOR MUST BE WEATHERSTRIPPED, INCLUDING THE THRESHOLD.
16. CAULK AND SEAL OPENINGS IN BUILDING EXTERIOR 1/8" OR GREATER TO PREVENT AIR INFILTRATION.
17. WINDOWS TO BE OPERABLE AND CLEANED, U.O.N.
18. ALL WALL FRAMING SHALL BE 2x4 @ 16" O.C. MINIMUM, U.O.N.
19. ALL GYPSUM BOARD SHALL BE 5/8" THICK, TYPE "X", U.O.N.
20. ALL GYPSUM AND/OR PLASTER SURFACES SHALL BE SMOOTH, CONTINUOUS, FREE OF IMPERFECTIONS, AND WITH NO VISIBLE JOINTS, U.O.N.
21. STUCCO OVER WOOD SHEATHING SHALL INCLUDE TWO LAYERS OF GRADE 'D' BUILDING PAPER.
22. STRUCTURAL WOOD MEMBERS ADJACENT TO CONCRETE ARE TO BE PRESSURE TREATED DOUGLAS FIR.
23. ALONG THE FILBERT STREET STAIR FRONTAGE OF THE PROPERTY, A WELL-LIT AND NATURALLY VENTILATED PEDESTRIAN TUNNEL PROVIDING SAFETY TO PERSONS USING THE STAIRS SHALL BE ERECTED FOR THE DURATION OF THE CONSTRUCTION PERIOD.
24. A FLAG-PERSON WILL BE PERMANENTLY STATIONED AT THE TOP OF THE FILBERT STAIRS AT THE ENTRY POINT TO THE SITE. THIS PERSON IS RESPONSIBLE FOR MONITORING AND USHERING CONSTRUCTION EQUIPMENT AS WELL AS PEDESTRIAN AND VEHICULAR TRAFFIC TO MINIMIZE POTENTIAL CONFLICTS.
25. ALL TRUCKS WAITING TO UNLOAD MATERIAL SHALL BE STAGED AT A LOCATION OFFSITE TO AVOID QUEUING OF CONSTRUCTION TRUCKS ON TELEGRAPH HILL BOULEVARD. DELIVERIES SHALL BE MADE BETWEEN THE HOURS OF 7:30 AM AND 5:30 PM ON WEEKDAYS, EXCLUSIVE OF LEGAL HOLIDAYS.
26. CONSTRUCTION VEHICLES SHALL USE THE STAGING AREA PROVIDED ON SITE AS A MEANS TO TURN AROUND, AVOIDING USE OF THE COIT TOWER PARKING LOT BY CONSTRUCTION EQUIPMENT AND TRUCKS.
27. ALL APPLICABLE WEIGHT LIMITS ON ACCESS ROADS TO AND FROM THE SITE SHALL BE OBSERVED AND ADHERED TO.
28. NO CONSTRUCTION ACTIVITY OVER 5 DBA SHALL BE PERMITTED BETWEEN 8:00 PM AND 7:00 AM THE FOLLOWING DAY PER SAN FRANCISCO NOISE CONTROL ORDINANCE.
29. NO TRADESPERSON SHALL UTILIZE THE COIT TOWER PARKING LOT FOR PERSONAL USE, AND WILL INSTEAD PARK AT DESIGNATED PARKING GARAGES AND BE SHUTTLED TO AND FROM THE JOB SITE.
30. PRIOR TO COMMENCING CONSTRUCTION THE CONTRACTOR & SPONSOR SHALL COORDINATE WITH TRAFFIC ENGINEERING AND TRANSIT DIVISION OF SFMTA, POLICE DEPARTMENT, FIRE DEPARTMENT, PLANNING DEPARTMENT, AND OTHER CONSTRUCTION CONTRACTORS FOR ANY CONCURRENT NEARBY PROJECTS TO MANAGE TRAFFIC CONGESTION AND PEDESTRIAN CIRCULATION EFFECTS DURING CONSTRUCTION OF THE PROJECT.
31. PRIOR TO COMMENCING CONSTRUCTION, THE PROJECT SPONSOR SHALL CONSULT WITH AFFECTED NEIGHBORS ON ASSESSORS' BLOCK 105 BEFORE FINALIZING THE CONSTRUCTION STAGING AND TRAFFIC PLAN, INCLUDING (A) A SCHEDULE OF DELIVERY TIMES AND DATES DURING WHICH CONSTRUCTION MATERIALS ARE EXPECTED TO ARRIVE; AND (B) METHODS TO BE USED TO MONITOR TRUCK MOVEMENT INTO AND OUT OF THE BUILDING SITE SO AS TO MINIMIZE TRAFFIC CONFLICTS ON TELEGRAPH HILL BOULEVARD.
32. MUNI ACCESS TO COIT TOWER SHALL BE MAINTAINED THROUGHOUT CONSTRUCTION.
33. STEWARDSHIP OF LANDSCAPE AREAS IN THE PUBLIC DOMAIN AND THE FILBERT STREET STAIRS ALONG THE PROPERTY FRONTAGE SHALL BE MAINTAINED BY THE SUBJECT PROPERTY, WITH THE PERMISSION OF SF PARKS & RECREATION, DPW, AND DBI.

5

AREA OF SUBJECT PROPERTY: 115 TELEGRAPH HILL BLVD. / 283 FILBERT STREET BLOCK 0105 / LOT 065



(1) SANBORN MAP
SCALE: 1:1.78



(2) ASSESSOR BLOCK 0105
NOT TO SCALE

PROJECT TEAM

ARCHITECT:
BUTLER ARMSDEN ARCHITECTS
2849 CALIFORNIA STREET
SAN FRANCISCO, CA 94115
T. 415.674.5554
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PROPERTY ATTORNEY:
REUBEN & JUNIUS, LLP
1 BUSH STREET, SUITE 600
SAN FRANCISCO, CA 94104
T. 415.567.9000
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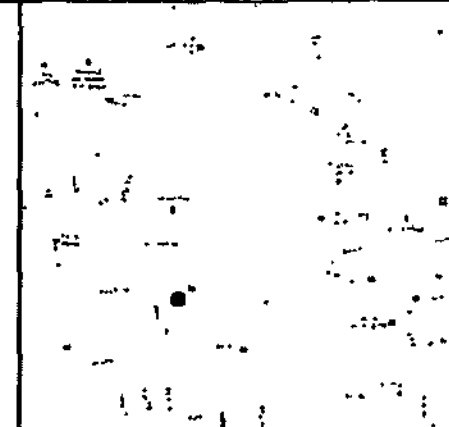
SURVEYOR:
FORESIGHT LAND SURVEYING
2410 CALIFORNIA STREET, #2
SAN FRANCISCO, CA 94115
T. 415.735.6180

GEOTECHNICAL ENGINEER:
EARTH MECHANICS
360 GRAND AVENUE, SUITE 262
OAKLAND, CA 94610
T. 510.839.0765
F. 510.839.0716

VICINITY MAP



PROJECT DATA

BLOCK: 0105
LOT: 065
LOT SIZE: 7,521 sq.ft.
ZONED: RH-3
HEIGHT LIMIT: 40'-0"
OCCUPANCY: R3

	PARKING LEVEL	BASEMENT LEVEL	GROUND LEVEL	SECOND LEVEL	THIRD LEVEL	UNIT TOTAL
UNIT 1	0	1,180	675	735	1,227	3,817
UNIT 2	0	1,151	962	1,081	1,081	4,275
UNIT 3	487	1,036	1,081	1,081	0	3,685
COTTAGE	406	438	0	0	0	844
PARKING	3,137	330	300	0	0	3,767
TOTAL BY LEVEL	4,030	4,135	3,018	2,897	2,308	16,388 TOTAL PROJECT SQ.FT.

5

CONSTRUCTION CLASSIFICATION:
Type V-B

CODES

2010 CA BLDG. CODE
2010 S.F. BLDG. CODE & AMENDMENTS
2010 CA ENERGY CODE
2010 S.F. ELECTRICAL CODE
2010 S.F. MECHANICAL CODE
2010 S.F. PLUMBING CODE
2010 S.F. FIRE CODE

SCOPE OF WORK

NEW 3-UNIT RESIDENTIAL DEVELOPMENT, PRIVATE RESIDENTIAL GARAGE, MAINTAIN EXISTING 1-UNIT COTTAGE, SITE GRADING AND DRAINAGE AS REQUIRED

SHEET INDEX

ARCHITECTURAL

	SUBMITTAL 08/12/2013	NOPDR #1 02/12/2014	NOPDR #2 05/19/2014	REVISION #3 07/17/2014	REVISION #4 08/02/2014	REVISION #5 08/16/2014
A0.0 TITLE SHEET	■	■	■	■	■	■
A0.1 SITE SURVEY	■	■	□	□	□	□
A0.2 SITE PHOTOS	■	■	□	□	□	□
A0.3 SITE PHOTOS	■	■	□	□	□	□
A0.4 SITE PHOTOS	■	■	□	□	□	□
A0.5 EXISTING SITE PLAN	■	■	■	■	■	□
A0.6 PROPOSED SITE PLAN	■	■	■	■	■	■
A2.1 BASEMENT LEVEL	■	■	■	□	■	■
A2.2 PARKING LEVEL	■	■	■	□	■	■
A2.3 MAIN LEVEL	■	■	■	□	■	■
A2.4 SECOND LEVEL	■	■	■	□	■	□
A2.5 THIRD LEVEL	■	■	■	□	■	■
A2.6 ROOF LEVEL	■	■	■	□	■	■
A2.7 COTTAGE: PLANS	□	□	□	□	■	□
A2.8 COTTAGE: ELEVATIONS	□	□	□	□	■	□
A2.9 COTTAGE: EXISTING PHOTOS	□	□	□	□	■	□
A3.1 FRONT ELEVATION	■	■	■	■	■	■
A3.2 REAR ELEVATION	■	■	■	□	■	■
A3.3 WEST ELEVATION: UNIT 3	□	□	□	□	■	■
~~A3.4 LONGITUDINAL SECTION~~	■	■	■	□	□	□
~~A3.5 UNIT 1 LATERAL SECTION~~	■	■	■	□	□	□
~~A3.6 UNIT 2 LATERAL SECTION~~	■	■	■	□	□	□
~~A3.7 UNIT 3 LATERAL SECTION~~	■	■	■	□	□	□
A3.8 CONCEPTUAL RENDERINGS	■	■	□	□	□	■
A3.9 CONCEPTUAL RENDERINGS	■	■	□	□	□	■
A3.10 CONCEPTUAL RENDERINGS	■	■	□	□	□	■
A3.11 CONCEPTUAL RENDERINGS	□	□	□	□	□	■
A3.12 CONTEXT VIEWS	□	□	□	□	□	■

OMITTED & VOIDED FROM SUBMISSION

BUTLER ARMSDEN
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115 TELEGRAPH HILL

115 TELGRAPH HILL BLVD., SAN FRANCISCO, CA, 94133;

2700

PLANNING PERMIT

REVISIONS:	BY:
1 NOPDR #1 - 02/13/2014	DS / SR
2 NOPDR #2 - 05/19/2014	DS / SR
3 REVISION - 07/17/2014	DS / SR
4 REVISION - 08/02/2014	DS / SR
5 REVISION - 08/16/2014	DS / SR

JOB#:	1205
DATE:	AUG. 12, 2013
DRAWN:	SR/DS
CHECKED:	LB
SCALE:	AS NOTED

TITLE SHEET

A0.0

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115 TELEGRAPH HILL

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2701

GENERAL NOTES

(1) ALL DISTANCES (RECORD) = MEASURED, UNLESS OTHERWISE NOTED. IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO NOTIFY ALL THE UTILITIES LISTED BY THE RESPECTIVE UTILITY COMPANY PRIOR TO CONSTRUCTION.

(2) PRIOR TO ANY DIGGING, CALL U.S.A. (1-800-642-2444) AT LEAST 48 HOURS IN ADVANCE TO HAVE EXISTING UNDERGROUND UTILITIES MARKED.

(3) GROUND CONDITIONS SHOWN HEREON REFLECT CONDITIONS ON THE DATE OF THE SURVEY.

(4) ENCROACHMENT UPON AND BY THE ADJOINING PRIVATE PROPERTY(IES) ARE HEREBY NOTED AND IT SHALL BE THE RESPONSIBILITY STATED OF THE PROPERTY OWNERS INVOLVED TO RESOLVE ANY ISSUE WHICH MAY ARISE THEREFROM.

(5) SINCE A CURRENT POLICY OF TITLE INSURANCE WAS NOT AVAILABLE AT THE TIME OF THIS SURVEY, THE CONSULTANT IS NOT RESPONSIBLE FOR THE EXISTING PERSON OF ANY FACTS WHICH WOULD NORMALLY BE DISCLOSED BY SUCH A POLICY.

(6) ROOF/FAIR ELEVATIONS WERE TAKEN AT HIGHEST RELEVANT POINT(S) VISIBLE FROM THE GROUND.

(7) THIS IS A BOUNDARY SURVEY.

(8) TREES WERE LOCATED BY ESTIMATING THE CENTER OF THE TREE WHERE IT ENTERS THE GROUND & IDENTIFYING THE DIAMETER AT BREAST HEIGHT. TREE TYPES MAY BE VERIFIED BY A CERTIFIED ARBORIST, IF NECESSARY.

(9) ONLY ACCESSIBLE SURFACE UTILITIES VISIBLE ON THE DATE OF THIS SURVEY ARE SHOWN. THIS SURVEY DOES NOT SHOW THE LOCATION OF, OR ENCROACHMENTS BY SUBSURFACE UTILITIES, FOOTING, FOUNDATIONS AND/OR BASEMENTS OF BUILDINGS. ALL USERS ARE ADVISED TO CONTACT SEPARATELY WITH AN UNDERGROUND UTILITY LOCATION COMPANY AND TO REVIEW PUBLIC, QUASI-PUBLIC AND GIS UTILITY DATA SOURCES IF THEY WANT MORE INFORMATION.

(10) THE BUILDING FOOTPRINT SHOWN IS AT GROUND LEVEL UNLESS OTHERWISE NOTED.

BASIS OF SURVEY

CHICAGO TITLE COMPANY PRELIMINARY REPORT ORDER TITLE NO: 08-[illegible] DATED 10-08-2008

BASIS OF ELEVATION

FOUND + CUT WEST RIM NPFS MH 23' WEST AND 4' NORTH OF THE SOUTH WEST CORNER OF KEARNY AND FILBERT STREETS. ELEVATION = 208.828' CITY AND COUNTY OF SAN FRANCISCO VERTICAL DATUM.

MAP REFERENCES

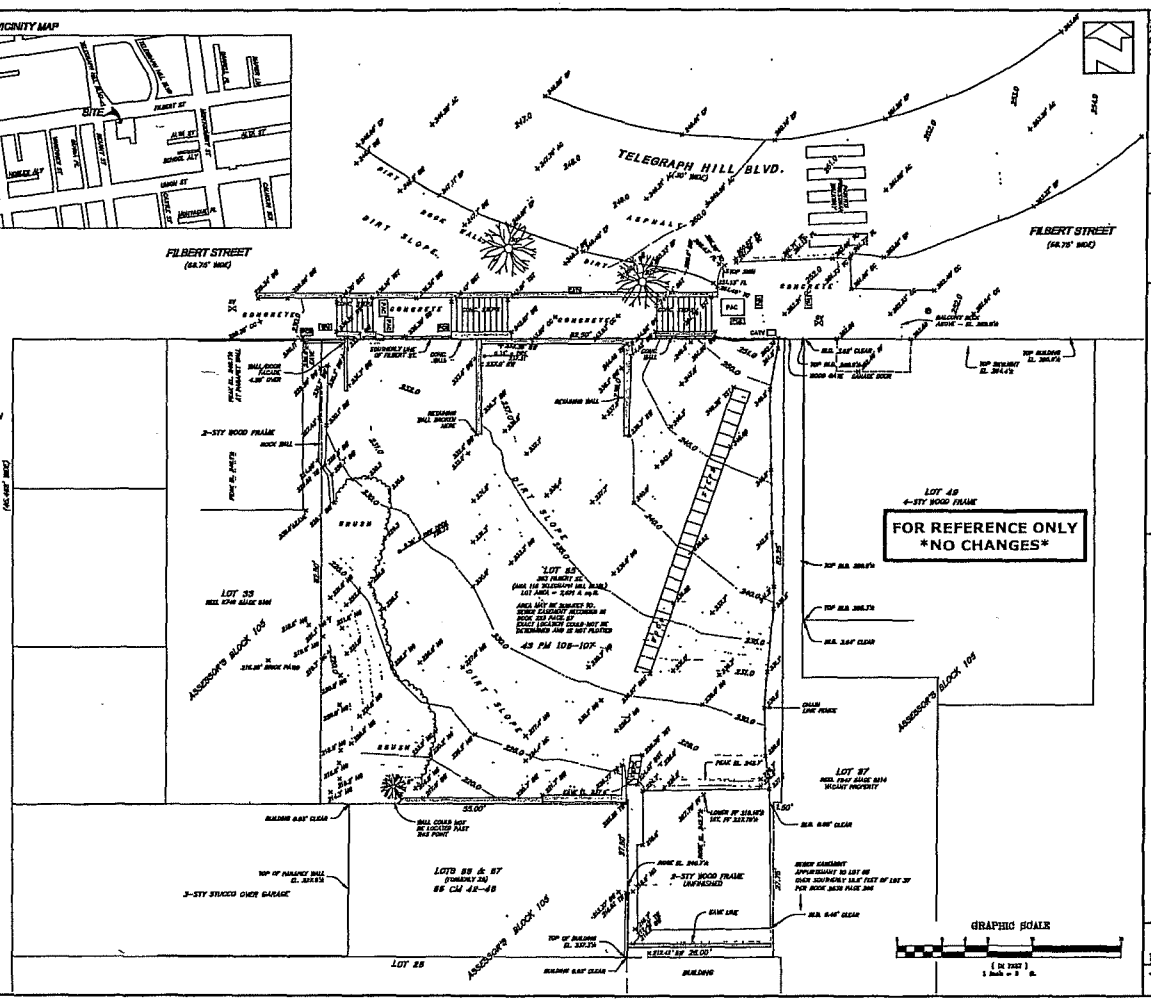
(A) PARCEL MAP RECORDED IN BOOK 43 OF PARCEL MAPS PAGES 105-107, FRANCISCO.

(B) CITY AND COUNTY OF SAN FRANCISCO MONUMENT MAP NO. 4.12 ON FILE IN THE OFFICE OF THE COUNTY SURVEYOR, CITY AND COUNTY OF SAN FRANCISCO.

LEGEND

AC	ASPHALT CONCRETE
BLD	BUILDING
BST	BOTTOM OF STEP
BW	BOTTOM OF WALL
CATV	CABLE TV
CC	CONCRETE
CONC	CONCRETE
CP	CONTROL POINT
EC	EDGE OF CONCRETE
EL	ELEVATION
EP	EDGE OF PAVEMENT
FF	FINISHED FLOOR
FL	FLOWLINE
GV	GAS VALVE
NG	NATURAL GROUND
P	PAC BELL MANHOLE
PAC	PAC BELL BOX
PGE	PGE BOX
SW	SIDEWALK
TC	TOP OF CURB
TST	TOP OF STEP
TW	TOP OF WALL
WM	WATER METER
	PROPERTY LINE
	OVERHANG
	FLOWLINE
	FENCE
	WATER METER
	GAS VALVE
	PAC BELL BOX
	PGE BOX
	PAC BELL MANHOLE
	STOP SIGN
	SPOT ELEVATION
	TREE (WITH TRUNK DIAMETER)

VICINITY MAP



DATE: APRIL 12, 2013
SCALE: 1"=8'
DRAWN: P.H.-G.
CHECKED: G.T.L.

