

File No. 200750

Committee Item No. _____

Board Item No. 16

COMMITTEE/BOARD OF SUPERVISORS

AGENDA PACKET CONTENTS LIST

Committee: _____

Date: _____

Board of Supervisors Meeting

Date: August 25, 2020

Cmte Board

- | | | |
|--------------------------|-------------------------------------|--|
| <input type="checkbox"/> | <input type="checkbox"/> | Motion |
| <input type="checkbox"/> | <input type="checkbox"/> | Resolution |
| <input type="checkbox"/> | <input type="checkbox"/> | Ordinance |
| <input type="checkbox"/> | <input type="checkbox"/> | Legislative Digest |
| <input type="checkbox"/> | <input type="checkbox"/> | Budget and Legislative Analyst Report |
| <input type="checkbox"/> | <input type="checkbox"/> | Youth Commission Report |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | Introduction Form |
| <input type="checkbox"/> | <input type="checkbox"/> | Department/Agency Cover Letter and/or Report |
| <input type="checkbox"/> | <input type="checkbox"/> | MOU |
| <input type="checkbox"/> | <input type="checkbox"/> | Grant Information Form |
| <input type="checkbox"/> | <input type="checkbox"/> | Grant Budget |
| <input type="checkbox"/> | <input type="checkbox"/> | Subcontract Budget |
| <input type="checkbox"/> | <input type="checkbox"/> | Contract/Agreement |
| <input type="checkbox"/> | <input type="checkbox"/> | Form 126 – Ethics Commission |
| <input type="checkbox"/> | <input type="checkbox"/> | Award Letter |
| <input type="checkbox"/> | <input type="checkbox"/> | Application |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | Public Correspondence |

OTHER

- | | | |
|--------------------------|-------------------------------------|--|
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | Appeal Letter - 05/11/20 |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | Appellant Supplement Response - 08/20/20 |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | Project Sponsor Response - 07/23/20 |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | Planning Department Response - 07/27/20 |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | Public Hearing Notice - 07/14/20 |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | Clerical Documents |
| <input type="checkbox"/> | <input type="checkbox"/> | _____ |
| <input type="checkbox"/> | <input type="checkbox"/> | _____ |

Prepared by: Lisa Lew

Date: August 21, 2020

Prepared 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 1846 Grove Street

April 9, 2020

Date of City Planning Commission Action

(Attach a Copy of Planning Commission's Decision)

May 11, 2020

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.: 2018-011441CUA.

_____ 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:

The Executive Summary of the Conditional Use submitted by the Planning Department and Project Sponsor (record no 2018-011441CUAVAR) and the Planning Commission approval decision on 04/09/2020 contain the information from which this appeal is based. Specifically, the appeal is for five parts:

1. **Finding 6, A-I, Planning Code Compliance.** The Project as approved takes advantage of Planning Code variances and exceptions as listed below without providing any social benefit to the City. Specifically, the Project will not provide any below market rate housing, which is needed for low income seniors, students, first responders, teachers and health care workers, despite its proximity to City College of San Francisco, University of San Francisco and Saint Mary's Hospital. The variances granted are at the expense of the Project's 17 adjoining properties and a detriment to current and future residents, in effect to all residents of the City.

- a. Section 209.1 (RH-2 Zoning)
- b. Section 134 (Rear Yard)
- c. Section 140 (Dwelling Unit Exposure)
- d. Section 155.1 (Bicycle Access)

2. **Finding 7, B (1), Conditional Use Findings.** The Project suffers from a unique feature which makes it unsafe for its residents, their guests and their neighbors. It has a 3.5-foot wide (42 inches) by 50-foot long breezeway as its sole means of access and egress during and after construction. This breezeway was created as a utility maintenance easement for neighbors to maintain their building, and for utility companies to access their service lines. Two people carrying groceries cannot pass each other at a normal walking pace. The Project Sponsor has stated that due to the site constraints, all materials for construction must be brought in by shopping cart or handcart without benefit of cranes or construction vehicles. In the event of a fire, earthquake or other adverse event, residents and their guests will be precluded from exiting safely and quickly, while first responders will be unable to enter carrying their equipment. Wheelchair users and mobility impaired individuals would find egress impracticable, and are at extremely high risk during an emergency. The Project Sponsor has failed to provide a comparable example of a development project with a single, similarly-constrained access/egress point.



3. **Finding 7, B (2, 3), Conditional Use Findings.** Due to the increased density of this project and the allowance of a rear yard variance resulting in virtual zero setbacks from property lines, the Project will have negative impacts on accessibility and traffic patterns for persons and vehicles, the type and volume of such traffic, and the adequacy of off-street parking and loading.

4. **Finding 5, Public Outreach and Comments.** The Project summary inadequately describes the public outreach process and comments. The summary states, “The Department has received one letter in outright opposition to the project,” even though at the December hearing the project planner stated that the department had received 23 letters of opposition and a petition with over 350 signatures. At the continuance hearing on April 9, 2019, the project planner stated, “In response to the revised proposal, the department received 45 letters of opposition.” The Project Sponsor held follow-up meetings without inviting past participants, despite having their contact information, and at no time did the Project Sponsor engage in meaningful discussion with the neighbors as a group. After the December hearing, the Project Sponsor tried to meet with only a subset of neighbors. When the rest of the community demanded participation in a group meeting, the meeting’s venue was changed by the Project Sponsor about 24 hours before convening.

5. **Inconsistency in project categorization.** The April hearing packet was missing the Environmental Review documentation, provided in the December 12, 2019 <https://commissions.sfplanning.org/cpcpackets/2018-011441CUAVAR.pdf> hearing packet. The project was determined to be exempt from CEQA analysis using Class 3 Categorical Exemption, which applies to “up to three new single-family residences or six dwelling units in one building.” Since the project includes four units, the project is categorized as “dwelling units in one building” to qualify for the CEQA exemption. For Fire Code and ADA compliance however, the project is categorized as “single family residences.” A single family residence requires only a 36 inch width for egress and does not need to be ADA-accessible, while a four-unit building requires a 44 inch width egress and must be ADA-accessible.

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

Appeal Part 1

Section 209.1 principally permits a maximum of two single-family homes in lots zoned RH-2. This Project includes four units, and therefore requires conditional use authorization, which is granted by the Planning Commission when a project is necessary or desirable; city housing stock statistics and neighborhood opposition to this proposal clearly demonstrates that this project is neither.

The Project Sponsor states that the Project will increase the housing stock in San Francisco; however, recent findings show there are more vacant homes in San Francisco than the number of homeless people. This Project has no below market rate units and therefore will not address the affordable housing shortage.

Citation: <https://sf.curbed.com/2019/12/3/20993251/san-francisco-bay-area-vacant-homes-per-homeless-count>

Section 134 requires a rear yard equal to 45 percent of the lot depth, which all 17 adjoining units comply with. The variance granted will allow the Project to build against neighbors’ fences, including an approximately 20-foot tall, 36.5 foot wide monolithic box structure behind a 12.5 foot wall (including parapets) just 8 inches from two neighboring lots. Head on views of this monolith are omitted from angled-perspective 3D color renderings in the project plans submitted to the Planning

Commission; in the project plans, the approximately 20 foot height labels are printed in inches with microscopic print next to very largely labeled lower height walls (8' sloping up to 11'). The 26 windows for those two properties blocked by the monolith are conveniently missing from presented diagrams, unlike in all other 2D height renderings.

The planning department approves or disapproves vertical or horizontal extensions based on whether the neighboring lots have already executed similar extensions, and based on established, well-conceived setback requirements. The Project as proposed would have virtually zero lot lines making it infeasible for the neighbors to build accessory dwelling units (ADUs) in their rear yards, which would add to affordable housing stock.

Section 140 requires dwelling unit exposure. At least one room in each unit must face the street, a side yard at least 25 feet in width, or a Code-complying rear yard. Two of the four dwelling units do not meet this requirement..

Section 155.1 requires that bicycles have convenient access to and from the street and specifies a minimum of 5 feet width for bicycle access and egress. The Project fails to provide this. It is constrained by the 3.5 feet wide breezeway access/egress. Though the Section permits constraint points which are less than 5 feet wide, such as doorways, provided that the points "extend no more than one foot," the breezeway access/egress of the Project extends for 50 feet.

Appeal Part 2

The unique breezeway access egress of 3.5 feet wide by 50 feet in length poses substantial safety issues. At the April 9th, 2020 Planning Commission hearing, the Commissioners relied on assurances provided by a retired employee of the San Francisco Fire Department. No written statement nor evidence of analyses or evaluations were presented. At the hearing, the retired employee referred to the Project as "our project," raising questions as to his relationship to the proposed development.

Historically, many lots like the Project lot were purposely left vacant after the 1906 earthquake as a "fire block" to prevent rapid fire spread and offer a safe place to shelter. Similar fire block lots are ubiquitous in the surrounding neighborhood and most of these fire blocks remain undeveloped. Those that have been developed have multiple ingress/egress access points, and are typically extensions of existing buildings with their own frontages on perimeter streets.

Appeal Part 3

The project proposes twice as many units than principally permitted and a higher density than the surrounding neighborhood.

The occupancy load is 25 for this proposal as shown on the plans. However, California Building Code 1006.2.1 states two exits shall be provided where the design occupant load exceeds 10. In R-2 and R-3 occupancies, one means of egress is permitted from individual units **with a maximum occupant load of 20** where the dwelling unit is equipped throughout with automatic sprinkler system and the common path of egress travel does not exceed 125 feet. Only the unit nearest to the breezeway has a path of egress travel that does not exceed 125 feet.

Citation California Building Code 1006.2.1 ([Egress based on occupant load and common path of egress travel distance](#))

There will be considerable detriment to quality of life factors from crowding, loss of light and open space, noise, glare, dust and odor impacts. These impacts have not been adequately assessed and mitigated. While knowledge of SARS-nCOV2 is still in development, lessons from Wuhan, Hong Kong, and New York City suggest that higher density housing may have been an important factor in more rapid transmission from inability to provide adequate physical / social distancing and from shared air and plumbing ventilation (Jason Chu, MPH).

Appeal Part 4

At the April 9, 2019 hearing, which was the first virtual hearing held by the Planning Department, there were many technical challenges which limited the community's ability to provide public comment. The organized community group presentation opposed to this project was 31st in the queue of call-in speakers, and the community presenter was unable to hear the commission or the clerk while sharing his presentation. The hearing had to be restarted at 5 PM due to the video conference platform's 4-hour limit. Public comment speakers were put on hold during the intermission while the video conference was re-started. Some public comment speakers were not able to hear the clerk's instructions to speak. An unknown number of public comment speakers were left in the call-in queue without the ability to provide public comment, including the following neighbors: Jonathan Chu, Brad Aldridge, Marc Junkcic, and Jacqueline Reis.

Appeal Part 5

Single Family Residence vs. Dwelling Unit

General description	California Building Code description	California Building Code designation	Egress Minimum Width	Width Reference	CEQA Class 3 Exemption
"Single Family Residence"	Buildings that do not contain more than two dwelling units	R-3 https://up.codes/viewer/california/ca-building-code-2016-v1/chapter/3/use-and-occupancy-classification#310.5	36 inches	Egress courts serving Group R-3 shall be not less than 36 inches in width. https://up.codes/viewer/california/ca-building-code-2016-v1/chapter/10/means-of-egress#1028.4.1	"Up to three new single-family residences" or
"Dwelling Units in One Building"	Residential occupancies containing more than two dwelling units including Apartment houses	R-2 https://up.codes/viewer/california/ca-building-code-2016-v1/chapter/3/use-and-occupancy-classification#310.4	44 inches	https://up.codes/viewer/california/ca-building-code-2016-v1/chapter/10/means-of-egress#1028.4.1 "the minimum width shall be not less than 44 inches"	(up to) "six dwelling units in one building."

The Project includes plans to build four "single family dwelling units" in a lot zoned RH-2 in San Francisco (Residential House – Two Family). The plans show the buildings rated R-3, which per the California Building Code are buildings that do not contain more than two dwelling units, and only require a minimum width of 36 inches for egress.

However, the Project is inconsistently categorized in order to meet the requirements for a CEQA categorical exemption. The Project Sponsor applied for Class 3 CEQA Categorical Exemption, which is meant to apply to “up to three single family residences or six dwelling units in one building.” In order to qualify for the exemption, the Project is categorized as four R-2 dwelling units, instead of R-3 single family residences.

Per the California Building Code, R-2 units require 44 inches of egress, and the proposal only provides an egress width of 42 inches.

Conclusion

By increasing the stock of unaffordable housing, this Project does not benefit any segment of the San Francisco population. The variances and exceptions granted were done so at the expense of the safety of current and future residents. The only beneficiaries are the project developers.

For these reasons, we urge the Board of Supervisors to overturn the approval of the conditional use authorization application for this project.

Person to Whom
Notices Shall Be Mailed

Name and Address of Person Filing Appeal:

Meg Gray

Name

Malinda Kai Tuazon

Name

1829 Fulton Street, SF, CA 94117

Address

613 Masonic Ave, SF, CA 94117

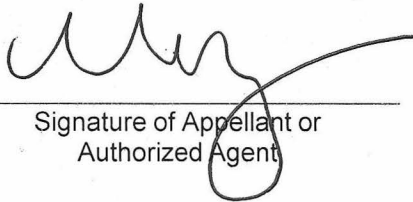
Address

(541) 968-7352

Telephone Number

(415) 794-4497

Telephone Number



Signature of Appellant or
Authorized Agent

City Planning Commission
Case No. 2018-011441CUA

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. Please see signature pages as Attachment 1			
2. _____	_____	_____	_____
3. _____	_____	_____	_____
4. _____	_____	_____	_____
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20. _____	_____	_____	_____
21. _____	_____	_____	_____
22. _____	_____	_____	_____

Pursuant to Planning Code Section 308.1(b), the undersigned members of the Board of Supervisors believe that there is sufficient public interest and concern to warrant an appeal of the Planning Commission on Case No. 2018-011441CUAVAR, a conditional use authorization regarding (address) 1846 Grove Street, District 5. The undersigned members respectfully request the Clerk of the Board to calendar this item at the soonest possible date.

SIGNATURE

DATE

Dean Preston /s/

May 8, 2020

Hillary Ronen /s/

May 8, 2020

Matt Haney /s/

May 8, 2020

Aaron Peskin /s/

May 8, 2020

Gordon Mar /s/

May 8, 2020

(Attach copy of Planning Commission's Decision)

From: [Smeallie, Kyle \(BOS\)](#)
To: [Ronen, Hillary](#)
Cc: [Beinart, Amy \(BOS\)](#); [BOS Legislation. \(BOS\)](#)
Subject: Your approval requested: Conditional Use Appeal at 1846 Grove Street
Date: Friday, May 8, 2020 2:10:09 PM
Attachments: [CU Appeal - 1846 Grove Street - Supervisor Signatures.pdf](#)

Good afternoon Supervisor Ronen,

Following up about the CU Appeal at 1846 Grove Street in District 5, as requested by a group of D5 constituents.

I understand you have indicated your support for the Board to hear this appeal. I have checked with the Clerk's office (see thread below), and given the state of emergency, an electronic signature (as listed on the attached document) will suffice for conveying your approval, along with the accompanying text:

This email is to confirm that the use of the /s/ symbol is intended to have the same effect as the my signature and to confirm my intent to approve the document.

If you could reply to this thread with the original attachment and foregoing text, that will suffice for your approval.

The deadline is Monday, but the appellants would like to submit materials today if possible. Let me know if you have any questions.

Thank you!
Kyle Smeallie
Legislative Aide
District 5 Supervisor Dean Preston

From: [Smeallie, Kyle \(BOS\)](#)
To: [Preston, Dean \(BOS\)](#)
Cc: [BOS Legislation, \(BOS\)](#)
Subject: Your approval requested: Conditional Use Appeal at 1846 Grove Street
Date: Friday, May 8, 2020 2:11:44 PM
Attachments: [CU Appeal - 1846 Grove Street - Supervisor Signatures.pdf](#)

Dean,

Following up about the CU Appeal at 1846 Grove Street, as requested by a group of our constituents.

I understand you have indicated your support for the Board to hear this appeal. I have checked with the Clerk's office (see thread below), and given the state of emergency, an electronic signature (as listed on the attached document) will suffice for conveying your approval, along with the accompanying text:

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Thank you!
Kyle Smeallie
Legislative Aide
District 5 Supervisor Dean Preston

From: [Smeallie, Kyle \(BOS\)](#)
To: [Haney, Matt \(BOS\)](#)
Cc: [RivamonteMesa, Abigail \(BOS\)](#); [BOS Legislation, \(BOS\)](#)
Subject: Your approval requested: Conditional Use Appeal at 1846 Grove Street
Date: Friday, May 8, 2020 2:14:01 PM
Attachments: [CU Appeal - 1846 Grove Street - Supervisor Signatures.pdf](#)

Good afternoon Supervisor Haney,

Following up about the CU Appeal at 1846 Grove Street in District 5, as requested by a group of D5 constituents.

I understand you have indicated your support for the Board to hear this appeal. I have checked with the Clerk's office (see thread below), and given the state of emergency, an electronic signature (as listed on the attached document) will suffice for conveying your approval, along with the accompanying text:

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Thank you!
Kyle Smeallie
Legislative Aide
District 5 Supervisor Dean Preston

From: [Smeallie, Kyle \(BOS\)](#)
To: [Peskin, Aaron \(BOS\)](#)
Cc: [Hepner, Lee \(BOS\)](#); [Angulo, Sunny \(BOS\)](#); [BOS Legislation, \(BOS\)](#)
Subject: Your approval requested: Conditional Use Appeal at 1846 Grove Street
Date: Friday, May 8, 2020 2:15:43 PM
Attachments: [CU Appeal - 1846 Grove Street - Supervisor Signatures.pdf](#)

Good afternoon Supervisor Peskin,

Following up about the CU Appeal at 1846 Grove Street in District 5, as requested by a group of D5 constituents.

I understand you have indicated your support for the Board to hear this appeal. I have checked with the Clerk's office (see thread below), and given the state of emergency, an electronic signature (as listed on the attached document) will suffice for conveying your approval, along with the accompanying text:

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If you could reply to this thread with the original attachment and foregoing text, that will suffice for your approval.

The deadline is Monday, but the appellants would like to submit materials today if possible. Let me know if you have any questions.

Thank you!
Kyle Smeallie
Legislative Aide
District 5 Supervisor Dean Preston

From: [Smeallie, Kyle \(BOS\)](#)
To: [Mar, Gordon \(BOS\)](#)
Cc: [Quan, Daisy \(BOS\)](#); [BOS Legislation, \(BOS\)](#)
Subject: Your approval requested: Conditional Use Appeal at 1846 Grove Street
Date: Friday, May 8, 2020 2:18:00 PM
Attachments: [CU Appeal - 1846 Grove Street - Supervisor Signatures.pdf](#)

Good afternoon Supervisor Mar,

Following up about the CU Appeal at 1846 Grove Street in District 5, as requested by a group of D5 constituents.

I understand you have indicated your support for the Board to hear this appeal. I have checked with the Clerk's office (see thread below), and given the state of emergency, an electronic signature (as listed on the attached document) will suffice for conveying your approval, along with the accompanying text:

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If you could reply to this thread with the original attachment and foregoing text, that will suffice for your approval.

The deadline is Monday, but the appellants would like to submit materials today if possible. Let me know if you have any questions.

Thank you!
Kyle Smeallie
Legislative Aide
District 5 Supervisor Dean Preston

From: [Ronen, Hillary](#)
To: [Smeallie, Kyle \(BOS\)](#)
Cc: [Beinart, Amy \(BOS\)](#); [BOS Legislation. \(BOS\)](#)
Subject: Re: Your approval requested: Conditional Use Appeal at 1846 Grove Street
Date: Friday, May 8, 2020 2:15:23 PM

This email is to confirm that the use of the /s/ symbol is intended to have the same effect as the my signature and to confirm my intent to approve the document.

Let me know if you need anything else from me.

Hillary

Sent from my iPhone

On May 8, 2020, at 2:10 PM, Smeallie, Kyle (BOS) <kyle.smeallie@sfgov.org> wrote:

This email is to confirm that the use of the /s/ symbol is intended to have the same effect as the my signature and to confirm my intent to approve the document.

If you could reply to this thread with the original attachment and foregoing text, that will suffice for your approval.

From: [Mar, Gordon \(BOS\)](#)
To: [Smeallie, Kyle \(BOS\)](#)
Cc: [Quan, Daisy \(BOS\)](#); [BOS Legislation, \(BOS\)](#)
Subject: Re: Your approval requested: Conditional Use Appeal at 1846 Grove Street
Date: Saturday, May 9, 2020 12:05:20 AM
Attachments: [CU Appeal - 1846 Grove Street - Supervisor Signatures.pdf](#)

This email is to confirm that the use of the /s/ symbol is intended to have the same effect as the my signature and to confirm my intent to approve the document.

Gordon Mar

Get [Outlook for iOS](#)

From: Smeallie, Kyle (BOS) <kyle.smeallie@sfgov.org>
Sent: Friday, May 8, 2020 2:17:57 PM
To: Mar, Gordon (BOS) <gordon.mar@sfgov.org>
Cc: Quan, Daisy (BOS) <daisy.quan@sfgov.org>; BOS Legislation, (BOS) <bos.legislation@sfgov.org>
Subject: Your approval requested: Conditional Use Appeal at 1846 Grove Street

Good afternoon Supervisor Mar,

Following up about the CU Appeal at 1846 Grove Street in District 5, as requested by a group of D5 constituents.

I understand you have indicated your support for the Board to hear this appeal. I have checked with the Clerk's office (see thread below), and given the state of emergency, an electronic signature (as listed on the attached document) will suffice for conveying your approval, along with the accompanying text:

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The deadline is Monday, but the appellants would like to submit materials today if possible. Let me know if you have any questions.

Thank you!
Kyle Smeallie
Legislative Aide
District 5 Supervisor Dean Preston

From: [Preston, Dean \(BOS\)](#)
To: [Smeallie, Kyle \(BOS\)](#)
Cc: [BOS Legislation, \(BOS\)](#)
Subject: Re: Your approval requested: Conditional Use Appeal at 1846 Grove Street
Date: Saturday, May 9, 2020 12:27:27 AM

This email is to confirm that the use of the /s/ symbol is intended to have the same effect as my signature and to confirm my intent to approve the document.

Please let me know if you require anything further.

Thank you.

Dean Preston
Supervisor, District 5
San Francisco Board of Supervisors

From: "Smeallie, Kyle (BOS)" <kyle.smeallie@sfgov.org>
Date: Friday, May 8, 2020 at 2:11 PM
To: "Preston, Dean (BOS)" <dean.preston@sfgov.org>
Cc: "BOS Legislation, (BOS)" <bos.legislation@sfgov.org>
Subject: Your approval requested: Conditional Use Appeal at 1846 Grove Street

Dean,

Following up about the CU Appeal at 1846 Grove Street, as requested by a group of our constituents.

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Thank you!

Kyle Smeallie

Legislative Aide

District 5 Supervisor Dean Preston

From: [Peskin, Aaron \(BOS\)](#)
To: [Smeallie, Kyle \(BOS\)](#)
Cc: [Hepner, Lee \(BOS\)](#); [Angulo, Sunny \(BOS\)](#); [BOS Legislation, \(BOS\)](#)
Subject: Re: Your approval requested: Conditional Use Appeal at 1846 Grove Street
Date: Sunday, May 10, 2020 10:33:35 PM

This email is to confirm that the use of the /s/ symbol is intended to have the same effect as the my signature and to confirm my intent to approve appealing this project to the Board of Supervisors.

/s/ Aaron Peskin

If you could reply to this thread with the original attachment and foregoing text, that will suffice for your approval.

The deadline is Monday, but the appellants would like to submit materials today if possible. Let me know if you have any questions.

Thank you!
Kyle Smeallie
Legislative Aide
District 5 Supervisor Dean Preston

From: [Haney, Matt \(BOS\)](#)
To: [Smeallie, Kyle \(BOS\)](#)
Cc: [RivamonteMesa, Abigail \(BOS\)](#); [BOS Legislation, \(BOS\)](#)
Subject: Re: Your approval requested: Conditional Use Appeal at 1846 Grove Street
Date: Monday, May 11, 2020 7:28:57 AM

This email is to confirm that the use of the /s/ symbol is intended to have the same effect as the my signature and to confirm my intent to approve the document.

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From: Smeallie, Kyle (BOS) <kyle.smeallie@sfgov.org>
Sent: Friday, May 8, 2020 2:13:57 PM
To: Haney, Matt (BOS) <matt.haney@sfgov.org>
Cc: RivamonteMesa, Abigail (BOS) <abigail.rivamontemesa@sfgov.org>; BOS Legislation, (BOS) <bos.legislation@sfgov.org>
Subject: Your approval requested: Conditional Use Appeal at 1846 Grove Street

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Following up about the CU Appeal at 1846 Grove Street in District 5, as requested by a group of D5 constituents.

I understand you have indicated your support for the Board to hear this appeal. I have checked with the Clerk's office (see thread below), and given the state of emergency, an electronic signature (as listed on the attached document) will suffice for conveying your approval, along with the accompanying text:

This email is to confirm that the use of the /s/ symbol is intended to have the same effect as the my signature and to confirm my intent to approve the document.

If you could reply to this thread with the original attachment and foregoing text, that will suffice for your approval.

The deadline is Monday, but the appellants would like to submit materials today if possible. Let me know if you have any questions.

Thank you!

Kyle Smeallie
Legislative Aide
District 5 Supervisor Dean Preston

Attachment 1

Signatures of Property Owners

City Planning Commission
Case Nos. 2018-011441CUA & 2018-011441VAR
Address: 1846 Grove St.

I declare that I am hereby a subscriber to this Notice of Appeal and am owner of property affected by the proposed amendment or conditional use.

If ownership has changed and assessment roll has not been amended, I 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 of property owned

1882 Grove St.

Assessor's Block & Lot

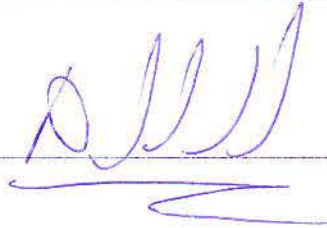
1187 015

Printed Name of Owner(s)

SHILPA PATHAK

DUSHYANT PATHAK

Owner(s) Original Signature(s)



City Planning Commission
Case Nos. 2018-011441CUA & 2018-011441VAR
Address: 1846 Grove St.

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Street Address of property owned

32-34 Ashbury St.

Assessor's Block & Lot

1187 007

Printed Name of Owner(s)

DAVID MEHDY

Owner(s) Original Signature(s)

David Mehdy

City Planning Commission
Case Nos. 2018-011441CUA & 2018-011441VAR
Address: 1846 Grove St.

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Street Address of property owned

1833- 1835 Fulton St.

Assessor's Block & Lot

1187 012

Printed Name of Owner(s)

SAM QUON PON + SUSAN NG PON

Owner(s) Original Signature(s)

Sam Quon Pon and Susan Ng Pon

City Planning Commission
Case Nos. 2018-011441CUA & 2018-011441VAR
Address: 1846 Grove St.

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Street Address of property owned

1839-1841 Fulton St. SF, CA 94117

Assessor's Block & Lot

1187 011

Printed Name of Owner(s)

Bikye Wong

Owner(s) Original Signature(s)

Bikye Wong

City Planning Commission
Case Nos. 2018-011441CUA & 2018-011441VAR
Address: 1846 Grove St.

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Street Address of property owned

44 Ashbury St. SF, CA 94117

Assessor's Block & Lot

1187 033

Printed Name of Owner(s)

Christopher Covington

Owner(s) Original Signature(s)

Chris Covington

City Planning Commission
Case Nos. 2018-011441CUA & 2018-011441VAR
Address: 1846 Grove St.

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Street Address of property owned

625 MASONIC AVE SF, CA 94117

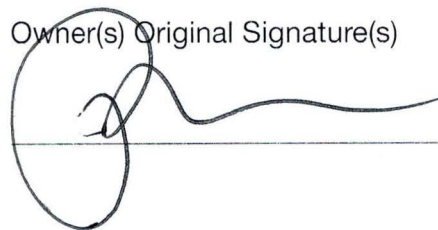
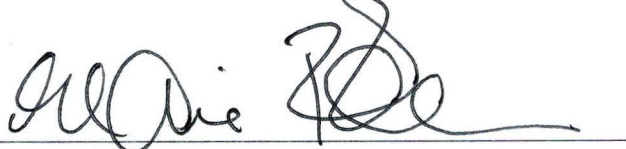
Assessor's Block & Lot

1187 035

Printed Name of Owner(s)

Rachel Clee and Elaine Robertson

Owner(s) Original Signature(s)

City Planning Commission
Case Nos. 2018-011441CUA & 2018-011441VAR
Address: 1846 Grove St.

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Street Address of property owned

57 Ashbury St. SF, CA 94117

Assessor's Block & Lot

1188 002C

Printed Name of Owner(s)

Daniel Morse

Owner(s) Original Signature(s)

Daniel Morse

City Planning Commission
Case Nos. 2018-011441CUA & 2018-011441VAR
Address: 1846 Grove St.

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Street Address of property owned

1890 Grove St. SF, CA 94117

Assessor's Block & Lot

1187 006B

Printed Name of Owner(s)

1890 Grove, LLC Paul Reo Mngs

Owner(s) Original Signature(s)

Paul Reo

City Planning Commission
Case Nos. 2018-011441CUA & 2018-011441VAR
Address: 1846 Grove St.

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Street Address of property owned

46 Ashbury St. SF, CA 94117

Assessor's Block & Lot

1187 034

Printed Name of Owner(s)

THOMAS AREND

Owner(s) Original Signature(s)

 4/29/2020

City Planning Commission
Case Nos. 2018-011441CUA & 2018-011441VAR
Address: 1846 Grove St.

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Street Address of property owned

1828-1830 Grove St. SF, CA 94117

Assessor's Block & Lot

1187 003E

Printed Name of Owner(s)

Jessica Potts + Christopher Potter Jennifer + Pat Forbert

Owner(s) Original Signature(s)

Jessica Potts & Christopher Potter Jennifer + Pat Forbert

City Planning Commission
Case Nos. 2018-011441CUA & 2018-011441VAR
Address: 1846 Grove St.

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Street Address of property owned

1880 Grove St. SF, CA 94117

Assessor's Block & Lot

1187 014

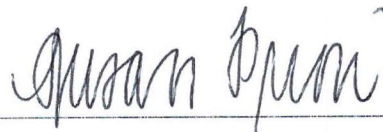
Printed Name of Owner(s)

Mathew Mitchell

Susan Primi

Owner(s) Original Signature(s)





City Planning Commission
Case Nos. 2018-011441CUA & 2018-011441VAR
Address: 1846 Grove St.

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Street Address of property owned

1829 Fulton St.

Assessor's Block & Lot

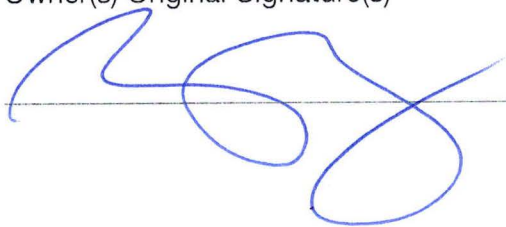
1187 031

Printed Name of Owner(s)

Margaret Gray

John Mark Ikeda

Owner(s) Original Signature(s)



City Planning Commission
Case Nos. 2018-011441CUA & 2018-011441VAR
Address: 1846 Grove St.