FORESIGHT
LAND SURVEYING
2410 CALIFORNIA STREET, SUITE #2
SAN FRANCISCO, CA 94115
415-726-8180

SITE SURVEY
363 FILBERT STREET
SAN FRANCISCO, CA
BLOCK 105 LOT 65

SHEET 1 OF 1 SHEETS
JOB No. #13024

PLANNING PERMIT

REVISIONS:	BY:
1 NOPDR #1 - 02/13/2014	DS / SR

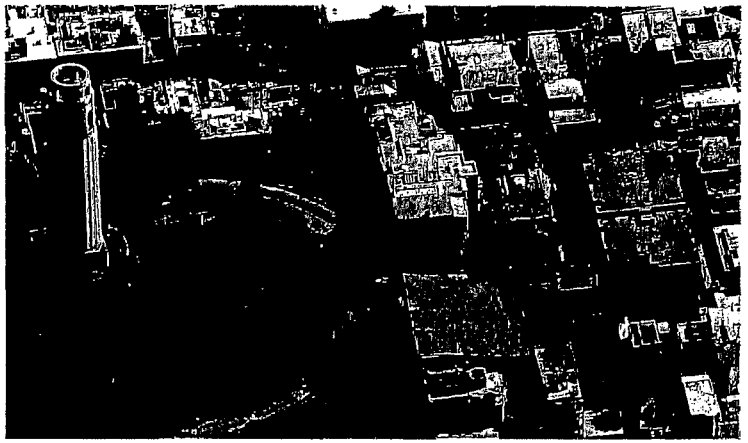
JOB#:	1205
DATE:	AUG. 12, 2013
DRAWN:	SR/DS
CHECKED:	LB
SCALE:	AS NOTED

SITE SURVEY

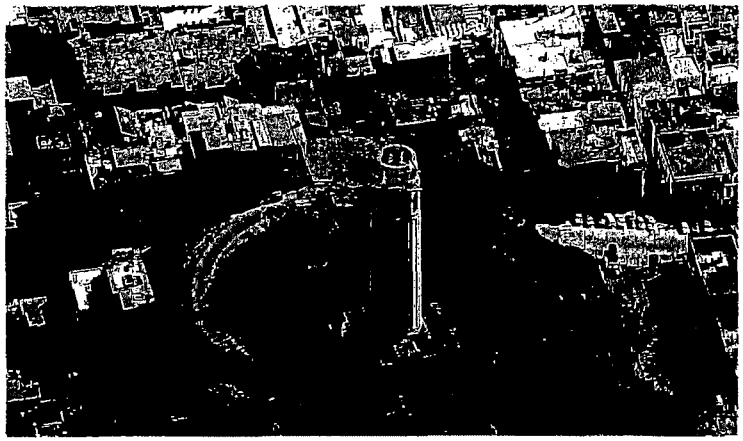
10.1



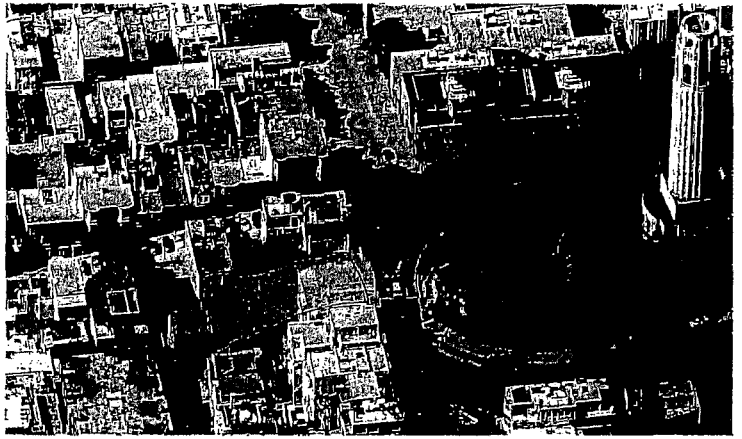
4 AERIAL VIEW LOOKING NORTH
SCALE: 1/1.17



2 AERIAL VIEW LOOKING EAST
SCALE: 1/1.17



3 AERIAL VIEW LOOKING SOUTH
SCALE: 1/1.17



1 AERIAL VIEW LOOKING WEST
SCALE: 1/1.17

AREA OF SUBJECT PROPERTY:
115 TELEGRAPH HILL BLVD. / 363 FILBERT STREET
LOT AREA = 7,521

BUTLER ARMSDEN ARCHITECTS

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F 415-674-4668

115 TELEGRAPH HILL

115 TELEGRAPH HILL BLVD., SAN FRANCISCO, CA, 94133,

2702

PLANNING PERMIT

REVISIONS:	BY:
1 NOPDR #1 - 02/13/2014	DS / SR

JOB#:	1205
DATE:	AUG. 12, 2013
DRAWN:	SR/DS
CHECKED:	LB
SCALE:	AS NOTED

SITE PHOTOS

A0.2



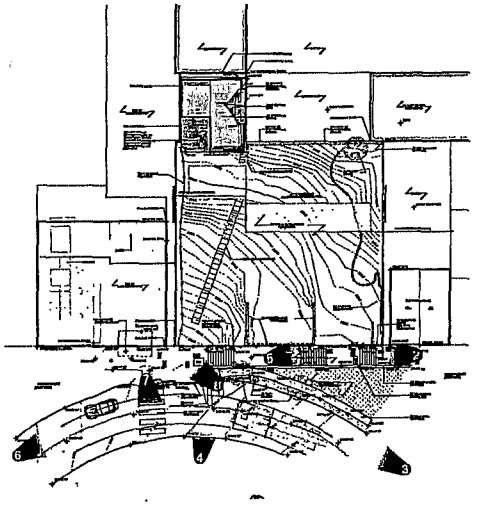
4 VIEW SOUTH FROM ACCROSS TELEGRAPH HILL BLVD.



2 VIEW UP FILBERT STREET STEPS



3 VIEW UP TELEGRAPH HILL BLVD. TO SITE



1 PHOTO KEY PLAN

BUTLER ARMSDEN
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115 TELEGRAPH HILL

115 TELEGRAPH HILL BLVD., SAN FRANCISCO, CA, 94133,

PLANNING PERMIT

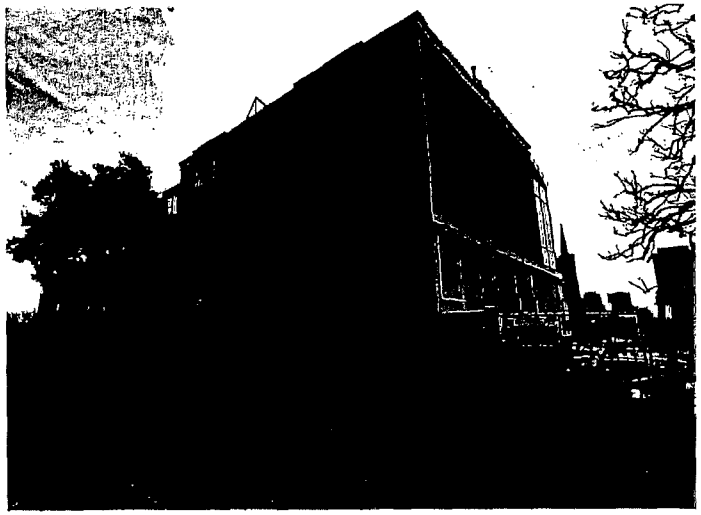
REVISIONS:	BY:
1 NOPDR #1 - 02/13/2014	DS / SR

JOB#:	1205
DATE:	AUG. 12, 2013
DRAWN:	SR/DS
CHECKED:	LB
SCALE:	AS NOTED

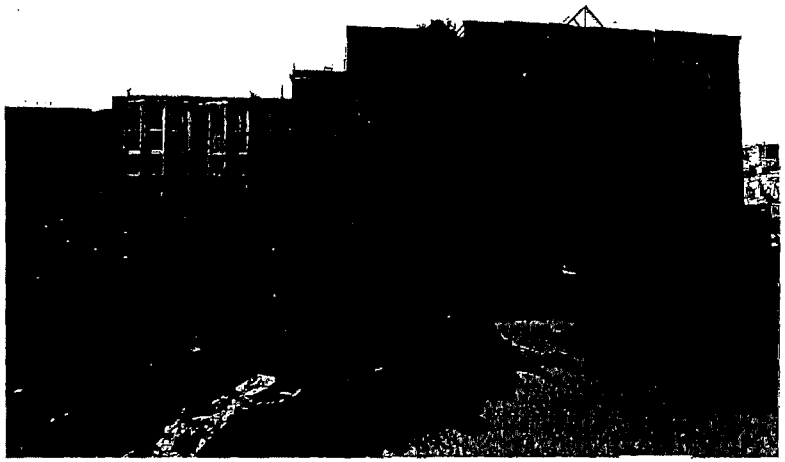
SITE PHOTOS

A0.3

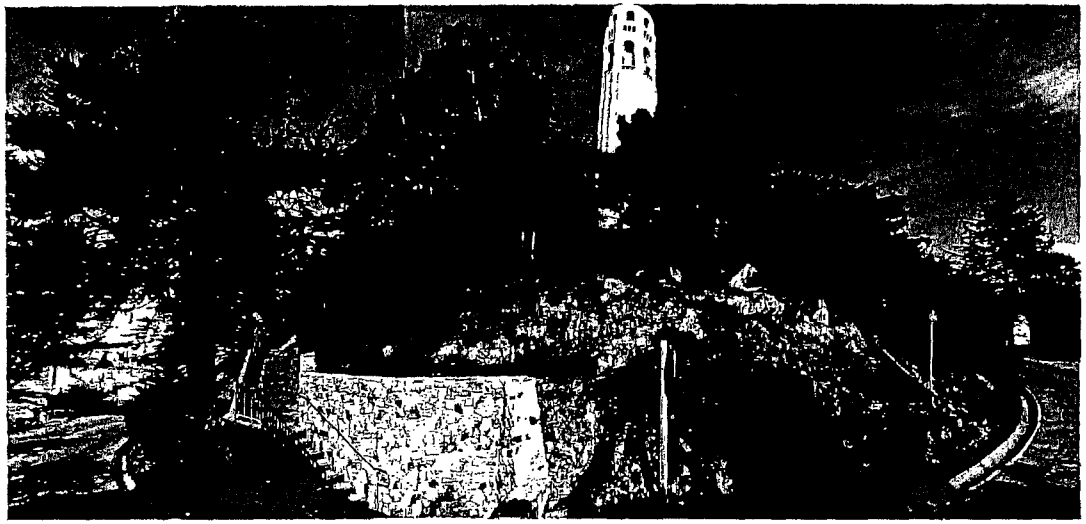
2703



8 109/111 TELEGRAPH HILL BLVD.



6 ADJACENT CONTEXT TO EAST OF SUBJECT PROPERTY



7 STREETSCAPE OPPOSITE OF SUBJECT PROPERTY



5 VIEW DOWN FILBERT STREET STEPS

BUTLER ARMSDEN ARCHITECTS

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F 415-674-0556

115 TELEGRAPH HILL

115 TELEGRAPH HILL BLVD., SAN FRANCISCO, CA, 94133.

2704

PLANNING PERMIT

REVISIONS:	BY:
1 NOPDR #1 - 02/13/2014	DS / SR

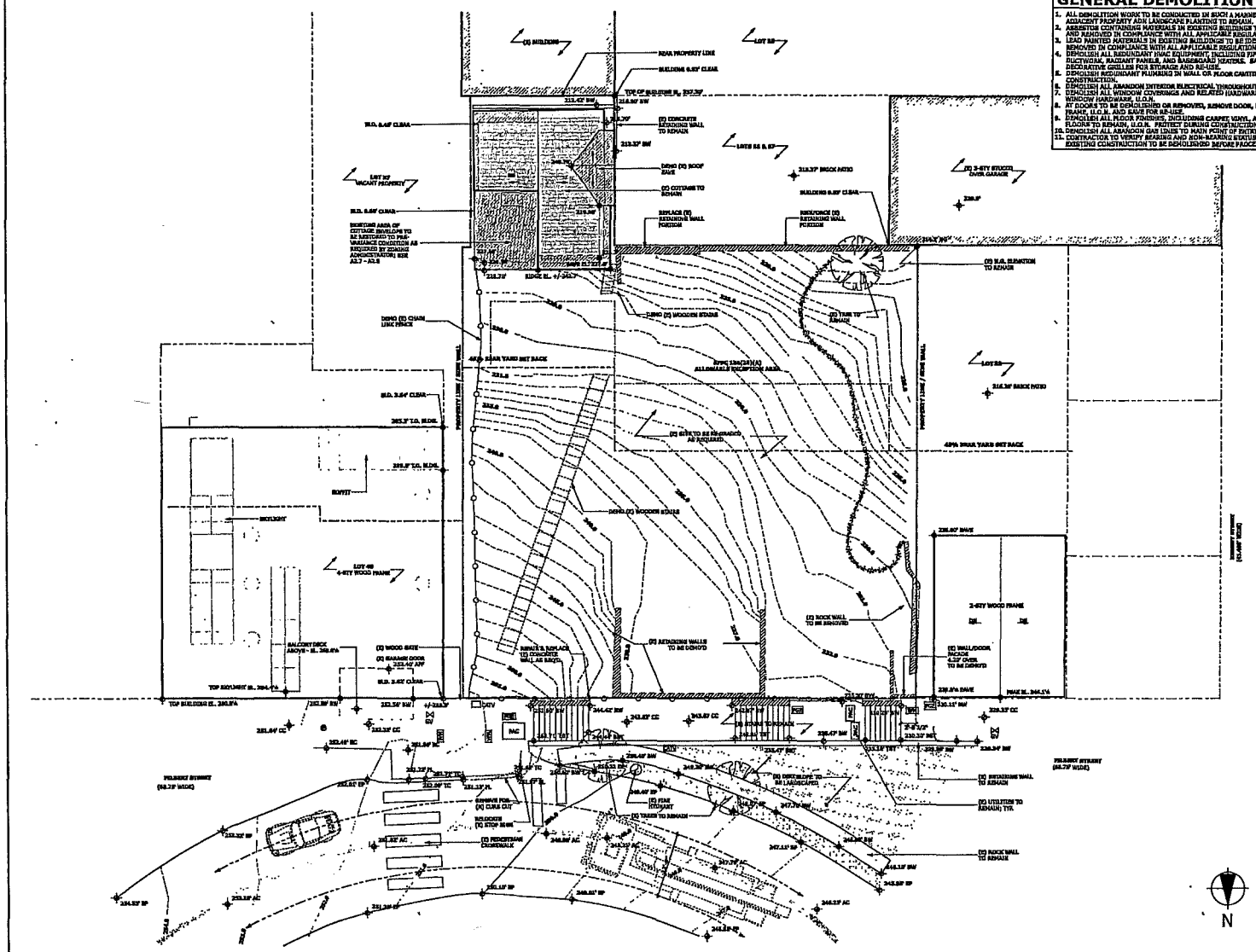
JOB#:	1205
DATE:	AUG. 12, 2013
DRAWN:	SR/DS
CHECKED:	LB
SCALE:	AS NOTED

SITE PHOTOS

A0.4

GENERAL DEMOLITION NOTES

1. ALL DEMOLITION WORK TO BE CONDUCTED IN SUCH A MANNER AS TO PROTECT ADJACENT PROPERTY AND LANDSCAPE PLANTING TO REMAIN.
2. ASBESTOS CONTAINING MATERIALS IN EXISTING BUILDINGS TO BE IDENTIFIED AND REMOVED IN COMPLIANCE WITH ALL APPLICABLE REGULATIONS.
3. LEAD PAINTED MATERIALS IN EXISTING BUILDINGS TO BE IDENTIFIED AND REMOVED IN COMPLIANCE WITH ALL APPLICABLE REGULATIONS.
4. DEMOLISH ALL REDUNDANT HVAC EQUIPMENT, INCLUDING PIPING, DUCTWORK, RADIANT PANELS, AND BASEBOARD HEATERS. SAVE AND CATALOGUE DECORATIVE GRILLES FOR STORAGE AND RE-USE.
5. DEMOLISH REDUNDANT PLUMBING IN WALL OR FLOOR CAVITIES OPENED FOR CONSTRUCTION.
6. DEMOLISH ALL ABANDON INTERIOR ELECTRICAL THROUGHOUT.
7. DEMOLISH ALL WINDOW COVERINGS AND RELATED HARDWARE. REMOVE WINDOW HARDWARE, U.O.N.
8. AT DOORS TO BE DEMOLISHED OR REMOVED, REMOVE DOOR, HARDWARE, AND FRAME, U.O.N. AND SAVE FOR RE-USE.
9. DEMOLISH ALL FLOOR FINISHES, INCLUDING CARPET, VINYL, AND TILE. WOOD FLOORS TO REMAIN, U.O.N. PROTECT DURING CONSTRUCTION.
10. DEMOLISH ALL ABANDON GAS LINES TO MAIN POINT OF ENTRY, U.O.N.
11. CONTRACTOR TO VERIFY BEARING AND NON-BEARING STATUS OF EXISTING CONSTRUCTION TO BE DEMOLISHED BEFORE PROCEEDING WITH WORK.



1 EXISTING SITE PLAN
SCALE: 1/8" = 1'-0"

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115 TELEGRAPH HILL

115 TELGRAPH HILL BLVD., SAN FRANCISCO, CA, 94133,

2705

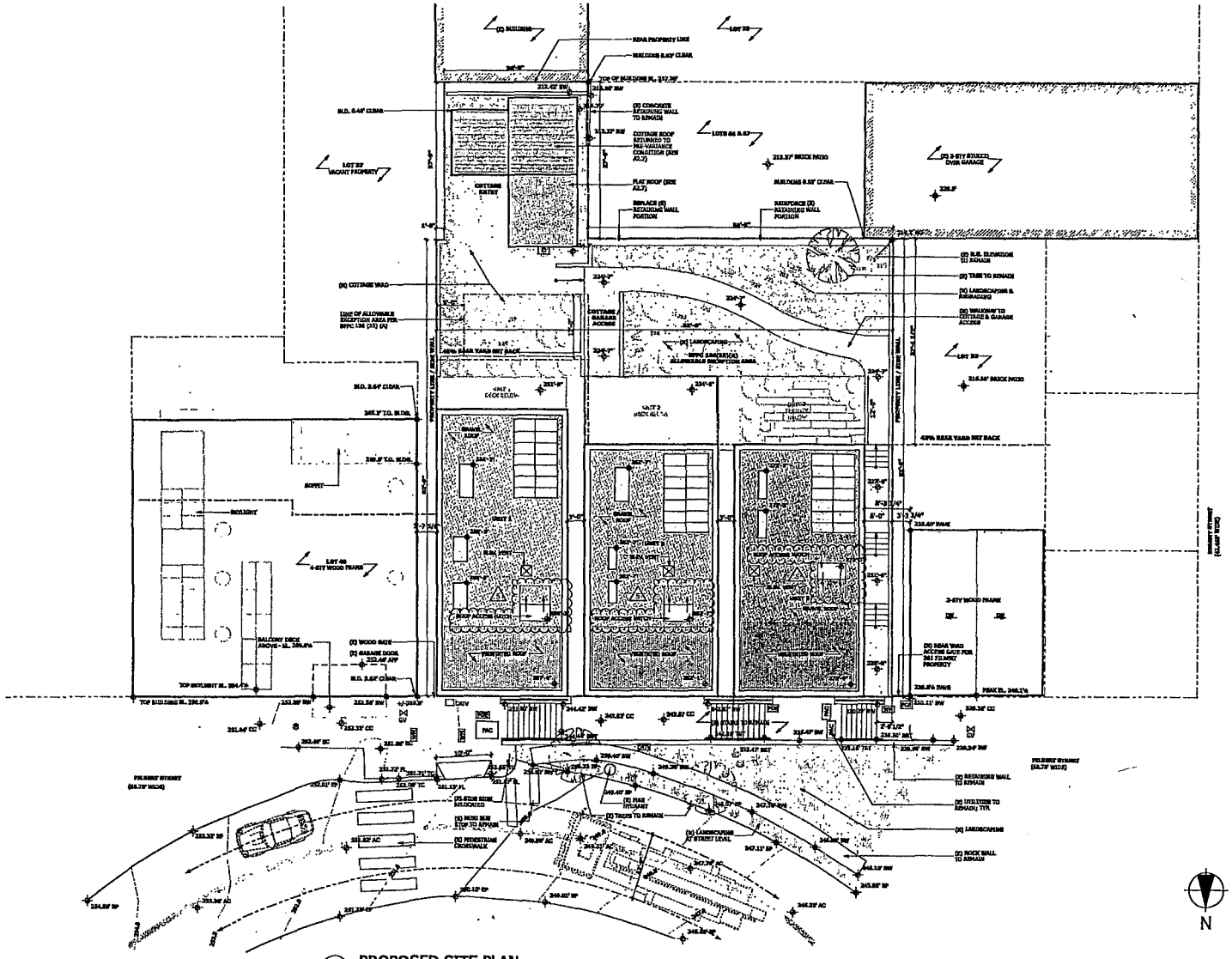
PLANNING PERMIT

REVISIONS:		BY:
1	NOPDR #1 - 02/13/2014	DS / SR
2	NOPDR #2 - 05/18/2014	DS / SR
3	REVISION - 07/17/2014	DS / SR
4	REVISION - 09/02/2014	DS / SR

JOB#:	1205
DATE:	AUG. 12, 2013
DRAWN:	SR/DS
CHECKED:	LB
SCALE:	AS NOTED

EXISTING SITE PLAN

0.5



1 PROPOSED SITE PLAN
SCALE: 1/8" = 1'-0"

N

BUTLER ARMSDEN ARCHITECTS

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F 415-[redacted]