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Street Address of property owned

1831 Fulton St.

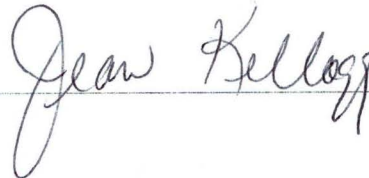
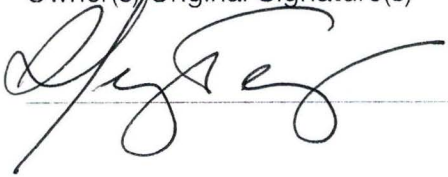
Assessor's Block & Lot

1187 032

Printed Name of Owner(s)

TANG-KELLOGG FAMILY REVOCABLE TRUST,
HENRY TANG AND JEAN KELLOGG, TRUSTEES

Owner(s) Original Signature(s)



City Planning Commission
Case Nos. 2018-011441CUA & 2018-011441VAR
Address: 1846 Grove St.

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Street Address of property owned

627 MASONIC AVE SF, CA 94117

Assessor's Block & Lot

1187 036

Printed Name of Owner(s)

Brian Kingan

Abigail Kingan

Owner(s) Original Signature(s)

Brian S. Kingan

AK

City Planning Commission
Case Nos. 2018-011441CUA & 2018-011441VAR
Address: 1846 Grove St.

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Street Address of property owned

631-633 MASONIC AVE. SF, CA 94117

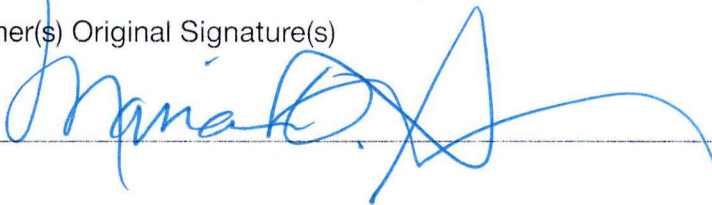
Assessor's Block & Lot

1187 0020

Printed Name of Owner(s)

Marian O. Tran

Owner(s) Original Signature(s)



City Planning Commission
Case Nos. 2018-011441CUA & 2018-011441VAR
Address: 1846 Grove St.

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Street Address of property owned

637-639 Masonic Ave.

Assessor's Block & Lot

1187 002E

Printed Name of Owner(s)

STEVEN ST. DENNY

STEVEN ST. DENNY

Owner(s) Original Signature(s)

A large, stylized handwritten signature in blue ink, appearing to read 'STEVEN ST. DENNY', written over a horizontal line.A second, more fluid handwritten signature in blue ink, also appearing to read 'STEVEN ST. DENNY', written over a horizontal line.

City Planning Commission
Case Nos. 2018-011441CUA & 2018-011441VAR
Address: 1846 Grove St.

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Street Address of property owned

1858-1860 Grove St. SF, CA 94117

Assessor's Block & Lot

1187 005A

Printed Name of Owner(s)

The Whomp Whomp Family Trust
Brandon Skeels, Jennifer Lathier

Gmt W Keefe

Owner(s) Original Signature(s)



City Planning Commission
Case Nos. 2018-011441CUA & 2018-011441VAR
Address: 1846 Grove St.

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Street Address of property owned

1822- 1824 Grove St.

Assessor's Block & Lot

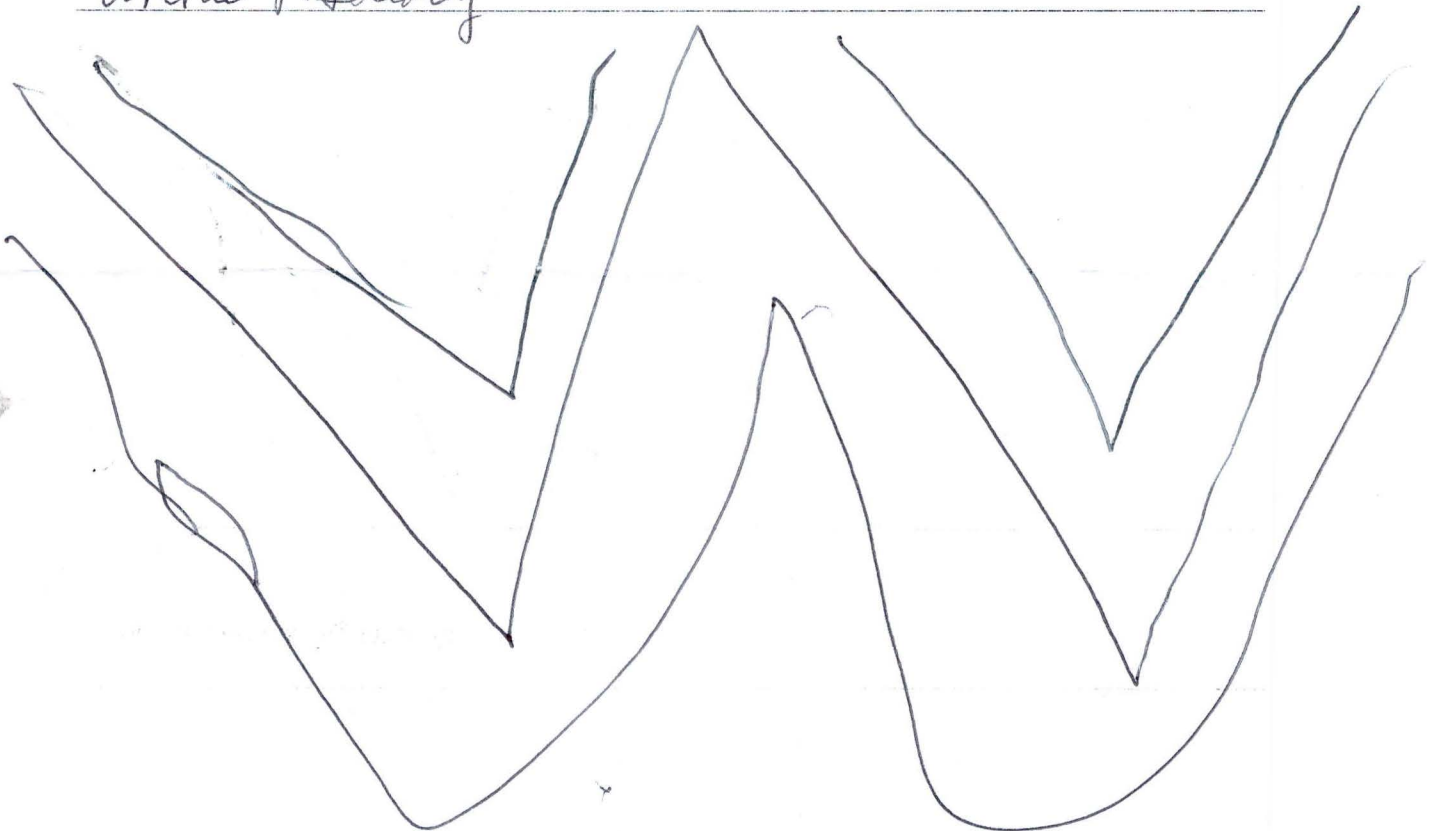
1187 0030

Printed Name of Owner(s)

ADDIE P. DUDLEY

Owner(s) Original Signature(s)

Addie P. Dudley



City Planning Commission
Case Nos. 2018-011441CUA & 2018-011441VAR
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Street Address of property owned

1800 Grove St. SF, CA 94117

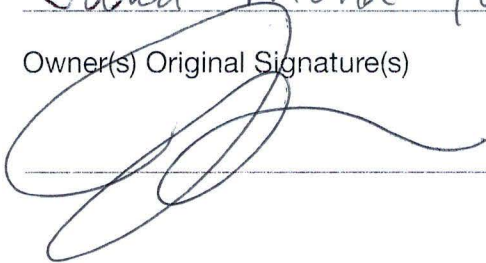
Assessor's Block & Lot

1187 003C

Printed Name of Owner(s)

Julia Molla for Alma Jackson (deceased)

Owner(s) Original Signature(s)

A handwritten signature in black ink, appearing to be "Julia Molla", written over a horizontal line.

City Planning Commission
Case Nos. 2018-011441CUA & 2018-011441VAR
Address: 1846 Grove St.

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Street Address of property owned

~~1834 - 1836 Grove St.~~ 1840 - 1842 grove st. *WJC*

Assessor's Block & Lot

1187 0036

Printed Name of Owner(s)

WILSON CHU
EMMELINE CHU

Owner(s) Original Signature(s)

Emmeline Chu *Wilson Chu*

City Planning Commission
Case Nos. 2018-011441CUA & 2018-011441VAR
Address: 1846 Grove St.

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Street Address of property owned

1834 - 1836 Grove St.

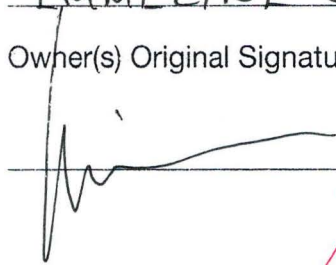
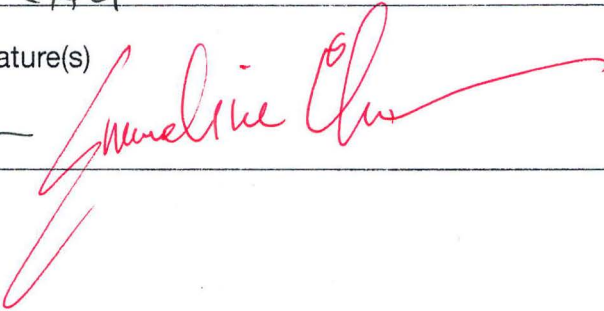
Assessor's Block & Lot

1187 003F

Printed Name of Owner(s)

WILSON CHU
EMMELINE CHU

Owner(s) Original Signature(s)

City Planning Commission
Case Nos. 2018-011441CUA & 2018-011441VAR
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Street Address of property owned

16 - 18 Ashbury St. SF, CA 94117

Assessor's Block & Lot

1187 009B

Printed Name of Owner(s)

ALVAN R. TERAGAWACHI / ROBERT L. ROCKWELL 4/29/20

Owner(s) Original Signature(s)

Alvan R. Teragawachi Robert L. Rockwell 4/29/20.

City Planning Commission
Case Nos. 2018-011441CUA & 2018-011441VAR
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Street Address of property owned

1854 Grove St. SF, CA 94117

Assessor's Block & Lot

1187 021

Printed Name of Owner(s)

JULIA FRIEDLANDER

Owner(s) Original Signature(s)

Julia Friedlander

City Planning Commission
Case Nos. 2018-011441CUA & 2018-011441VAR
Address: 1846 Grove St.

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Street Address of property owned

1850 Grove St. SF, CA 94117

Assessor's Block & Lot

1187 004

Printed Name of Owner(s)

YEM SOO YEE

Owner(s) Original Signature(s)

Yem Soo Yee

Attachment 2

Planning Commission's Decision

Motion No. 20681



SAN FRANCISCO PLANNING DEPARTMENT

Planning Commission Motion No. 20681

HEARING DATE: APRIL 9, 2020

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

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

Record No.: 2018-011441CUAVAR
Project Address: 1846 GROVE STREET
Zoning: RH-2 (Residential, House – Two Family) Zoning District
RH-3 (Residential, House – Three Family) Zoning District
40-X Height & Bulk District
Block/Lot: 1187/003H
Project Sponsor: Troy Kashanipour
Troy Kashanipour Architecture
2325 3rd Street, Suite 401
San Francisco, CA 94107
Property Owner: Green Grove SF, LLC
2325 3rd Street, Suite 401
San Francisco, CA 94107
Staff Contact: Matt Dito – (415) 575-9164
matthew.dito@sfgov.org

ADOPTING FINDINGS RELATING TO CONDITIONAL USE AUTHORIZATION, PURSUANT TO PLANNING CODE SECTIONS 207, 209.1, AND 303, FOR RESIDENTIAL DENSITY OF ONE UNIT PER 1,500 SQUARE FEET OF LOT AREA TO PERMIT THE CONSTRUCTION OF FOUR TWO-STORY SINGLE-FAMILY DWELLING UNITS ON A VACANT LOT LOCATED AT 1846 GROVE STREET, LOT 003H IN ASSESSOR'S BLOCK 1187, WITHIN AN RH-2 (RESIDENTIAL, HOUSE – TWO FAMILY) AND RH-3 (RESIDENTIAL, HOUSE – THREE FAMILY) ZONING DISTRICT AND A 40-X HEIGHT & BULK DISTRICT.

PREAMBLE

On August 20, 2018, Troy Kashanipour of Troy Kashanipour Architecture (hereinafter "Project Sponsor") filed Application No. 2018-011441CUAVAR (hereinafter "Application") with the Planning Department (hereinafter "Department") for Conditional Use Authorization to allow four dwelling units (hereinafter "Project") at 1846 Grove Street, Lot 003H in Assessor's Block 1187 (hereinafter "Project Site").

On November 7, 2019, the San Francisco Planning Commission (hereinafter "Commission") conducted a duly noticed public hearing at a regularly scheduled meeting on Conditional Use Authorization Application No. 2018-011441CUAVAR and continued the hearing to December 12, 2019.

On December 12, 2019, the Commission conducted a duly noticed public hearing at a regularly scheduled meeting on Conditional Use Authorization Application No. 2018-011441CUAVAR.

The Project is exempt from the California Environmental Quality Act ("CEQA") as a Class 3 Categorical Exemption.

The Planning Department Commission Secretary is the Custodian of Records; the File for Record No. 2018-011441CUAVAR is located at 1650 Mission Street, Suite 400, San Francisco, California.

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 Authorization as requested in Application No. 2018-011441CUAVAR, 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. **Project Description.** The Project proposes construction of four two-story single-family dwelling units in the rear yard of a vacant lot. The dwellings consist of one one-bedroom unit, three two-bedroom units, and one three-bedroom unit. The units range in size from 673 to 1,266 square feet. Due to the practical infeasibility of developing the front of the subject property, the Project is located at the rear of the lot. Setbacks and sloped roofs have been provided at the second story, wherever possible, to minimize impacts on the 17 properties that share a property line with the subject property. The Project includes 10 bicycle parking spaces and no off-street automobile parking spaces. The Project proposes a mixture of public and private open space, with a total of 2,390 square feet being usable. There is a total of 3,753 square feet of open space included in the Project.
3. **Site Description and Present Use.** The Project Site is located on the south side of Fulton Street in the Haight Ashbury neighborhood between Ashbury Street and Masonic Avenue. The lot is an undeveloped "flag lot" (a lot with minimal street frontage and a long access path before widening at the rear). The majority of lot area at the rear, where the mid-block open space is typically located, and shares a property line with 17 adjacent lots. The lot slopes upward approximately 10 percent from the east to the west. The lot is accessed from Fulton Street, despite the Grove Street address.
4. **Surrounding Properties and Neighborhood.** The Project Site is located within both an RH-2 and RH-3 Zoning District in the Haight Ashbury neighborhood. The front of the lot (containing the accessway from Fulton Street) is zoned RH-3, and will not be developed. The Project proposes to construct the four dwelling units only in the area of the lot located within an RH-2 Zoning District. The lots adjacent to the Project Site are predominantly zoned RH-2 and RH-3, with three-story one- or two-family dwellings. The corner lot to the northeast of the Project Site is located in an NC-1

Zoning District, with a four-story eight-family dwelling located on the lot. While there is no nearby commercial corridors, the Project Site is located approximately one-half block away from a shopping center at Masonic Avenue and Fulton Street, which contains many necessary neighborhood necessities.

5. **Public Outreach and Comments.** The Department has received 45 letters in opposition to the Project, and 24 letters in support of the Project.

- a. **Outreach:** The Sponsor has hosted two meetings within the community, on September 7, 2017 and on October 22, 2017.

- i. **Feedback from September 2017:** Most feedback was centered on the feasibility of the project due to site constraints. Some opposition was received due to the perceived financial impact the development would have on their own surrounding properties.
- ii. **Feedback from October 2019:** Most feedback was in regards to concern about the impacts development may have on surrounding properties and quality of life concerns. Story poles were requested on the project site so that neighbors could see the proposed height of the buildings.
- iii. **November 2019:** There were two attendees at the November meeting. One was concerned about density and the other was supportive of the project.

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. **Use.** Planning Code Section 209.1 states that Conditional Use Authorization is required in an RH-2 Zoning District to exceed the principally permitted density limit of two dwelling units per lot. One dwelling unit per 1,500 square feet of lot area is permitted with Conditional Use Authorization.

The Project Site is located in both an RH-2 and RH-3 Zoning District, though the Project proposes only to develop the RH-2 portion. The RH-2 portion of the lot is 7,476 square feet. With Conditional Use Authorization, a maximum of five dwelling units are permitted. The Project proposes four dwelling units.

- B. **Front Setback.** Planning Code Section 132 states that the minimum front setback depth shall be based on the average of adjacent properties or a Legislated Setback.

The adjacent properties do not have front setbacks, and there is no legislated setback on the Project Site. Therefore, the project does not have a required front setback.

- C. **Rear Yard.** Planning Code Section 134 requires a rear yard equal to 45 percent of the total lot depth, at grade and above, for properties containing dwelling units in RH-2 Zoning Districts.

The subject property has a lot depth of approximately 175 feet, resulting in a required rear yard of approximately 79 feet pursuant to the Planning Code. However, it is generally recognized with lots that have significantly different depths in one horizontal direction throughout the lot, that there shall be separate rear yard lines calculated, as the general intent of the code is to ensure that every lot has a feasible buildable area. In the case of the Project Site, the narrow portion of the lot off Fulton Street would have a separate rear yard calculation from the wider bulk of the lot at the rear. The dual rear yard lines can be seen in Exhibit B. Due to the concentric configuration of the dwelling units at the rear of the lot, a variance from the Planning Code is required.

- D. **Useable Open Space.** Planning Code Section 135 requires 125 square feet of useable open space for each dwelling unit if all private, or 166 square feet of common usable open space per unit.

The Project proposes a mixture of private and public usable open space for the four dwelling units. All of the dwelling units have private, Code-compliant usable open space adjacent to the buildings. In addition, there is a large amount of public open space in the middle of the development.

- E. **Dwelling Unit Exposure.** Planning Code Section 140 requires that at least one room of all dwelling units face onto a public street or public alley at least 30 feet in width, a side yard at least 25 feet in width, a rear yard meeting the requirements of the Code or an open area, whether an inner court or space between separate buildings on the same lot, that is no less than 25 feet in every horizontal dimension.

The Project proposes a large inner court between the four dwelling units, measuring approximately 2,500 square feet. Due to the nature of the Project Site as a "flag lot", and the applicant's effort to design the dwellings in a manner that least impacts the adjacent neighbors, two of the four dwelling units do not meet the requirement of Planning Code Section 140, despite the copious inner court. A variance from the Planning Code is required.

- F. **Off-Street Parking.** Planning Code Section 151.1 permits a maximum of 1.5 off-street automobile parking spaces per dwelling unit.

The Project does not include any off-street automobile parking.

- G. **Bicycle Parking.** Planning Code Section 155.2 requires at least one weather-protected bicycle parking space for each dwelling unit.

The Project proposes 10 bicycle parking spaces in storage lockers for four dwelling units, meeting the Planning Code requirement.

- H. **Bicycle Parking Access.** Planning Code Section 155.1 requires that bicycle parking spaces be located in area with a minimum five foot wide hallway that leads to the parking entrance. Two limited constriction points, where the route may narrow to a minimum of three feet, and extend no more than one foot of distance, are permitted.

Due to the nature of the Project Site as a “flag lot”, the only available access to the bicycle parking lockers is through a three and one-half foot corridor from the street. A variance from the Planning Code is required.

- I. **Height.** Planning Code Section 260 requires that all structures be no taller than the height prescribed in the subject height and bulk district. Section 260(a)(1)(B) states that where a lot is level with or slopes downward from a street at the centerline of the building or building step, such point shall be taken at curb level on such a street.

The subject property is located within a 40-foot height district. The Project includes four single-family dwellings with a maximum height of 20 feet above grade, in compliance with the height district.

- J. **Child Care Requirements for Residential Projects.** Planning Code Section 414A requires that any residential development project that results in at least one net new residential unit shall comply with the imposition of the Residential Child Care Impact Fee requirement.

The Project proposes new construction of four residential units. Therefore, the Project is subject to the Residential Child Care Impact Fee and must comply with the requirements of Planning Code Section 414A.

7. **Conditional Use Findings.** Planning Code Section 303 establishes criteria for the Planning Commission to consider when reviewing applications for Conditional Use authorization. On balance, the project complies 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 Site is larger than what is typical for residential lots in the Haight Ashbury neighborhood, such that the Planning Code allows increased dwelling unit density at a rate of one dwelling unit per 1,500 square feet of lot area. The four single-family dwelling units proposed are necessary and desirable in that the Project would add to the neighborhoods housing stock, while developing a heretofore vacant lot. Due to the nature of the Project Site as a “flag lot”, some impact to the 17 adjacent neighbors is unavoidable, but the Project has been designed in a way to minimize such impacts. The design of the buildings are consistent with the Residential Design Guidelines, and compatible with the neighborhood.

- 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:

- (1) Nature of proposed site, including its size and shape, and the proposed size, shape and arrangement of structures;

The Project Site is a "flag lot," which is uncommon. It features a long, narrow access path from Fulton Street before widening at the rear, where the mid-block open space is typically located. The Project includes four two-story single-family dwelling units, located near the perimeter of the lot at the rear. While some impact to the 17 adjacent neighbors is unavoidable, the Project has been designed in a manner that minimizes those impacts by incorporating greenery, sloped roofs, and setbacks wherever possible. The Project is consistent with the Residential Design Guidelines.

- (2) 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 Planning Code does not require parking or loading for residential uses, and the Project includes 10 bicycle parking spaces. The Project will not significantly affect traffic patterns in the immediate area.

- (3) The safeguards afforded to prevent noxious or offensive emissions such as noise, glare, dust and odor;

As the proposed project is residential in nature, unlike commercial or industrial uses, the proposed residential use is not expected to produce noxious or offensive emissions. Safeguards will be used during construction to mitigate any impact to the neighborhood.

- (4) Treatment given, as appropriate, to such aspects as landscaping, screening, open spaces, parking and loading areas, service areas, lighting and signs;

The Project is designed in a contemporary aesthetic, and incorporates significant landscaping and screening. Portions of the proposed dwellings that are one-story will maintain a landscaped roof, minimizing the visual impact to adjacent neighbors. There is a large amount of open space in the form of an inner court. The access path from Fulton Street will be constructed with floor lighting, which is appropriate given its close proximity to adjacent properties.

- 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.

- D. That the use as proposed would provide development that is in conformity with the purpose of the applicable Use District.

The proposed project is consistent with the stated purposed of the RH-2 Zoning District, which are devoted to one- and two-family buildings, and generally do not exceed three or four stories. The Project proposes four single-family dwellings, and does not exceed two stories in height.

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 1:

IDENTIFY AND MAKE AVAILABLE FOR DEVELOPMENT ADEQUATE SITES TO MEET THE CITY'S HOUSING NEEDS, ESPECIALLY PERMANENTLY AFFORDABLE HOUSING.

Policy 1.10

Support new housing projects, especially affordable housing, where households can easily rely on public transportation, walking and bicycling for the majority of daily trips.

The Project does not include off-street automobile parking, but includes ten bicycle parking spaces for four dwelling units, and is located near numerous Muni transit lines. These features will ensure that households can easily rely on alternate methods to the private automobile for their transit needs.

OBJECTIVE 11:

SUPPORT AND RESPECT THE DIVERSE AND DISTINCT 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 existing neighborhood character.

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.

Policy 11.4:

Continue to utilize zoning districts which conform to a generalized residential land use and density plan and the General Plan.

Policy 11.6

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

Policy 11.8

Consider a neighborhood's character when integrating new uses, and minimize disruption caused by expansion of institutions into residential areas.

The Project has been designed in conformity with Residential Design Guidelines, which ensure that existing residential neighborhood character is respected and unimpacted, to the extent possible. The development includes a large amount of common open space in the middle of the development, which should promote community interaction amongst residents of the dwelling units. The residential uses provided conform to the general land use profile of the neighborhood.

OBJECTIVE 12:

BALANCE HOUSING GROWTH WITH ADEQUATE INFRASTRUCTURE THAT SERVES THE CITY'S GROWING POPULATION.

Policy 12.2

Consider the proximity of quality of life elements such as open space, child care, and neighborhood services, when developing new housing units.

The Project provides a large amount of public open space for prospective residents, and is located nearby many neighborhood services such as grocery stores, other retail uses, eating and drinking uses, and personal services. The Project also will require that the Project Sponsor pay the Residential Child Care Impact Fee pursuant to Planning Code Section 414A.

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 1.2:

Recognize, protect and reinforce the existing street pattern, especially as it is related topography.

Policy 1.3:

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

The Project proposes the four single-family dwelling units on a vacant "flag lot." The Project represents the sensitive infill of a large vacant lot within the allowable density of the RH-2 Zoning District in which the lot is located. The proposed massing and location of the dwellings are compatible with the existing neighborhood character. While the development pattern of the neighborhood generally does not include residential development in the mid-block open space, the Project minimizes, to the extent possible, impacts on the 17 adjacent properties by incorporating sloped roofs, landscaped roofs, and setbacks. The scale and design of the proposed Project is compatible with the neighborhood and, in total, will create a positive effect for the neighborhood and City as a whole.

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 complies 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 Site does not possess any neighborhood-serving retail uses. The Project provides four new dwelling units, which will enhance the nearby retail uses by providing new residents.

- 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 site does not possess any existing housing. The Project would provide four new dwelling units, thus resulting in an overall increase in the neighborhood housing stock. The Project maintains a height and scale compatible with the surrounding neighborhood and is consistent with the Residential Design Guidelines.

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

The Project does not include any existing or proposed affordable housing; however, the four proposed single-family dwellings are small to moderately sized, making them naturally more affordable, and will be added to the City's housing stock.

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

The Project Site is well-served by public transit, being located within a quarter-mile of stops for the 5-Fulton, 5R-Fulton Rapid, 31-Balboa, 31BX-Balboa B Express, and 43-Masonic Muni transit lines.

Additionally, the Project provides bicycle parking for residents of the dwellings. Muni transit service and the neighborhood streets will not be overburdened by the Project.

- 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 will not displace any service or industry establishment. The Project will not affect industrial or service sector uses or related employment opportunities. Ownership of industrial or service sector businesses will not be affected by this Project.

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

The Project will be designed and will be constructed to conform to the structural and seismic safety requirements of the Building Code. This proposal will not impact the property's ability to withstand an earthquake.

- G. That landmarks and historic buildings be preserved.

Currently, the Project Site does not contain any City Landmarks or historic buildings.

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

The Project will have no negative impact on existing parks and public open spaces. The Project is located in what is typically considered the mid-block open space, though impacts will be minimized due to small scale of the Project and other attenuating measures.

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 Authorization Application No. 2018-011441CUAVAR** subject to the following conditions attached hereto as "EXHIBIT A" in general conformance with plans on file, dated February 17, 2020 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. 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 April 9, 2020.



Jonas P. Ionin
Commission Secretary

AYES: Diamond, Fung, Imperial, Johnson, Koppel, Moore
NAYS: None
ABSENT: None
ADOPTED: April 9, 2020

EXHIBIT A

AUTHORIZATION

This authorization is for a conditional use to allow the construction of four single-family dwellings located at 1846 Grove Street, Lot 003H within Assessor's Block 1187, pursuant to Planning Code Sections **207, 209.1, and 303** within an RH-2 (Residential, House – Two Family) Zoning District and a 40-X Height and Bulk District; in general conformance with plans, dated **February 17, 2020**, and stamped "EXHIBIT B" included in the docket for Record No. **2018-011441CUAVAR** and subject to conditions of approval reviewed and approved by the Commission on **April 9, 2020** under Motion No. **20681**. 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 **April 9, 2020** under Motion No. **20681**.

PRINTING OF CONDITIONS OF APPROVAL ON PLANS

The conditions of approval under the 'Exhibit A' of this Planning Commission Motion No. **20681** 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 – COMPLIANCE AT PLAN STAGE

6. **Final Materials.** The Project Sponsor shall continue to work with Planning Department on the building design. Final materials, glazing, color, texture, landscaping, and 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. **Fire Safety.** Should compliance with technical standards related to fire safety result in a significant change to the Project, as determined by the Zoning Administrator, then a new Conditional Use authorization shall be required by the Planning Commission.

For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org

PARKING AND TRAFFIC

9. **Bicycle Parking.** The Project shall provide no fewer than **four** Class 1 bicycle parking spaces as required by Planning Code Sections 155.1 and 155.2.

For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

10. **Parking Maximum.** Pursuant to Planning Code Section 151, the Project shall provide no more than **eight (8)** off-street parking spaces.

For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

PROVISIONS

11. **Residential Child Care Impact Fee.** The Project is subject to the Residential Child Care Fee, as applicable, pursuant to Planning Code Section 414A.

For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org

MONITORING - AFTER ENTITLEMENT

12. **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

13. **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

TROY KASHANIPOUR ARCHITECTURE 2325 3RD STREET SUITE 401, SAN FRANCISCO CALIFORNIA 94107.

Department of Building Inspection
1860 Mission Street
San Francisco, CA 94103-2414
Phone: 415.558.6133 Fax: 415.558.6886

May 1, 2017

Re: Pre-Application Plan Review Meeting
Project Address: 1840 Grove Street; Block 1187 Lot 003H
Code Basis: SFBC 2016

Reviewers: Jeff Ma (DBI), Lt. Janice Hayes (SFFD)
Meeting Attendees: Troy Kashani pour (Architect), Sasha Plotitsa
Meeting Date: May 16, 2017

Background and Project Summary Information:

The existing vacant parcel is a flag lot accessed through a gate on Fulton Street. The lot is 7,869 square feet. The access is through a 4' wide space between buildings, six inches of which belong to the adjacent corner parcel on Lot 1. Planning Department density allows, and Planning staff supports 5 dwelling units on a parcel of this size. Five R-3 dwellings are proposed. An existing mature oak tree will be maintained. The proposed 3-R dwellings will be limited in height to 2 story with an internal open courtyard. Also proposed on-site are smaller accessory storage structures. Window area for the dwellings on each parcel shall be based on an assumed property line between buildings per 705.3 and shall conform with fire separation distances as defined in 705.8.

Construction type shall be Type V-A unless otherwise required by Fire and DBI. The buildings on-site and the Site shall have Egress per CBC Chapter 10.

Code Discussion Items:

1. Number of Exits and Exit Access Doorways from each Dwelling – CBC 1006.
 - The exit from each dwelling, CBC 1006.2.1 Single Exits are permitted from each R-3 dwelling with an occupant load of less than 20 where the dwelling unit is equipped with sprinklers and the common path of egress travel is less than 125'.

DBI RESPONSE: Agreed. Access to dwelling unit exit (door to exterior court) less than 125'. Maximum 3 Story Buildings.

Jeff Ma

2. Outdoor Area occupant load: Please confirm that outdoor areas are accessory to the residential units No additional occupant load is required per Exception 1 and 2 of 1004.5

CBC 1004.5 Outdoor areas: Yards, patios, courts and similar outdoor areas accessible to and

1

TROY KASHANIPOUR ARCHITECTURE 2325 3RD STREET SUITE 401, SAN FRANCISCO CALIFORNIA 94107.

DBI RESPONSE: Sprinklering per NFPA-13. *subject to Fire Dept. plan review.*
Jeff Ma

5. Alternate Scenario:

Combine Units 1&2 into a single R-3 Occupancy, Combine Units 3&4 into an R-3 Occupancy, Unit 3 shall remain as R-3. This is permitted per 705.3 Exception 1. Please advise of acceptability.

DBI RESPONSE: Combining units as proposed above is acceptable.

Jeff Ma

Please advise of any additional Fire Department or Building Department requirements for this parcel based on the scheme presented that are anticipated for this parcel.

Troy Kashani pour

Troy Kashani pour, Architect & Agent for Owner

Reviewed and agreed by
Jeff Ma 6/13/17
SFDBI

3

TROY KASHANIPOUR ARCHITECTURE 2325 3RD STREET SUITE 401, SAN FRANCISCO CALIFORNIA 94107.

usable by the building occupants shall be provided with means of egress as required by this chapter. The occupant load of such outdoor areas shall be assigned by the building official in accordance with the anticipated use. Where outdoor areas are to be used by persons in addition to the occupants of the building, and the path of egress travel from the outdoor areas passes through the building, means of egress requirements for the building shall be based on the sum of the occupant loads of the building plus the outdoor areas.

Exceptions:

1. Outdoor areas used exclusively for service of the building need only have one means of egress.
2. Both outdoor areas associated with Group R-3 and individual dwelling units of Group R-2

DBI RESPONSE: Agreed, outdoor areas are accessory to the residential use and do not have their own occupant load.

Jeff Ma

3. The Exit Discharge:

The passage between the existing buildings on lot 1 and lot 13 is 3'-6" wide is considered an Egress Court.

- Per 1028.4.1: The required width is 36" for R-3 occupancies.
- Per 1028.4.2: The Construction of an egress court serving R-3 occupancies requires no rating per Exception 1.

DBI RESPONSE: Agreed as long as less than 50 total occupants are served by egress court

Jeff Ma

4. Sprinklering - The following is proposed:

- A dedicated fire sprinkler line shall be brought into the property. This line will be provide with a backflow preventer and a check-valve.
- After the valves the main line shall split and, there shall be independent service to each dwelling unit.
- Each unit will be equipped with an independent monitoring service.
- Each R-3 dwelling shall be sprinklered to NFPA-13R standards.
- Small independent accessory to the main structure shall have fire ratings as required by code but are not proposed to be sprinklered. They shall be used for light storage such as bicycles, garden and household equipment.

FIRE DEPARTMENT RESPONSE: Applicants to meet with Fire Department to discuss Fire Department Access.

2

FIRE DEPARTMENT: ACCESS REVIEW APPROVAL:

1821 Fulton Street (5 units R-3 Dwelling units)

Block 1187/ lot 003H

The Architecture plans has been reviewed and SFFD comments:

Condition of approval.

Revise the Architecture plans

- 1- licensed architect need to stamp and sign the Architecture plans.
- 2- Architecture plans must be approved from San Francisco Building department.
- 3- Indicate in the Architecture plans:
 - Each R-3 dwelling shall be sprinklered and monitored per 2016 NFPA 13 and 2016 CFC 903.3.1.1. per pre-application meeting on 2/6/2018.
 - The sprinkler system for each R-3 dwelling shall be monitored.
 - The Maximum height at the second story will not exceed 20 feet above grade.
 - The type construction of each R-3 dwelling shall be Type III per pre-application meeting on 2/6/2018.
 - Standpipe system 2ways X 3 inches outlets shall be provided at the entry, in middle and far end of the property per pre-application meeting on 2/6/2018.
 - Removal of the street tree at sidewalk near entry gate per pre-application meeting on 2/6/2018.
 - A minimum 3.5 feet clear width without obstruction at any access point of the exist discharge shall be provided.
 - A red fire zone curb" NO PARKING" shall be provided in front of property.

Kamal Andeawes, P.E.

Kamal

Fire Protection Engineer

San Francisco Fire Department

Captain/ Michael Patt

Michael Patt

Bureau of Fire Prevention

San Francisco Fire Department

APPROVED AS NOTED
DATE 6/12/18
Daniel Baker
CHIEF, DIVISION OF FIRE
PREVENTION & INVESTIGATION

in addition:
rescue windows
required

OWNER:
GREEN GROVE SF LLC
2325 3RD STREET, SUITE 401
SAN FRANCISCO, CA 94107
PHONE: 415.431.0869

ISSUE:

ISSUED FOR VARIANCE & CUA

DATE:

08.15.2018

CONSULTANT

-

APPROVAL

APPROVED ARCHITECT
TROY KASHANIPOUR
C 27646
REN. 6/30/2019
STATE OF CALIFORNIA

DRAWN:

TK

CHECKED:

TK

SCALE:

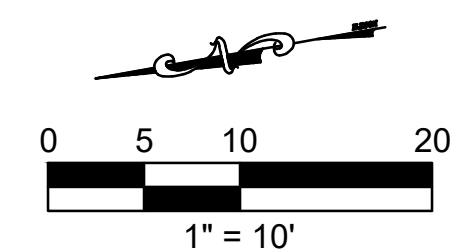
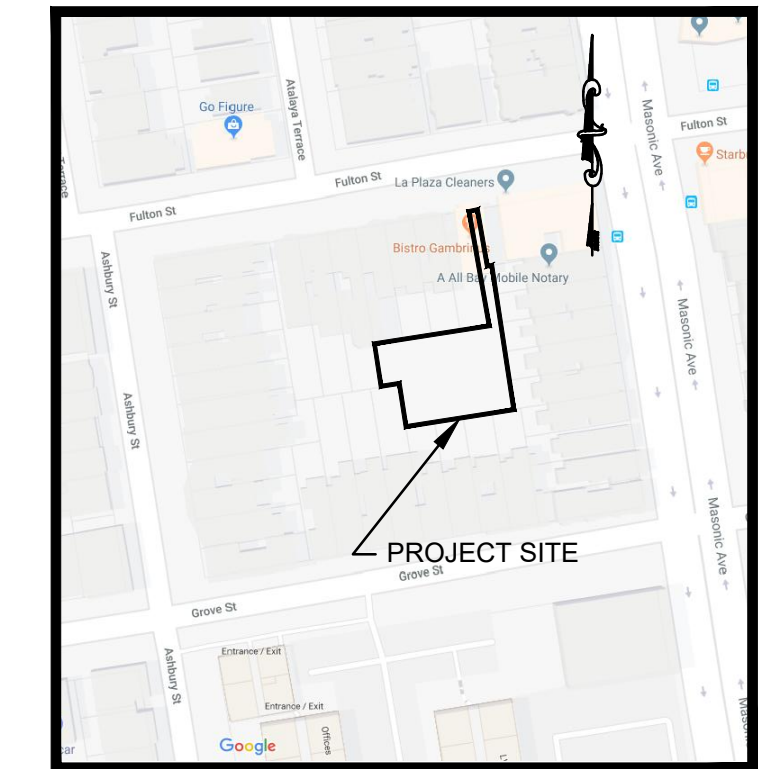
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PRE-APPLICATION NOTES

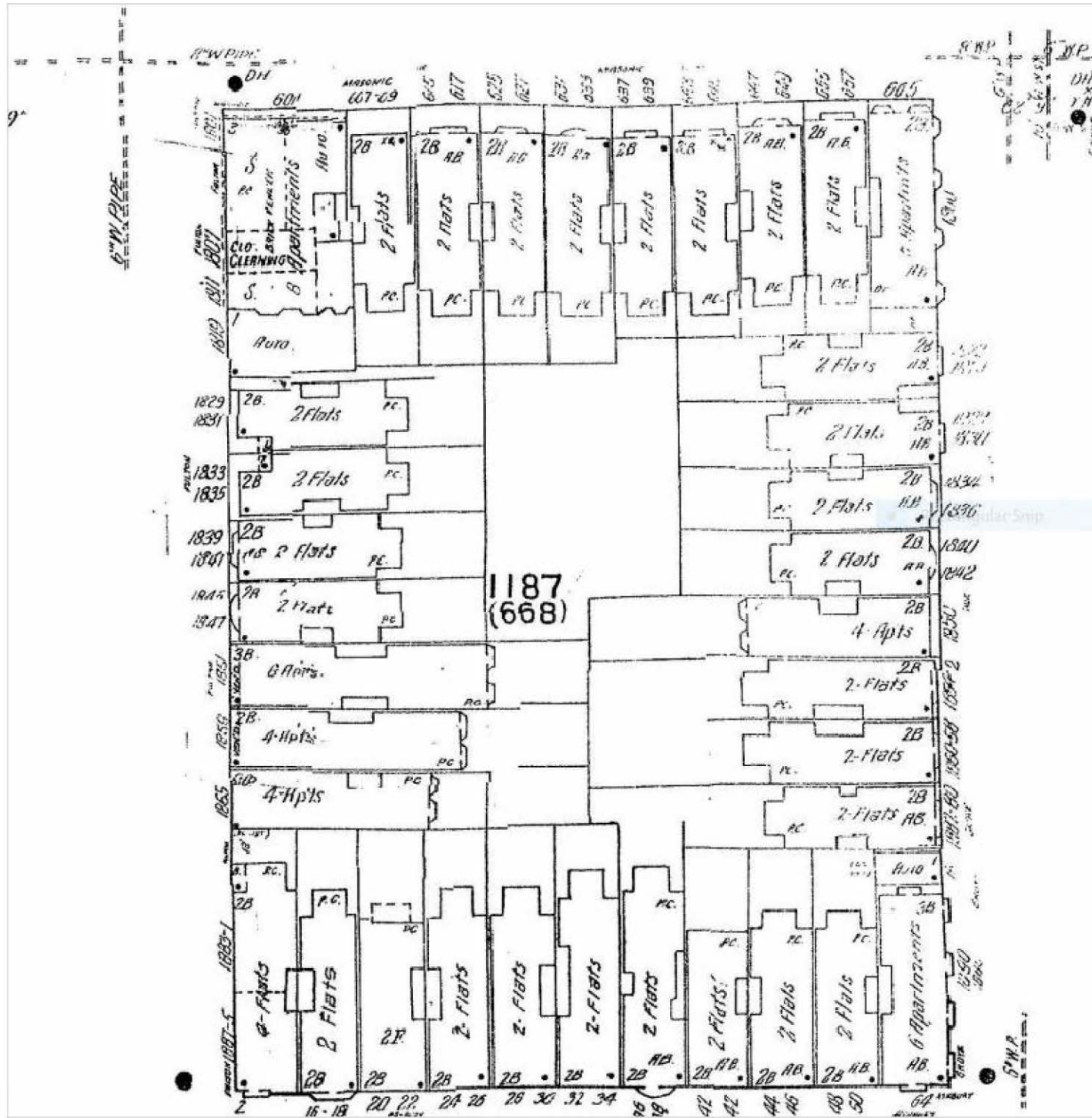
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TROY KASHANIPOUR ARCHITECTURE 2325 3RD STREET SUITE 401, SF CA 94107. PHONE/FAX 415.431.0869

1821 FULTON STREET



SANBORN MAP



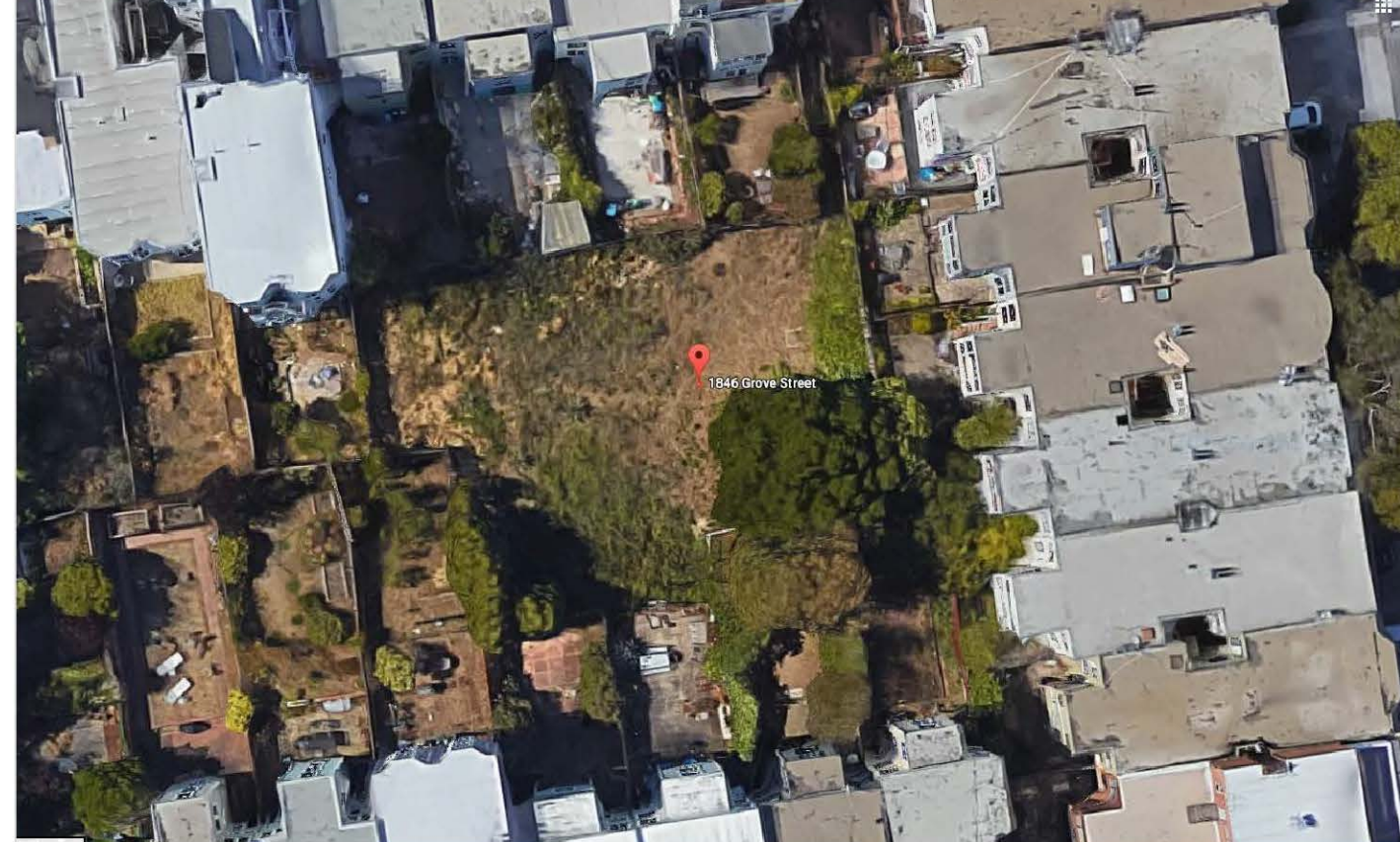
OVERHEAD VIEW LOOKING FROM NORTH



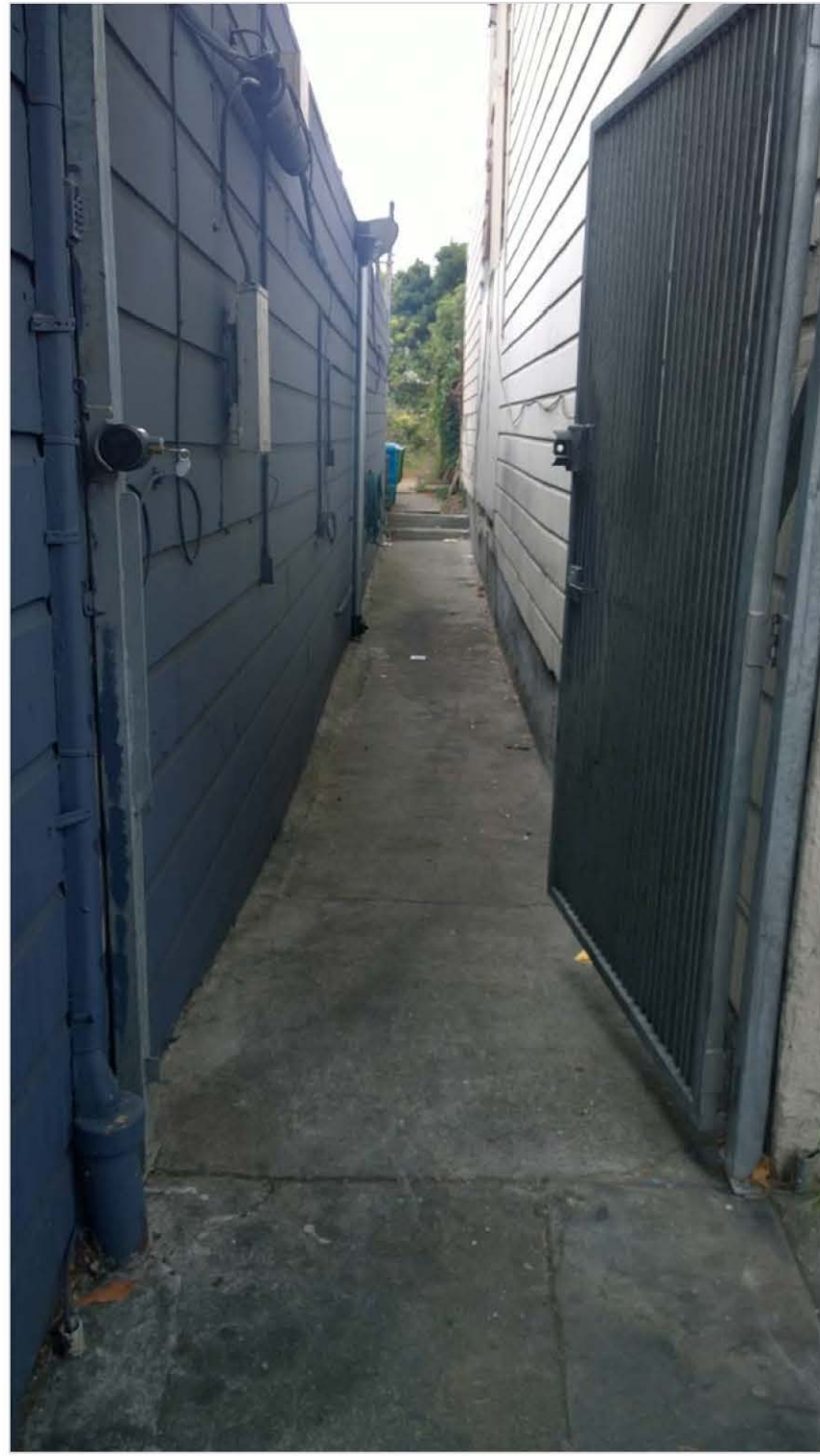
OVERHEAD VIEW LOOKING FROM SOUTH



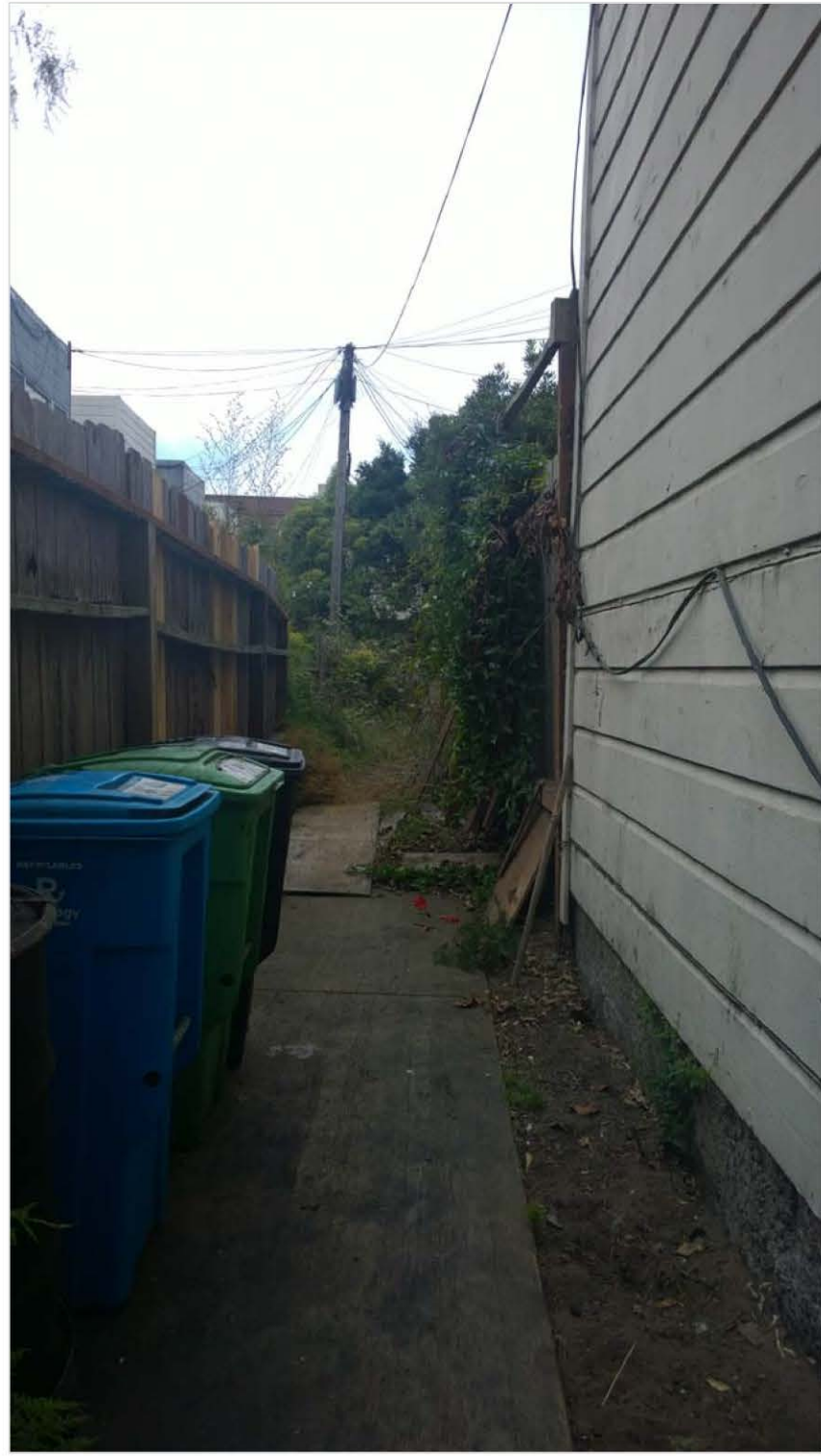
OVERHEAD VIEW



ACCESS FIRST 50' : 3.5' WIDTH



NEXT 50' : 6.25' WIDTH



ENTER FULL LENGTH OF LOT, LOOKING NORTH



LOOKING WEST



LOOKING EAST



LOOKING SOUTH



OWNER:
GREEN GROVE SF LLC
2325 3RD STREET, SUITE 401
SAN FRANCISCO, CA 94107
PHONE: 415.431.0869

ISSUE: DATE:
ISSUED FOR VARIANCE & CUA 08.15.2018

CONSULTANT
-

APPROVAL



DRAWN:
TK
CHECKED:
TK
SCALE:
NONE

SITE PHOTOGRAPHS

A0.2

TROY KASHANI POUR ARCHITECTURE 2325 3RD STREET SUITE 401, SF CA 94107, PHONE/FAX 415.431.0869

1821 FULTON STREET



1 PROPOSED SITE PLAN
SCALE: 3/32" = 1'-0"

TROY KASHANIPOUR ARCHITECTURE 2325 3RD STREET SUITE 401, SF CA 94107. PHONE/FAX 415.431.0869

1821 FULTON STREET

OWNER:
GREEN GROVE SF LLC
2325 3RD STREET, SUITE 401
SAN FRANCISCO, CA 94107
PHONE: 415.431.0869

ISSUE:
ISSUED FOR VARIANCE & CUA 08.15.2018
PLANNING REVISIONS 06.10.2019
PLANNING REVISIONS 08.02.2019

DATE:
08.15.2018
06.10.2019
08.02.2019

CONSULTANT
-

APPROVAL

DRAWN:
TK
CHECKED:
TK
SCALE:
3/32" = 1'-0"

PROPOSED SITE PLAN

A1.1



OPEN SPACE REQUIREMENTS PER SECTION 135, RH-2 ZONING
125 SQFT PER UNIT IF PRIVATE, 166 SQFT PER UNIT IF COMMON.

OPEN SPACE ON SITE IS IRREGULAR: TOTAL SIZE: 3753 SQFT

CONTINUOUS RECTANGULAR AREA OF SHARED OPEN SPACE:
21.5'x68.5' = 1,473 SQFT

PRIVATE OPEN SPACE: 125 SQFT PER UNIT REQUIRED IF PRIVATE

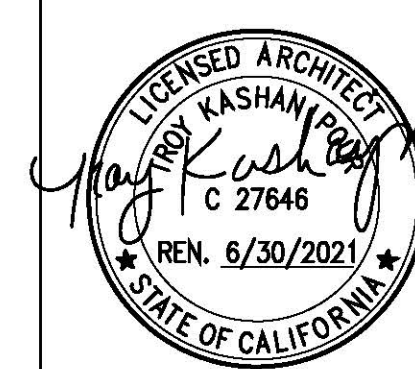
DWELLING 1: 230 SQFT - COMPLIES AS PRIVATE OPEN SPACE
DWELLING 2: 257 SQFT - COMPLIES AS PRIVATE OPEN SPACE
DWELLING 3: 254 SQFT - COMPLIES AS PRIVATE OPEN SPACE
DWELLING 4: 176 SQFT - COMPLIES AS PRIVATE OPEN SPACE
DWELLING 5: 49 SQFT - DOES NOT COMPLY AS PRIVATE OPEN SPACE, UNIT USES COMMON OPEN SPACE

OWNER:
GREEN GROVE SF LLC
2325 3RD STREET, SUITE 401
SAN FRANCISCO, CA 94107
PHONE: 415.431.0869

ISSUE: PLANNING REVISIONS
DATE: 08.18.2019

CONSULTANT

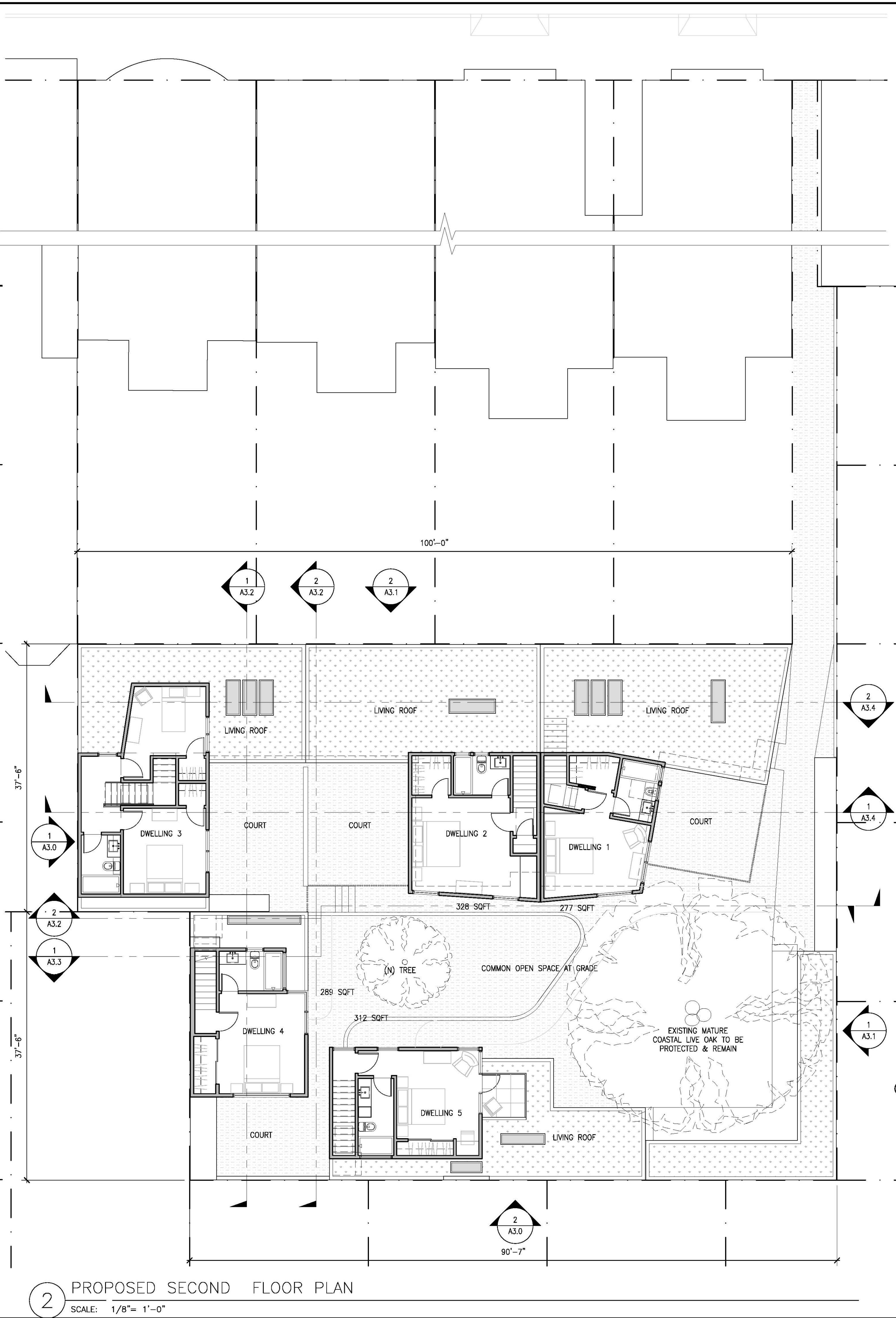
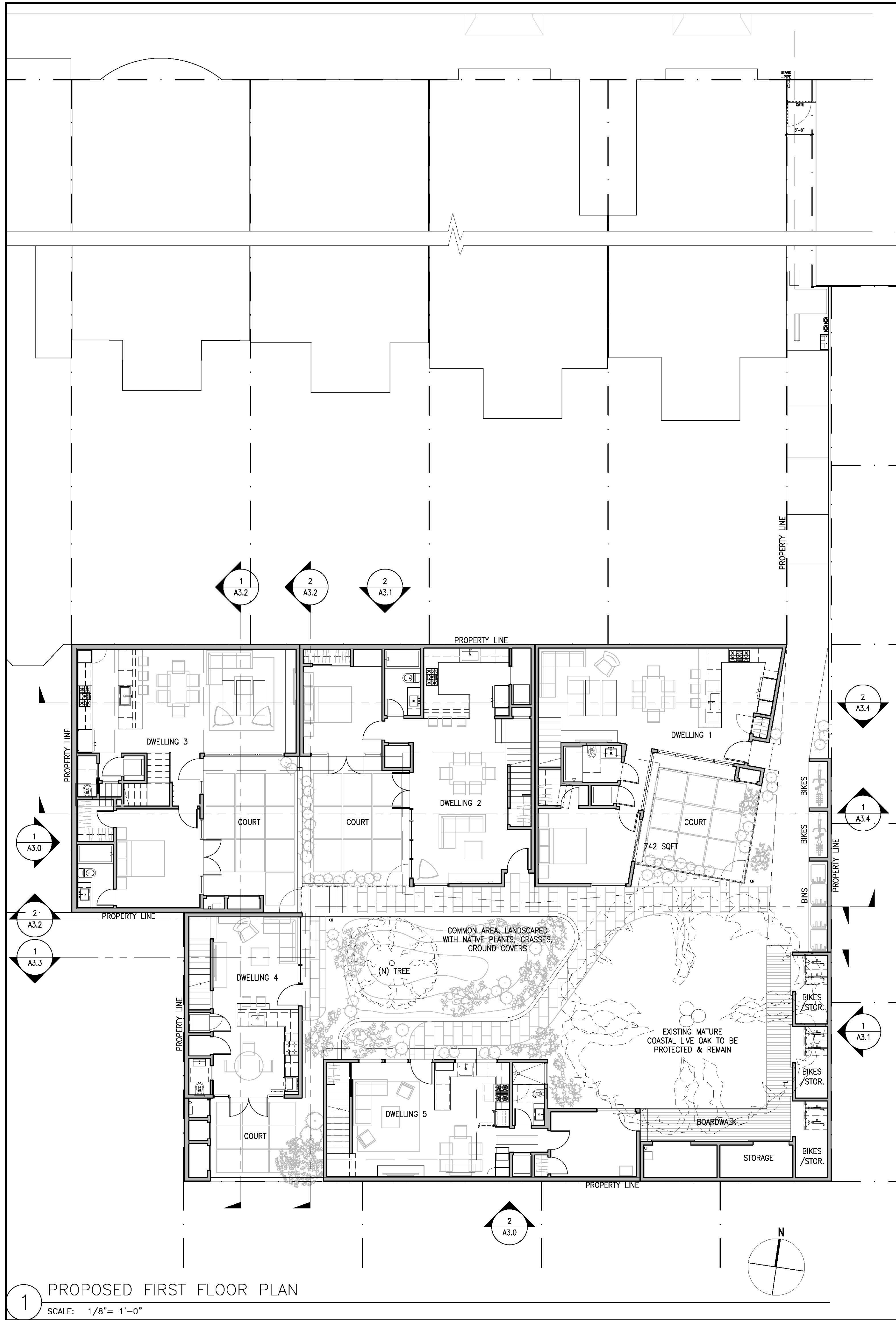
APPROVAL