115 TELEGRAPH HILL

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2706

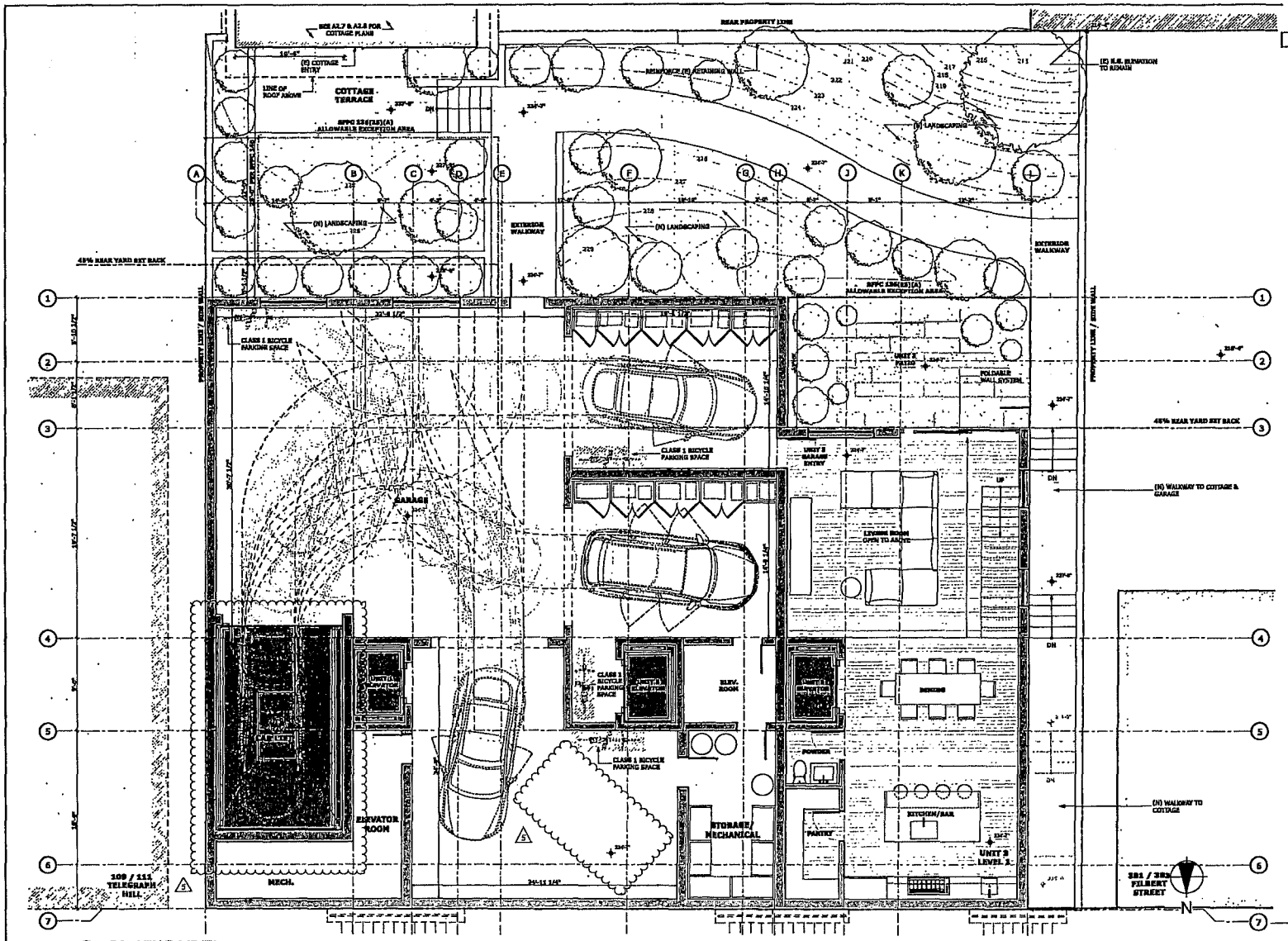
PLANNING PERMIT

REVISIONS:		BY:
1	NOPDR #1 - 02/13/2014	DS / SR
2	NOPDR #2 - 05/18/2014	DS / SR
3	REVISION - 07/17/2014	DS / SR
4	REVISION - 08/12/2014	DS / SR
5	REVISION - 08/14/2014	DS / SR

JOB#:	1205
DATE:	AUG. 12, 2013
DRAWN:	SR/DS
CHECKED:	LB
SCALE:	AS NOTED

PROPOSED SITE PLAN

A0.6



1 PARKING LEVEL
SCALE: 1/4" = 1'-0"

BUTLER ARMSDEN ARCHITECTS

115 TELEGRAPH HILL

115 TELEGRAPH HILL BLVD., SAN FRANCISCO, CA, 94133;

2707

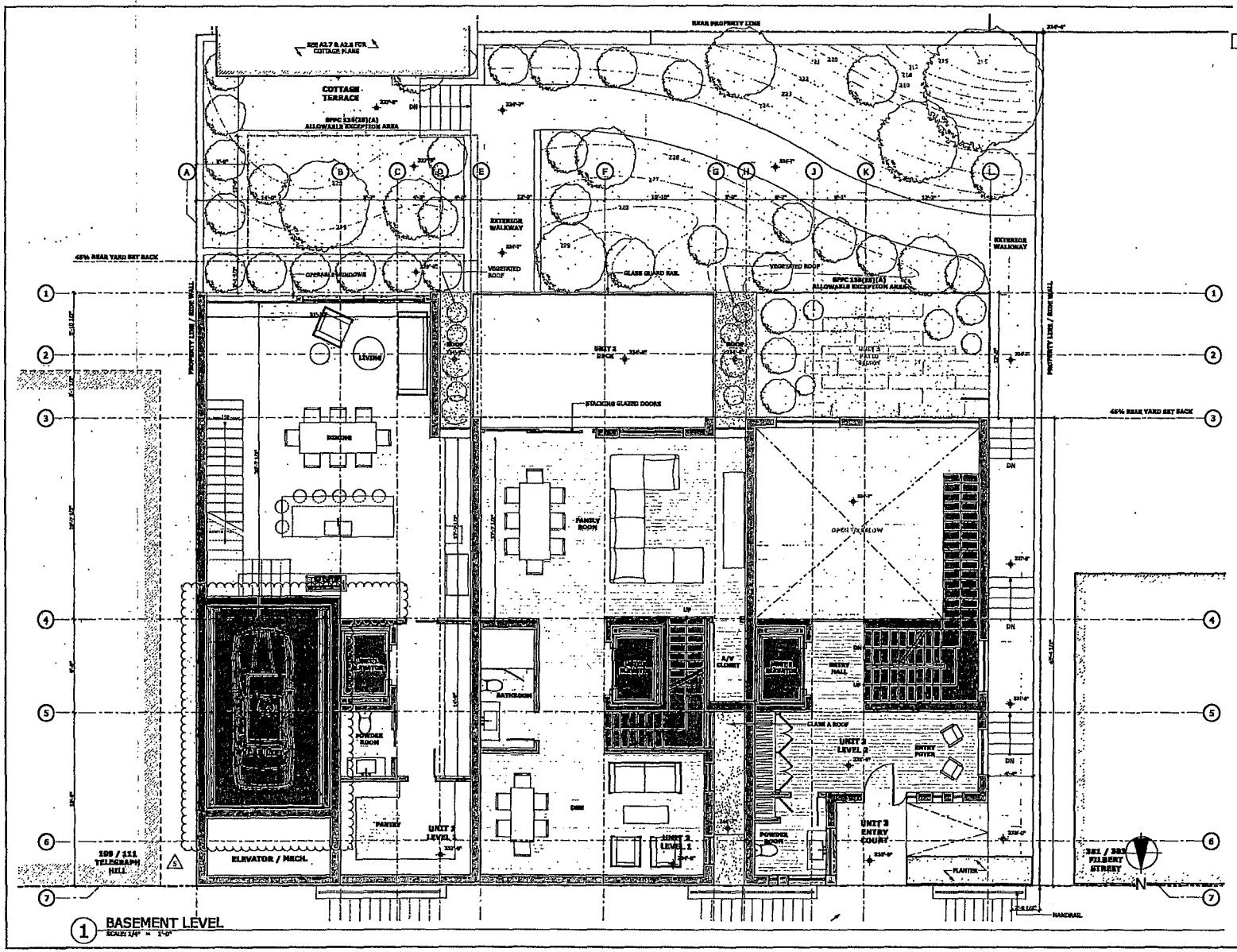
PLANNING PERMIT

REVISIONS:	BY:
1 NOPDR #1 - 02/13/2014	DS / SR
2 NOPDR #2 - 05/16/2014	DS / SR
3 REVISION - 08/02/2014	DS / SR
5 REVISION - 08/14/2014	DS / SR

JOB#:	1205
DATE:	AUG. 12, 2013
DRAWN:	SR/DS
CHECKED:	LB
SCALE:	AS NOTED

PARKING LEVEL PROPOSED PLAN

A2.1



1 BASEMENT LEVEL
SCALE: 1/4" = 1'-0"

BUTLER ARMSDEN ARCHITECTS

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F 415-694-6868

115 TELEGRAPH HILL

115 TELEGRAPH HILL BLVD., SAN FRANCISCO, CA, 94133,

2708

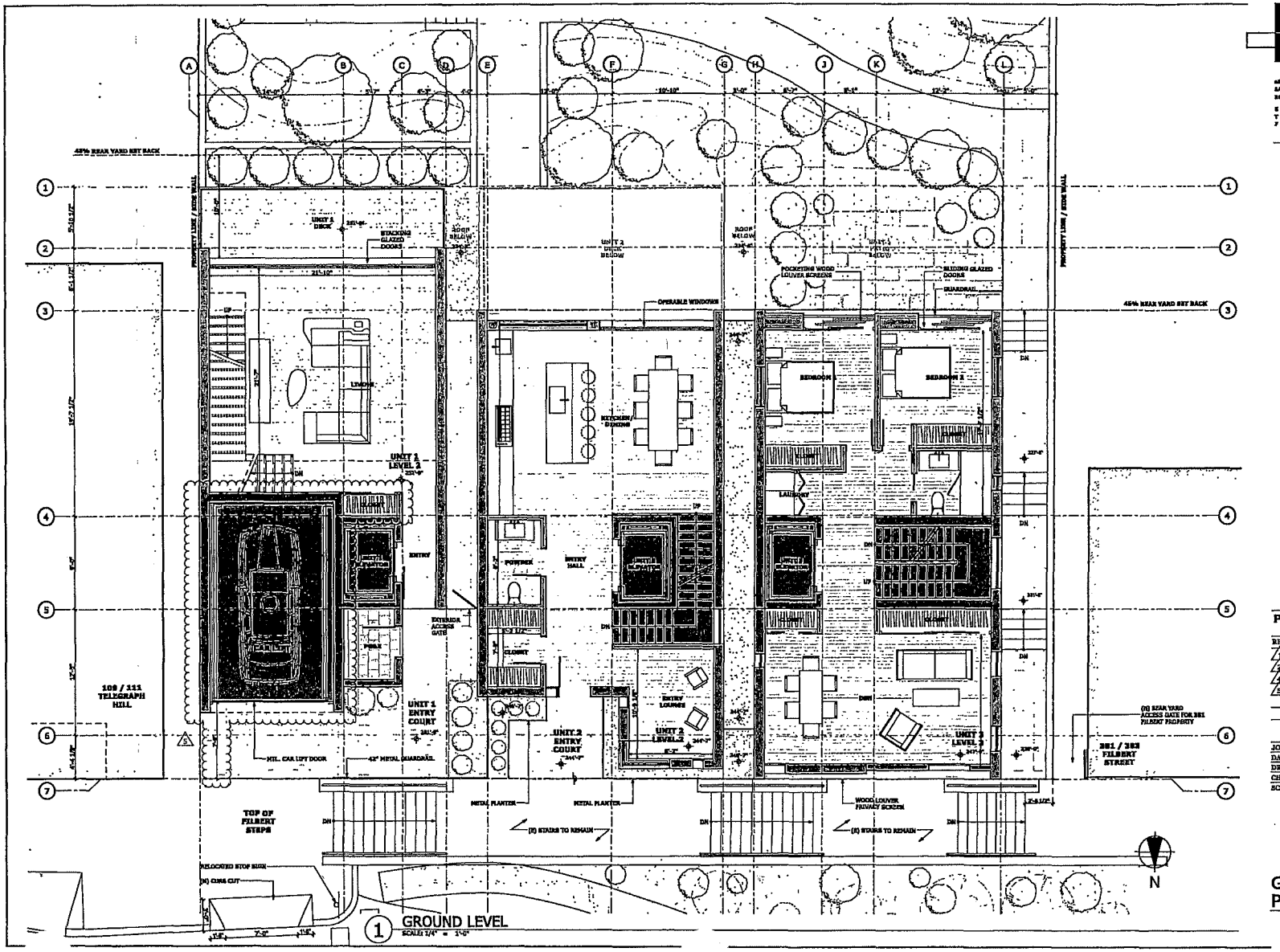
PLANNING PERMIT

REVISIONS:	BY:
1 NOPDR #1 - 02/13/2014	DS / SR
2 NOPDR #2 - 05/18/2014	DS / SR
4 REVISION - 08/02/2014	DS / SR
5 REVISION - 08/16/2014	DS / SR

JOB#:	1205
DATE:	AUG. 12, 2013
DRAWN:	SR/DS
CHECKED:	LB
SCALE:	AS NOTED

BASEMENT LEVEL PROPOSED PLAN

A2.2



BUTLER ARMSDEN ARCHITECTS

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BUTLERARMSDEN.COM

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T 415-[redacted]
F 415-[redacted]

115 TELEGRAPH HILL

115 TELEGRAPH HILL BLVD., SAN FRANCISCO, CA, 94133.

2709

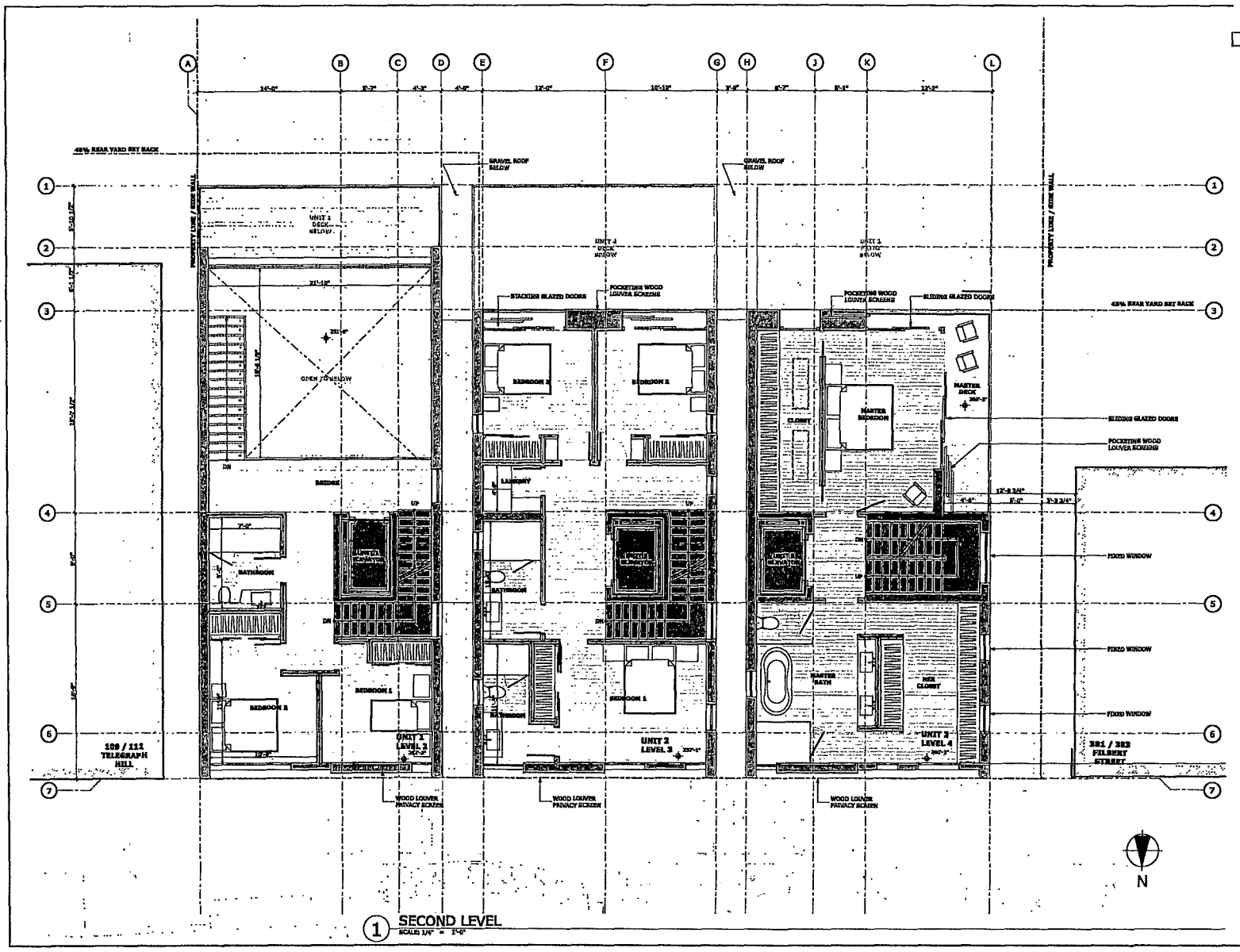
PLANNING PERMIT

REVISIONS:	BY:
1 NOPDR #1 - 02/13/2014	DS / BR
2 NOPDR #2 - 05/16/2014	DS / BR
4 REVISION - 08/02/2014	DS / BR
5 REVISION - 08/14/2014	DS / BR

JOB#:	1205
DATE:	AUG. 12, 2013
DRAWN:	SR/DS
CHECKED:	LB
SCALE:	AS NOTED

GROUND LEVEL PROPOSED PLAN

A2.3



1 SECOND LEVEL
SCALE: 1/4" = 1'-0"

BUTLER ARMSDEN ARCHITECTS
1849 CALIFORNIA STREET
SAN FRANCISCO, CA 94115
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T 415-921-5134
F 415-921-5138