DRAWN: TK
CHECKED: TK
SCALE: 3/32"=1'-0"

OPEN SPACE AND
UNIT EXPOSURE DIAGRAM

A1.2



OWNER:
GREEN GROVE SF LLC
2325 3RD STREET, SUITE 401
SAN FRANCISCO, CA 94107
PHONE: 415.431.0869

ISSUE:
ISSUED FOR VARIANCE & CUA
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PLANNING REVISIONS

DATE:
08.15.2018
06.10.2019
08.02.2019

CONSULTANT:
-

APPROVAL:
-

LICENSED ARCHITECT

TROY KASHANIPOUR

C 27646

REN. 6/30/2021

STATE OF CALIFORNIA

DRAWN:
TK

CHECKED:
TK

SCALE:
1/8"=1'-0"

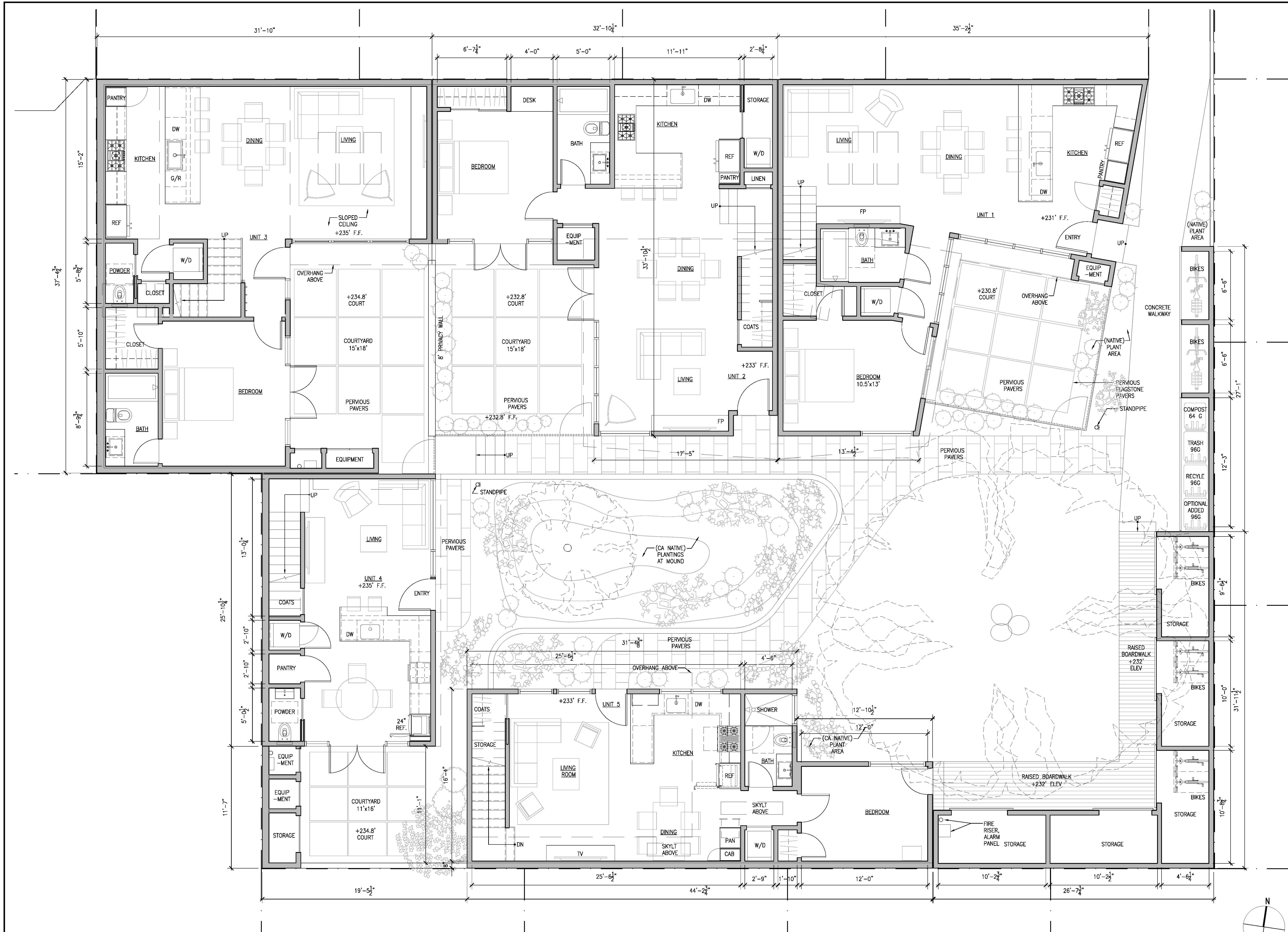
SCHEMATIC DESIGN
PROPOSED FLOOR PLANS

A2.0

TROY KASHANIPOUR ARCHITECTURE

2325 3RD STREET SUITE 401, SF CA 94107, PHONE/FAX 415.431.0869

1821 FULTON STREET



1 PROPOSED FIRST FLOOR PLAN
SCALE: 1/4" = 1'-0"

TROY KASHANIPOUR ARCHITECTURE2325 3RD STREET SUITE 401, SF CA 94107PHONE/FAX 415.431.0869

1821 FULTON STREET

OWNER:
GREEN GROVE SF LLC
2325 3RD STREET, SUITE 401
SAN FRANCISCO, CA 94107
PHONE: 415.431.0869

ISSUE:
ISSUED FOR VARIANCE & CUA
PLANNING REVISIONS
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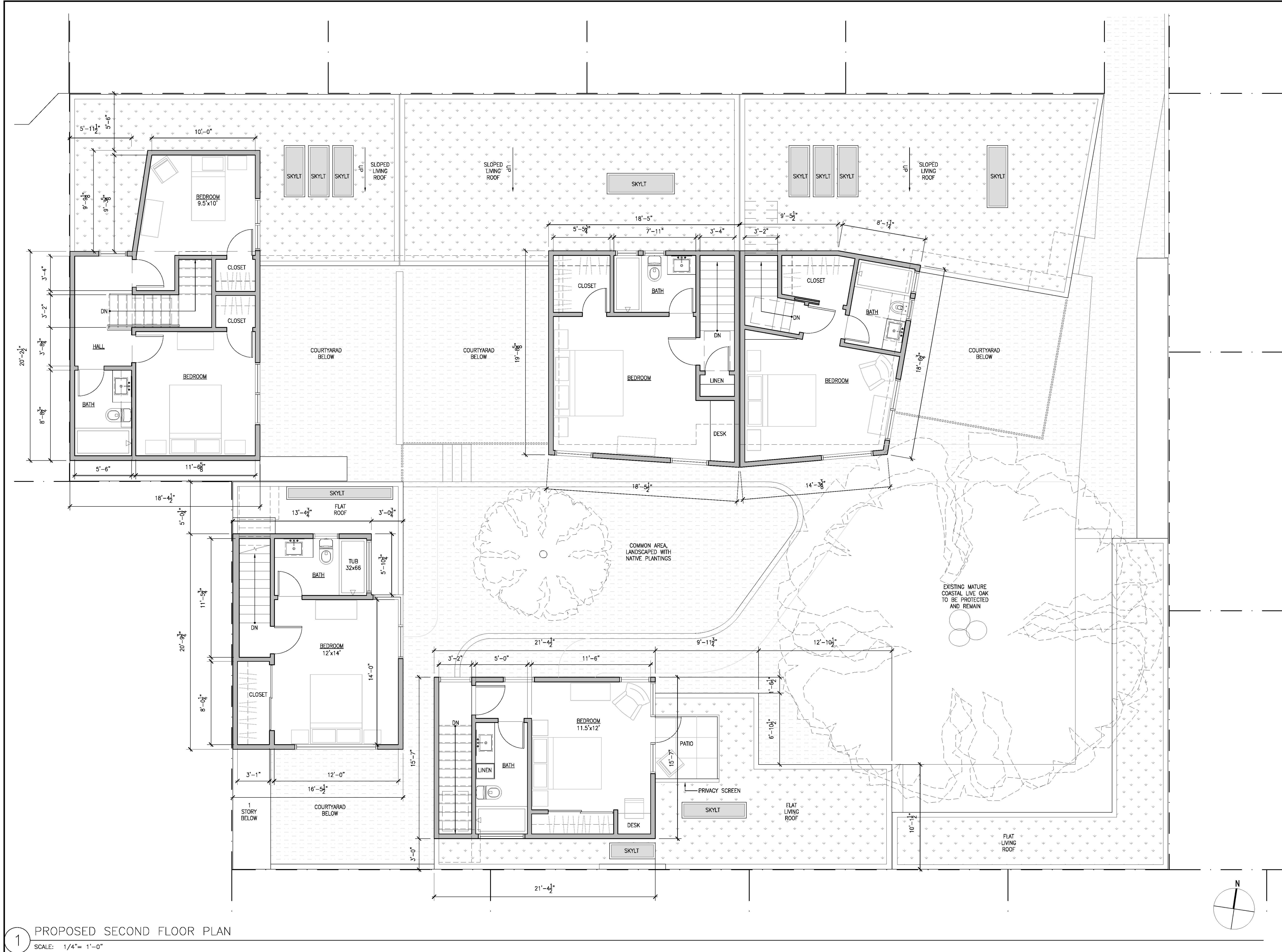
APPROVAL

LICENSED ARCHITECT
TROY KASHANIPOUR
C 27646
REN. 6/30/2021
STATE OF CALIFORNIA

DRAWN:
TK
CHECKED:
TK
SCALE:
1/4" = 1'-0"

PROPOSED FIRST FLOOR PLAN

A2.1



1 PROPOSED SECOND FLOOR PLAN
SCALE: 1/4" = 1'-0"

TROY KASHANIPOUR ARCHITECTURE2325 3RD STREET SUITE 401, SF, CA 94107. PHONE/FAX 415.431.0869

1821 FULTON STREET

OWNER:
GREEN GROVE SF LLC
2325 3RD STREET, SUITE 401
SAN FRANCISCO, CA 94107
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APPROVAL

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LICENSED ARCHITECT

TROY KASHANIPOUR

C 27646

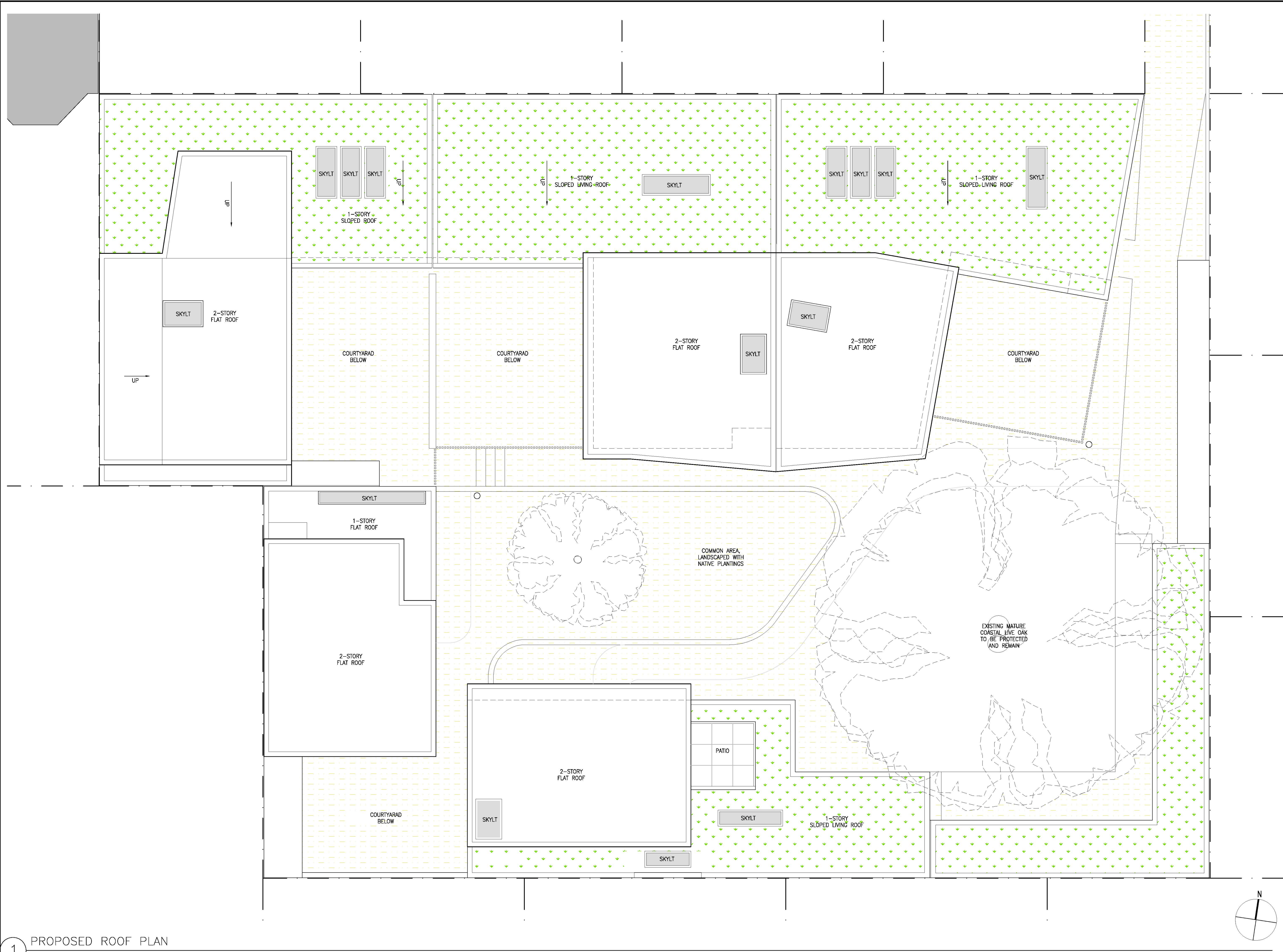
REN. 6/30/2021

STATE OF CALIFORNIA

DRAWN:
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SCALE:
1/4"=1'-0"

PROPOSED SECOND FLOOR PLAN

A2.2



1 PROPOSED ROOF PLAN
SCALE: 1/4"= 1'-0"

TROY KASHANIPOUR ARCHITECTURE2325 3RD STREET SUITE 401, SF, CA 94107. PHONE/FAX 415.431.0869

1821 FULTON STREET

OWNER:
GREEN GROVE SF LLC
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APPROVAL

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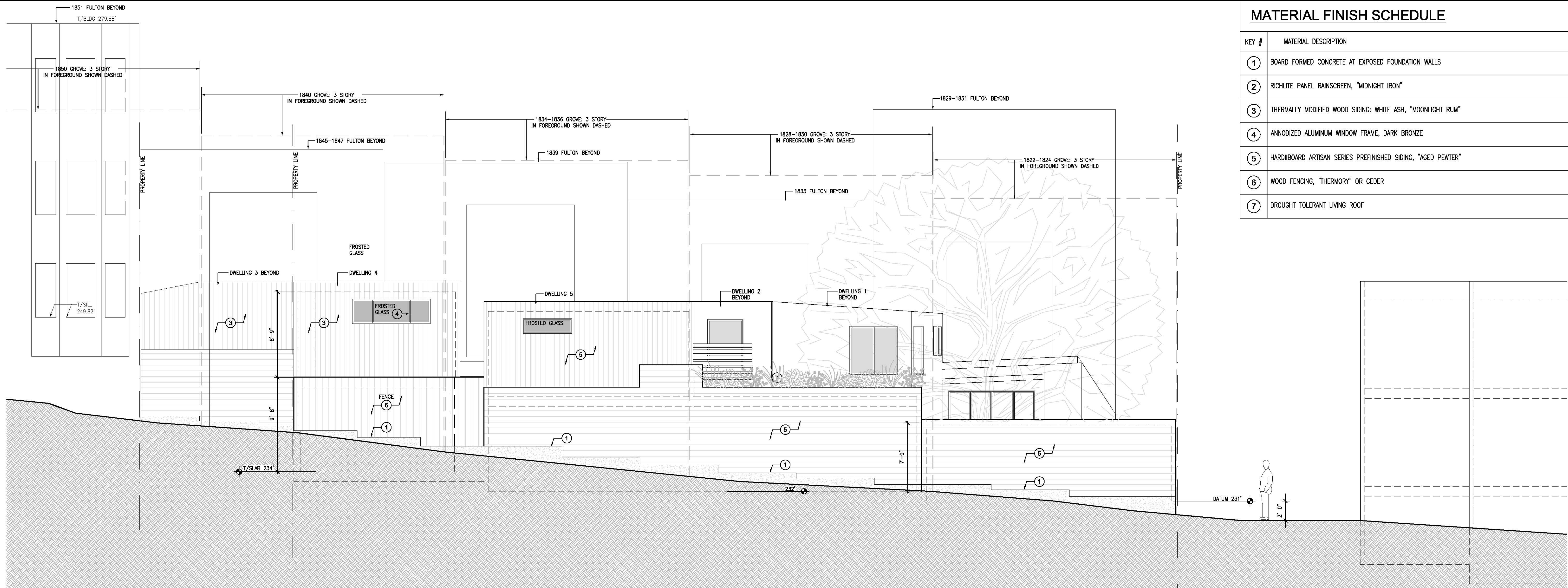
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PROPOSED ROOF PLAN

A2.3

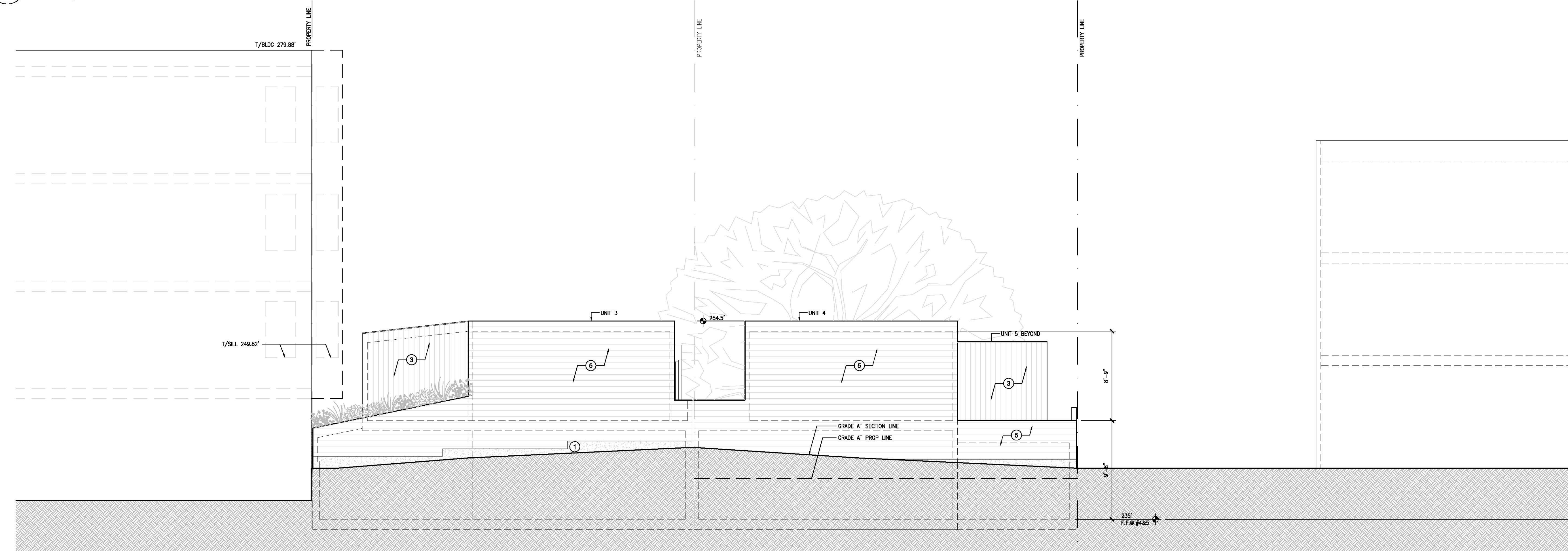


MATERIAL FINISH SCHEDULE

KEY #	MATERIAL DESCRIPTION
①	BOARD FORMED CONCRETE AT EXPOSED FOUNDATION WALLS
②	RICHLITE PANEL RAINSCREEN, "MIDNIGHT IRON"
③	THERMALLY MODIFIED WOOD SIDING: WHITE ASH, "MOONLIGHT RUM"
④	ANNOIDIZED ALUMINUM WINDOW FRAME, DARK BRONZE
⑤	HARDIBOARD ARTISAN SERIES PREFINISHED SIDING, "AGED PEWTER"
⑥	WOOD FENCING, "THERMORY" OR CEDER
⑦	DROUGHT TOLERANT LIVING ROOF

2 SOUTH ELEVATION AT PROPERTY LINE

SCALE: 3/16" = 1'-0"



1 WEST ELEVATION AT PROPERTY LINE

SCALE: 3/16" = 1'-0"

TROY KASHANIPOUR ARCHITECTURE 2325 3RD STREET SUITE 401, SF CA 94107. PHONE/FAX 415.431.0869

1821 FULTON STREET

OWNER:
GREEN GROVE SF LLC
2325 3RD STREET, SUITE 401
SAN FRANCISCO, CA 94107
PHONE: 415.431.0869

ISSUE: DATE:
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PLANNING REVISIONS 06.10.2019
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CONSULTANT
-

APPROVAL

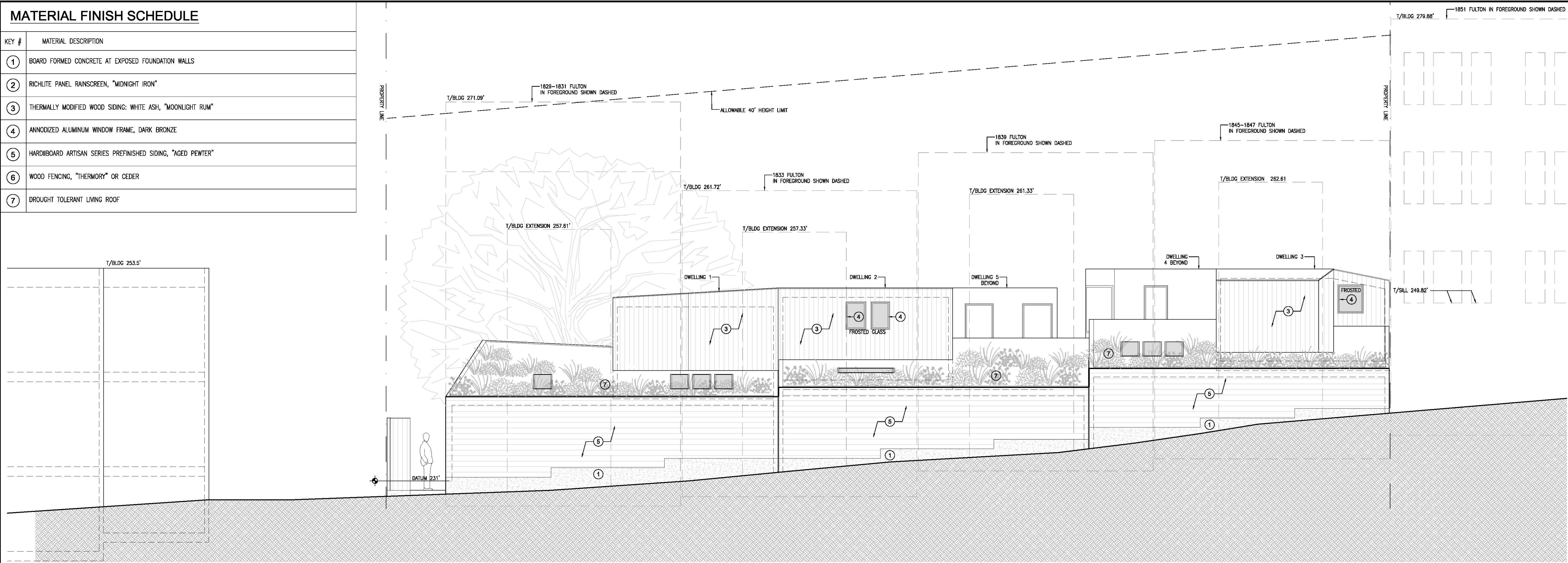


DRAWN:
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SCALE:
3/32" = 1'-0"

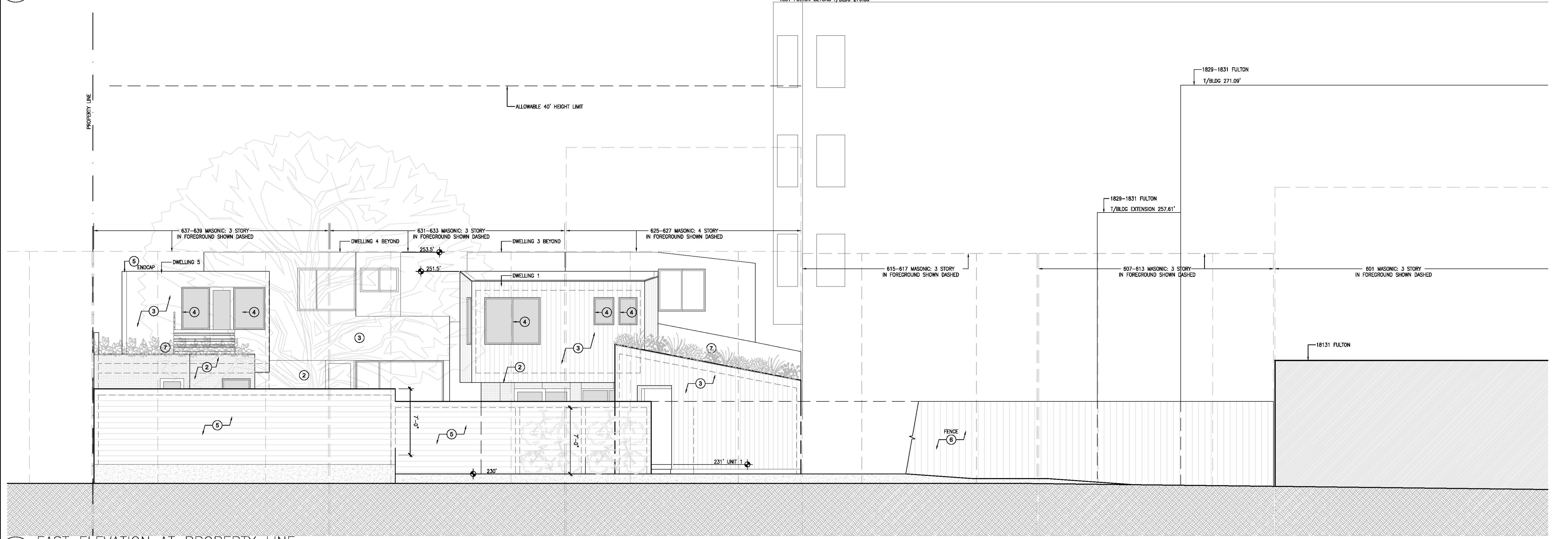
PROPOSED ELEVATION

A3.0

MATERIAL FINISH SCHEDULE	
KEY #	MATERIAL DESCRIPTION
①	BOARD FORMED CONCRETE AT EXPOSED FOUNDATION WALLS
②	RICHLITE PANEL RAINSCREEN, "MIDNIGHT IRON"
③	THERMALLY MODIFIED WOOD SIDING: WHITE ASH, "MOONLIGHT RUM"
④	ANNOZIED ALUMINUM WINDOW FRAME, DARK BRONZE
⑤	HARDIBOARD ARTISAN SERIES PREFINISHED SIDING, "AGED PEWTER"
⑥	WOOD FENCING, "THERMORY" OR CEDER
⑦	DROUGHT TOLERANT LIVING ROOF



2 NORTH ELEVATION AT PROPERTY LINE
SCALE: 3/16"= 1'-0"



1 EAST ELEVATION AT PROPERTY LINE
SCALE: 3/16"= 1'-0"

OWNER:
GREEN GROVE SF LLC
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CONSULTANT
-

APPROVAL

LICENSED ARCHITECT
TROY KASHANIPUR
C 27646
REN. 6/30/2021
STATE OF CALIFORNIA

DRAWN:
TK
CHECKED:
TK
SCALE:
3/32"=1'-0"