115 TELEGRAPH HILL

115 TELEGRAPH HILL BLVD., SAN FRANCISCO, CA, 94133.

2710

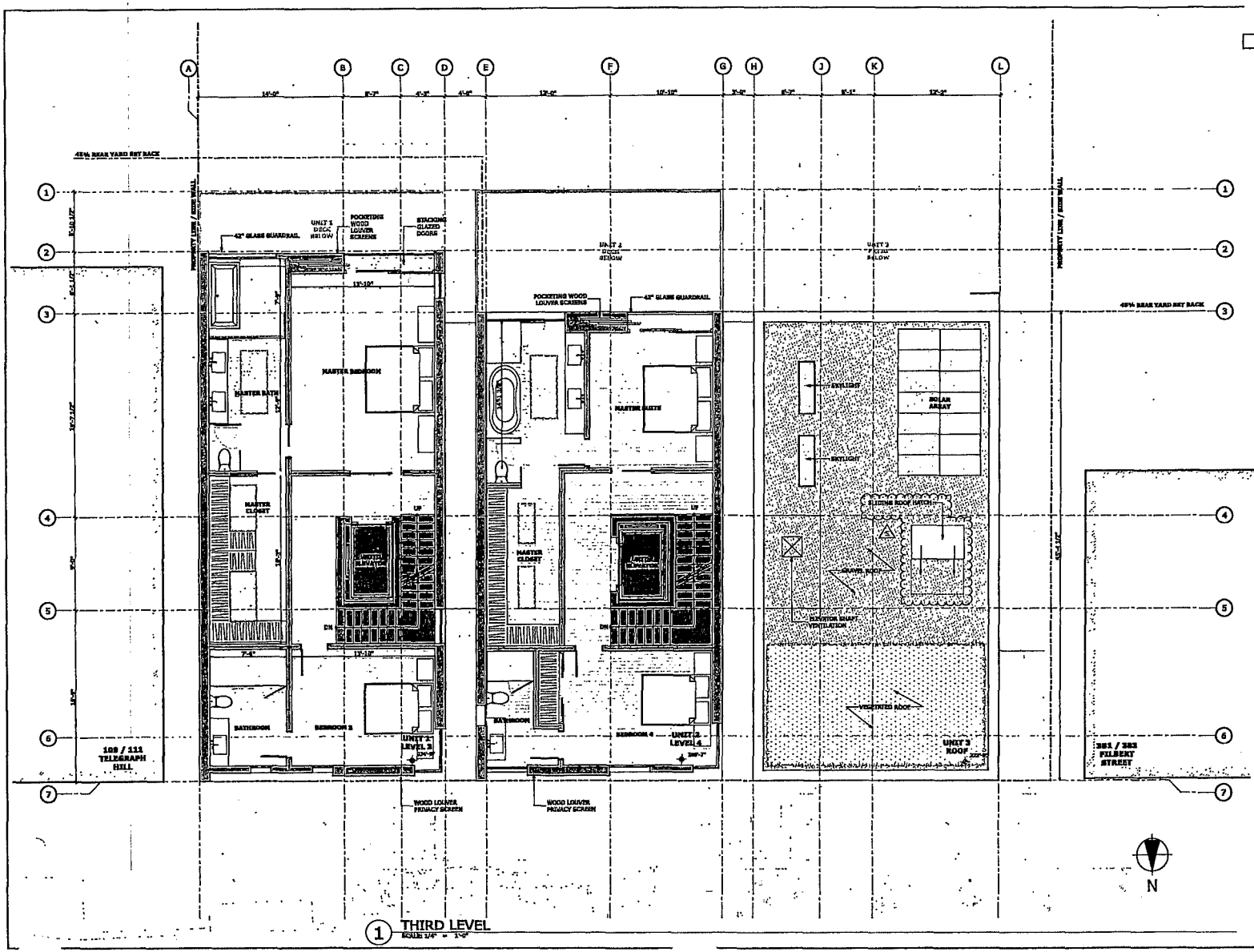
PLANNING PERMIT

REVISIONS:	BY:
1 NOPDR #1 - 07/11/2014	DS / SR
2 NOPDR #2 - 09/16/2014	DS / SR
3 REVISION - 09/02/2014	DS / SR

JOB#:	1205
DATE:	AUG. 12, 2013
DRAWN:	SR/DS
CHECKED:	LB
SCALE:	AS NOTED

SECOND LEVEL PROPOSED PLAN

A2.4



1 THIRD LEVEL
SCALE: 1/4" = 1'-0"

BUTLER ARMSDEN ARCHITECTS
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115 TELEGRAPH HILL

115 TELEGRAPH HILL BLVD., SAN FRANCISCO, CA, 94133.

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1 NOPDR #1 - 02/13/2014	DS / BA
2 NOPDR #2 - 03/18/2014	DS / BA
3 REVISION - 08/13/2014	DS / BA
4 REVISION - 09/14/2014	DS / BA

JOB#:	1205
DATE:	AUG. 12, 2013
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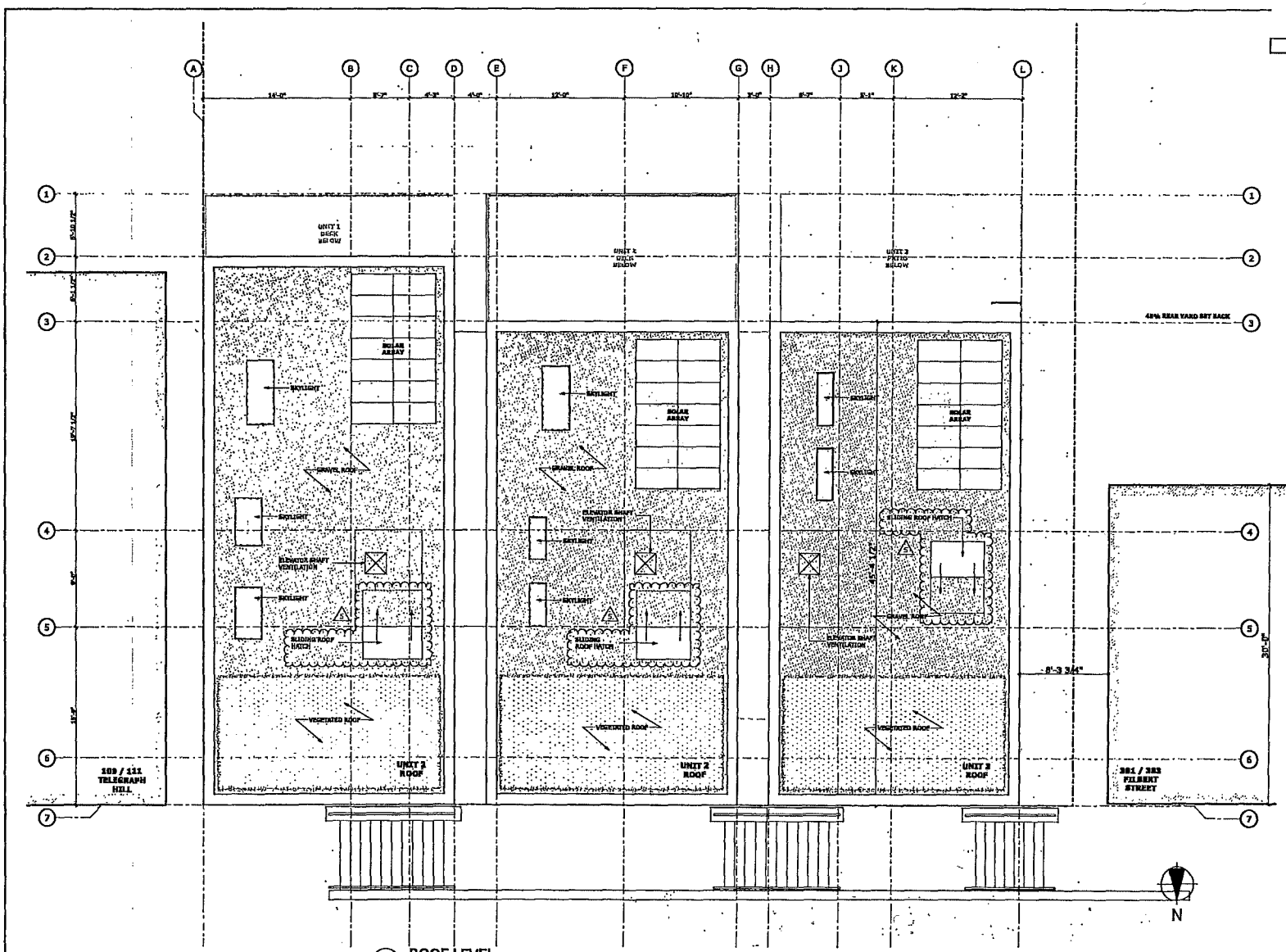
CHECKED:	LB
SCALE:	AS NOTED

THIRD LEVEL PROPOSED PLAN

A2.5

2711



1 ROOF LEVEL
SCALE: 1/4" = 1'-0"

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2712

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5 REVISION - 09/18/2014	DS / SR

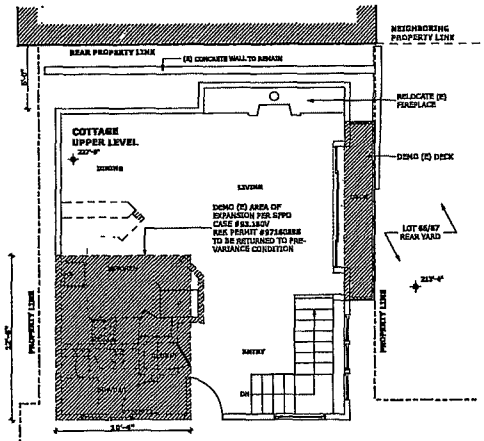
JOB#:	1205
DATE:	AUG. 12, 2013
DRAWN:	SR/DS
CHECKED:	LB
SCALE:	AS NOTED

ROOF LEVEL PROPOSED PLAN

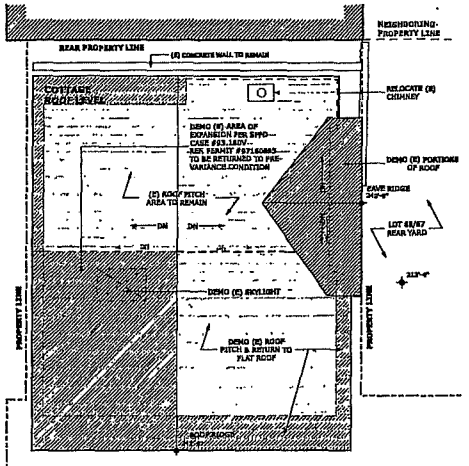
A2.6

GENERAL NOTES

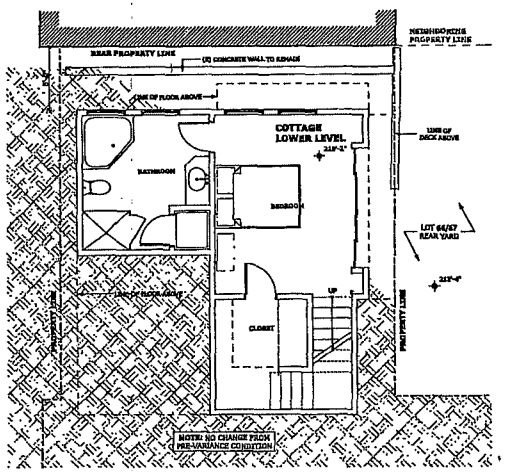
1. REF. PERMIT #9716089S: ORIGINAL REMODELING DESIGN BY THEODORE BROWN & PARTNERS. MODIFICATIONS BY WINKS & ASSOCIATES IN GENERAL CONFORMITY WITH EXHIBIT B TO PLANNING COMMISSION MOTION #1372 (11/12/1997)
2. REF. PERMIT #9925477 FOR UPDATED COTTAGE RENOVATION PLANS & SCOPE OF WORK FROM #9716089S (11/30/1999)
3. REF. SFPC VARIANCE CASE #93.180V



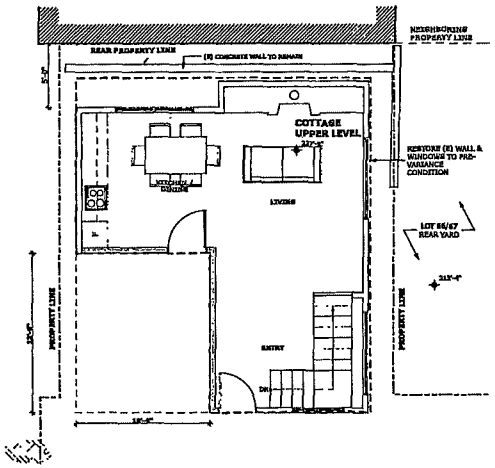
4 DEMO (EXISTING) UPPER LEVEL PLAN
SCALE: 1/4" = 1'-0"



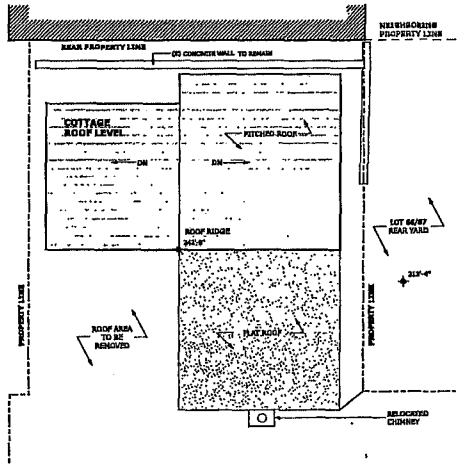
2 DEMO (EXISTING) ROOF PLAN
SCALE: 1/4" = 1'-0"



5 PROPOSED (PRE-VARIANCE) LOWER LEVEL PLAN
SCALE: 1/4" = 1'-0"



3 PROPOSED (PRE-VARIANCE) UPPER LEVEL PLAN
SCALE: 1/4" = 1'-0"



1 PROPOSED (PRE-VARIANCE) ROOF PLAN
SCALE: 1/4" = 1'-0"

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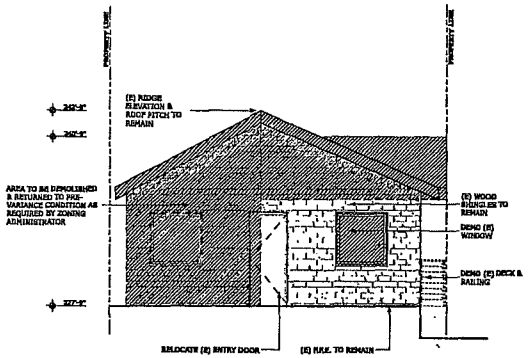
4 REVISION - 08/02/2014	DS / BR

JOB#:	1205
DATE:	AUG. 12, 2013
DRAWN:	SR/DS
CHECKED:	LB
SCALE:	AS NOTED

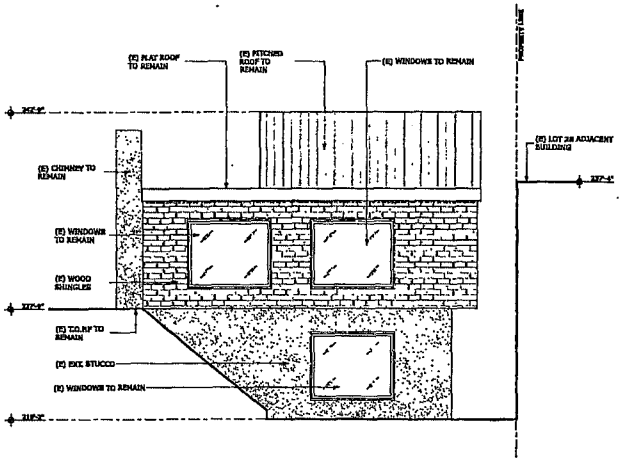
COTTAGE PLANS

A2.7

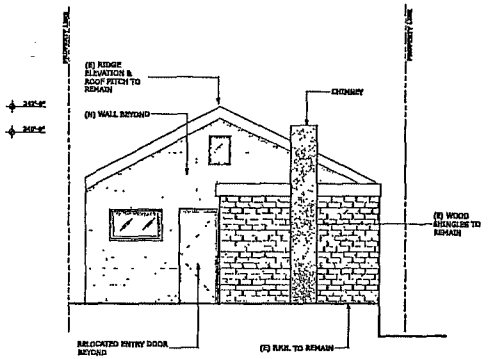
2713



2 DEMO (EXISTING) NORTH ELEVATION
SCALE: 1/4" = 1'-0"



1 PROPOSED (PRE-VARIANCE) WEST ELEVATION
SCALE: 1/4" = 1'-0"



1 PROPOSED (PRE-VARIANCE) NORTH ELEVATION
SCALE: 1/4" = 1'-0"

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115 TELEGRAPH HILL

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JOB#:	1205
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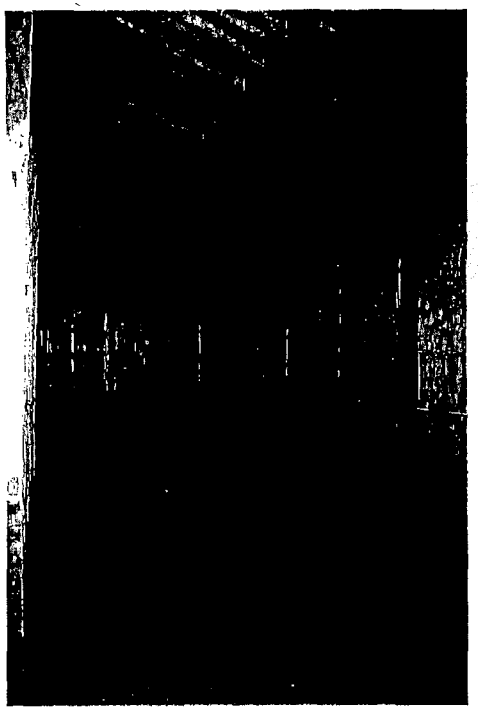
SCALE:	AS NOTED

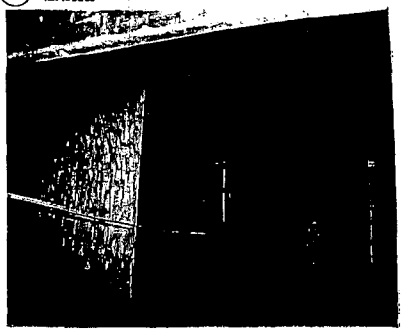
COTTAGE ELEVATIONS

A2.8

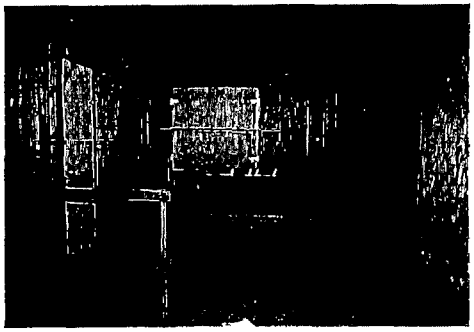
2714



8 COTTAGE: EXISTING UPPER LEVEL LOOKING SOUTH
NOT TO SCALE



7 COTTAGE: EXISTING UPPER LEVEL LOOKING SOUTH
NOT TO SCALE



6 COTTAGE: EXISTING UPPER LEVEL LOOKING NORTH
NOT TO SCALE



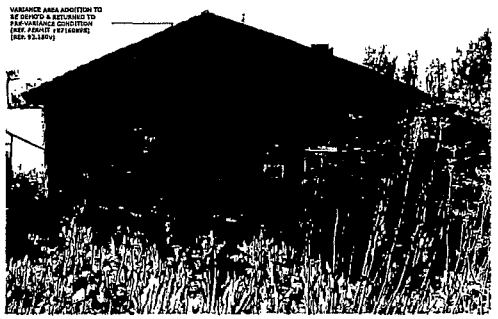
4 COTTAGE: EXISTING NORTH FACADE
NOT TO SCALE



3 COTTAGE: EXISTING CONDITION
NOT TO SCALE



2 COTTAGE: EXTERIOR VIEW FROM STREET
NOT TO SCALE



1 COTTAGE: EXISTING NORTH FACADE
NOT TO SCALE

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DATE:	AUG. 12, 2013
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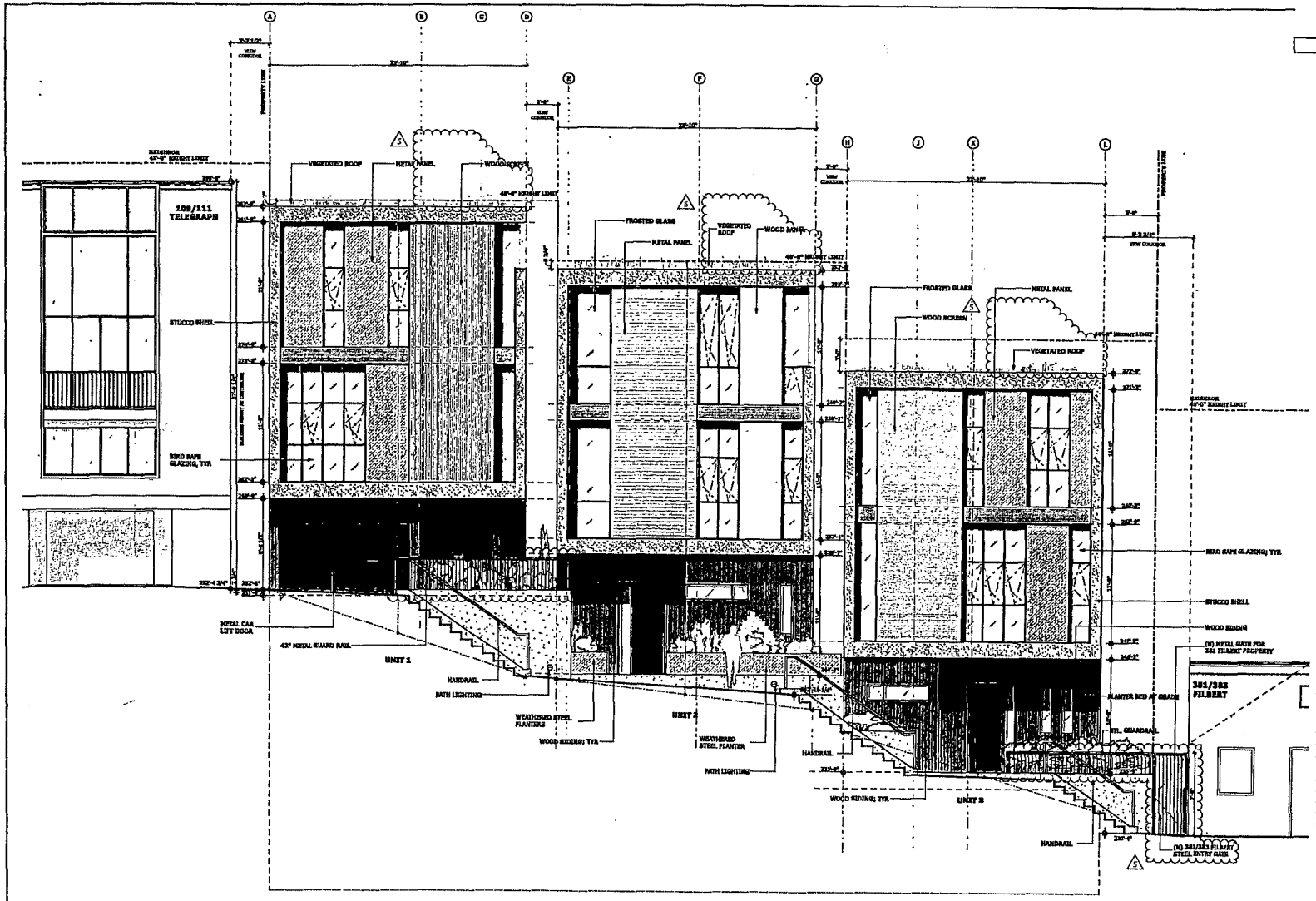
CHECKED:	LB
SCALE:	AS NOTED