PROPOSED ELEVATION

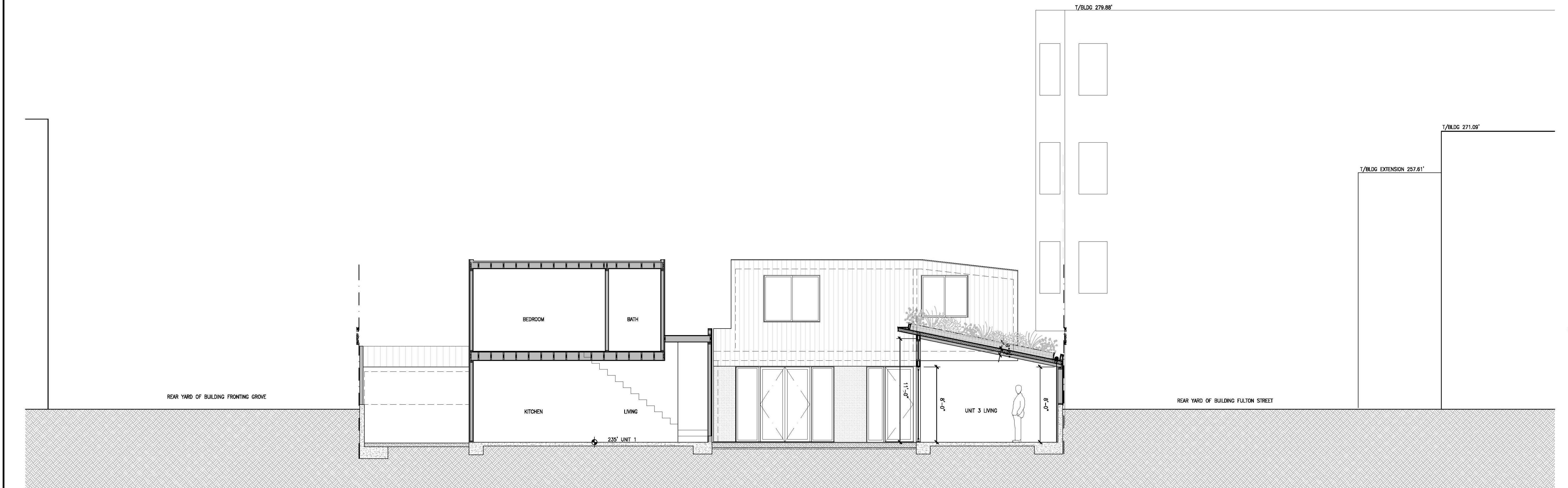
A3.1

TROY KASHANIPUR ARCHITECTURE 2325 3RD STREET SUITE 401, SF CA 94107. PHONE/FAX 415.431.0869

1821 FULTON STREET



2 BUILDING SECTION/ELEVATION LOOKING NORTH
SCALE: 3/16"= 1'-0"



1 BUILDING SECTION/ELEVATION LOOKING WEST
SCALE: 3/16"= 1'-0"

TROY KASHANIPOUR ARCHITECTURE
2325 3RD STREET SUITE 401, SF CA 94107. PHONE/FAX 415.431.0869

1821 FULTON STREET

OWNER:
GREEN GROVE SF LLC
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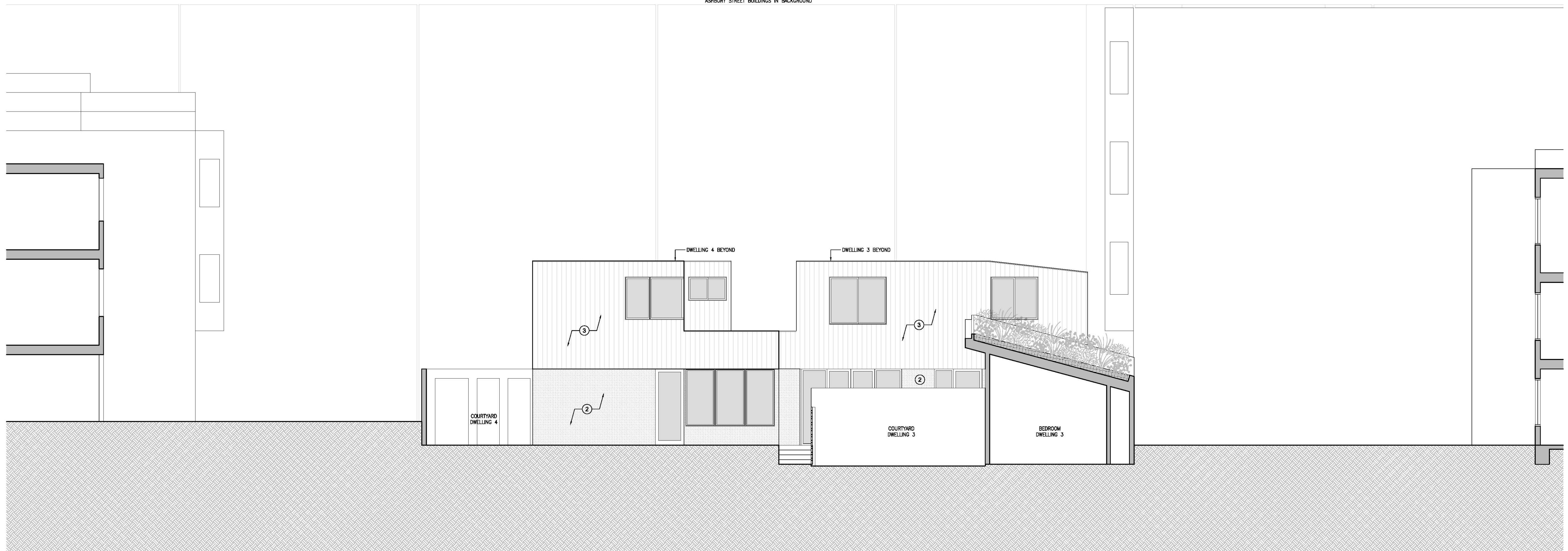
CONSULTANT
-

APPROVAL

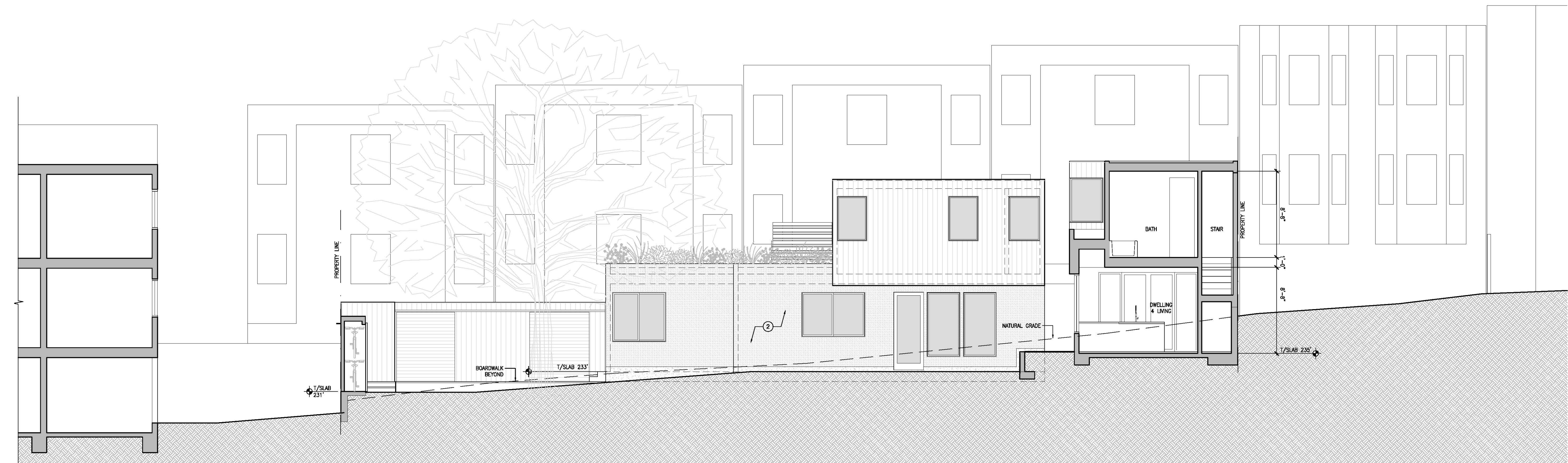
DRAWN:
TK
CHECKED:
TK
SCALE:
3/32"=1'-0"

PROPOSED SECTION

A3.2



2 BUILDING SECTION/ELEVATION LOOKING WEST
SCALE: 3/16"= 1'-0"



1 BUILDING SECTION/ELEVATION LOOKING SOUTH
SCALE: 3/16"= 1'-0"

OWNER:
GREEN GROVE SF LLC
2325 3RD STREET, SUITE 401
SAN FRANCISCO, CA 94107
PHONE: 415.431.0869

ISSUE: DATE:
ISSUED FOR VARIANCE & CUA 08.15.2018
PLANNING REVISIONS 06.10.2019
PLANNING REVISIONS 08.02.2019

CONSULTANT
-

APPROVAL



DRAWN:
TK
CHECKED:
TK
SCALE:
3/32"=1'-0"

PROPOSED SECTION

A3.3

TROY KASHANIPOUR ARCHITECTURE 2325 3RD STREET SUITE 401, SF CA 94107, PHONE/FAX 415.431.0869

1821 FULTON STREET



2 BUILDING SECTION/ELEVATION LOOKING SOUTH

SCALE: 3/16"= 1'-0"



1 BUILDING SECTION/ELEVATION LOOKING SOUTH

SCALE: 3/16"= 1'-0"

TROY KASHANIPOUR ARCHITECTURE 2325 3RD STREET SUITE 401, SF CA 94107. PHONE/FAX 415.431.0869

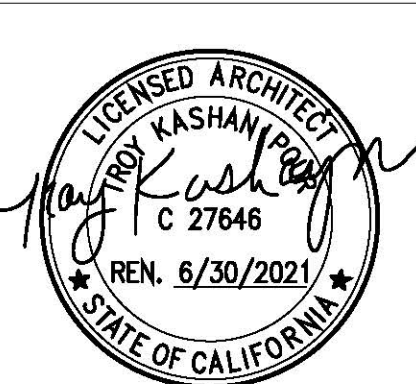
1821 FULTON STREET

OWNER:
GREEN GROVE SF LLC
2325 3RD STREET, SUITE 401
SAN FRANCISCO, CA 94107
PHONE: 415.431.0869

ISSUE: DATE:
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CONSULTANT
-

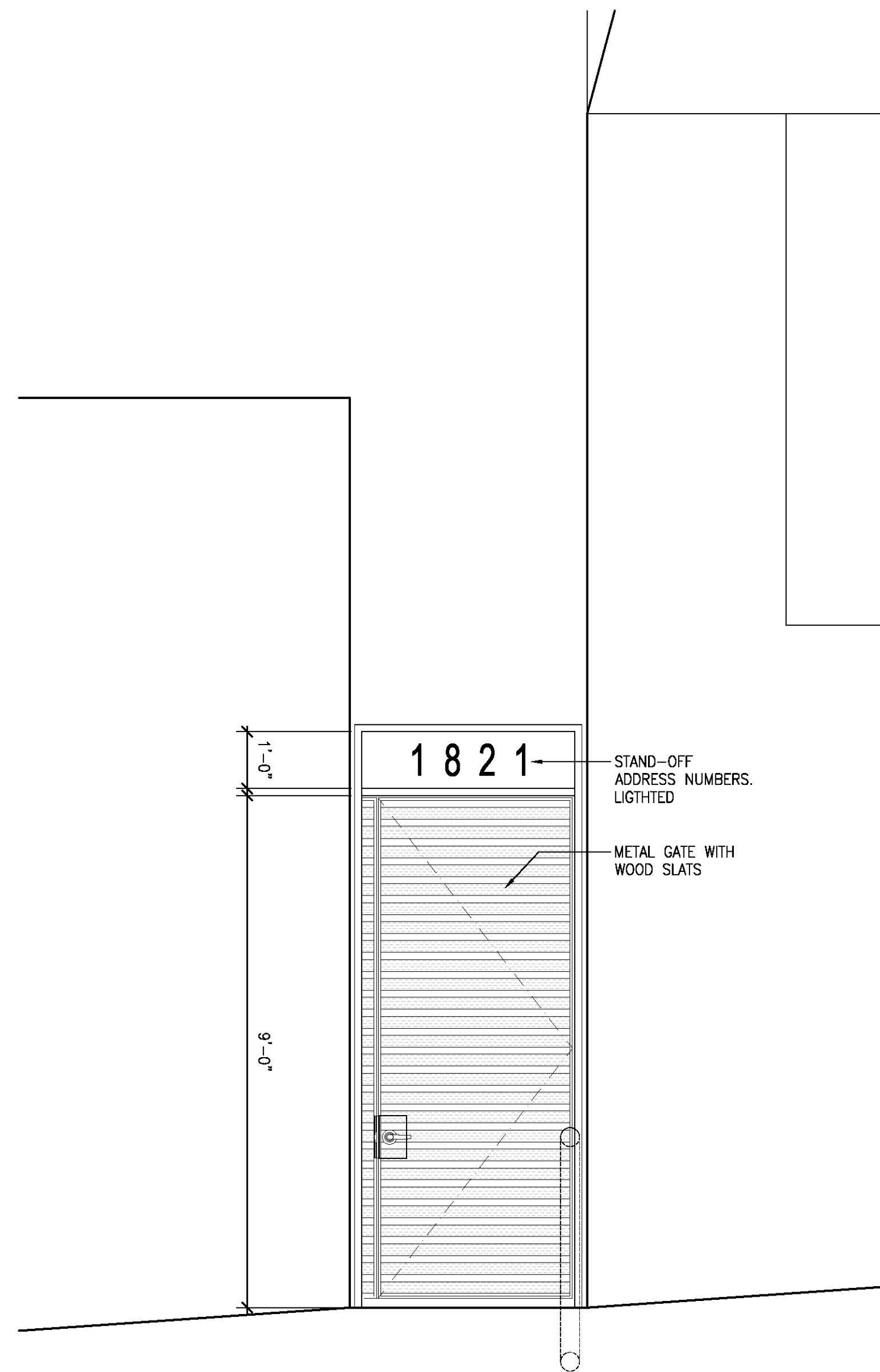
APPROVAL



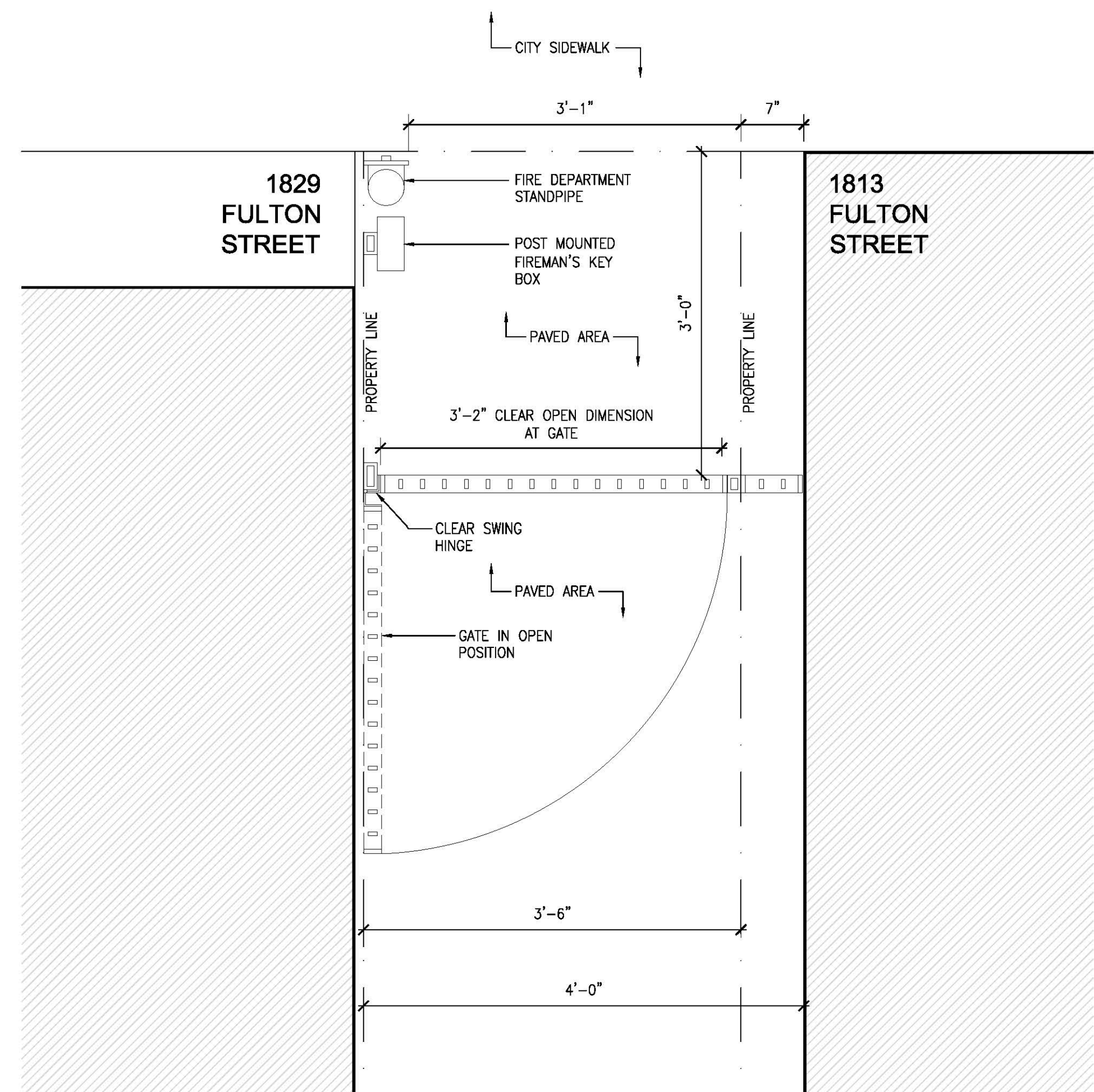
DRAWN:
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SCALE:
3/32"=1'-0"

PROPOSED SECTION

A3.4



5 ELEVATION AT ENTRY GATE
SCALE: 1/2" = 1'-0"



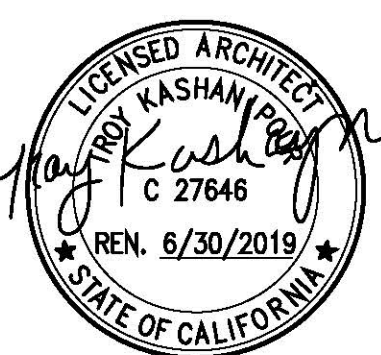
1 ENLARGED PLAN AT GATE
SCALE: 1" = 1'-0"

OWNER:
GREEN GROVE SF LLC
2325 3RD STREET, SUITE 401
SAN FRANCISCO, CA 94107
PHONE: 415.431.0869

ISSUE: ISSUED FOR VARIANCE & CUA
DATE: 08.15.2018

CONSULTANT
-

APPROVAL



DRAWN: TK
CHECKED: TK
SCALE: AS SHOWN

ENLARGED DETAILS

A8.0

TROY KASHANI POUR ARCHITECTURE 2325 3RD STREET SUITE 401, SF CA 94107. PHONE/FAX 415.431.0869

1821 FULTON STREET

Attachment 3

Check Image

This check was dropped off at the Post Office on May 8, 2020, addressed to:

Clerk of the Board of Supervisors
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco, CA 94012

HENRY TANG
[Redacted Address]

1340
11-8166/3210
02

May 8, 2020
DATE

PAY TO THE ORDER OF S.F. Planning Department \$640.00
Six hundred forty & 00/100 DOLLARS

FIRST REPUBLIC BANK
640 3rd Street
Santa Rosa, CA 95404
Tel 888-408-1285

CU Appeal fee
FOR 2018-011441CUA

[Signature]

Photo Safe Deposit®
Details on back

MP

[Redacted MICR Line]

Attachment 4

Fee Waiver

NOPA West Neighbors

May 23, 2020

Clerk of the Board of Supervisors
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102

Via Email

RE: Conditional Use Appeal
2018-011441CUAVAR

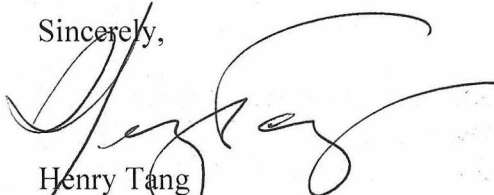
Dear Madam Clerk,

This letter is to certify that Malinda Kai Tuazon is a member of NOPA West Neighbors (NOPAWN). She has been requested and is authorized to file our Conditional Use Appeal pertaining to 2018-011441CUAVAR (1846 Grove Street).

Should you have any questions, please contact me at henrytango@gmail.com or at 415-441-6728.

Thank you for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read 'Henry Tang', with a large, sweeping flourish extending to the right.

Henry Tang
Co-President
NOPA West Neighbors



BOARD OF SUPERVISORS APPEAL FEE WAIVER FOR NEIGHBORHOOD ORGANIZATIONS

APPLICATION

Appellant's Information

Name: Malinda Tuazon

Address: 613 Masonic Ave
San Francisco, CA 94117

Email Address: malindakai@gmail.com

Telephone: (415) 794-4497

Neighborhood Group Organization Information

Name of Organization: NOPA West Neighbors (NOPAWN)

Address: 1831 Fulton St.
San Francisco, CA 94117

Email Address: nopawestneighbors@gmail.co

Telephone: (415) 441-6728

Property Information

Project Address: 1846 Grove St. San Francisco, CA 94117

Project Application (PRJ) Record No: 2018-011441CUAVAR Building Permit No:

Date of Decision (if any): 4/9/2020

Required Criteria for Granting Waiver

All must be satisfied; please attach supporting materials.

REQUIRED CRITERIA	YES	NO
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.	<input checked="" type="checkbox"/>	
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.	<input checked="" type="checkbox"/>	
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.	<input checked="" type="checkbox"/>	
The appellant is appealing on behalf of a neighborhood organization that is affected by the project and that is the subject of the appeal.	<input checked="" type="checkbox"/>	

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

From: [BOS Legislation, \(BOS\)](#)
To: [Brian Kingan](#); ["Malinda Kai Tuazon"](#); [Troy Kashanipour](#); [Henry Tang](#); [Basil Ayish](#)
Cc: [PEARSON, ANNE \(CAT\)](#); [STACY, KATE \(CAT\)](#); [JENSEN, KRISTEN \(CAT\)](#); [Teague, Corey \(CPC\)](#); [Sanchez, Scott \(CPC\)](#); [Gibson, Lisa \(CPC\)](#); [Jain, Devyani \(CPC\)](#); [Navarrete, Joy \(CPC\)](#); [Lewis, Don \(CPC\)](#); [Varat, Adam \(CPC\)](#); [Sider, Dan \(CPC\)](#); [Starr, Aaron \(CPC\)](#); [Rodgers, AnMarie \(CPC\)](#); [Ionin, Jonas \(CPC\)](#); [Dito, Matthew \(CPC\)](#); [Rosenberg, Julie \(BOA\)](#); [Sullivan, Katy \(BOA\)](#); [Longaway, Alec \(BOA\)](#); [BOS-Supervisors](#); [BOS-Legislative Aides](#); [Calvillo, Angela \(BOS\)](#); [Somera, Alisa \(BOS\)](#); [Mchugh, Eileen \(BOS\)](#); [BOS Legislation, \(BOS\)](#)
Subject: APPELLANT SUPPLEMENTAL RESPONSE: Appeal of Conditional Use Authorization and CEQA Exemption Determination - Proposed 1846 Grove Street Project - Appeal Hearing on August 25, 2020
Date: Thursday, August 20, 2020 12:08:58 PM
Attachments: [image001.png](#)

Hello,

The Office of the Clerk of the Board received the following appeal responses from the appellant, regarding the appeals of the Categorical Exemption under the California Environmental Quality Act and Conditional Use Authorization for the proposed project at 1846 Grove Street.

[ESH Consultant Letter - July 15, 2020](#)
[Response to Project Sponsor - August 20, 2020](#)
[Summary of Planning Commission Meetings](#)
[Change.org Petition - December 2019](#)
[Action Network Petition - August 2020](#)

The hearing for these matters are scheduled for 3:00 p.m. special order before the Board on August 25, 2020.

I invite you to review the entire matter on our [Legislative Research Center](#) by following the links below:

[Board of Supervisors File No. 200746](#)
[Board of Supervisors File No. 200750](#)

Best regards,

Lisa Lew
San Francisco Board of Supervisors
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco, CA 94102
T 415-554-7718 | F 415-554-5163
lisa.lew@sfgov.org | www.sfbos.org

(VIRTUAL APPOINTMENTS) To schedule a "virtual" meeting with me (on Microsoft Teams), please ask and I can answer your questions in real time.

Due to the current COVID-19 health emergency and the Shelter in Place Order, the Office of the Clerk of the Board is working remotely while providing complete access to the legislative process and our services.



Click [here](#) to complete a Board of Supervisors Customer Service Satisfaction form

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.



Fire Protection Engineers and Code Consultants



July 15, 2020

NOPA West Neighbors (NOPAWN)
C/O Brian Kingan
627 Masonic Ave,
San Francisco, CA, 94117

Subject: Planned Development
1846 Grove Street, San Francisco, CA
Fire Protection Opinion Letter

This opinion letter has been prepared at the request of NOPAWN to evaluate the fire safety of the proposed means of egress from the planned location of the development.

Opinion Summary

Based upon a review of the 2019 California Building and Fire Codes, with City of San Francisco Amendments, the proposed means of egress from the new proposed construction to the public way does not meet code requirements for egress and presents an unsafe condition to the occupants of those new buildings.

My Background

I graduated from the College of Engineering, Department of Fire Protection Engineering, at the University of Maryland in 1974 with a B.S. in Fire Protection Engineering. In 1991 I graduated from Seattle University with an MBA. From 1970 to 1978 I was a volunteer fire fighter/EMT-A with the Prince George's County Fire Department (suburban Washington DC) operating from College Park Station 12 (f/f, EMT, 1970-1978), and West Lanham Hills Station 48 (EMT, 1975-1978). During the later years with those stations, I was also a certified CPR instructor.

I began my career as a fire protection engineer in 1974. Since that time, I was employed in that position by the US Navy, The Boeing Company, The University of Washington, Raychem Corporation and two different consulting firms. In 2000 I started ESH Consultants, a fire protection engineering consulting firm. Some of my major clients included Genentech Corporation, DSA Oakland Regional Office, DSA Sacramento Office, Safeway Corporation, the City of Mountain View Community Development Department (Building Department) and City of Sunnyvale Department of Public Safety.

With the exception of Genentech, the work for DSA and the cities involved plan review for compliance with the California Building and Fire Codes as well as local regulations and ordinances. In that role I was responsible to verify (and approve) designs met the construction and life safety requirements of the codes. This involved new construction and tenant improvement projects for Assembly, Business, Commercial, Educational, Institutional, Residential and Storage occupancies. Since 2014, for the City of Mountain View, I provided over 1,000 hours of plan review each year, reviewing 45-85 projects per month.

In 1980 I received my PE registration in the State of Oregon, and later in Washington and California. Currently I maintain my PE registration in California and have retired the other registrations as I no longer provided engineering services in those states. I have been a professional member of the International Code Council, the National Fire Protection Association, and have been an officer in two chapters of the Society of Fire Protection Engineers. Since 2001 I have been a member of the NORCAL Fire Prevention Officers, a Division of the California Fire Chiefs.

Project Description

The plans submitted to the San Francisco Planning Department are not clear as to whether the project is four individual buildings or one building with four dwelling units. To be considered as separate buildings, each property needs its own APN designation, and the utilities for each unit shall not be installed in a manner where they pass through another dwelling unit or cross property lines. Thus, all utilities to each unit shall enter the unit directly from the outside of each building. From discussions with members of NOPAWN, the four buildings are located on a single lot. Thus, with adjacent common walls, this should be considered as a four dwelling within a single building, thus, R-2 per the California Building Code.

Based upon the reviewed documentation, it appears the developer is calling these an R-3 Occupancy. Based upon the above information, that designation is incorrect and the correct Occupancy is R-2. These four properties are landlocked with the only access to the public way via a utility easement alley between two existing R-3 residential buildings.

Codes applied to this opinion letter are from the 2019 California Building Code Chapters 5, 6, 7 and 10, as well as the 2019 California Fire Code Chapter 10. San Francisco Fire Department Administrative Bulletins (2020) and San Francisco published modifications to the California Building and Fire Codes were reviewed on line on July 5. This review indicated there were no specific San Francisco modifications to the codes that involved egress from the R-3 structures.

Documents provided by NOPAWN to ESH Consultants were those provided during planning hearings and as submitted by the project architect. Those documents indicate that the existing utility easement (alley) would be the acceptable means of egress for the occupants and an acceptable means of ingress for the fire department and other emergency personnel. The first 50 feet of the easement (in the direction of egress) is six feet wide (+/-) and then reduces to three feet six inches (42 inches) wide for the remaining 50 foot of travel to the street. There are no other means of ingress/egress for the project site.

Applying The Codes

It is important to understand that the codes currently applied do not apply to any existing construction unless the buildings will be remodeled, renovated, or modified in size as noted in the San Francisco codes. As a result, one cannot infer that if the design was acceptable for the existing buildings, at the time of construction, then it should be acceptable for all new construction. The newer codes have requirements that exceed code requirements at the time of construction of the existing buildings.

The following comment from the developer's fire protection expert, taken from the transcript of the 4/9/2020 Planning Committee Video Conference, does not provide a valid reason for not meeting the current codes. *"For the general public that's listening, and the commissioners, the buildings in san francisco are not unique. We have buildings that are four stories, wood frame construction, no sprinkler system, one way in, one way out. They're throughout the city, and the fire department deals with them on a regular basis."* Using that logic, new high-rise buildings in San Francisco would not need to be built with

sprinklers, smoke control, standpipes etc., as the city has existing high-rise buildings built before the code changes and those are “dealt with” by the fire department. Such rationale does not apply to any situation of new construction. New construction has to meet or exceed the current code minimum requirements even if all the other buildings in the area do not meet current code. Current code is not retroactively applied to existing construction except as noted above.

Nowhere in the California Building and Fire Codes, nor in any of the guide codes presented by the International Code Council or the National Fire Protection Association, does it state that construction is exempt from meeting the codes based upon the approval of the fire department.

The codes do allow for the application of an Alternative Materials and Methods Request (AMMR) Section 104.11 of the California Building Code. This request must show the alternative meets or exceeds the code requirements by the use of research reports, tests and supporting data. This request must be approved by the building official. This code section does not indicate approval by the fire department; however, they may provide input as to whether they believe the alternative does or does not meet the code intent.

Per Section 104.9 of the California Fire Code, the fire official can approve the AMMR. Typically, the fire code official would be involved with changes to required fire protection devices and systems, whereas the building official would be involved with changes to building construction and egress issues. In many jurisdictions, since the construction permit is a building permit, the AMMR approval is by the building official. The documentation provided to the Planning Commission does not include an AMMR, only a letter of Conditions of Approval, by the San Francisco Fire Department Fire Prevention Bureau,

Please note that California Building Code and California Fire Code Chapter 10 are similar and the fire code version is based upon the building code version.

Code Definitions (CBC Chapter 2)

*Egress Court – “A court or yard which provides access **to a public way** for one or more exits”.*

*Exit – “That portion of a means of egress system between the exit access and the exit discharge or **public way**. Exit components include exterior exit doors at the level of exit discharge, interior exit stairways and ramps, exit passageways, exterior exit stairways and ramps and horizontal exits”.*

*Exit Discharge – “That portion of a means of egress system between the termination of an **exit and a public way**”.*

*Public Way – “A street, **alley or other parcel of land open to the outside air leading to a street, that has been deeded, dedicated or otherwise permanently appropriated to the public for public use and which has a clear width and height of not less than 10 feet (3048 mm)**”.*

The Code

As the issue being debated involves egress from the new buildings, this section is based upon Chapter 10 of the California Building Code. Other code sections may be references as needed; however, a full review of the plans versus Chapters 5, 6, 7 and 9 sections that do not apply to the egress situation has not been made. The disparities between the proposed development and Chapter 10 should be sufficient to demonstrate that the buildings are nonconforming and unsafe.

Former SFFD Administrative Bulletin 5.12 (2010) allowed the use of a minimum 36-inch alley access to buildings with no apparatus access to any side of the buildings. As of a few previous code cycles, SFFD AB 5.12 no longer exists and is indicated on the SFFD website as a reserved AB number. As a result, this allowance no longer exists and cannot be applied to this project.

Based upon the California Building Code **the alley does not meet the definition of an egress court; however, the proposed use is similar and the egress court section could be applied to the alley.** California Building Code Section 1028.4.2 states that when the width of the egress court is less than 10 feet wide, the walls shall have a fire resistance rating of one hour for a distance (height) of ten feet above the floor of the egress court. The two buildings on the sides of the alley appear to be Type V-B construction and are not fire rated. The owner of one of those two buildings indicated they are not willing to change their exposing walls to one-hour fire resistive construction.

If we look at the existing two buildings that form the alley, they do not meet current code nor do they need to meet current code as there is no proposed construction modifications to those buildings. Both buildings are assumed to be Type V-B combustible construction. The building code requires a fire resistance rating based upon the construction type, occupancy group and distance from the property line (or imaginary property line when more than one building occupies the same property).