COTTAGE: EXISTING CONDITION PHOTOS

2.9

2715



1 FRONT ELEVATION
SCALE: 1/4" = 1'-0"

BUTLER ARMSDEN ARCHITECTS

115 TELEGRAPH HILL

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2716

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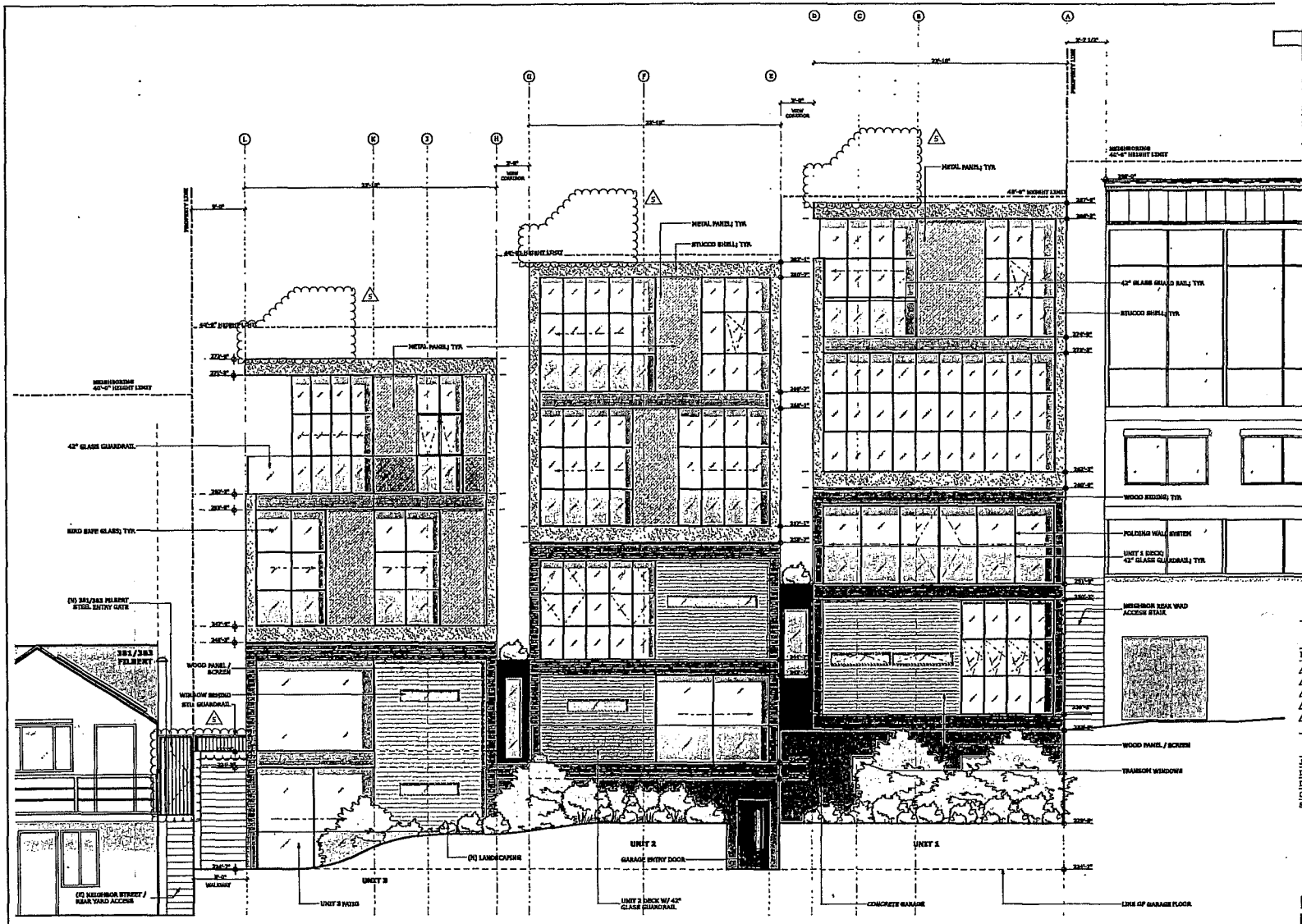
3 REVISION - 07/17/2014	DS / SR
4 REVISION - 08/01/2014	DS / SR
5 REVISION - 08/18/2014	DS / SR

JOB#:	1205
DATE:	AUG. 12, 2013
DRAWN:	SR/DS
CHECKED:	LB
SCALE:	AS NOTED

FRONT ELEVATION

A3.1



1 REAR ELEVATION
SCALE: 1/4" = 1'-0"

BUTLER ARMSDEN ARCHITECTS

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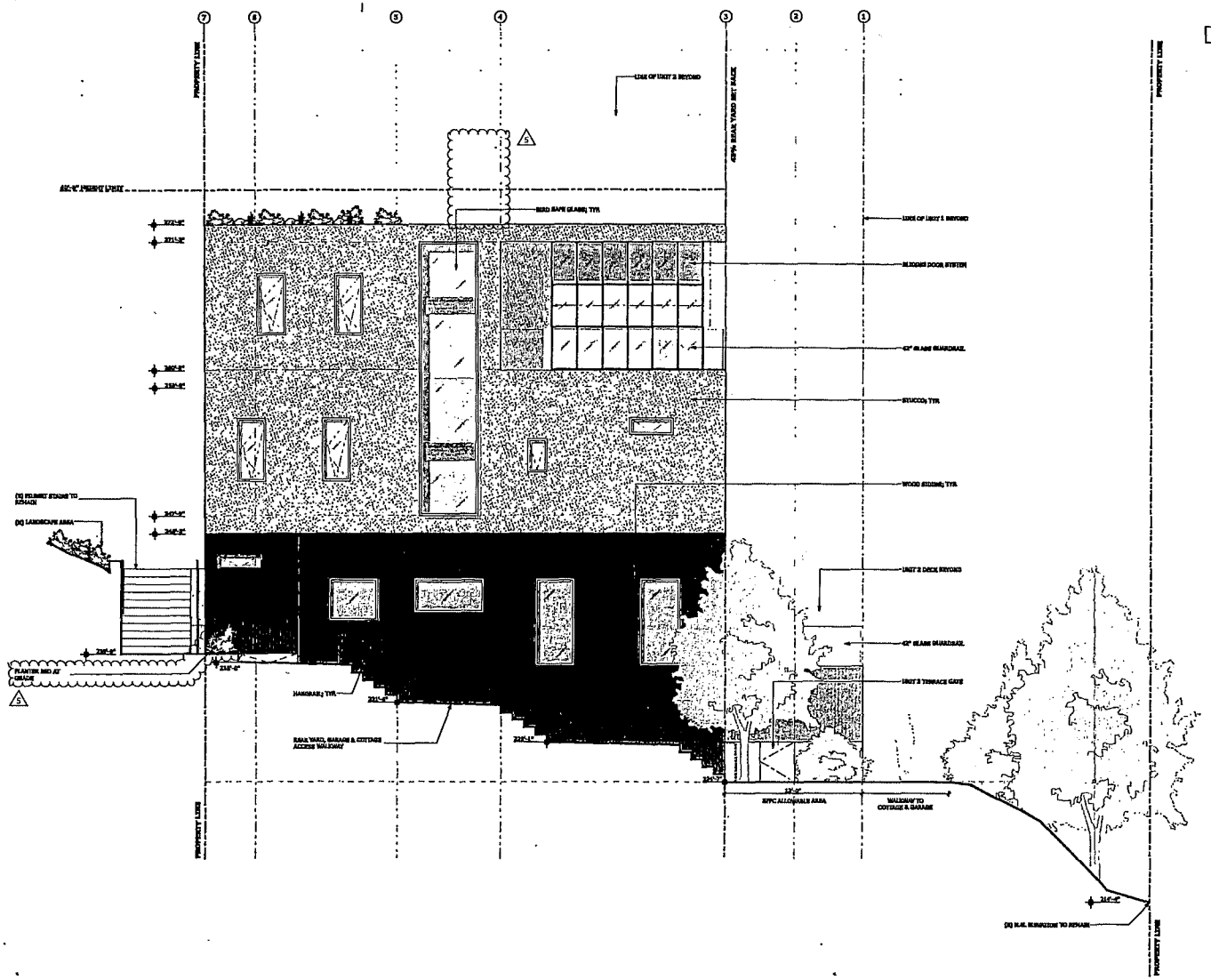
2 ADDR #2 - 05/19/2014	DS / BR
3 REVISION - 07/17/2014	DS / BR
4 REVISION - 08/02/2014	DS / BR
5 REVISION - 08/16/2014	DS / BR

JOB#:	1205
DATE:	AUG. 12, 2013
DRAWN:	SH/DS
CHECKED:	LB
SCALE:	AS NOTED

REAR ELEVATION

A3.2

2717



1 WEST ELEVATION: UNIT 3
SCALE: 1/4" = 1'-0"

BUTLER ARMSDEN
ARCHITECTS

115 TELEGRAPH HILL

115 TELEGRAPH HILL BLVD., SAN FRANCISCO, CA, 94133,

PLANNING PERMIT

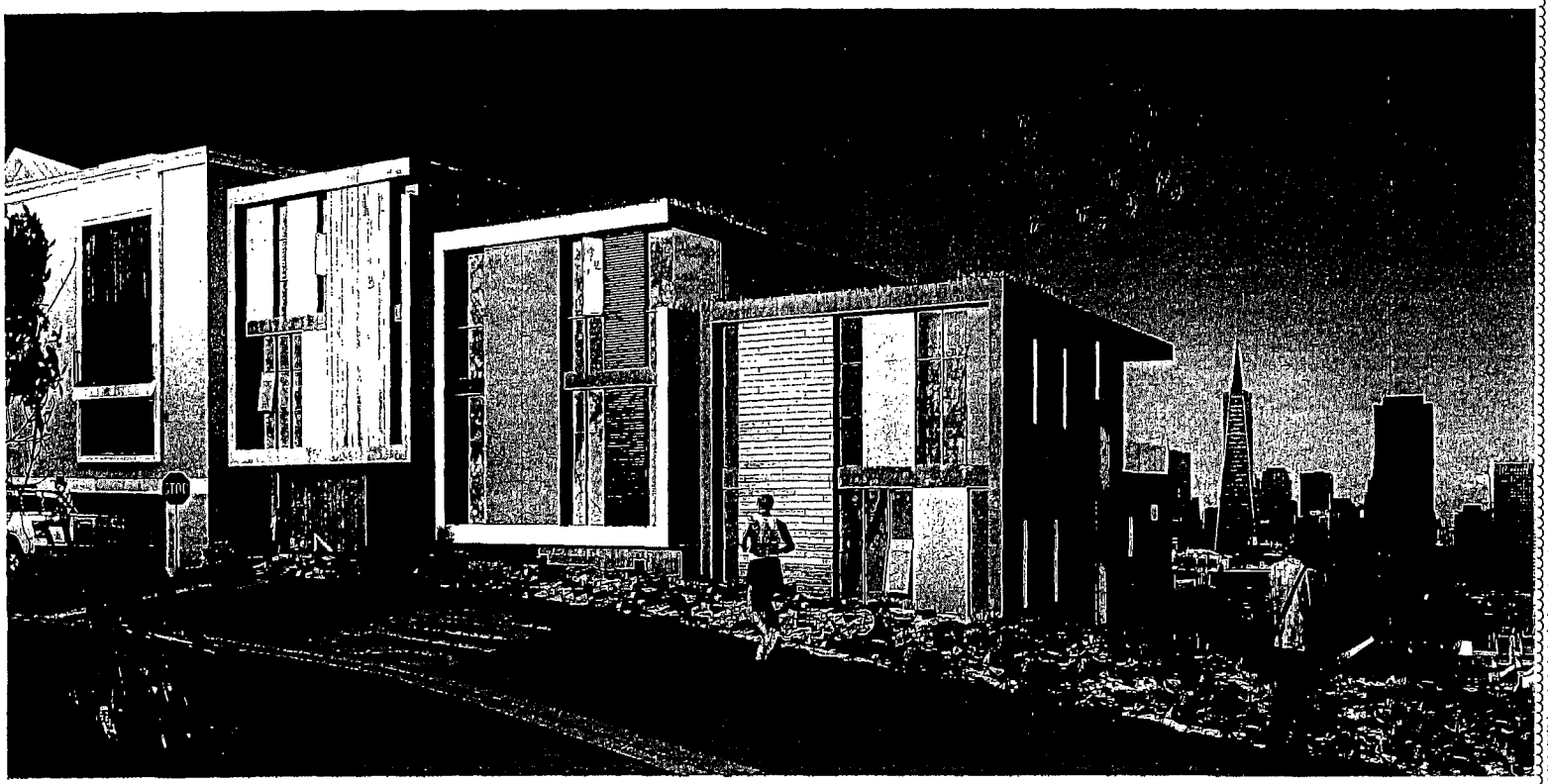
REVISIONS:	BY:
4 REVISION - 08/02/2014	DS / BR
5 REVISION - 08/18/2014	DS / BR

JOB#:	1205
DATE:	AUG. 12, 2013
DRAWN:	SR/DS
CHECKED:	LB
SCALE:	AS NOTED

WEST ELEVATION

A3.3

2718



1 FRONT FACADE LOOKING SOUTHEAST

BUTLER ARMSDEN
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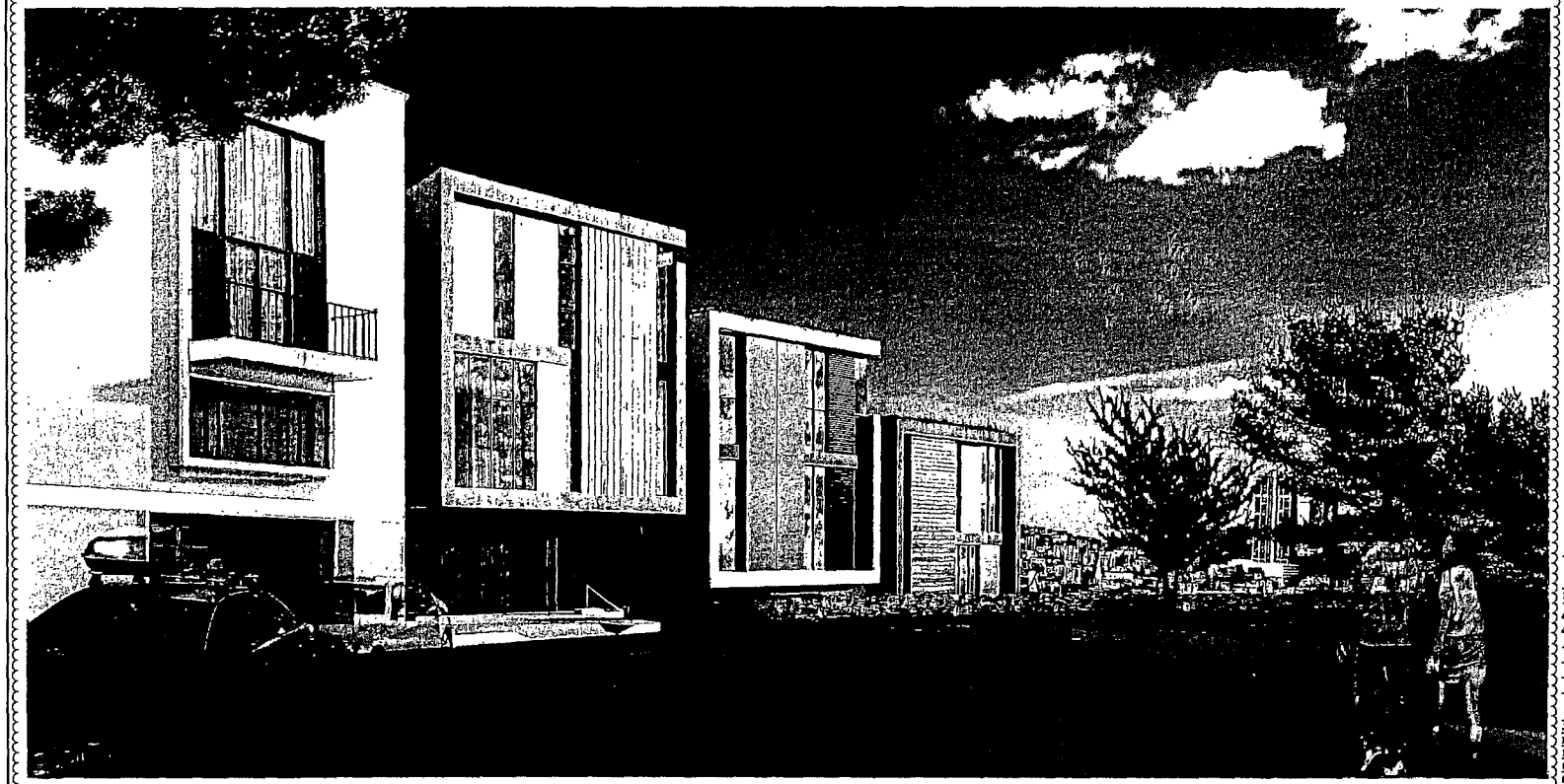
1 NOPDR #1 - 02/12/2014	DS / SR
5 REVISION - 09/16/2014	DS / SR

JOB#:	1205
DATE:	AUG. 12, 2013
DRAWN:	SR/DS
CHECKED:	LB
SCALE:	AS NOTED

CONCEPTUAL RENDERINGS

3.8

2719



1 FRONT FACADE LOOKING SOUTHWEST

BUTLER ARMSDEN
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F [illegible]

115 TELEGRAPH HILL

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5	REVISION - 09/16/2014	DS / SR

JOB#:	1205
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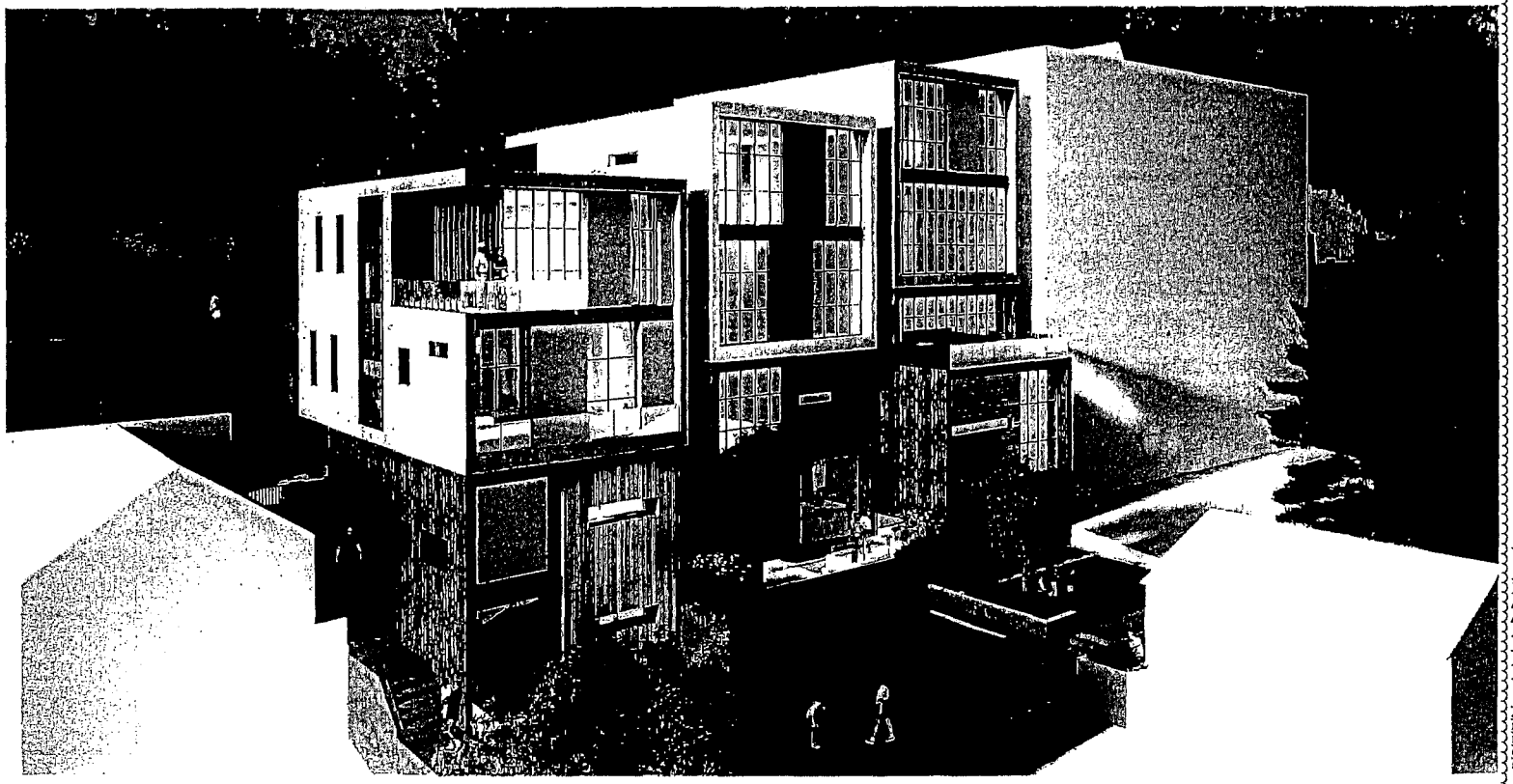
DRAWN:	SR/DS
CHECKED:	LB
SCALE:	AS NOTED

CONCEPTUAL RENDERINGS

A3.9

2720



1 REAR FACADE LOOKING NORTH

BUTLER ARMSDEN
ARCHITECTS

[illegible] CALIFORNIA STREET
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SCALE:	AS NOTED

CONCEPTUAL RENDERINGS

.10

2721



1 VIEW UP FILBERT STREET STAIRS

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115 TELEGRAPH HILL

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PLANNING PERMIT

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5 REVISION - 08/16/2014	DS / SR

JOB#:	1205
DATE:	AUG. 12, 2013
DRAWN:	SR/DS
CHECKED:	LB
SCALE:	AS NOTED

CONCEPTUAL RENDERINGS

A3.11

2722

Exhibit D
115 Telegraph Hill Boulevard
Summary of Project Construction Improvement Measures

1. **Conditions Included in Planning Commission Approval Motion:**

   - Construction Parking. The Project Sponsor shall require of the general contractor that construction workers shall park legally and shall not park in the Coit Tower parking lot.
   - Managing Traffic during Construction. The Project Sponsor and construction contractor(s) shall coordinate with the Traffic Engineering and Transit Divisions of the San Francisco Municipal Transportation Agency (SFMTA), the Police Department, the Fire Department, the Planning Department, and other construction contractor(s) for any concurrent nearby Projects to manage traffic congestion and pedestrian circulation effects during construction of the Project. Prior to commencing construction, the Project Sponsor shall consult with the affected neighbors on Assessor's Block 105 before finalizing the construction staging and traffic plan, including:
     - A schedule of delivery times and dates during which the construction materials are expected to arrive; and
     - Methods to be used to monitor truck movement into and out of the building site so as to minimize traffic conflicts on Telegraph Hill Boulevard.
   - Construction Vehicle Queuing. There shall be no queuing of construction trucks along Telegraph Hill Boulevard. All trucks waiting to unload material shall be staged at a location offsite. Deliveries shall be made between the hours of 7:30 a.m. and 5 p.m. on weekdays, exclusive of legal holidays. The Project Sponsor shall employ full-time flag persons to direct traffic during excavation and concrete placement phases of construction. During other construction phases, all truck movement into and out of the Project Site shall be monitored by flag persons to minimize any traffic conflict.

2. **Conditions Incorporated on Approved Plan Set:**

   - All work shall be in compliance with all applicable Building Codes and Regulations. Contractor shall be responsible for permits applicable to specific trades or subcontractors.
   - Along the Filbert Street Stair frontage of the Property, a well-lit and naturally ventilated pedestrian tunnel providing safety to persons using the stairs shall be erected for the duration of the construction period.
   - A flag-person will be permanently stationed at the top of the Filbert Stairs at the entry point to the site. This person is responsible for monitoring and ushering construction equipment as well as pedestrian and vehicular traffic to minimize potential conflicts.
   - All trucks waiting to unload material shall be staged at a location offsite to avoid queuing of construction trucks on Telegraph Hill Boulevard. Deliveries shall be made between the hours of 7:30 AM and 5:30 PM on weekdays, exclusive of legal holidays.

Exhibit D
115 Telegraph Hill Boulevard
Summary of Project Construction Improvement Measures

- Construction vehicles shall use the staging area provided on sites as a means to turn around, avoiding use of the Coit Tower parking lot by construction equipment and trucks.
- All applicable weight limits on access roads to and from the site shall be observed and adhered to.
- No construction activity over 5 dba shall be permitted between 8:00 PM and 7:00 AM the following day per San Francisco Noise Control Ordinance.
- No tradesperson shall utilize the Coit Tower parking lot for personal use, and will instead park at designated parking garages and be shuttled to and from the job site.
- Prior to commencing construction the contractor & sponsor shall coordinate with traffic engineering and Transit Division of the SFMTA, Police Department, Fire Department, Planning Department, and other construction contractors for any concurrent nearby projects to manage traffic congestion and pedestrian circulation effects during construction of the project.
- Prior to commencing construction, the project sponsor shall consult with affected neighbors on Assessors' Block 105 before finalizing the construction staging and traffic plan, including (a) a schedu8le of delivery times and dates during which construction materials are expected to arrive; and (b) methods to be used to monitor truck movement into and out of the building site so as to minimize traffic conflicts on Telegraph Hill Boulevard.
- MUNI access to Coit Tower shall be maintained throughout construction.
- Stewardship of landscape areas in the public domain and in the Filbert Street Stairs along the property frontage shall be maintained by the subject property, with the permission of SF Parks & Recreation, DPW & DBI.

SAN FRANCISCO
PLANNING DEPARTMENT

Certificate of Determination
Exemption from Environmental Review

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

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415.558.6409

Planning
Information:
415.558.6377

Case No.:	**2013.1375E**
Project Title:	**115 Telegraph Hill Boulevard**
Zoning:	RH-3 (Residential – House, Two Family) Use District Telegraph Hill – North Beach Residential Special Use District 40-X Height and Bulk District
Block/Lot:	0105/065
Lot Size:	7,517 square feet
Project Sponsor:	Daniel Frattin, Reuben, Junius, & Rose, LLP, (415) 567-9000
Staff Contact:	Heidi Kline – (415) 575-9043, Heidi.Kline@sfgov.org

PROJECT DESCRIPTION:

The proposed project would allow the construction of a three-unit residential building and the exterior renovation (no increase in building area) of an existing 1,000-square-foot, two-story cottage constructed in 1906. The three new residential units would be located in a three-story over basement building with unit sizes ranging from 4,100 to 4,600 square feet. Three off-street parking spaces would be provided for the new units in a 3,000-square-foot area in the basement. The maximum height of the building would be 40 feet, as measured in accordance with the San Francisco Planning Code. No change would be made to the height of the existing cottage. The new three-unit building would be constructed at the front of the lot, adjacent to Telegraph Hill Boulevard, while the existing cottage would remain in its current location at the rear of the lot. A portion of the concrete sidewalk and steps (Filbert Steps) along the parcel's frontage would be replaced in kind. The project is located within the Telegraph Hill neighborhood on the south side of Telegraph Hill Boulevard between Kearney and Montgomery Streets.

EXEMPT STATUS:

Categorical Exemption, Class 1 (California Environmental Quality Act (CEQA) Guidelines Section 15301(d) and Class 3 CEQA Guidelines Section 15303(b)

REMARKS:

See next page.

DETERMINATION:

I do hereby certify that the above determination has been made pursuant to State and local requirements.

Sarah Jones
Environmental Review Officer

June 10, 2014
Date

cc: Daniel Frattin, Project Sponsor

Supervisor David Chiu, District 3

PROJECT APPROVALS

- Conditional Use Authorization by the Planning Commission for residential density above three units per lot and the off-street parking spaces per Section 151 and the Telegraph Hill – North Beach Residential Special Use District of the San Francisco Planning Code.
- Building Permit from the San Francisco Department of Building Inspection.
- Permit from the Department of Public Works for construction within the public right-of-way.
- Approval from the San Francisco Municipal Transportation Agency (SFMTA) to relocate an existing stop sign.

Approval Action: The proposed project is subject to Planning Commission approval of a conditional use CU authorization for the off-street parking spaces and for residential density above three units per lot. This CU is the approval action for the project. The Approval Action date establishes the start of the 30-day appeal period for this CEQA exemption determination pursuant to Section 31.04(h) of the San Francisco Administrative Code.

REMARKS:

Historic Resource. The existing cottage was constructed in 1906 and is classified as a Category "B", or potential historic resource, in the Planning Department's records. A Category B rating indicates that additional information is necessary to make a determination as to whether the site is an historic resource or not. In order for a building to be deemed a historic resource for purposes of CEQA Section 21084.1, it must be listed in or determined to be eligible for listing in the California Register of Historical Resources (CRHR), or included in a local register of historic resources.

Based on a historic resource evaluation (HRE) prepared by Page & Turnbull[1] and subsequent evaluation by the Planning Department Preservation Planning staff,[2] the project site was determined to not be eligible for listing in the CRHR nor was it included on a local register of historic resources. The extant cottage is a common example of a vernacular building and has been extensively altered such that it no longer represents its original 1906 construction.

In order for a project to be deemed eligible for listing in the CRHR, the project must be shown to meet any one of the National Register of Historic Places' four criteria: Criterion 1 (Event), Criterion 2 (Persons), Criterion 3 (Architecture), or Criterion 4 (Information Potential). The Planning Department concurs with

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[1] Page & Turnbull, *115 Telegraph Hill Boulevard Historic Resource Analysis, San Francisco, California.* February 19, 2014. A copy of this document is available for public review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, as part of Case File No. 2013.1375E.

[2] Hilyard, Gretchen, *Preservation Team Review Form for 115 Telegraph Hill Boulevard.* May 1, 2014. A copy of this document is available for public review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, as part of Case File No. 2013.1375E.

the findings of the HRE that the subject property is not eligible for listing in the California Register under any criteria, specifically: No known historic events occurred at the property (Criterion 1), none of the owners or occupants have been identified as important to history (Criterion 2), the building is not architecturally distinct and represents its alteration circa 1997 (Criterion 3). Based upon a review of information in the Departments records, the subject property is not significant under Criterion 4, which is typically associated with archaeological resources. Furthermore, the subject property is not likely significant under Criterion 4, since this significance criterion typically applies to rare construction types when involving the built environment. The subject property is not an example of a rare construction type. The surrounding neighborhood contains a mix of architectural styles, building sizes, and a defined period of development; therefore, it does not appear to be a potential historic district.

Preservation Planning staff determined that the site does not meet any of these four criteria. Therefore, the site was determined to not be eligible for listing individually or as part of a potential or existing historic district in the CRHR and the site is not an historic resource for purposes of CEQA. The proposed new construction project does not directly or indirectly involve any historic resources and will not cause a significant adverse impact upon a historic resource as defined by CEQA.

Geotechnical. The project site is on an approximately 80-foot-wide by 80-foot-deep, downhill-sloped lot with a slope from the east to west side of the lot. The elevation at the highest point along the street (northeast corner) is 251 feet (above sea level) and 214 feet at the rear lot line (southwest corner). The existing cottage is constructed in the southeastern corner of the lot at an elevation of 229 feet. The proposed three-unit residential building would be constructed at the front of the lot along Telegraph Hill Boulevard with a pad elevation at approximately 224 feet. The existing cottage at the rear of the lot would be renovated and no changes made to the existing poured concrete foundation. The foundation for the new building would be constructed using drilled concrete pier and grade beam foundation, requiring excavation up to 25 feet in depth.

A geotechnical report was prepared for the proposed project at 115 Telegraph Hill Boulevard[3] and includes information gathered from a site reconnaissance by the geotechnical engineer and four soil borings conducted on the project site. The borings encountered 6 inches to 4 feet six inches of loose to dense clayey sand with varying amounts of silt and gravel to stiff, sandy silty clay, overlaying sandstone bedrock. No groundwater was encountered, though based on the hillside location it is possible that groundwater could be encountered near the surface following rain or upslope irrigation.

The geotechnical report evaluated the project site for potential liquefaction, surface rupture, lateral spreading, densification, and landslides and found the potential for risk to be low. The project site is in an area that would be exposed to strong earthquake shaking, though adherence to the recommendations in the 2013 San Francisco Building Code would reduce potential damage to the structure. The 2013 San Francisco Building Code (Building Code) requires Site Classification and Values of Site Coefficients for the design of earthquake resistant structures to minimize damage from earthquakes. The geotechnical

[3] Earth Mechanics Consulting Engineers, *Report Geotechnical Investigation Planned Improvements at 115 Telegraph Hill Boulevard, San Francisco, California*, May 12, 2013. A copy of this document is available for public review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, as part of Case File No. 2013.1375E.

report includes seismic design parameters for use by the structural engineer for the project in complying with the Building Code during the Department of Building Inspection (DBI) building permit plancheck process.

The geotechnical report found that the proposed structure's foundation could be safely supported using a drilled concrete pier and grade beam foundation, provided adherence to site preparation and foundation design recommendations in the project geotechnical report.

The project sponsor has agreed to adhere to the recommendations of the geotechnical report and include the report's design recommendations into the plans submitted for the building permit plancheck process, subject to final review by DBI. Thus, the proposed project would have no significant geotechnical impacts.

Exemption Class. Under CEQA State Guidelines Section 15301(d), or Class 1(d), exterior renovations to an existing single-family residence that is not a historic resource, as defined for purposes of CEQA, is exempt from environmental review. The proposed project involves the exterior renovation of the existing 1,000-square-foot cottage at the rear of the property. Under CEQA State Guidelines Section 15303(b), or Class 3(b), construction of a multi-family residential structure with up to four dwelling units in a residential zone is exempt from environmental review. In urbanized areas, this exemption applies to apartments, duplexes, and similar structures designed for not more than six dwelling units. The proposed project includes the construction of a multi-family residential structure with three dwelling units in a residential zoning district. Therefore, the proposed project would be exempt from environmental review under Class 1(d) and Class 3(b).

Summary. CEQA State Guidelines Section 15300.2 states that a categorical exemption shall not be used for an activity where there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances. There are no unusual circumstances surrounding the current proposal that would suggest a reasonable possibility of a significant effect. The proposed project would not have significant geotechnical or historical resource impacts. The proposed project would have no significant environmental effects. The project would be exempt under the above-cited classifications. For the above reasons, the proposed project is appropriately exempt from environmental review.

DIVISION OF MINES AND GEOLOGY
JAMES F. DAVIS, STATE GEOLOGIST

STATE OF CALIFORNIA-GRAY DAVIS, GOVERNOR
THE RESOURCES AGENCY-MARY D. NICHOLS, SECRETARY
DEPARTMENT OF CONSERVATION-DARRYL W. YOUNG, DIRECTOR

SEISMIC HAZARD ZONES
City and County of San Francisco



Base Map prepared by U.S. Geological Survey, various dates

SCALE 1:24,000

STATE OF CALIFORNIA
SEISMIC HAZARD ZONES

Delineated in compliance with
Chapter 7.8, Division 2 of the California Public Resources Code
(Seismic Hazards Mapping Act)

CITY AND COUNTY OF SAN FRANCISCO

OFFICIAL MAP

Released: November 17, 2000

STATE GEOLOGIST

PURPOSE OF MAP

The maps will assist cities and counties in fulfilling their responsibilities for protecting the public safety from the effects of earthquake-triggered ground failure as required by the Seismic Hazards Mapping Act (Public Resources Code Sections 2690-2699.6).

For information regarding the scope and recommended methods to be used in preparing the required site investigations, see Special Publication 117, Guidelines for Evaluating and Mitigating Seismic Hazards in California.

For a general description of the Seismic Hazards Mapping Program, the Seismic Hazards Mapping Act and regulations, and related information, please refer to www.consrv.ca.gov/cgs.

Production of this map was funded by the Federal Emergency Management Agency's Hazard Mitigation Program and the Department of Conservation in cooperation with the Governor's Office of Emergency Services.

IMPORTANT – PLEASE NOTE

1) This map may not show all areas that have the potential for liquefaction, landslides, or other ground failure during earthquakes, and cannot be used to predict whether or not these or other ground failures will occur at a given location. Site investigations conducted in accordance with the Seismic Hazards Mapping Act may indicate that certain areas are not required to be mapped for liquefaction or landslides.

2) Liquefaction zones may also contain areas susceptible to the effects of earthquake-induced landslides. This situation typically exists at or near the toe of existing landslides, downslope from rockfall or debris flow source areas, or adjacent to steep stream banks.

3) This map does not show Alquist-Priolo earthquake fault zones, if any, that may exist in the area. Please refer to the latest official maps of earthquake fault zones by delineated or other evidence that are required by the Alquist-Priolo Earthquake Fault Zoning Act. For more information on this subject and an index to available maps, see Special Publication 42.

4) Landslide zones on this map were delineated, in part, by applying methods originally developed by the U.S. Geological Survey (USGS). Landslide hazard maps prepared by the USGS typically use topographic, geologic, and soil slope stability information and other types of landslide hazards. Although aspects of these new methodologies may be incorporated in future CDMG seismic hazard zone maps, USGS maps should not be used as substitutes for official SEISMIC HAZARD ZONES maps.

5) U.S. Geological Survey base map standards provide that 90 percent of mapped features are located within 40 feet (horizontal accuracy) of their true position. The identification of certain features on this map is based on aerial photographs and other data sources. Users should be aware that additional hazardous conditions may exist that are not identified on this map. The areas designated as hazard zones are approximate and portions of the zones may not be hazardous. Site investigations may show that many of the actually mapped hazardous features are too small to show.

6) Information on this map is not sufficient to serve as a substitute for the geologic and geotechnical site investigations required under Chapters 7.5 and 7.8 of Division 2 of the Public Resources Code.

7) DISCLAIMER: The State of California and the Department of Conservation make no representations or warranties regarding the accuracy of the data from which these maps were derived. Neither the State nor the Department shall be liable under any circumstances for any direct, indirect, special, incidental or consequential damages with respect to any claim by any user or any third party on account of or arising from the use of this map.

MAP EXPLANATION

Zones of Required Investigation

Liquefaction
Areas where historic occurrence of liquefaction, or local geological, geotechnical and groundwater conditions indicate a potential for permanent ground displacements such that mitigation as defined in Public Resources Code Section 2693(c) would be required.

Earthquake-Induced Landslides
Areas where previous occurrence of landslide movement, or local topographic, geological, geotechnical and subsurface water conditions indicate a potential for permanent ground displacements such that mitigation as defined in Public Resources Code Section 2693(c) would be required.

DATA AND METHODOLOGY USED TO DEVELOP THIS MAP ARE PRESENTED IN THE FOLLOWING:

Seismic Hazard Evaluation of the City and County of San Francisco, California: California Division of Mines and Geology, Open-File Report 2000-008.

For additional information on seismic hazards in this map area, the materials used for zoning, and additional references consulted, refer to www.consrv.ca.gov/cgs

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PRELIMINARY
NEGATIVE DECLARATION

Date of Publication of
Preliminary Negative Declaration: July 30, 1993

Lead Agency: City and County of San Francisco, Department of City Planning
450 McAllister Street, 5th Floor, CA 94102

Agency Contact Person: Alice Glasner Telephone: (415) 558-6424

Project Title: 93.180E and 93.191E
Construction and renovation of 9 units

Project Sponsor: T. Kirkham, J. Cooper
Project Contact Person: Theodore Brown

Project Address: 1440-1446 Kearny Street and 361-377 Filbert Street and 115 Telegraph Hill Blvd.

Assessor's Block(s) and Lot(s): Assessor's Block 105, lots 29, 34, 35, 36
City and County: San Francisco

Project Description: 361-377 Filbert Street and 115 Telegraph Hill Blvd.--the proposed construction of one six-unit residential building and conversion of a two-unit into a one-unit building, after demolition of four buildings containing a total of nine units and merging the three lots involved. 1440-1446 Kearny Street-- renovation of a four-unit building to a 2-unit building.