Table 602 of the California Building Code, footnote "i" does not require an exterior wall fire resistance rating, for Type II-B or Type V-B construction, if the fire separation distance is five or more feet, or three feet or more if the building has a California Fire Code Section 903.3 fire sprinkler system. The proposed construction is Type III-B. Even if the construction were upgraded to Type II-B, it does not appear that either of the two buildings forming the alley have a sprinkler system and the distance between the buildings would need to be a minimum of 10 feet to meet the exception the required fire resistance rated construction requirement (similar to an Egress Court).

The current design was probably acceptable when these two buildings were built but would not be acceptable for new construction today without the exterior walls being a one-hour rating on each building. Additionally, California Building Code Table 705.8, does not allow any unprotected openings, in non-sprinklered buildings with less than a 10-foot separation (5 feet of fire separation distance from each building for a total of 10 feet). There are some unprotected openings on the second floor of one of the buildings. Thus, even if not considered as an egress court, the alley does not meet code.

Section 1022.1 of the California Building Code indicates that an exit shall not be used for any purpose that interferes with its function as a means of egress. As a result, this alley must be kept clear of any obstructions, either mobile or fixed to the buildings.

Section 1028.4 for Egress Courts requires a minimum exit Section 1028.5 of the California Building Code, **"Access to a public way"** states the exit discharge shall provide a direct and unobstructed access to a public way. No means have been shown to prevent occupants of the new buildings from storing items in the alley, such as bicycles, strollers, planters or other obstructive items. The code does allow an exception to an obstructive access if a safe dispersal area of 5 sq ft per person is provided. The safe dispersal area must be at least 50 feet away from the building requiring egress, and marked as to its purpose. It is not apparent from the plans that the use of a safe dispersal area has been proposed or can be used based upon the project land size and building locations.

Opinion and Comments

It is the opinion of ESH Consultants that the proposed method of using an alley as a means of egress to the public way from **the proposed buildings does not meet the requirements nor the intentions of the California Building or Fire Codes.** This will lead to an unsafe situation for both the occupants and responding emergency personnel. SFFD AB 5.12 (2010) which would have allowed the use of a minimum 3-foot-wide access alley has not been in existence since 2013, and has

been deleted from the currently enforced administrative bulletins. **The use of the alley, in this fashion, just because it has been done before, does not make it acceptable or code compliant.**

The Fire Prevention Bureau of the San Francisco Fire Department issued a Conditions of Approval letter to allow the use of the alley based upon a minimum, unobstructed width of 42 inches. This will require the door opening (gate) to be a minimum of 42 inches. It is possible that with a 42-inch-wide alley, when one factors in the two gate frame sides and hinges, the door will not meet the 42-inch minimum opening. The owners of the property on one side of the alley are not willing to allow parts of the gate to be installed on their property. Egress is under the jurisdiction of the Building Department and there is no evidence from the SFFD letter to indicate where the alley meets code requirements or why the code requirements have been waived.

The use of the unprotected alley is a fire/life safety issue. Should there be a fire in either of the buildings adjacent to the ingress/egress alley, it will not be possible for the occupants of the new construction to exit to the public way. The occupants would be trapped. After such a fire, if the alley were not passable, the occupants would not be able to egress from or gain access to their residences. This same condition would exist for emergency responders. These conditions would require individuals to access an unsafe alley if they wanted to leave the area or gain access to the area.

Prepared by: Elliot L. Gittleman, FPE, MBA
CA PE FP1341



Expires 09/30/2020

Appellant Rebuttal of Project Sponsor Response

1846 Grove Street, Conditional Use Authorization and CEQA Appeal

1. Project Sponsor: Safety: The Appellant has asserted a made-up standard for life safety that is not supported in the code.

Appellant Response: Upon contacting a Fire Safety consultant after our appeal was filed, we have learned that the standard used (SFFD AB 5.12) by the SFFD is not in the State of California Building Code nor the International Building Code which is the basis of the California Building Code.

2. Project Sponsor: In their statement conflates the building “exit” and the “exit discharge” as found in the California Building Code.

Appellant Response: Per the Fire Safety consultant, an exit discharge is the point where the occupants have direct access to a public way. The exit is the path to the exit discharge. To quote the definitions section of the CBC “Exit. That portion of a means of egress system between the exit access and the exit discharge or public way. Exit components include exterior exit doors at the level of exit discharge, interior exit stairways and ramps and horizontal exits.”

“Exit Discharge. That portion of a means of egress system between the termination of an exit and a public way.”

3. Project Sponsor: The arguments against the homes on this site due to safety concerns are a pretext, are unsupported by code, and are unsupported by the code experts responsible for reviewing the project.

Appellant Response: These concerns are now supported by the letter from the expert Fire Safety consultant.

4. Project Sponsor: The Entry: The opposition has asserted without evidence that the 3.5 foot wide passage that leads from the street to the site is inadequate. This passage is as wide as a single loaded residential corridor. Safety is increased over a corridor in that it is an open-to-the-sky condition.

Appellant Response: Per the Fire Safety consultant, nothing in the California Building Code indicates that a residential corridor is the same as an exterior path of travel to the public way. Just because it is acceptable within a structure does not mean it is acceptable elsewhere unless specifically identified in the code. There are many sections of the code that for specific

requirements are different than the requirements of other section of the code even though the use appears similar.

5. Project Sponsor: The Board of Supervisors has approved ADU legislation that allows multiple ADUs to be accessed from a 3 foot wide tradesman access as the sole means of access and Egress (Reference DBI Information Sheet EG-5 Date August 18, 2018). The open-to –the-sky condition on this property is safer than access under an existing building through the tradesman’s access.

Appellant Response: Per the Fire Safety consultant, the ADU legislation requires that the corridor from the ADU to the exterior of the building must have a fire protection sprinkler system. While this is outdoors which prevents the accumulation of smoke, the purpose of the sprinkler system is not to limit smoke generation, it is to maintain a tenable temperature and maintain the path of egress from direct flame impingement, convected and radiant heat.

6. Project Sponsor: The Appellant has asserted that the project is unprecedented: Our presentation to the Planning Commission included numerous examples of residences that did not directly front the public way or where access was constrained. The mitigation measures as outlined in the Fire Department letter are consistent with other conditions of approval for other projects that do not have a direct frontage to the street.

Appellant Response: Just because these other projects had FD and DBI approval when constructed in the past does not mean they meet current code. These projects may have been allowed based upon SFFD AB 5.12, however, that document was removed from the system starting in 2014; thus, any construction under 5.12 (2013) would have been acceptable but not under current code. The excuse that something that was allowed under a previous code should be allowed is not acceptable. This would be the equivalent of designing a high-rise building based upon the 1970 or earlier versions of the building code. That version had no high-rise requirements at all. High-rise requirements were added to later editions of the building code as a result of a number of high-rise fires. No building department today would allow the reason that, “It was ok in 1970, so it should be ok to not follow the current building code.”

7. Project Sponsor: San Francisco contains hundreds of buildings that do not have direct frontage to the street.

Appellant Response: The code does not require retrofitting existing construction to meet current code unless there is a change in use/occupancy or extensive modifications to the existing structure (each jurisdiction sets those limits that trigger the retrofit). In the industry this is known as existing non-conforming. The above statement does not justify why current code should not be followed.

1846 Grove Street Commissioner Comments and Technical Difficulties San Francisco Planning Commission

The Planning Commission changed its stance dramatically from the 12/12/19 meeting to the 4/9/20 meeting. In December, the PC raised and reiterated the same issues NOPAWN raised. Commissioners listened to and were sympathetic towards the neighbors.

Commissioner Comments from 12/12/19 Planning Commission meeting:

Commissioner Koppel:

"...I want something to be built here, but I can't ignore the extreme concern of, not looks or little tiny details, but their lives. And **I'm going to prioritize our existing residents over our future residents.** I wanted to ask a question about that life safety system. Will it extinguish an electrical fire?" Response: "Thank you, commissioner. To be honest, I don't know about an electrical fire..."

Commissioner Moore:

"I'm concerned that the **3' 6"** addressing portion of the project is **far too small...** The fact that most of **these units are built too closely to each other** makes this project appear more like a **barrack-type assembly** than putting five units in a looser arrangement into the lot. The fact that they are all sitting **literally on the property line with 17 other units** further creates the impression that the **project is too dense** for where it is..."

"...that there was **a significant amount of lack of privacy or intrusion of privacy among the units with each other.** When you follow that path, people are getting to the front doors by directly walking by the bedroom window of the adjoining unit..."

"...It's difficult to compare this project with York street, particularly the entry feature to York street is a building that's an integral part to the project which is beyond it. **Here, I believe, the project almost a detriment to the adjoining units which are being affected by this.** Imagine picking up the garbage can. Three and a half feet on this type of circulation pass is almost impossible. **So I believe there is something that doesn't quite work. I'm not sure what the answers are, but at this moment I cannot support the project as it's being presented to us here.**"

Commissioner Fung:

"...I share commissioner Moore's concerns with the 3.5' breezeway, entry point..."

Former Commissioner Melgar:

"...**So I've got to say that the structure coming right up against the property line, that doesn't work for me.** And I would rather have height in the middle of the lot and space in between than lower. I get it, it's a trade off. And this is such a difficult site, and it's a very densely-built

environment. So I get it that we are making trade offs. I love the living roof. **But I've got to say, if this were my house, you know, I would have a really hard time with it.**"

"Compounded with the life safety issues. Because I get it with the materials, but I still don't understand how you are going to get construction equipment in there. Even if it's done by hand. That's -- that's a lot. I don't understand it. So the big difference with York street, of course, is that they had that block in the first, and you could phase it and build everything and then build that structure last, and you can get cranes in there and everything. You can't do that here. I'm not really sure how you are going to do it. **But even if it's metal frame, you are still going to have to be doing welding, you are going to be doing stuff there that's right against the property line of other folks. And so those -- that really concerns me. I don't like it. I wouldn't approve it."**

"And then the 3.5' whatever it is, long -- I still, you know, you said that it was very similar to York street, but I didn't hear any specifics. So I would like to hear that again how it is, you know, where is the fire hydrant, where is the shutoffs? What's the plan? Where will people congregate? **So I'm not convinced. And to me, that compounded with the structures being right against the property line is just a no deal for me..."**

"...I understand now the issue with the height and the fire... that actually doesn't help me in terms of making this decision, but now I understand it. I think it's maybe one or two units too many, you know? Because of the way that the access is and how it sits with all of the properties around it."

Commissioner Moore:

"...Because if you look at drawing 801, you realize that it's not just cottages, it's basically a completely connected building form, joined the entire side, given that the west side as well as the east side has a large portion of storage sheds and other utility structures, which completely fill out the sides. So I would agree with you, Commissioner Melgar, that **less would be more. And that would be creating fewer units in a slightly more informal way that complements the openness of the surrounding backyards and do not completely dominate the entire space in which the buildings sit. I think it requires a redesign.** It requires reduction in unit numbers, potentially reduction in unit size, and still leaves the overall attitude of how the building reads to the street as an address very unresolved, because I personally don't believe that it is enough. That it's mostly the width of a tradesman entrance in other parts of the city, and that is not very convincing to me. But as far as building mapping and side organization, I think this project needs to do other things to properly respond to the surrounding development."

Commissioner Fung:

"How is the noise handled, people coming in and out, deliveries made. What do people see from their rear yards and a lot of this stuff is right up against the property line. So I would support a continuance and give them an opportunity to see if they can come to a more sensitive design and perhaps come to a lesser number of issues that are in disagreement with their neighbors."

Commissioner Diamond:

“When I read the packet, I was extremely worried about the fire danger and spoke to staff about it in detail, and I'm appreciative of the information that was handed out today that indicated the numerous ways you are going to address it, some of which are similar to York street.”

“But as I focused on the site plan and saw that you had **zero lot lines** and heard all of the operational issues, you know, I just don't understand how you are constructing this with a 3' work passage way. I don't see how you are getting dirt in and out.”

“But even if you solve those problems, **I do believe that you should work on the design and that less density may address some of these issues, but I would also ask you to focus on how you are going to deal with garbage and move in and move out and the noise concerns** so even if we get beyond the fire marshal signing off on this, I still want to know how you are going to make this function.”

“But the idea of being able to add additional housing back there has a great deal of appeal to me. So I'm hopeful that you are work on this and come back and address the concerns you heard today.”

Between December and April there were several changes to the Planning Commission and the Planning Department. Former Commissioner Hillis was appointed Planning Director. Commissioner Richards stepped down from the Commission. Commissioner Imperial joined the Commission. Former Commission President Melgar stepped down from the Commission. Commissioner Koppel is the current President of the Planning Commission.

Technical Difficulties at the Planning Commission hearing on 4/09/20

- The April 9, 2020 Planning Commission hearing was the first held during the pandemic – there were major technical difficulties.
- This project was deemed an “essential construction project,” and was therefore eligible to be added to the Commission hearing agenda.
- Project Sponsor was the first speaker, before public comment. He had no problems during his presentation. He was able to communicate with Planning staff, and he could see his presentation slides.
- NOPAWN’s designated speaker was caller #32 in the queue, buried in the middle of public comment. He could not hear the Commissioners or Planning staff. He could not see the proceedings and had to present without knowing if he had an audience. He also did not know if his presentation slides were visible on the screen or if the clerk was advancing the pages when requested.
- Members of the public who had called into public comment also couldn’t hear the proceedings and didn’t know if the PC could hear them. At one point, Planning staff suggested hanging up on an elderly lady who was particularly struggling with the connection.
- It was discovered at 5pm that the AT&T services had a 4-hour meeting limit. The hearing was cut off at that time, and everyone had to log out and log back into a new event. When resumed after a delay, numerous speakers in opposition, who had been waiting for hours, were unable to rejoin and were excluded from making their voices heard.
- Immediately following our portion of the hearing, the commissioners and staff discussed what went wrong. The PC and BOS use SFGOV TV for their conference calls. They then established a phone bridge line with AT&T through which the public could call in and be bridged to SFGOV TV and Microsoft team meetings. AT&T’s server went down, and the hearing was subsequently unable to be broadcast via teleconference.

San Francisco Board of Supervisors,

121 people have signed a petition on Action Network telling you to We oppose the landlocked lot construction project at Fulton and Masonic.

Here is the petition they signed:

Dear Supervisors,

We oppose the landlocked lot construction project at 1846 Grove Street and ask the Board to disapprove this proposal.

The project site has one narrow 3.5-foot-wide breezeway as its only entrance and exit. Building four units at this site will lead to an unsafe situation for occupants and responding emergency personnel in the event of an emergency such as a fire. We ask that you enforce the applicable building and fire codes and deny this project's conditional use application.

Your Name

You can view each petition signer and the comments they left you below.

Thank you,

Malinda Tuazon

1. Pat Forbeck (*ZIP code: 94117*)

I am deeply concerned about the safety of this project. 4 units in such a congested space, with only a narrow corridor for access to the street -through which fire crews will also need access to fight any incident - seems a recipe for disaster. Since fire crews would be delayed getting to any incident at this building as a result of the problematic access, the numerous abutting buildings (and lives of those residents) would also be put at risk. Please reconsider this unsafe proposal.

2. M Davignon (*ZIP code: 94117*)

I oppose this project

3. Abigail Kingan (*ZIP code: 94117*)

I oppose this infill project. I am a resident of this block. This project is too dense and unsafe. The space is zoned for 2 units and the developer will not consider two units.

4. Anne Lakota (*ZIP code: 94949*)

5. Anita Lofton (*ZIP code: 94114*)

I oppose this construction.

6. Anne Megan McCarthy (*ZIP code: 94117*)

7. Colleen Anderson (*ZIP code: 94122*)

To: San Francisco Board of Supervisors

From: [Your Name]

Dear Supervisors,

We oppose the landlocked lot construction project at 1846 Grove Street and ask the Board to disapprove this proposal.

The project site has one narrow 3.5-foot-wide breezeway as its only entrance and exit. Building four units at this site will lead to an unsafe situation for occupants and responding emergency personnel in the event of an emergency such as a fire. We ask that you enforce the applicable building and fire codes and deny this project's conditional use application.

Sincerely,
Colleen Anderson

8. Annick Persinger (*ZIP code: 90275*)

9. Basil Ayish (*ZIP code: 94117*)

I am all for appropriate development in appropriate locations. This proposal fails on both counts.

10. emmeline chu (*ZIP code: 94116*)

opposed to this unsafe development

11. Brandon Daniel (*ZIP code: 94114*)

12. Silvia Navarro (*ZIP code: 94565*)

13. Christine Boyle (*ZIP code: 94102*)

14. Brandon Keefe (*ZIP code: 94117*)

I am a neighbor that would be impacted by the lack of fire safety.

15. Brie McFarland (*ZIP code: 97206*)

Unsafe!

16. Brittany Stonesifer (*ZIP code: 94118*)

17. Brooke Harris (*ZIP code: 95116*)

18. Carolyn Mitsi Hanrahan (*ZIP code: 94115*)

19. Cat Stevans (*ZIP code: 94122*)

This proposed project defies all reason and logic. It is the definition of a fire trap.

20. Christopher Fortier (ZIP code: 94117)

21. wilson chu (ZIP code: 94116)

don't believe the paid lobby YIMBYs. there are not affordable housing units here. only luxury condos over a million dollars. shame on you for using affordable housing groups to get this approved. when there are no such units being built.

22. Cole Keister (ZIP code: 97202)

23. Christopher Green (ZIP code: 87111)

24. David Troup (ZIP code: 94114)

This is insane and should not be allowed.

25. David Ahn (ZIP code: 94102)

26. Dana Curtis (ZIP code: 95210)

27. David Rinaldo (ZIP code: 94117)

This project is inherently unsafe. Should a fire, earthquake or other disaster block this narrow exit, the residents of this infill development will have no means of egress. I do not believe any building with a single entrance would be permitted.

28. Elayne Wesley (ZIP code: 94109)

29. Elaine Robertson (ZIP code: 94117)

30. Emily Sellers (ZIP code: 94118)

31. Rachel Clee (ZIP code: 94117)

32. F Yoo (ZIP code: 94110)

If you don't want to live with neighbors, move to the suburbs.

33. Christine Geiser (ZIP code: 94110)

34. Ginger Daughtry (ZIP code: 94602)

35. Kevin Bard (ZIP code: 94102)

36. Gus Hernandez (ZIP code: 94117)

37. Marc Fletcher (ZIP code: 94117)

The street access is so narrow it would be difficult for emergency services to access the proposed

housing.

38. Christine Harper (ZIP code: 90042)

39. Heike Rapp (ZIP code: 94117)

Please keep SF safe and don't overbuild. Seems like commercial real estate can be converted to apartments.

40. Helen Robertson (ZIP code: 94903)

Limited access in event of fire

41. Henry Tang (ZIP code: 94117)

This project is unlike any other proposed projects in S.F. It is confined by a narrow 3.5 ft by 50 ft breezeway as the only means of access/egress which renders the proposed development unsafe for its residents and neighbors. If built, it will be a monument to the folly of the current city government.

42. Ian Robertson (ZIP code: 94903)

This project should be denied permission. It is dangerously cramped with poor fire services entry.

43. Jeffreyasko Masko (ZIP code: 94117)

The fire dept has said it could handle fires in the back but never said how they would handle an obstructed passage in an emergency. There are too many issues with safety and density to see this as a viable project

44. jason chujason chu (ZIP code: 94122)

Neighbors were not properly noticed of meetings regarding the development which is why the developers did not receive feedback. One time meeting location was changed the day before and the only notice was posted to the gate for the subject property. Plans issued to the planning commission de-emphasize the height and lack of setback given to neighbors. Requests for compromise were scoffed at or ignored. Fire and emergency safety is being ignored with a 3.5 foot wide egress/ingress as the ONLY way to get in or out. The developer should follow the rules and just build two units, not stuff five units (later changed to 4 units but no change in overall use of land space) without consideration of safety for the people who will live in his luxury condo units. He also wants to build all of this with a wheelbarrow and shopping cart (his words at a planning commission meeting) as he can't get heavy machinery into the lot to build. Basically I'd be scared for the new owners. And as for affordable housing ... there is none. Its all going to be million \$ plus luxury condo. With COVID 19, less dense housing saves lives. There is a mass exodus out of cities due to covid 19. The virus has solved the rental price crisis by making people realize its great to live outside of dense cities. Learn from NYC ... dense housing = more viral infections.

45. Jay Keister (ZIP code: 97461)

I am Jean Kellogg's brother and have spent many days at her house . I was shocked to hear of this proposal. Any reasonable person would think it crazy to cram such a building into such a small and inaccessible place. The best city in the country can do better.

46. Julie Stiefel Stiefel (ZIP code: 94115-5315)

47. Jeff Dewey (ZIP code: 94117)

48. Jessica Potts (ZIP code: 94117)

This project is completely unsafe for current and future neighbors. We need additional housing in San Francisco, but in a safe way.

49. Jennifer Liu (ZIP code: 94110)

50. Johnathon Garcia (ZIP code: 95811)

51. Jia Rogal (ZIP code: 94117)

We're believe this project sets a dangerous precedent for the neighborhood.

52. Jean Kellogg (ZIP code: 94117)

The safety issues with the single very narrow entrance greatly concerns me. If there's a fire or other emergency, only one person can get through those 50 feet at a time. So anyone entering as someone is trying to get out will cause blockage. I'm concerned for all - those living in the project and those living in the buildings surrounding it.

53. John-Mark Ikeda (ZIP code: 94117)

This lot not only provides much needed green space for all residents on our block but adding all those units and residents with only one small 3.5 foot access point that goes back over 100 feet would be a significant safety issue.

The builder has done little to nothing to address concerns of the neighbors which is why almost everyone on our block vocally opposes it.

54. Jodi Sommers (ZIP code: 97461)

I am concerned with fire safety for this development.

55. jonathan chu (ZIP code: 94121)

development for profit ... not for people. safety issues abound from fire to covid-19 spread with this high density housing. no affordable housing component.

56. Judi Bolanos (ZIP code: 94070)

57. Julia Warthin (ZIP code: 94901)

As a 3rd generation San Francisco native I know that this development will not benefit our community. We need to build up NOT out.

Julia Warthin

58. Guy Silvestro (ZIP code: 94117)

59. karen liu (ZIP code: 94122)

ill conceived.

not what san francisco needs.

we need open space, we need affordable housing. we need safe housing. this provides none of that ... only profits for wealthy investors and developers. a developer with a public history of not cooperating with neighbors or the city -- just google his name

60. Karlie Guthrie (*ZIP code: 94114*)

61. Katrina McHugh (*ZIP code: 94121*)

62. Kam Bacon (*ZIP code: 94103*)

Stop the madness

63. Kenya Sims (*ZIP code: 94619*)

64. Kevin Tang (*ZIP code: 94117*)

65. Brian Kingan (*ZIP code: 94117*)

We're only asking that the investor adhere to the planning and building code rules and be fair.

66. Kirsten VerHaar (*ZIP code: 94123*)

67. Kristin Tieche (*ZIP code: 94117*)

I live on Fulton an I oppose this development scheme.

68. michael leeder (*ZIP code: 94117*)

69. Linda Ordonio-Dixon (*ZIP code: 94510*)

This really is unsafe for the surrounding homes. Please don't approve this.

70. Damien Ivan (*ZIP code: 94103*)

This is aburd

71. Evaristo Sandoval (*ZIP code: 94110*)

72. Larry O'Loane (*ZIP code: 99901*)

I am familiar with this property and can not think of a less suitable use than the proposed development.

73. Purvi Sahu (*ZIP code: 94115*)

74. Malinda Tuazon (*ZIP code: 94117*)

75. Marian Ivan (*ZIP code: 94117-1225*)

This project is inappropriate for the site.

76. Marina Solomon (*ZIP code: 94118*)

77. Matt Bissinger (*ZIP code: 94117*)

We don't want to lose our open space!

78. Maxine Raphael (*ZIP code: 94118*)

79. Meg Tuazon Shemai (*ZIP code: 87122*)

Don't build these properties!

80. Meg Gray (*ZIP code: 94117*)

81. Michelle Nardella (*ZIP code: 94102*)

82. Mike Andrews (*ZIP code: 94118*)

83. Mathew Mitchell (*ZIP code: 94117*)

84. Maya Lujan (*ZIP code: 78736*)

85. Monica Schlaug (*ZIP code: 90026*)

86. Michelle Dobrow (*ZIP code: 94127*)

87. Nadia Muwafi (*ZIP code: 94127*)

88. Sophia T (*ZIP code: 94118*)

89. Ozzie Rohm (*ZIP code: 94114*)

90. Pedro Vidal (*ZIP code: 94102*)

91. Priya Talreja (*ZIP code: 94043*)

We live in an earthquake/fire hazard environment to start with and a place like this does not seem appropriate in this type of environment.

92. Alyce Kalmar (*ZIP code: 94110*)

Do you remember Ghostship?? This is a terrible idea.

93. Richard Kay (*ZIP code: 94117*)

I can't believe that Planning would permit a project like this -- it seems so unsafe. I wonder if down

the road, if there's ever an emergency such as a quake, with zero access for emergency vehicles, could the City be held liable for permitting this development.

94. Mark D'Avignon (*ZIP code: 94117*)

I oppose this project.

95. pota perimenis (*ZIP code: 94117*)

Opposed!! This lot is virtually landlocked and is not in keeping with San Francisco planning provisions. It should have been parceled as part of people's back yards long ago, like other similar lots. Having a 3.5 foot wide access to the street makes it a safety hazard to be avoided, not an opportunity to build on.

96. Margaret Rothschild (*ZIP code: 94705*)

97. Sara George (*ZIP code: 94103*)

98. Sara McNulty (*ZIP code: 94114*)

99. Seth Schoenfeld (*ZIP code: 94118*)

This is the wrong place for a project like this and will dramatically reduce the quality of life not only for the tenants and property owners already loving there but for the new occupants, as well. I oppose this project strenuously.

100. renee curran (*ZIP code: 94122*)

101. Victor Valdiviezo (*ZIP code: 94115*)

102. Suzanne Gelber Rinaldo (*ZIP code: 94117*)

We strongly protest this poorly located development that does nothing to address fire and safety and egress concerns and in fact poses an unacceptable hazard to existing dwellings.

103. Susan Prion (*ZIP code: 94117-1216*)

104. Shannon Bolt (*ZIP code: 94110*)

105. Rhonda Smith (*ZIP code: 94134*)

106. Spike Wray kirk (*ZIP code: 47401*)

107. Ben Stefonik (*ZIP code: 94117*)

108. Stephanie Bourne (*ZIP code: 94110*)

PLEASE respect the safety and uniqueness that makes our SF neighborhoods unique and liveable

109. Suzanne Glynne (*ZIP code: 94117*)

110. Christine Wilkin (*ZIP code: 89434*)

111. Thomas Ballard (*ZIP code: 94115*)

112. Valencia Herrera (*ZIP code: 94124*)

113. Vincent Pietromartire (*ZIP code: 94115*)

This plan was wrong when I first heard about last year. In the current (Covid-19) era we are now in this plan makes even less sense. the Safety/ emergency response issues are numerous and far outweigh the gain of 4 additional units .

114. William Dice (*ZIP code: 94117*)

I oppose the landlocked lot construction project at Fulton and Masonic. This neighborhood is dense enough without shoving buildings into my neighbor's back yard

115. Lisa Awbrey (*ZIP code: 94117*)

I live within 2 blocks of the site. I have walked through the property. Endangering hundreds of neighbors by developing a landlocked parcel is completely irresponsible. The sole access point to the back lot is a narrow 3.5 foot wide alley, the only way in or out. Building multiple units on a back lot with a single way in and out violates fire and safety codes.

116. Zuhra St. Denny (*ZIP code: 94117*)

STOP BUILDING IN BACKYARDS! STOP THE CONSTRUCTION AT "1846 GROVE ...

What's new **Petition details** Comments Updates Discover

STOP BUILDING IN BACKYARDS! STOP THE CONSTRUCTION AT "1846 GROVE STREET"



 **jeffrey masko** started this petition to [San Francisco Residents](#) and [2 others](#)

We the neighbors of the block bounded by the 600 block of Masonic, the 1800 block of Fulton, the second block of Ashbury and the 1800 block of Grove, and those of the surrounding NOPA neighborhood strenuously object to the proposed building construction of 5 units slated for "1846 Grove Street" with the actual entry on 1821 Fulton Street. This lot abuts the backyard of 36 buildings with numerous residents consisting of over a hundred renters and owners who will be directly affected by the construction and resulting "sardine housing" planned by owner and architect Troy Kashanipour. The parcel is unfit for building living units and was never meant to be utilized as such as evidenced by the fact that this is the only one of its kind in San Francisco, and in every other block acts as an open space for yards in the city.[i] Attempts to create a permanent open space have been rebuffed by the developers. Furthermore, they have also revised their original plans for 2 units to now ask for building regulations to be waived to let them build 5 multiple dwelling units, even when evidence shows this density to be detrimental to those directly and indirectly affected.[ii]

There are also multiple safety concerns and complications related to ultra-high-density housing that have been found to be unsafe for human health.[iii] Building regulations that would be waived for several crucial areas include a fire entrance that would be the only exit of those living there while first responders, including firefighters arrive with heavy equipment. Furthermore, the 100-yard entrance of only 3-feet-wide was given a pass on ADA regulations. The effect on the general neighborhood would include more than a year and a half of constant construction, with no long-term parking solution, to nearly constant traffic made up of Uber and Lyft doubling congestion as the SF Examiner has noted. Dangerously, the

346 have signed. Let's get to 500!



Thanks to your support this petition has a chance at winning! We only need 134 more signatures to reach the next goal - can you help?

Take the next step!

STOP BUILDING IN BACKYARDS! STOP THE CONSTRUCTION AT “1846 GROVE ...

What's new **Petition details** Comments Updates Discover

project may lead and pave the way for more “unconventional” housing solutions that increase ultra-high density pockets of housing.[iv] In this case, the plans are only for market rate housing. It is apparent from the plans that putting housing in backyards is not a tenable solution to the housing problems of the bay area and that is not constructed for long term tenants, but renters associated with short term leases.

We are asking renters, home owners, and the businesses we use to join us in our efforts to have our voices heard about development that directly affects our lives, the lives of those in the surrounding blocks, and the short, mid, and long term health of neighborhood at large. We believe in housing that considers the neighborhood, but also is in line with short, medium- and long-term plans both citywide and regional that work to implement housing solutions not predicated on profit alone. Contact us for more information or sign below to show that you support sane housing solutions, not real estate profiteers who are taking advantage and profit from our housing shortage under the guise of helping it.

Join us at the planning commission hearing on December 12th to have your voice heard!

[i] Howley, P., Scott, M., & Redmond, D. (2009). Sustainability versus liveability: An investigation of neighbourhood satisfaction. *Journal of Environmental Planning and Management*, 52(6), 847, Turok, I. (2016). Housing and the urban premium. *Habitat International*, 54, 234-240. Ikeda, Sanford, How Land-Use Regulation Undermines Affordable Housing (11/04/2015).

[ii] Wood, L., Hooper, P., Foster, S., & Bull, F. (2017). Public green spaces and positive mental health—investigating the relationship between access, quantity and types of parks and mental wellbeing. *Health & place*, 48, 63-71, Hemphill, L., Berry, J., & McGreal, S. (2004). An indicator-based approach to measuring sustainable urban regeneration performance: part 1 And 2, conceptual foundations and methodological framework. *Urban studies*, 41(4), 725-755.

[iii] Davern, M., Gunn, L., Whitzman, C., Higgs, C., Giles-Corti, B., Simons, K., ... & Badland, H. (2017). Using spatial measures to test a conceptual model of social infrastructure that supports health and wellbeing. *Cities & Health*, 1(2), 194-209., Francis, J., Wood, L. J., Knuiiman, M., & Giles-Corti, B. (2012). Quality or quantity? Exploring the relationship between Public Open Space attributes and mental health in Perth, Western Australia. *Social science & medicine*, 74(10), 1570-1577.

[iv] The last measured population density for Los Angeles, CA was 8,428 in 2017; the last measured population density for San Francisco, CA was 18,438 in 2017.
https://www.opendatanetwork.com/entity/1600000US0667000/San_Francisco_CA/geographic.population.density?year=2017 “Uber and Lyft are causing even more traffic congestion in San Francisco than local experts once thought.”
<https://www.sfoxaminer.com/the-city/uber-and-lyft-traffic-impacts-double-sfs-own-estimates/>

STOP BUILDING IN BACKYARDS! STOP THE CONSTRUCTION AT "1846 GROVE ...

What's new **Petition details** Comments Updates Discover

Reasons for signing

See why other supporters are signing, why this petition is important to them, and share your reason for signing (this will mean a lot to the starter of the petition).

 **dan reynolds**
Feb 27, 2020

How are emergency vehicles going to access the property?

♡ 0

[Report](#)

 **Morgen Ahearn**
Dec 11, 2019

How can construction that requires several "variances" to the building code be deemed safe? Squeezing some development property into what is now a natural sanctuary for birds and plants, and putting the health and welfare of the community already living on or around this block at... [Read more](#)

♡ 5

[Share](#) [Tweet](#)

 **Cat Stevans**
Dec 11, 2019

This is very problematic on so many levels. Do your job planning commission and really review these plans!

♡ 1

[Share](#) [Tweet](#)

 **Mathew Mitchell**
Dec 11, 2019

fire hazard, plus other reasons.

♡ 1

[Share](#) [Tweet](#)

 **Fennel Doyle**
Dec 11, 2019

This neighborhood is losing open green space. The folks who live here consider our fresh clean air from the ocean, and California sunshine a vital part of their life. STOP killing our childrens view of the moon, sun, birds, and stars... [Read more](#)

♡ 4

[Share](#) [Tweet](#)

 **Gilbert Pickett**
Dec 10, 2019

Because I have enjoyed the openness of this beautiful space for over 25 years. It's a breath of fresh air to a already crowded city. I don't understand how we as a city keep building parklettes where cars park but, when it comes to a park where a park should be, we build a building. And Please don't... [Read more](#)

♡ 4

[Share](#) [Tweet](#)

 **Lisa Awbrey**
Dec 10, 2019

This development plan is problematic. The only access is a narrow alley from Fulton Street; How could the plan possibly be compliant with SF Fire and ADA codes? I have visited the site. It is bordered by multi unit wood and stucco apartment buildings from the 20s 30s and 40s, which resemble... [Read more](#)

♡ 2

[Share](#) [Tweet](#)

 **jeffrey masko**
Dec 9, 2019

It's bad for the neighborhood and skips over unsafe building regulations

♡ 2

[Share](#) [Tweet](#)

From: [Lew, Lisa \(BOS\)](#)
To: [BOS Legislation. \(BOS\)](#)
Subject: FW: PROJECT SPONSOR RESPONSE: Appeal of Conditional Use Authorization and CEQA Exemption Determination - Proposed 1846 Grove Street Project - Appeal Hearing on July 28, 2020
Date: Thursday, July 23, 2020 7:42:33 PM
Attachments: [image001.png](#)

From: BOS Legislation, (BOS)

Sent: Thursday, July 23, 2020 7:41 PM

To: Brian Kingan <kinganb33@gmail.com>; 'Malinda Kai Tuazon' <malindakai@gmail.com>; Troy Kashanipour <tk@tkworkshop.com>; Henry Tang <henrytango@gmail.com>; Basil Ayish <basil.ayish@gmail.com>

Cc: PEARSON, ANNE (CAT) <Anne.Pearson@sfcityatty.org>; STACY, KATE (CAT) <Kate.Stacy@sfcityatty.org>; JENSEN, KRISTEN (CAT) <Kristen.Jensen@sfcityatty.org>; Teague, Corey (CPC) <corey.teague@sfgov.org>; Sanchez, Scott (CPC) <scott.sanchez@sfgov.org>; Gibson, Lisa (CPC) <lisa.gibson@sfgov.org>; Jain, Devyani (CPC) <devyani.jain@sfgov.org>; Navarrete, Joy (CPC) <joy.navarrete@sfgov.org>; Lewis, Don (CPC) <don.lewis@sfgov.org>; Varat, Adam (CPC) <adam.varat@sfgov.org>; Sider, Dan (CPC) <dan.sider@sfgov.org>; Starr, Aaron (CPC) <aaron.starr@sfgov.org>; Rodgers, AnMarie (CPC) <anmarie.rodgers@sfgov.org>; Ionin, Jonas (CPC) <jonas.ionin@sfgov.org>; Dito, Matthew (CPC) <Matthew.Dito@sfgov.org>; Rosenberg, Julie (BOA) <julie.rosenberg@sfgov.org>; Sullivan, Katy (BOA) <katy.sullivan@sfgov.org>; Longaway, Alec (BOA) <alec.longaway@sfgov.org>; BOS-Supervisors <bos-supervisors@sfgov.org>; BOS-Legislative Aides <bos-legislative_aides@sfgov.org>; Calvillo, Angela (BOS) <angela.calvillo@sfgov.org>; Somera, Alisa (BOS) <alisa.somera@sfgov.org>; Mchugh, Eileen (BOS) <eileen.e.mchugh@sfgov.org>

Subject: PROJECT SPONSOR RESPONSE: Appeal of Conditional Use Authorization and CEQA Exemption Determination - Proposed 1846 Grove Street Project - Appeal Hearing on July 28, 2020

Hello,

The Office of the Clerk of the Board received the following appeal responses from the Project Sponsor Troy Kashanipour of Troy Kashanipour Architecture, regarding the appeals of the Categorical Exemption under the California Environmental Quality Act and Conditional Use Authorization for the proposed project at 1846 Grove Street.

[Project Sponsor Response - CEQA and CUA Appeal - July 23, 2020](#)

NOTE: The President may entertain a motion to continue the following appeal hearings to the Board of Supervisors' meeting of Tuesday, August 25, 2020.

I invite you to review the entire matter on our [Legislative Research Center](#) by following the links below:

[Board of Supervisors File No. 200746](#)

[Board of Supervisors File No. 200750](#)

Best regards,

Lisa Lew

San Francisco Board of Supervisors
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco, CA 94102
T 415-554-7718 | F 415-554-5163
lisa.lew@sfgov.org | www.sfbos.org

(VIRTUAL APPOINTMENTS) To schedule a “virtual” meeting with me (on Microsoft Teams), please ask and I can answer your questions in real time.

Due to the current COVID-19 health emergency and the Shelter in Place Order, the Office of the Clerk of the Board is working remotely while providing complete access to the legislative process and our services.



Click [here](#) to complete a Board of Supervisors Customer Service Satisfaction form

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.

Project Sponsors Response to Statement of Appeal:

1846 Grove Street, Conditional Use Authorization and CEQA approval:

The statement of Appeal makes a number of claims, many of which were addressed in the Response of the Planning Department related to the Conditional Use Authorization and the CEQA approval. Those topics will not be re-addressed in this presentation.

Project Goals:

The Project as designed is the result of a careful consideration of the context of the lot in consultation with the Planning Department, Building Department, Fire Department, and with input from neighbors during the pre-application meeting process.

Recognizing the unique nature of the site the designer sought to create a project with minimal impact to adjoining parcels. Project goals include the following:

- Create a **modest number of homes** on this lot. The lot is larger in size than three standard city lots. Zoning allows up to 6 homes on this parcel. The Conditional Use Authorization was granted for 4 homes.
- Create homes that are **minimally impactful** on the surrounding homes.
- Create a project to have an inward focus rather than an outward one.
 - The design places circulation at the center of the parcel for lesser impact than at the exterior of a building centered in the parcel.
 - The design creates outdoor space centered among the homes rather than creating a building with outdoor open space facing the rear of adjacent buildings and rear yards.
 - The courtyard design **minimizes windows facing adjacent properties** rear windows.
- Create **homes that are low in scale**, largely one story with much smaller 2-story pop up areas. Nest structures into the topography.
- **Minimizing shadow impacts** to adjacent properties with smaller volumes set back from property line edges, considering solar orientation.
- Create a Permeable site.
 - **Visually permeable**: a broken up massing, allowing view corridors through the parcel rather than a larger centered massing. Permeable for light and air.
 - Site permeability without expanses of concrete allowing water to percolate into the water table.
- Preserve and **protect of the mature coastal live oak**; Certified Arborist as part of project team.
- Create a **drought tolerant landscape** and utilize non-native non-invasive climate appropriate plants and well adapted California native plantings that can support pollinator diversity.
- Creating an extended landscape of **living roofs** visible from adjacent properties, slowing run-off, reducing heat island effect, providing habitat.
- **Low environmental impact**: no gas service, highly efficient electric heat pump systems, low embodied carbon construction.
- Create homes with ground floor bedrooms and bathrooms **suitable for those that have difficulty with stairs**. Family sized housing with 2 and 3 bedroom units.

- **Natural affordability** due to the unique nature of the site, smaller homes, minimally sized, modest amenities, and no auto parking.
- **Create a smaller scale community** of garden homes, with a shared common area as a “village green” around tree and courtyard. Private spaces are connected and permeable to the common space allowing interaction between residents fostering community.

See Attachment 1 following for three dimensional views of the project which was provided to the Planning Commission for the April 9th Hearing

Following is a **Summary of Meetings and Neighbor Outreach:**

1. Pre-application Meeting: September 7, 2017

- SFPL meeting room 1833 Page Street.
- Letters send to pre-app meeting list provided by Radius Services
- 25 Attendees

2. Neighbor Meeting 2: September 6, 2019

- SFPL meeting room 1833 Page Street
- Email notification and communication through Planner and D5 Legislative Aide,
- Attended by District 5 Legislative Aide
- 17 Attendees

Story Poles provided on site illustrating volume of unit 2 and 3 per neighbor request.

3. Neighbor Meeting 3: November 19, 2019

- SFPL Meeting Room at 1833 Page Street
- Email notification and letters mailed to Pre-app mailing list
- 2 Attendees

Additional offers to meet with neighbors in smaller groups or individually were declined, or no response received.

Post CU hearing on October 7, 2019.

4. Neighbor Meeting 4: February 6, 2020

- SFPL Meeting Room at 1833 Page Street
- Email notification to sign in list
- 18 Attendees including Haight Ashbury NC representatives.

5. Neighbor Meeting 5: February 26, 2020

- City College classroom, 633 Hayes.
- Email notification to sign-in list. Additional letters hand delivered to each adjoining parcel. Sign posted at gate.
- 11 Attendees.

6. Community Group presentation: 2/27/2020

NOPNA Land Use Subcommittee of the North of the Panhandle Neighborhood Association
633 Page Street
9 Attendees.

Project Modification: The Project was modified in the following ways in response to Planning Commission input and comments from neighbors during the pre-application meeting process.

- Revised number of families that can live here from 5 to 4.
- Reduced 2 Story Volume at West edge of Property to 1 story.
- Moved 2nd story volume away from property line at Unit 3.
- Reduced 1 story volume on East edge of Property.
- Reduced 1 story volume at South edge of Property.
- Provide Planting Screen at East side of Property.
- Relocated bin area to center of property, minimizing noise.
- Removed East facing window on upper bedroom of Unit 1.
- Agree to provide Tree Planting and Protection Plan from certified Arborist.
- Agree to provide low voltage pathway lighting rather than flood lighting.
- Agreed to provide soft-close device at gate.
- Agreed to modify windows with potential privacy impact to the neighbor. Any smaller bathroom window facing neighbors directly will be frosted glass.
- Agreed to have a pre-construction meeting with interested neighbors with contractor coordinated timeline in advance of construction. Will designate point of contact at that time.
- Agreed to repair any damage at adjoining yards or landscaping, along entry agreed to protect adjoining buildings and repair any damage at our sole expense.

Project Review:

Prior to and after purchase the Project Owners went through a number of **project review meetings with the Planning Department Staff, Fire Department and the Building Department** to fully understand the code and life safety requirements. The **Fire Department provided a pre-application review letter that stated their conditional approval** and measures that would need to be incorporated into the project.

Response to Specifics of Appeal:

Safety: The Appellant has asserted a made-up standard for life safety that is not supported in the code. In their statement conflates the building “exit” and the “exit discharge” as found in the California Building Code. Both the Department of Building Inspection and the Fire Department have reviewed plans as submitted and have provided pre-application review letters in agreement with the code compliance of access and egress. A final review of the project will occur by DBI and Fire at time of permit issuance to document that the project requirements specified in their letters are incorporated into the permit drawing set.

The arguments against the homes on this site due to safety concerns are a pretext, are unsupported by code, and are unsupported by the code experts responsible for reviewing the project.

The Entry: The opposition has asserted without evidence that the 3.5 foot wide passage that leads from the street to the site is inadequate. This passage is as wide as a single loaded residential corridor. Safety is increased over a corridor in that it is an open-to-the-sky condition.

The Board of Supervisors has approved ADU legislation that allows multiple ADUs to be accessed from a 3 foot wide tradesman access as the sole means of access and Egress (Reference DBI Information Sheet EG-5 Date August 18, 2018). **The open-to –the-sky condition on this property is safer than access under an existing building through the tradesman's access.**

The Appellant has asserted that the project is unprecedented: Our presentation to the Planning Commission included numerous examples of residences that did not directly front the public way or where access was constrained. **The mitigation measures as outlined in the Fire Department letter are consistent with other conditions of approval for other projects that do not have a direct frontage to the street.**

San Francisco contains hundreds of buildings that do not have direct frontage to the street. These arguments reiterate comments heard at the Planning Commission.

The Appellants have argued that the access is a utility easement. This argument is unsupported by any survey or recorded document. The argument that this lot was created as a “fire-block” is similarly not supported. **The lot is a legal lot of record with RH-2/RH-3 zoning and suitable for new homes.**

The argument that two persons cannot pass along the site access was made at the Planning Commission hearing. This argument is contradicted by the fact that 2 persons can pass comfortably along the site access.



The homes on this property would not preclude any improvements on adjacent properties:

The Appellants have falsely argued that this project would prevent adjacent properties from developing Accessory Dwelling Units on their own properties. This Argument was heard at the Planning Commission hearing and contradicted by the Zoning Administrator in the 10/7/19 hearing, yet this argument reappears in the Appellant's brief.

Density: The Appellant has argued that the density on the site is greater than that of surrounding properties. **The Density granting the Condition Use Authorization on this site is 2/3 of the RH-2 zoning surrounding the site, and less than 1/2 of the RH-3 parcels.**

The Planning Commission and Public Comment: The Appellants have argued that they did not have adequate opportunity for public comment at the hearing. The first hearing on October 7, 2019 was an in-person prior to the shelter-in-place order. Approximately 20 people were able to participate in public comment. Those opposed to the Conditional Use Authorization were given a 10 minute presentation period, matching that of the project sponsor. There was no limitation on the number of speakers for or against in the public comment period each with a 2-minute presentation time. The result of this hearing was a Continuance to allow us to consider comments made at the hearing. The project was altered reflecting comments heard.

The second Planning Commission hearing for the project was conducted through Microsoft Teams on April 9th, 2020. There were 46 callers during the public comment period. There were **25 project supporters** who called in. While there were technical difficulties, all speakers who were in the call queue were heard. While there may have been some callers who were unable to wait in the call queue, this was true for supporters and those in opposition.

Public Support:

The Appellants have produced a petition against the homes on this site. The link was through a website called Stop1846Grove.org. The overall approach of the Appellants is in the name of the website. The petition has 348 signatures from a diversity of locations including Baltimore, Chicago, Madison, and Orlando. 149 of 348 signatures were from San Francisco residents.

Attachment 2 following is a petition signed by residents of San Francisco. This petition which shows a broad base of support for this infill housing in general and this project specifically. This petition as of 7/23/2020 includes 326 signatures, 284 of which are San Francisco Residents, and 98 of which are from zip codes that are a part of District 5.

The Planning Commission Decision:

The unanimous Conditional Use Approval by the Planning Commission is consistent with the Direction of the Board of Supervisors in the following ways:

- It **increases housing stock by maximizing density** where appropriate and in conformance with the General Plan.
- The project landscape **aligns with the San Francisco Biodiversity Plan** adopted by the Board of Supervisors.

- Provides housing that **promotes alternative transportation** in an area with easy access to public transportation, walking distance from neighborhood serving retail and services, and ample bicycle parking.
- Promote sustainability through sensitive infill housing creating opportunity for people to live and work in San Francisco rather than promoting commuting and suburban sprawl
- It is consistent with the general Plan object of creating certainty in the development entitlement process, by providing clear community parameters for development and consistent application of regulations.
- The preface of Housing Element of the General Plan states that "*law requires a local government plan for their existing and projected housing need, by providing opportunities for housing development, rather than constraining opportunities*". The project creates housing in a way that is sensitive to the context. It creates housing which is efficiently sized and appropriate to families and individuals with a range of ages and needs, preserving the diversity of the community.
- The Environmental Protection Section of the General Plan states that "*In highly urban San Francisco environmental protection is not primarily a process of shielding untouched areas from the initial encroachment of a man-made environment. The scales already are and will continue to be balanced toward the side of development . . . The challenge in San Francisco is to achieve a more sensitive balance, repairing damage already done, restoring some natural amenity to the city, and bringing about productive harmony between people and their environment. An important purpose, therefore, of an environmental protection element is to give natural environment amenities and values appropriate consideration in urban development along with economic and social considerations.*"
- Consistent with the Transportation and Environmental protection elements of the General Plan, the project **encourages the use of public transportation and alternative means such as bicycling** without reliance on private automobiles.

San Francisco is a unique city with many unique conditions that are not fully expressed by this grid of conformity that the Appellants wish to impose. The Planning Commission had the opportunity to study the plans and three dimensional views in a detailed way, thoroughly considered the unique qualities of the site, and heard public testimony. The project was modified to reflect comments.

At the April 9th hearing Commission Moore, after reviewing the modifications, called the project a "wonderful, unique solution to a difficult site". I would invite the Supervisors to listen to the Planning Commission hearing held on April 9, 2020. The Commission deliberation on the Project starts at the 5:01 mark in the meeting.

https://sanfrancisco.granicus.com/MediaPlayer.php?view_id=20&clip_id=35574

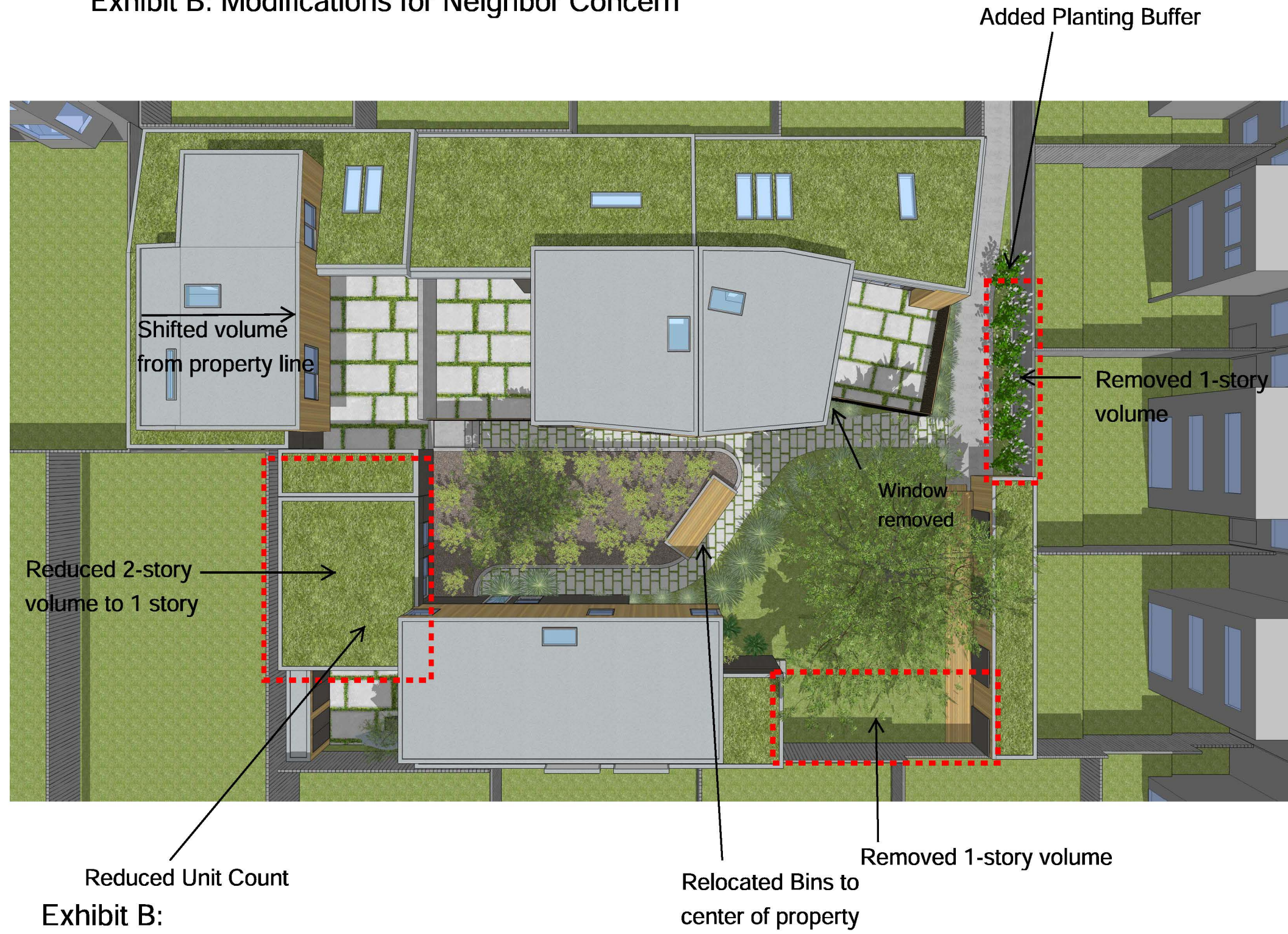
The process worked as it is supposed to. Please uphold the decision of the Planning Commission for Conditional Use and CEQA Approval and allow these sensitive new homes on our unutilized lot.

The following Attachments are included:

Attachment: 1 – Excerpted Presentation material for Planning Commission from April 9th, 2020 Hearing. including three-dimensional views and exhibits, and FAQ's about the homes. **2** – Petition in support of infill homes at 1846 Grove.

Attachment 2 - Petition in support of the project

Exhibit B: Modifications for Neighbor Concern



Site Features:

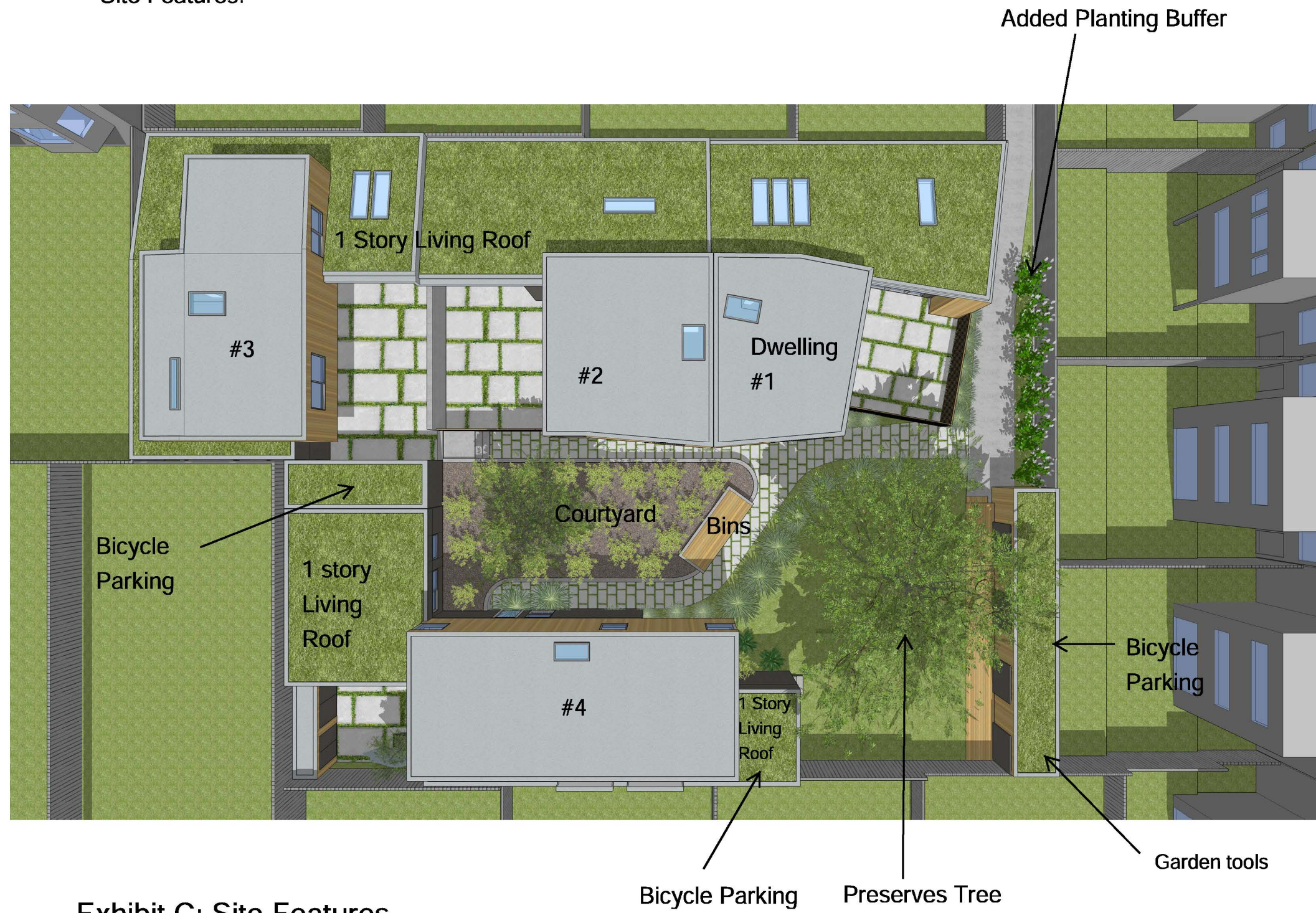


Exhibit C: Site Features

Window Exposure: looking inward toward court, away from neighbor properties

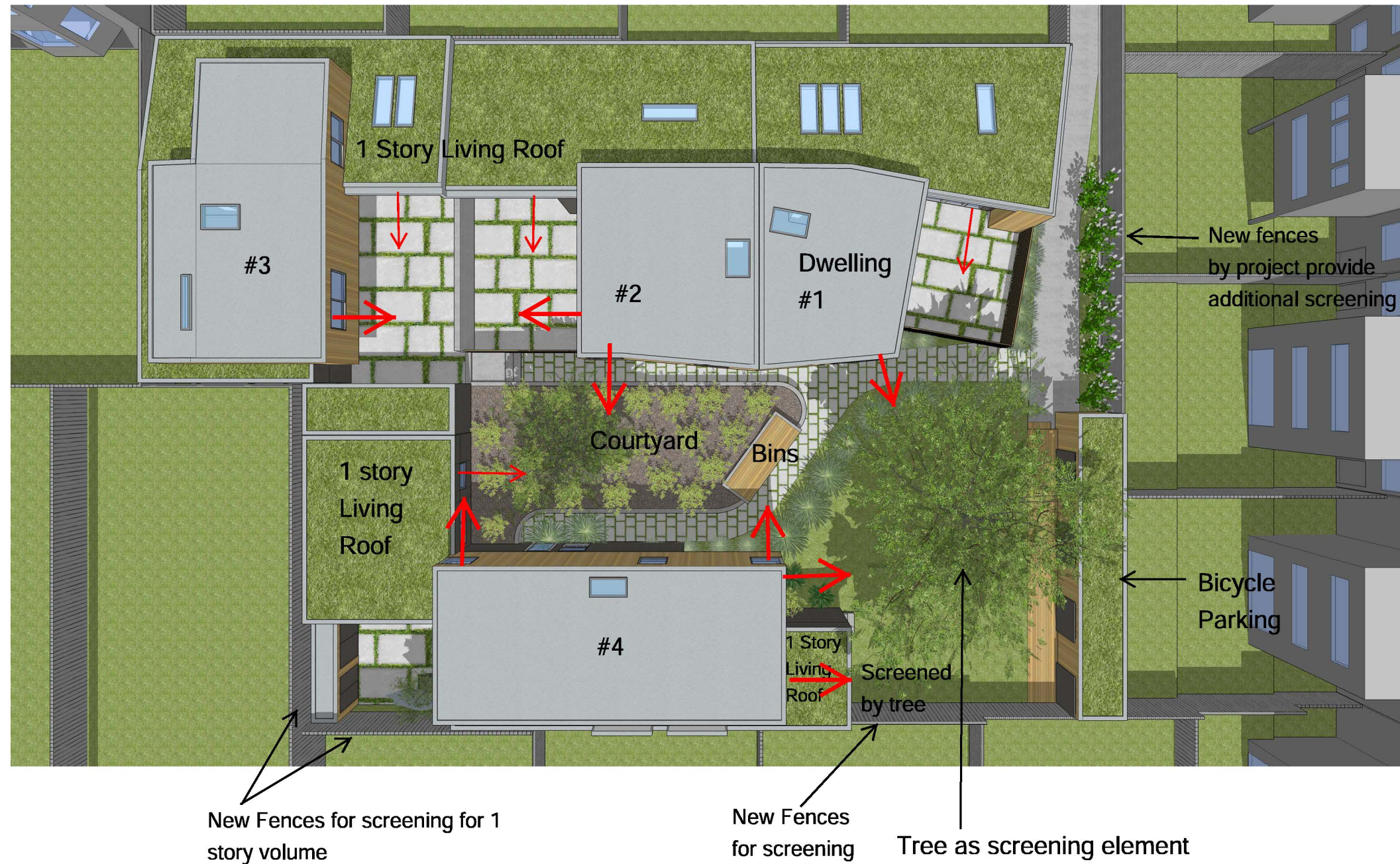


Exhibit D: Window Orientation

Shadows/Solar Orientation: 2nd story arranged to minimize shadow impacts on adjacent properties. Shadows shown on March 25th, 11am
1-story volume shadows typical of fences
Unit 4 at south does not shade adjacent yards,
Unit 3 roof slopes to minimize shadows, excavated 1st floor to reduce height
Unit 1 and 2 upper level set back from north property line



Exhibit E: Solar Orientation

Permeability: views into and through site, light and air.