Building Permit Application Number, if Applicable: Not yet filed

THIS PROJECT COULD NOT HAVE A SIGNIFICANT EFFECT ON THE ENVIRONMENT. This finding is based upon the criteria of the Guidelines of the State Secretary for Resources, Sections 15064 (Determining Significant Effect), 15065 (Mandatory Findings of Significance) and 15070 (Decision to Prepare a Negative Declaration), and the following reasons as documented in the Initial Evaluation (Initial Study) for the project, which is attached:

-Over-

Mitigation measures, if any, included in this project to avoid potentially significant effects:

See page 11

cc: Robert Passmore
Monica Jacobs
Pedro Arce
Jim Nixon
Mike Berkowitz
Lois Scott
Distribution List
Bulletin Board
Master Decision File

93.180E

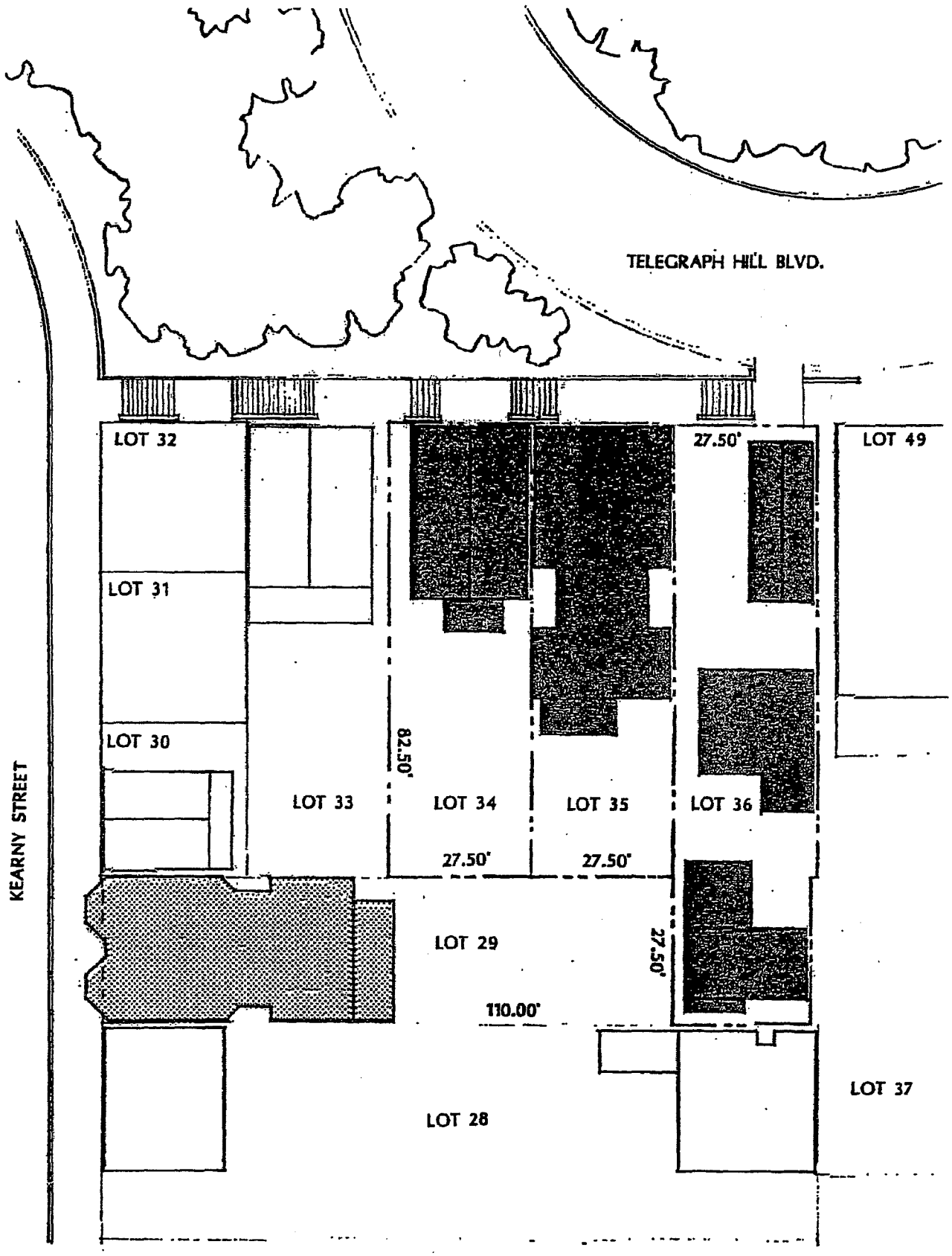
PROJECT DESCRIPTION:
The project consists of two adjacent development proposals under related ownership (See figures, pages 3-6.) They are undergoing environmental review together but each project will be considered for approval separately. The first would merge and develop three lots located on the west side of Telegraph Hill, on Filbert Street, between Montgomery and Kearny Streets (Assessor's Block 105, lots 34, 35, and 36) for residential use after demolition of four existing buildings with nine units. The proposal is to construct one six-unit building and renovate one of the existing buildings (which includes converting it from a two-unit to a one unit, two-story building) on the lot for a total of seven new units with a common garage for nine cars. Vehicle access would be from Telegraph Hill Boulevard. The project site has a relatively steep slope and the new construction would include excavation, estimated at approximately 1,900-2,100 cubic yards. There would be a reduction in the number of residential units on the site, from eleven existing to the seven proposed. Approval of the project would require Conditional Use Authorization for the three lots to be merged into one legal lot and to allow more than three units on the one new lot (Section 209.1(h)). A variance would also be required for expansion of the non-complying structure to remain (Sections 180 (a)(2) and 188)

The new building would contain a total of six stories measured from top to bottom, stepping up the hillside, but never exceeding 40 feet from the ground surface nor exceeding four stories at any one place. The proposed units range from 780 square feet for the one-unit cottage to 4,000 square feet in area for the largest unit in the building. The gross floor area for the project would be 14,900 square feet and additionally there would be about 3,170 square feet in garage space. There would be about 3,610 square feet in open space and 2,295 square feet in exterior terraces. The garage entrance would be on Telegraph Hill Blvd., at the third level of the building. In relation to existing neighboring buildings, the proposed multi-unit building would be approximately the same height as the building directly to the east and it would be approximately 16 feet taller than the building immediately to the west. Buildings to the south of the project site would be downslope of the new construction.

The second proposal would renovate an existing building at 1440-1446 Kearny Street (Assessors Block 105, Lot 29). This four unit, three story building with one parking space, and about 2,980 square feet in area, would be gutted and converted to a two unit building with a total of approximately 5,045 square feet in area. The exterior walls would be changed in the following way: the height of the building would increase from about 37 to almost 39 feet; a penthouse structure, approximately 134 square feet and about 9 feet tall at its highest point, would be added to the roof; and the rear wall would be extended into the yard by about four feet. The new design would accommodate two parking spaces at the street level.

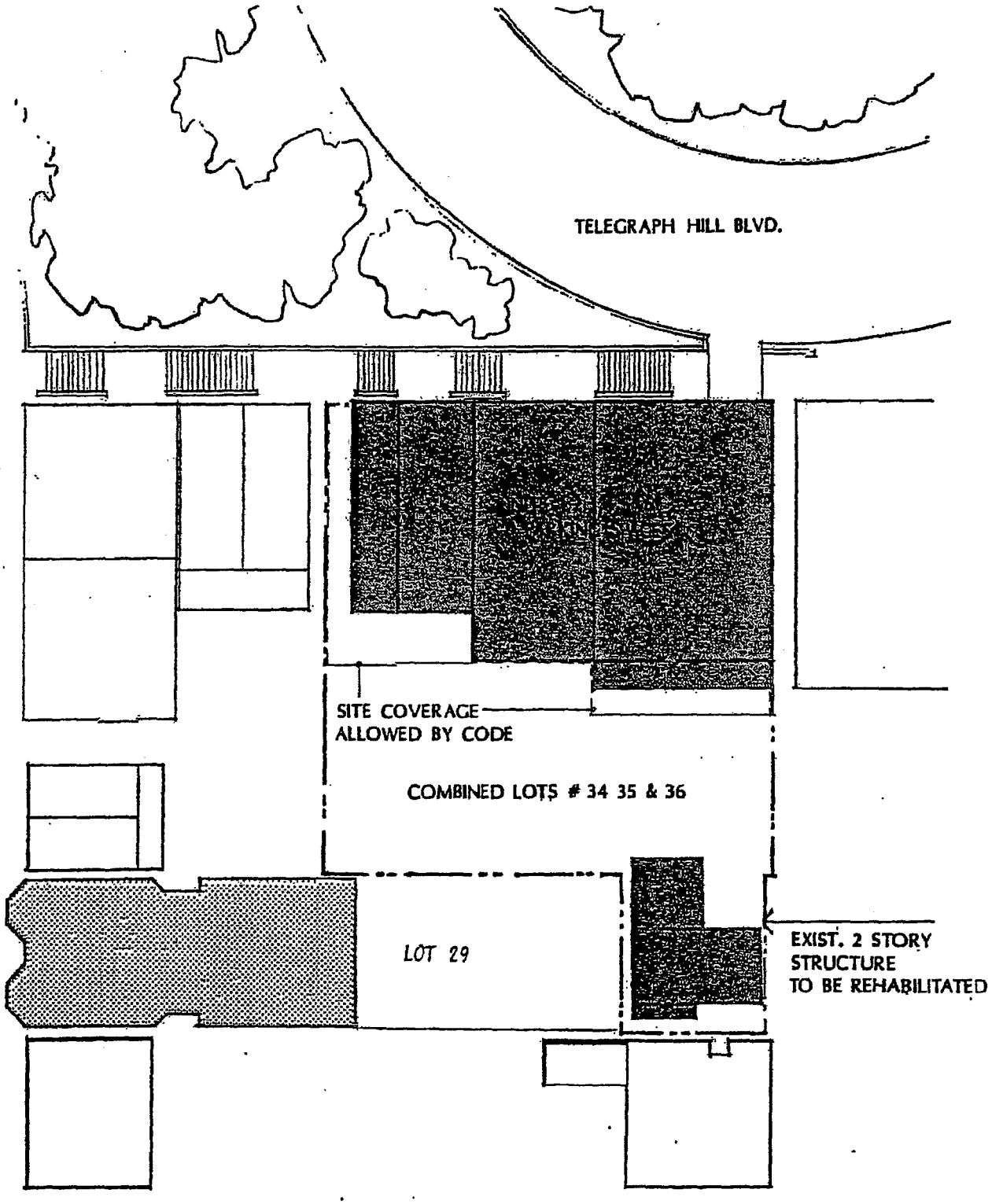
One of the architects for the two proposals has stated that these projects would not be constructed simultaneously, but rather the Kearny Street project would be undertaken long before the Filbert Street project.

The proposed project site is located between Filbert and Union Streets, Montgomery and Kearny Streets, and is characterized by a slope that rises sharply from the west and south. Filbert Street, on this part of the west slope of Telegraph Hill, consists of concrete stairs and a public landscaped strip between the stairs and Telegraph Hill Blvd., but provides no vehicle throughway. Telegraph Hill Blvd. passes to the north of the project site and spirals to Coit Tower, approximately a five minute walk from the site. The three existing lots of the proposed Filbert Street development have five existing structures ranging in height from one to three stories (361-377 Filbert and 115 Telegraph Hill Boulevard), containing a total of 11 residential units. At present, only one of the units is occupied (by a property caretaker.) One of the buildings proposed for demolition, located at 115 Telegraph Blvd. (northern building on lot 36)



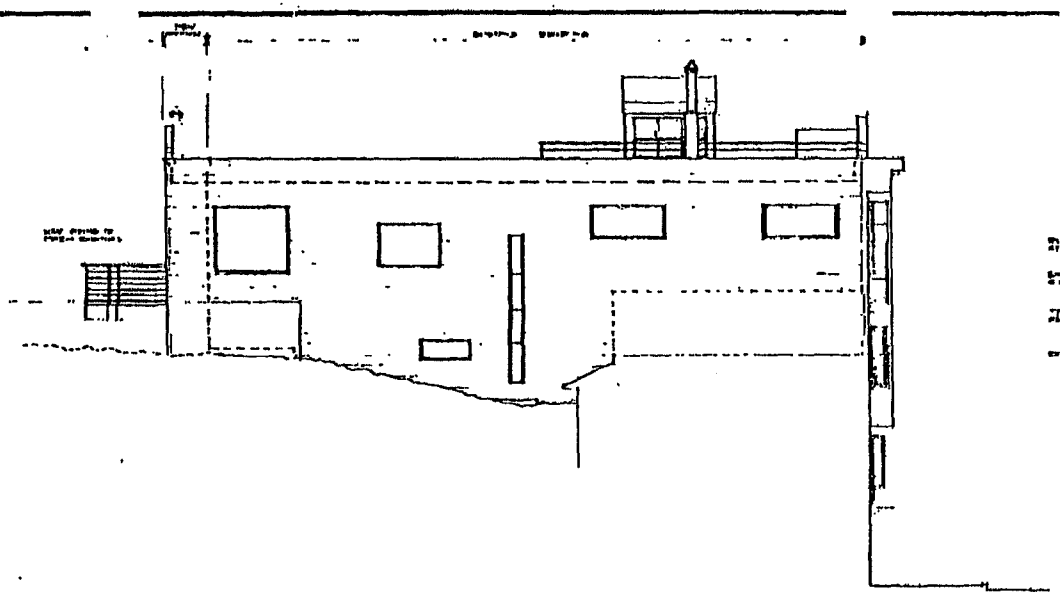
SITE PLAN
EXISTING CONDITIONS
LOTS 29,34,35 & 36

Figure 1

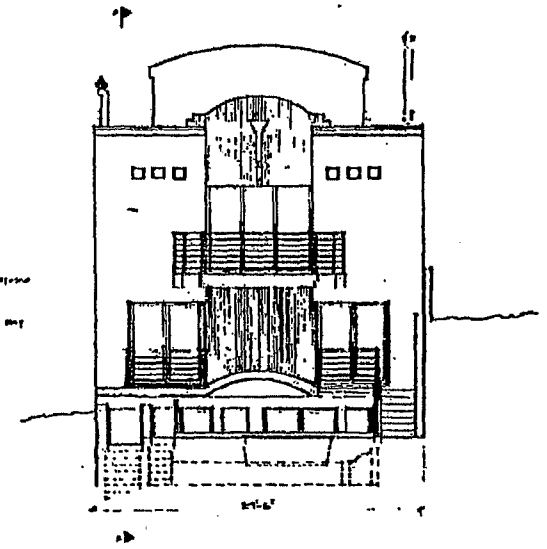


SITE PLAN
PROPOSED DEVELOPMENTS
LOTS 29 34, 35 & 36

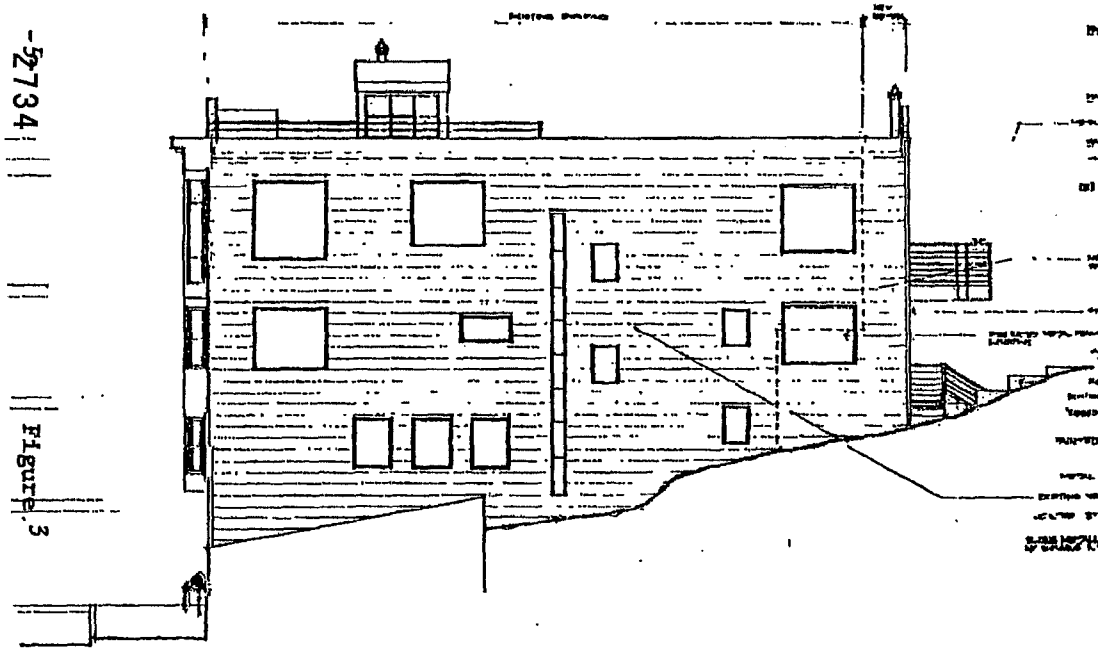
Figure 2



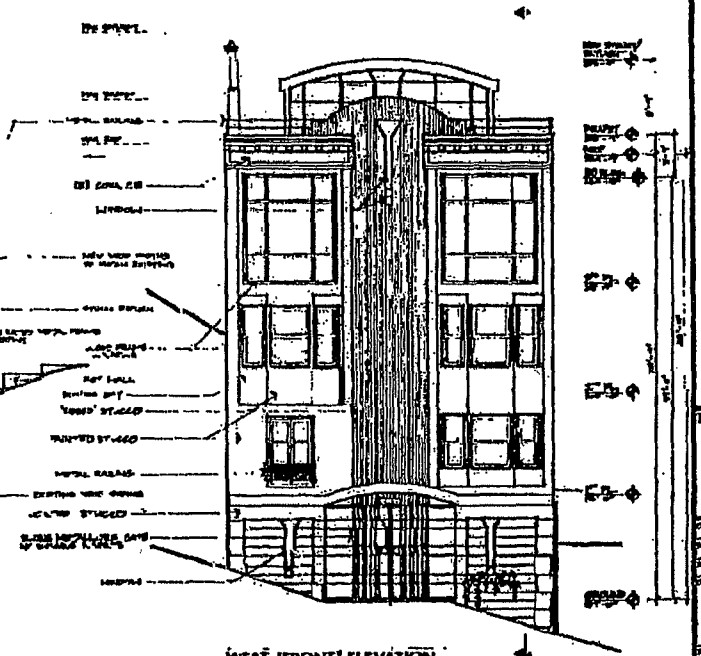
NORTH ELEVATION



EAST (REAR) ELEVATION



SOUTH ELEVATION



WEST (FRONT) ELEVATION



1440–1446
KEARNY STREET

San Francisco, CA

Theodore Brown & Partners Inc

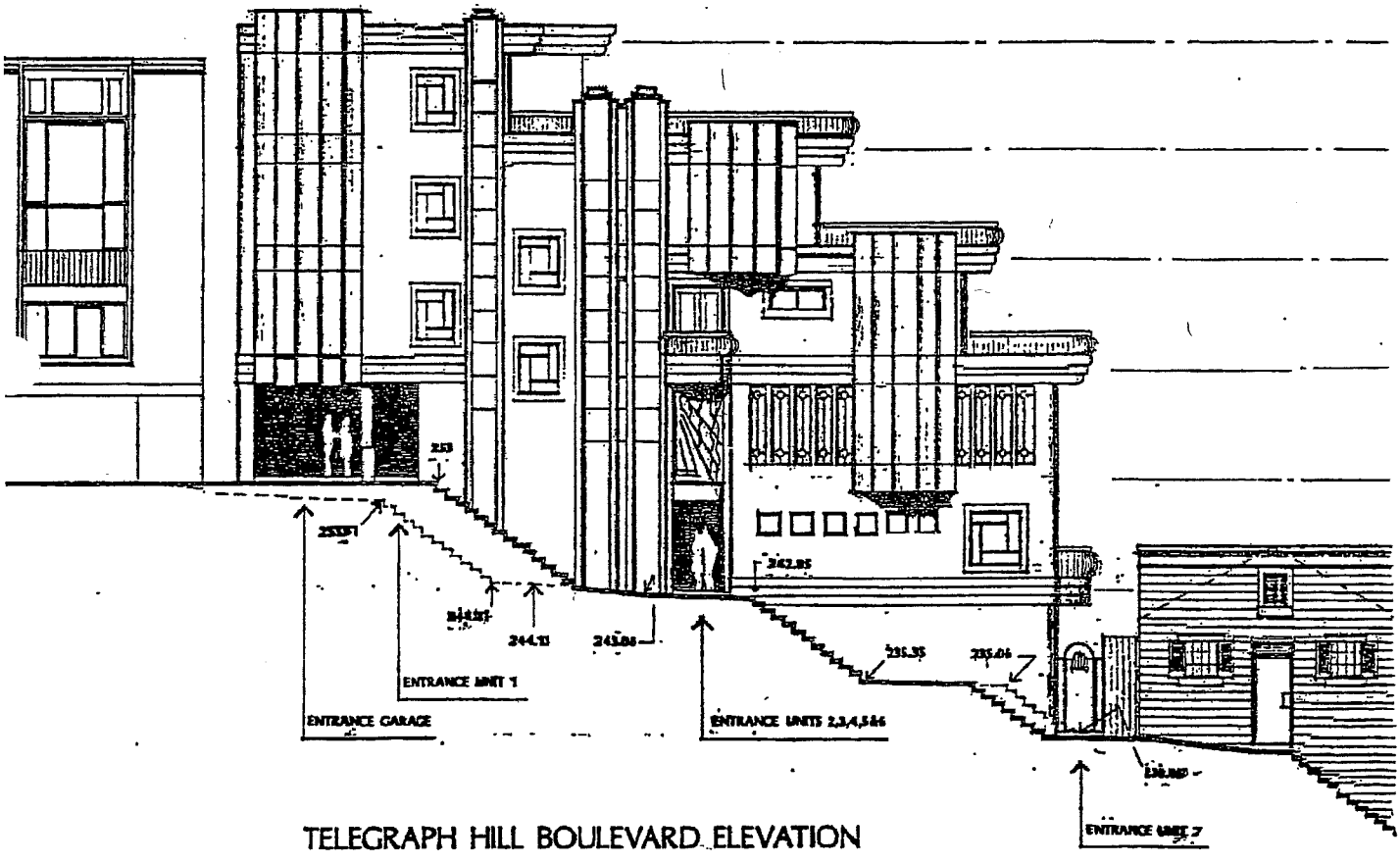
EXTERIOR ELEVATIONS

A.5

-2734

Figure 3

FILBERT STREET PROJECT



TELEGRAPH HILL BOULEVARD ELEVATION

Figure 4

was proposed for landmark status, but was withdrawn from consideration by the project sponsor in 1989. The proposed 1440 Keamy development site contains a vacant three-story building. The surrounding area consists of residences with predominantly two to three stories. Many nearby buildings contain two or three units.

ENVIRONMENTAL EFFECTS

The land that includes Coit Tower is part of Pioneer Park, under the jurisdiction of the Department of Recreation and Parks. Garfield elementary school is located about 150 feet northwest of the site. The buildings of the Filbert Street proposal have been vacant for approximately three years and 1440 Keamy has been vacant for about 1.5 years; therefore, the proposed project represents a change in land use. Since the predominant land use of the immediate vicinity is residential and it is zoned RH-3 (residential, three-family), the project proposed would be consistent with existing and permitted neighborhood land uses and would not substantially affect the land use character of the neighborhood.

There is a wide variety of architectural styles in the immediate vicinity. The style of the proposed Filbert Street building would be different from that of existing structures in the immediate vicinity of the project site. The bulk of the six-unit building would be larger than the buildings it would replace and larger than most neighboring buildings. The Keamy Street building would change from its present appearance, but not to a substantial degree. Although the proposed residential project may change visual character of the immediate area, and be larger in scale than most of the surrounding residential development, this difference would not be large enough to be considered a significant environmental effect.

The Filbert Street proposal would replace four existing structures (three of which are small) with one taller single structure. Therefore, the project would alter panoramic views from Pioneer Park, and other public areas of Telegraph Hill; however, scenic views in the direction of the project site are already obstructed due to existing development and trees bordering the park. The project would also block some views toward the south from the Filbert Steps presently captured between buildings. It would have some effect on views from adjacent buildings or yards, especially from the east and from the south. The topographical characteristics of this area are such that any new development on the parcels that is larger than the existing buildings would have some effect on the existing views of some neighbors.

For environmental review purposes, the proposed nine dwelling units would be considered a new, albeit small contribution to the neighborhood residential population. This increase of an estimated 36 people (average of 4 per unit) would be small relative to the existing community population and it would be unnoticeable except by residents of nearby properties.

A development of this kind would be expected to generate approximately 90 daily trips (10 per unit) or about 16 trips during the peak p.m. hour (17.3%) These trips would not all be made by private vehicle. Using 1980 U.S. Census estimates for this Census tract, about 5 of the peak hour trips (30.8%) would be made by private vehicle, about 5 of the peak hour trips (30%) would be on public transportation, 5 daily trips (34%) would be on foot. Five percent of the new residents would either use other modes of travel or work at home.

Traffic in the immediate vicinity is affected by tourist visits, especially during the summer and weekends when queuing for a parking space next to Coit Tower often stops traffic on Telegraph Hill Boulevard. This traffic situation would interfere with the only vehicle access to the garage on site, via Telegraph Hill Boulevard. The cars associated with the proposed projects during the peak p.m. hour would not substantially affect the existing situation. The

change in area traffic as a result of the project-- an increase of approximately 4 vehicles (1.15 people per vehicle) during the p.m. peak hour-- would be negligible and undetectable to drivers.

There would be short term impacts from construction traffic, particularly during the period when excavation is occurring. The sponsor estimates that there would be about 190-210 total truck trips (or 6-11 trips per day over 20-30 days), over approximately four to six (five-day) weeks on the Filbert Street lots. The Kearny Street renovation would require about ten months of total construction time, two months of which would involve demolition and 40 truck trips to haul about 800 cubic yards of debris from the site. These activities would be noticeable to Filbert Street and Kearny Street neighbors as well as others in the surrounding neighborhood.

On-street parking is limited in the neighborhood. No legal parking is available on Telegraph Hill Blvd. (other than at the base of Coit Tower) and visitors and residents to the project site requiring curbside parking may have to park several blocks from the project site any time of the day. The Filbert Street project would provide two more than the one space per unit required under the parking spaces required by the City Planning Code. The Kearny Street project would provide two parking spaces, one for each unit. It is possible that new residents of the project would own more cars than would be accommodated in the garage and therefore a net increase in parking demand could occur. While the eleven off-street parking spaces proposed might not accommodate all residents or visitors to the project site, the resulting additional curb-side parking demand of potentially 7 spaces (assuming two cars per unit) would not substantially alter the existing parking conditions in the area.

Nearby transit lines in the area include the 39 Coit and the 41 Union. The increase in transit demand associated with the project (5 trips projected for the p.m. peak hour) would not noticeably affect transit service in the area.

Neighboring properties would be temporarily affected by considerable noise during construction, primarily during the excavation and foundation setting phases. Noise sources would include grading, drilling and earth moving equipment (possibly including hoe-rams, jackhammers and similar impact tools), as well as delivery and hauling trucks. Total construction time is estimated to be approximately 14-16 months. Construction noise is regulated by the San Francisco Noise Ordinance (Article 29 of the City Police Code). The ordinance requires that noise levels of construction equipment, other than impact tools, not exceed 80 dBA at a distance of 100 feet from the source. Impact tools (jackhammers, pile drivers, impact wrenches) must have both intake and exhaust muffled to the satisfaction of the Director of Public Works. Section 2908 of the Ordinance prohibits construction work between 8:00 p.m. and 7:00 a.m., if noise would exceed the ambient noise level by five dBA at the project property line, unless a special permit is authorized by the Director of Public Works.

An approximate doubling of traffic volumes in the area would be necessary to produce an increase in ambient noise levels noticeable to most people. The project would not cause a doubling in traffic volumes and therefore would not cause a noticeable permanent increase in the ambient noise level in the project vicinity.

Title 24 of the California Government Code establishes uniform noise insulation standards for residential projects. The Bureau of Building Inspection would review the final building plans to insure that the building wall and floor/ceiling assemblies meet State standards regarding sound transmission.

The Bay Area Air Quality Management District (BAAQMD) has established thresholds for projects requiring its review for potential air quality impacts. These thresholds are based on the minimum size projects which the District considers capable of producing air quality problems. The project would not exceed this minimum standard. Therefore, no significant air quality impacts would be generated by the completion and occupancy of the proposal.

Construction activity would temporarily raise dust levels in the area. According to studies conducted by the BAAQMD, violations of TSP (total suspended particulate) standards, more particularly standards for fine particulate matter (PM10), have occurred in San Francisco. The excavation associated with the new construction of the project could contribute temporarily to the emission of PM10 to a small degree. Such emission may lead to an increase in frequency of particulate standard violations. The project sponsor has agreed to implement a mitigation measure for the reduction of PM10 during excavation and construction (see Mitigation Measure #1).

Asbestos-containing materials may be found within the existing structures on site which are proposed to be renovated or demolished as part of the project. Section 19827.5 of the California Health and Safety Code, adopted January 1, 1991, requires that local agencies not issue demolition or alteration permits until an applicant has demonstrated compliance with notification requirements under applicable Federal regulations regarding hazardous air pollutants, including asbestos. The Bay Area Air Quality Management District (BAAQMD) is vested by the California legislature with authority to regulate airborne pollutants, including asbestos, through both inspection and law enforcement, and is to be notified ten days in advance of any proposed demolition or abatement work.

Notification includes the names and addresses of operations and persons responsible; description and location of the structure to be demolished/altered including size, age and prior use, and the approximate amount of friable asbestos; scheduled starting and completion dates of demolition or abatement; nature of planned work and methods to be employed; procedures to be employed to meet BAAQMD requirements; and the name and location of the waste disposal site to be used. The District randomly inspects asbestos removal operations. In addition, the District will inspect any removal operation concerning which a complaint has been received.

The local office of the State Occupational Safety and Health Administration (OSHA) must be notified of asbestos abatement to be carried out. Asbestos abatement contractors must follow state regulations contained in 8CCR1529 and 8CCR341.6 through 341.14 where there is asbestos-related work involving 100 square feet or more of asbestos containing material. Asbestos removal contractors must be certified as such by the Contractors Licensing Board of the State of California. The owner of the property where abatement is to occur must have a Hazardous Waste Generator Number assigned by and registered with the Office of the California Department of Health Services in Sacramento. The contractor and hauler of the material is required to file a Hazardous Waste Manifest which details the hauling of the material from the site and the disposal of it. Pursuant to California law, the Bureau of Building Inspection (BBI) would not issue the required permit until the applicant has complied with the notice requirements described above.

These regulations and procedures, already established as a part of the permit review process, would insure that any potential impacts due to asbestos would be reduced to a level of insignificance.

There is no indication that any rare or endangered plant species exists at the site. No important biological resources are likely since the site has been previously developed and is surrounded by other residential development, and has been disturbed by humans and domestic animals.

The proposed project would add new shade to portions of the subject site as well as to surrounding properties. However, no portion of the project would exceed 40 feet in height, and the proposal would therefore not be subject to Section 295 of the City Planning Code (Proposition K) which protects certain public open spaces from shadowing by new structures during the period between one hour after sunrise and one hour before sunset, year round. Because of the proposed building height and the configuration of existing buildings in the vicinity, the net new shading which would result from the project's construction would be limited in scope (limited to adjacent yards and yards of the project itself), and would not increase the total amount of shading above levels which are common and generally accepted in densely developed urban areas.

The proposed project would increase demand for and use of public services and utilities on the site and increase water and energy consumption, but not in excess of amounts expected and provided for in this area.

The project site is in a Special Geologic Study Area as shown in the Community Safety Element of the San Francisco Master Plan. The map contained in this element indicates areas in which one or more geologic hazards exist.

The final building plans would be reviewed by the Bureau of Building Inspection (BBI). In reviewing building plans, the BBI refers to a variety of information sources to determine existing hazards and assess requirements for mitigation. Sources reviewed include maps of Special Geologic Study Areas and known landslide areas in San Francisco as well as the building inspectors' working knowledge of areas of special geologic concern. If the need were indicated by available information, BBI would require that site-specific soils reports be prepared by a California-licensed geotechnical engineer prior to construction. Potential geologic hazards would be mitigated during the permit review process through these measures.

The Building Code also contains provisions which require that grading on slopes of greater than 2:1, or where cut sections will exceed 10 vertical feet, must be done in accordance with the recommendations of a soil engineering report.

Although the buildings proposed for demolition are old buildings, none of them are officially designated as historic nor were they identified during the Planning Department's 1976 survey as being "architecturally significant". Most of the Telegraph Hill Historic District is east of the project site and does not include any of the subject properties.

In November 1986, the voters of San Francisco approved Proposition M, the Accountable Planning Initiative, which establishes eight Priority Policies. These policies are: preservation and enhancement of neighborhood-serving retail uses; protection of neighborhood character; preservation and enhancement of affordable housing; discouragement of commuter automobiles; protection of industrial and service land uses from commercial office development and enhancement of resident employment and business ownership; maximization of earthquake preparedness; landmark and historic building preservation; and protection of open space. Prior to issuing a permit for any project which requires an Initial Study under CEQA or adopting any zoning ordinance or development agreement, the City is

required to find that the proposed project is consistent with the Priority Policies. The case report for the Conditional Use Authorization and subsequent motion for the City Planning Commission will contain the analysis determining whether the proposed project is in compliance with the eight Priority Policies.

Several individuals expressed concern regarding the project's possible effects on the neighborhood character and on views from adjacent buildings. These issues have been addressed above, by topic.

While local concerns or other planning considerations may be grounds for modification or denial of the proposal, there is no substantial evidence that the project could have a significant effect on the environment.

MITIGATION MEASURE

(MITIGATION MEASURE #1) Construction Air Quality: The project sponsor would require the contractor(s) to spray the site with water during excavation, and construction activities; spray unpaved construction areas with water at least twice per day; cover stockpiles of soil, sand, and other material; cover trucks hauling debris, soils, sand or other such material; and sweep surrounding streets during demolition, excavation, and construction at least once per day to reduce particulate emissions.

Ordinance 175-91, passed by the Board of Supervisors on May 6, 1991, requires that non-potable water be used for dust control activities. Therefore, the project sponsor would require that the contractor(s) obtain reclaimed water from the Clean Water Program for this purpose. The project sponsors would require the project contractor(s) to maintain and operate construction equipment so as to minimize exhaust emissions of particulates and other pollutants, by such means as a prohibition on idling motors when equipment is not in use or when trucks are waiting in queues, and implementation of specific maintenance programs to reduce emissions for equipment that would be in frequent use for much of the construction period.

ENVIRONMENTAL EVALUATION CHECKLIST
(Initial Study)

File No: 93.180E 93.191E Title: 1440 Kearny 361-377 Filbert 1446 St

Street Address: _____ Assessor's Block/Lot: 105/29,34,35,36

Initial Study Prepared by: Alice Glasner

A. COMPATIBILITY WITH EXISTING ZONING AND PLANS	Not Applicable	Discussed
1) Discuss any variances, special authorizations, or changes proposed to the City Planning Code or Zoning Map, if applicable.	—	✓
*2) Discuss any conflicts with any adopted environmental plans and goals of the City or Region, if applicable.	✓	—

B. ENVIRONMENTAL EFFECTS - Could the project:	YES	NO	DISCUSSED
1) Land Use			
*(a) Disrupt or divide the physical arrangement of an established community?	—	✓	—
*(b) Have any substantial impact upon the existing character of the vicinity?	—	✓	✓
2) Visual Quality			
*(a) Have a substantial, demonstrable negative aesthetic effect?	—	✓	✓
(b) Substantially degrade or obstruct any scenic view or vista now observed from public areas?	—	✓	✓
(c) Generate obtrusive light or glare substantially impacting other properties?	—	✓	—
3) Population			
*(a) Induce substantial growth or concentration of population?	—	✓	✓
*(b) Displace a large number of people (involving either housing or employment)?	—	✓	—
(c) Create a substantial demand for additional housing in San Francisco, or substantially reduce the housing supply?	—	✓	—
4) Transportation/Circulation			
*(a) Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system?	—	✓	✓
(b) Interfere with existing transportation systems, causing substantial alterations to circulation patterns or major traffic hazards?	—	✓	—

* Derived from State EIR Guidelines, Appendix G, normally significant effect.

	YES	NO	DISCUSSED
(c) Cause a substantial increase in transit demand which cannot be accommodated by existing or proposed transit capacity?	—	✓	✓
(d) Cause a substantial increase in parking demand which cannot be accommodated by existing parking facilities?	—	✓	✓
5) Noise			
*(a) Increase substantially the ambient noise levels for adjoining areas?	—	✓	✓
(b) Violate Title 24 Noise Insulation Standards, if applicable?	—	✓	✓
(c) Be substantially impacted by existing noise levels?	—	✓	✓
6) Air Quality/Climate			
*(a) Violate any ambient air quality standard or contribute substantially to an existing or projected air quality violation?	—	✓	✓
*(b) Expose sensitive receptors to substantial pollutant concentrations?	—	✓	—
(c) Permeate its vicinity with objectionable odors?	—	✓	—
(d) Alter wind, moisture or temperature (including sun shading effects) so as to substantially affect public areas, or change the climate either in the community or region?	—	✓	✓
7) Utilities/Public Services			
*(a) Breach published national, state or local standards relating to solid waste or litter control?	—	✓	—
*(b) Extend a sewer trunk line with capacity to serve new development?	—	✓	—
(c) Substantially increase demand for schools, recreation or other public facilities?	—	✓	✓
(d) Require major expansion of power, water, or communications facilities?	—	✓	✓
8) Biology			
*(a) Substantially affect a rare or endangered species of animal or plant or the habitat of the species?	—	✓	✓
*(b) Substantially diminish habitat for fish, wildlife or plants, or interfere substantially with the movement of any resident or migratory fish or wildlife species?	—	✓	—
(c) Require removal of substantial numbers of mature, scenic trees?	—	✓	—
9) Geology/Topography			
*(a) Expose people or structures to major geologic hazards (slides, subsidence, erosion and liquefaction).	—	✓	✓
(b) Change substantially the topography or any unique geologic or physical features of the site?	—	✓	✓

	YES	NO	DISCUSSED
10) Water			
*(a) Substantially degrade water quality, or contaminate a public water supply?	—	✓	—
*(b) Substantially degrade or deplete ground water resources, or interfere substantially with ground water recharge?	—	✓	—
*(c) Cause substantial flooding, erosion or siltation?	—	✓	—
11) Energy/Natural Resources			
*(a) Encourage activities which result in the use of large amounts of fuel, water, or energy, or use these in a wasteful manner?	—	✓	—
(b) Have a substantial effect on the potential use, extraction, or depletion of a natural resource?	—	✓	—
12) Hazards			
*(a) Create a potential public health hazard or involve the use, production or disposal of materials which pose a hazard to people or animal or plant populations in the area affected?	✓	✓	—
*(b) Interfere with emergency response plans or emergency evacuation plans?	—	✓	—
(c) Create a potentially substantial fire hazard?	—	✓	—
13) Cultural			
*(a) Disrupt or adversely affect a prehistoric or historic archaeological site or a property of historic or cultural significance to a community or ethnic or social group; or a paleontological site except as a part of a scientific study?	—	✓	—
(b) Conflict with established recreational, educational, religious or scientific uses of the area?	—	✓	—
(c) Conflict with the preservation of buildings subject to the provisions of Article 10 or Article 11 of the City Planning Code?	—	✓	✓

C. OTHER	YES	NO	DISCUSSED
Require approval and/or permits from City Departments other than Department of City Planning or Bureau of Building Inspection, or from Regional, State or Federal Agencies?	—	✓	—

D. MITIGATION MEASURES	YES	NO	N/A	DISCUSSED
1) Could the project have significant effects if mitigation measures are not included in the project?	✓	—	—	✓
2) Are all mitigation measures necessary to eliminate significant effects included in the project?	✓	—	—	✓

E. MANDATORY FINDINGS OF SIGNIFICANCE

		YES	NO	DISCUSSED
*1)	Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or pre-history?	___	✓	___
*2)	Does the project have the potential to achieve short-term, to the disadvantage of long-term, environmental goals?	___	✓	___
*3)	Does the project have possible environmental effects which are individually limited, but cumulatively considerable? (Analyze in the light of past projects, other current projects, and probable future projects.)	___	✓	___
*4)	Would the project cause substantial adverse effects on human beings, either directly or indirectly?	___	✓	___

F. ON THE BASIS OF THIS INITIAL STUDY

___ I find the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared by the Department of City Planning.

✓ I find that although the proposed project could have a significant effect on the environment, there WILL NOT be a significant effect in this case because the mitigation measures, numbers 1, in the discussion have been included as part of the proposed project. A NEGATIVE DECLARATION will be prepared.

___ I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

Barbara W. Sahm

BARBARA W. SAHM
Environmental Review Officer
for

LUCIAN R. BLAZEJ
Director of Planning

DATE: July 29, 1993

BWS:OER/23/4-13-92