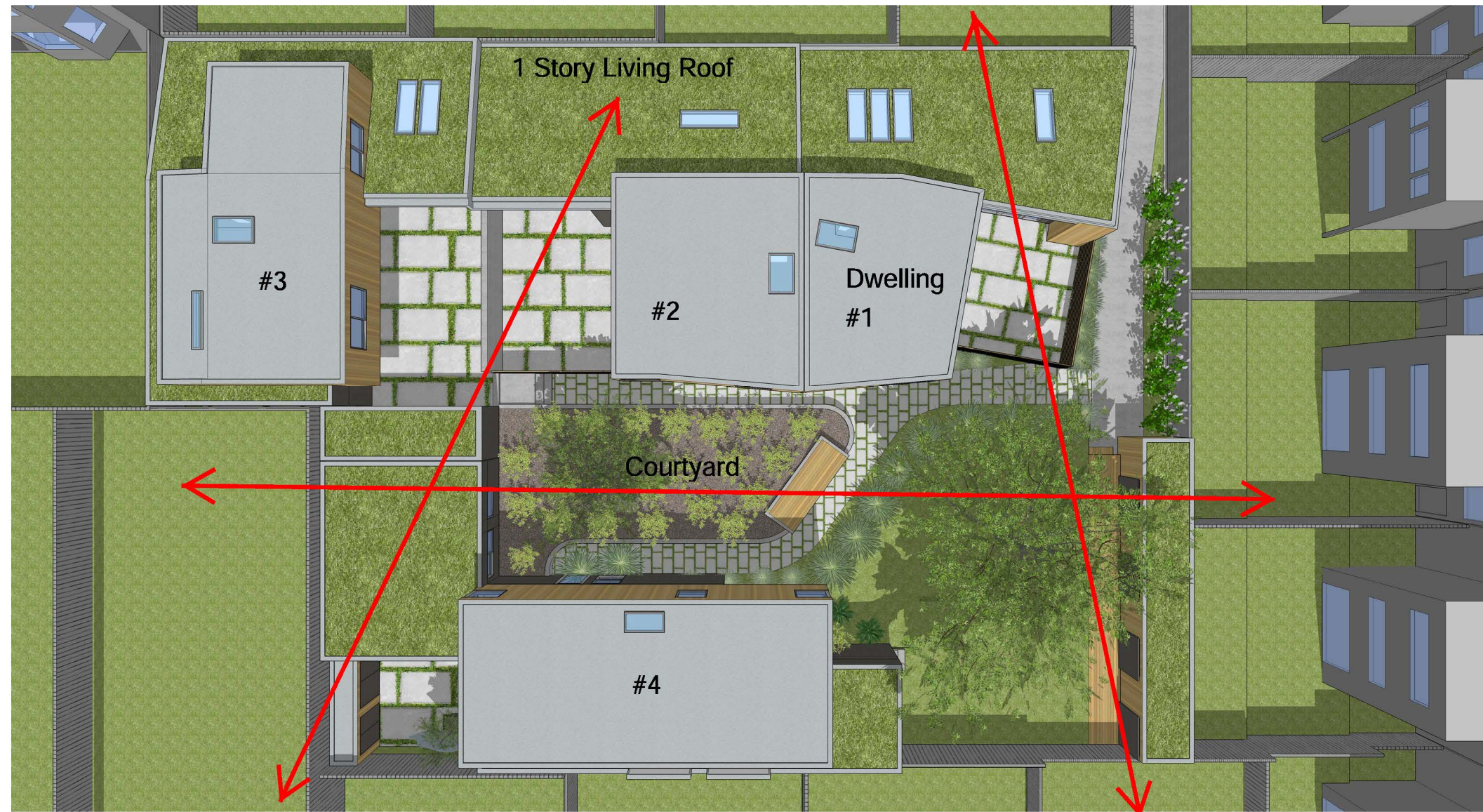


Exhibit F: Views, Light, Air through site

800 Block of Masonic

3 Stories, 12 units on parcel, 4 in building

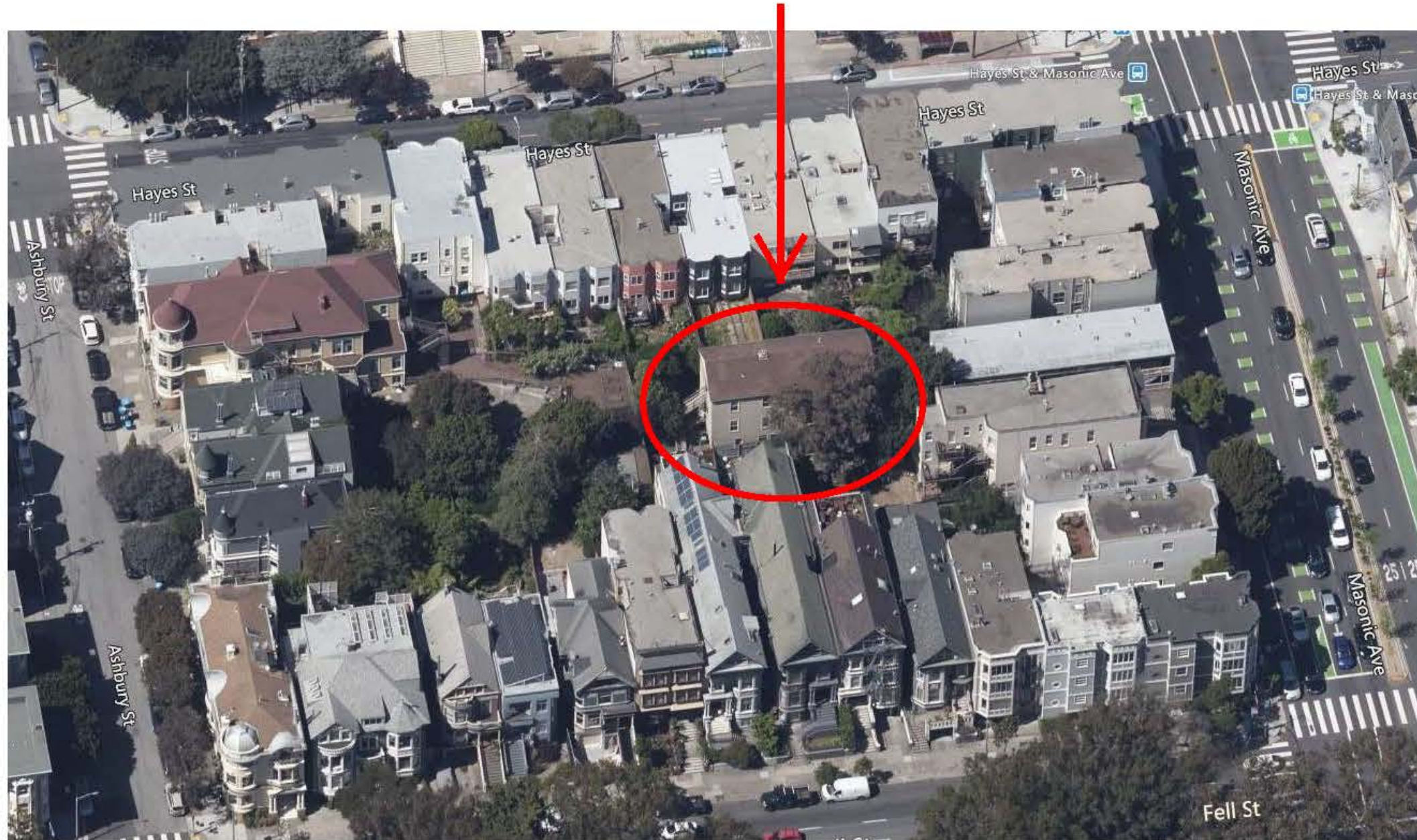


Exhibit G: Precedent

1600 Block Fulton

3 Stories, 5 units



Exhibit H

1600 Block of Fulton North Side

2 & 3 story Buildings, 8 dwelling unit



Exhibit I

1600 Block of Hayes

3 story residence

5k sqft Rectory



Exhibit J



Overhead View of Site

Oakwood and 18th Street

2&3 stories, 24 units at rear yard



Exhibit J: not in neighborhood but show density in some areas. Proposed project much less dense.



Exhibit K: Story poles requested by neighbors

Exhibit L:
Unit 3, prior to
additional setback
at 2nd floor.
First floor at fence
height





Site and Buildings In the context of the block



View from Southwest



Overhead view from Southeast

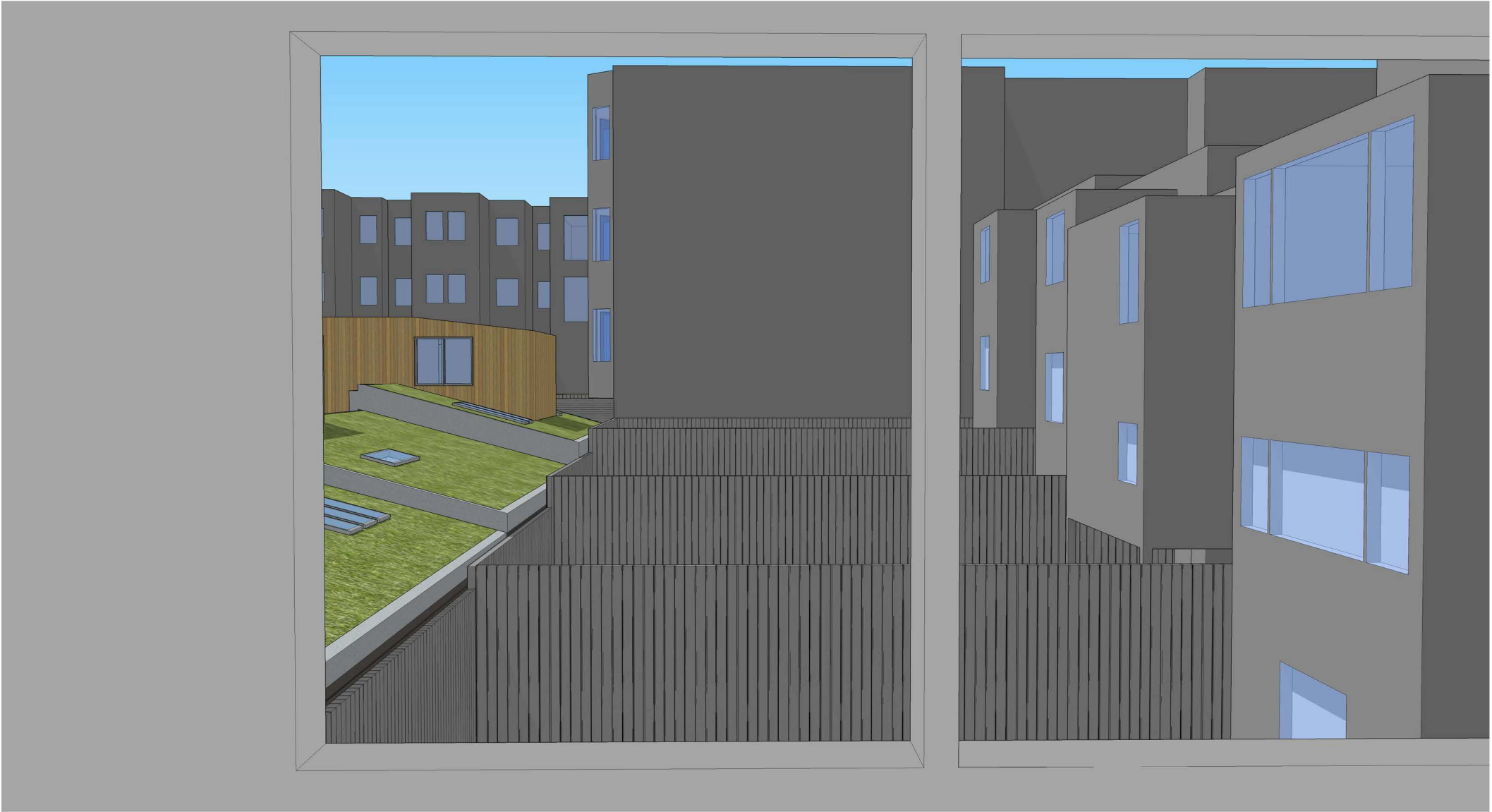


Overhead view from Northeast

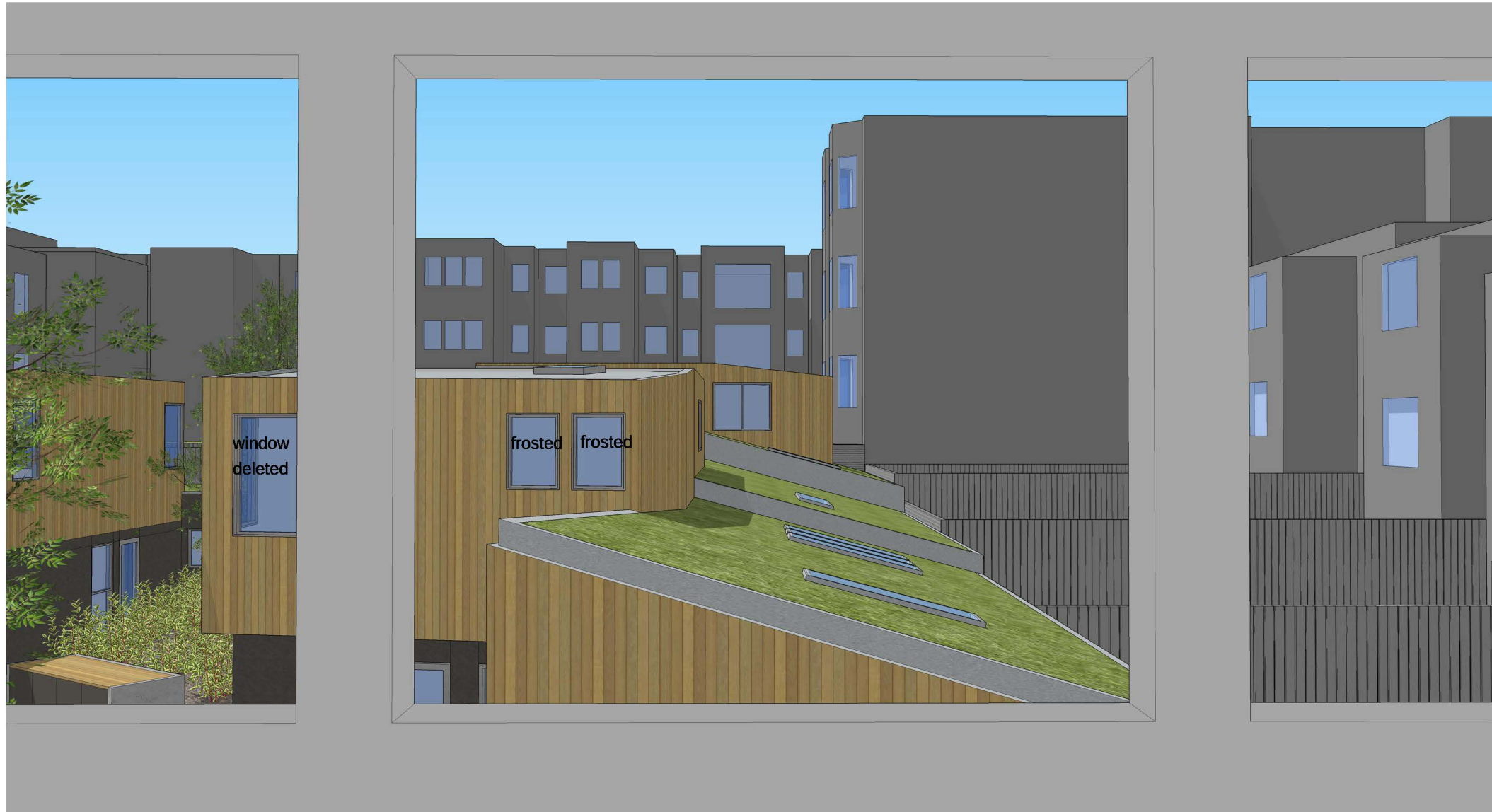


View from Northeast

View from window at 615 Masonic Street



View from window at 627 Masonic Street



View from window at 1824 Grove Street



View from window at 1828 Grove Street



View from window at 1840 Grove Street



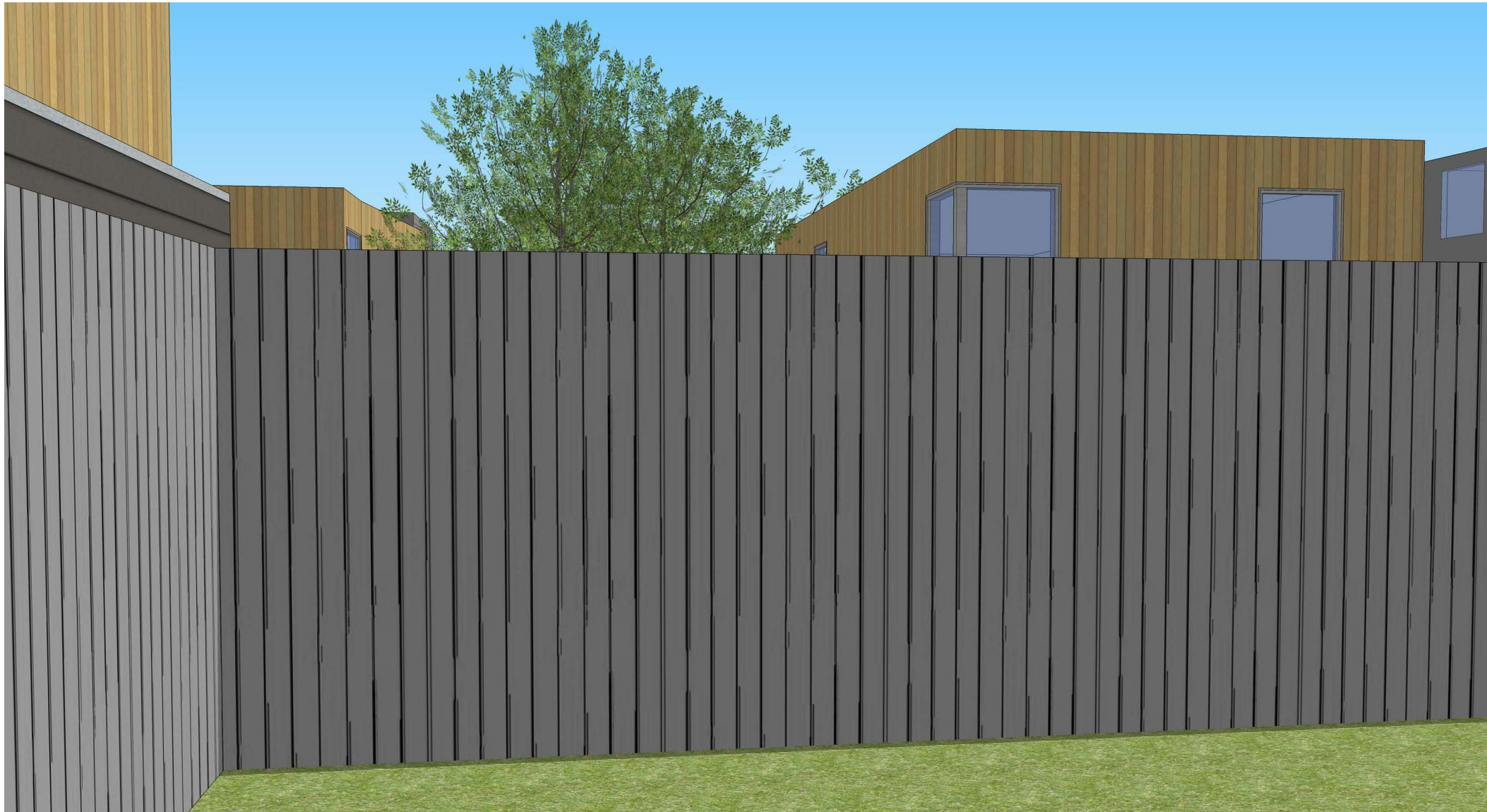
View from window at 1841 Fulton Street



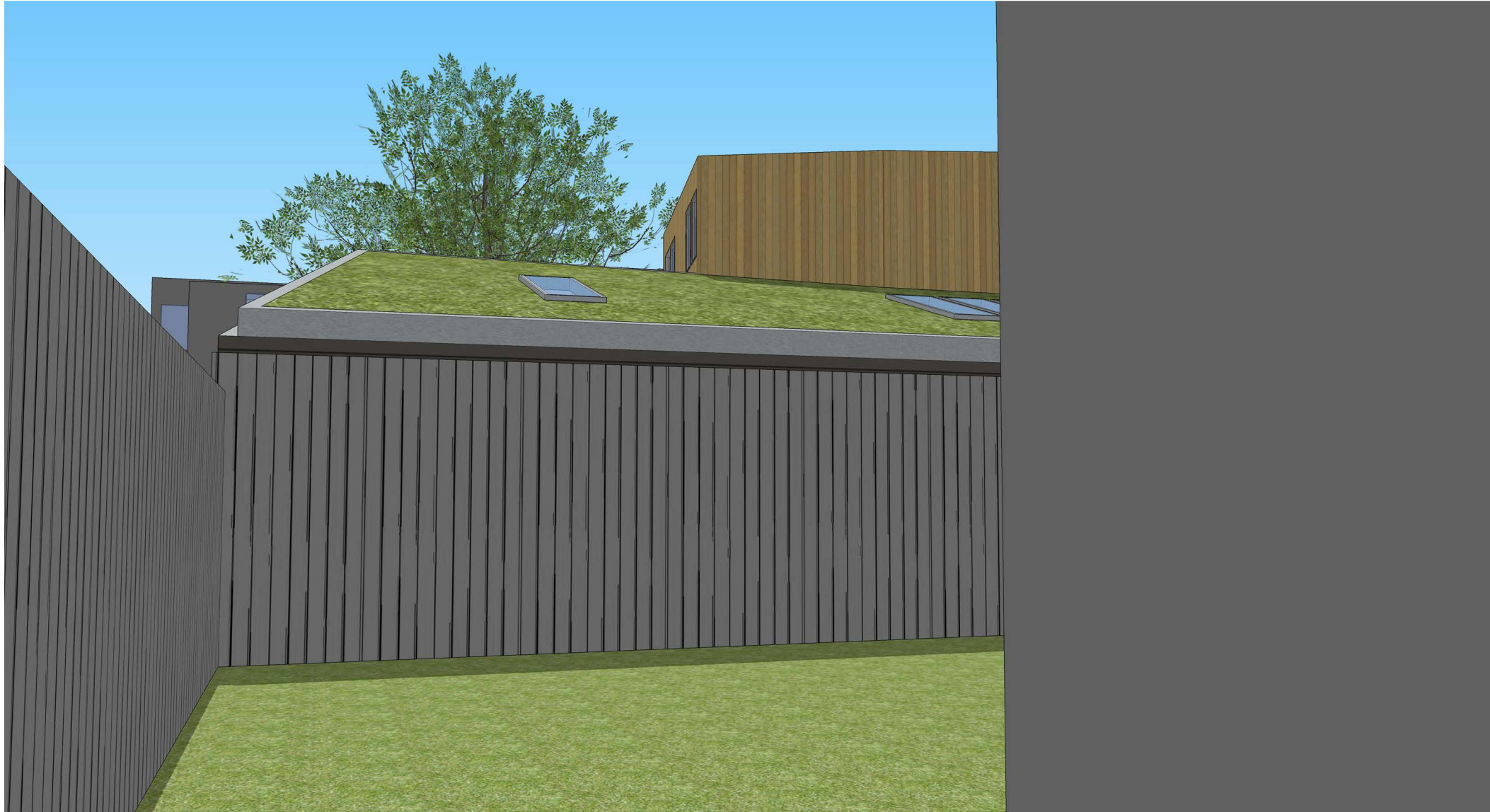
View from window at 1831 Fulton Street



View from 1850 Grove Street Yard



View from 1831 Fulton Yard



Frequently Asked Questions:

How is the Site Accessed?

Through gate fronting to Fulton Street. The width meets the Building Department and Fire Department Requirements as confirmed through Pre-application process.

Can two persons pass along the site access?

- The narrowest point is the first 50'.
 - The width it is about that of a typical residential apartment single loaded corridor.
 - It exceeds the code requirements.
 - Two persons can pass comfortably.



Sasha and his father at access

- Average walking time to traverse 50 feet is 12 seconds.
The next 50' of the entry is 6'-3" wide and between fences.

Is there is precedent homes in a similar location, behind other homes, in immediate area?

Yes in the immediate area and all over San Francisco. In many cases at much higher density that what is proposed. See Exhibits G,H,I,J,K.

The entry to the Site is unusual. Do you have approval?

The Entry and Exit Condition has been reviewed and approved by the San Francisco Fire Department and the Department of Building Inspection based on conditions which include:

1. NFPA 13 Fire Sprinkler System – Highest Sprinkler standard designed to fully extinguish. Same system for high-rise towers.
2. Standpipes on site.
3. R-3 (single family home and duplex) occupancies.
4. Not more than 20' in height. Based on 24' ladder carried by 2 firefighters
5. Type III Non-combustible Construction.
6. Red zone and removal of sidewalk tree.
7. Clear width of 42".

Code Basis for Approval: San Francisco Fire Code 5.12 Item 6. Project meets all conditions, San Francisco Building Code Regarding Exits and Exit Discharge: 1014, 1015, 1022, 1028.4, Reference pre-app letters.

Are 2 Exits from a site required?

No. Some building require 2 exits, but only one exit discharge is from any site. The exit discharge is defined as “the portion of the means of egress between the building exit and the public way”. The exit discharge is required to be open to the sky.

The Fire Department has reviewed and approved.

The condition on this lot is better than the vast majority of SF buildings where a rear stair requires one to pass back through and under a building to get to the public way.

The project has the highest level of sprinkler protection, but water should not be used on electrical fires. What about electrical fires and short circuiting of appliances?

Most electrical fires are caused by overloaded outlets with too many appliances plugged in to the same outlet, or multiple splitters and extension cords off on insufficiently placed outlets. This occurs in older homes that do not have an adequate number of outlets for the intended

use, where circuits do not have the appropriate circuit breaker protection, and where work was done unprofessionally without permits and inspection.

This project will be fully up to code which requires a generous number of outlets. Outlets will be protected with GFCI Protection and Arc Fault Circuit Interrupter protection for other receptacles. AFCI is a circuit breaker that breaks the circuit when it detects an electric arc in the circuit it protects, to prevent electrical fires. Fire Sprinkler systems function normally in homes with AFCI protection.

What was the review process at the Planning Department?

- Early ideas were discussed in a project review meeting with Senior Planners (David Lindsay and Sarah Velve) for general approach prior to purchase with design options presented.
- After purchase, early design, and neighborhood pre-application meeting, a Conditional Use Application was presented.
- Project was reviewed by Planning Staff.
- Project was reviewed by Environmental Planner.
- Project was reviewed by Residential Design Advisory Team (RDAT) with the recommendation for approval by the Planning Commission
- After December Planning Commission hearing a revised project due to neighbor concerns was reviewed by Project Planner and RDAT with the recommendation for approval by the Planning Commission.

Will the units be Affordable? Is this luxury housing?

The SF affordability question is challenging one. The Board of Supervisors has written the Planning code to require a project with 9 units or more to enter the BMR program. The higher density at this site would be problematic from a code perspective and equally problematic to neighbors.

Units will be smaller and more naturally affordable due to size and unique conditions on the parcel. Those in search of a luxury housing experience will not be inclined to live here: there is no parking, no home theatres, no spas or luxury soaking tubs. Those with stock options or trust funds will

likely be looking for units with: views, large bedrooms, and grand living spaces. The cottages will be well crafted but not luxury.

Units have ground floor bedrooms. The ground floor bedroom is encouraged with ADU legislation. Units are suitable for a family with an adult that has difficulty on a long stairway.

We hope the project will have a “secret garden” feel.

How will Construction be handled and what is the timeline?

All materials move through our site access way

Access wide enough to bring in 3’ bobcat

Excavation material likely move out with wheelbarrows. San Francisco homes are often built, repaired and modified without heavy equipment.

Carts (similar to Home Depot carts) used to bring in materials.

Everything modular

Materials moves horizontally instead of vertically as in multi-story homes.

Timing:

- 2 months soft setup and preliminary work.
- 6 months for foundation and framing, site utilities.
- 6 months for finishes and interior work.
- 2 months: final period landscaping and site improvements.

Normal working hours

Noise: no heavy equipment (except small bobcat), but standard hand tool noise, hammering, saws, screw guns.

The General Contractor is one of 3 partners/owners of the property with decades of experience in construction with limited access.

Will Construction impact MUNI or neighborhood traffic?

The appropriate approvals will be obtained from MTA and DPW for construction related work typical of work on any site. MUNI will not be impeded.

How will 1-story volumes along back fences be constructed?

They will be constructed like those of side property line walls on a typical lot. One sided blind wall construction is typical in circumstances where access is not possible from both sides.

Why can you build to the fence lines?

The planning code looks at each lot and designates a front property line, side property line and rear property line based on the position of the lot relative to the nearest street. Every lot has the right to build to the side property lines, and normally the front property line as well. Only at the rear property line are there setback requirements. Rather than building 2 stories at front (north), and side (east and west) property lines, increasing impact on adjacent properties, the project reduces the volumes at these edges and more generally distributes the volumes. This approach allows the preservation of the Oak tree which is only partially in the setback area. We have opened views through the site and minimize shadows on yards through the distribution of the volumes.

Wouldn't building with setbacks at all sides be better for neighbors?

I do not believe it would be. Activity would be pushed to the fence lines. It would mean that unit windows would face outward toward neighboring rear windows. It would mean a greater 2 story volume which would be more solid and have greater shadow impacts closer to yards. In locations it would create unused exterior space that would be neglected and accumulate junk.

Are you taking advantage of the code to build bigger buildings than would be otherwise allowed?

No. A project that does not request a rear yard variance allows a buildable area of more than double what has been proposed. We chose the approach that was of lesser impact to the neighbors rather than what provides the largest buildings. Good architecture was a higher priority.

How will runoff be handled?

- Green roofs slow runoff.

- Roof drains connected to city system per code.
- Large areas of permeable pavers and site landscaping.
- Site soils are highly pervious.

Will there be Pets?

We are pro-animal and will not exclude. The parcel will be self-policing with internal courtyard, rather than outward facing yards.

What about noise for neighbors?

- Where possible circulation will be at the courtyard, except at entry.
- The design screens yards from noise
- Windows to major rooms face courtyard, not adjacent homes.
- The bin area is located to the center of the parcel.
- Homes will be well insulated for thermal comfort and acoustics.

What about privacy?

Windows facing immediate neighboring building windows are minimized or screened by the tree. Where smaller windows in bathrooms are needed for natural light they are frosted.

What about light pollution and light on to neighboring properties?

Lighting will be minimal, low voltage and low to pathways. There is no overall site lighting or floodlights.

See privacy question for spillover from interior lighting

How many persons will be living here?

Assuming 4 units with 2 adults in "master bedrooms" and 1 person in 6 other bedrooms, the number is 14 persons on this property.

Open living/dining/kitchen spaces cannot be subdivided to add bedrooms.

Some people may want a spare bedroom for visitors, or home office, or other uses, and others may be doubling up younger children. Empty nesters would reduce the overall count.

A city lot that is larger than size of 3 standard city lots can easily accommodate this number of persons.

Attachment 2: Petition

Supervisor Preston and the San Francisco Board of Supervisors,

324 people have signed a petition on Action Network telling you to Tell San Francisco Board of Supervisors: Approve Small Infill Housing Projects In Exclusionary Neighborhoods.

Here is the petition they signed:

We are in the midst of a decades-long housing crisis. We need to be doing everything we can to build more housing. Small infill projects are critical to addressing our shortage. Exclusionary zoning in wealthy neighborhoods mean \$5M McMansions are easily approved, but apartment buildings and missing middle housing are delayed and denied.

We ask the Board to immediately approve the four-unit project at 1846 Grove St. It's time to say YES to infill projects like this one. When we drive up costs, we drive up prices. Housing delayed is housing denied.

As a San Francisco Supervisor, it is your responsibility to fix our housing crisis. Dismiss this unconscionable appeal. Stop prioritizing the concerns of wealthy homeowners and think about the families that could have access to good, stable housing in this great city. Spend less time arguing over 4 small units of housing and more time getting the stalled subsidized affordable housing developments in District 5 built. There is no excuse for not building more homes in San Francisco. San Francisco is not full.

You can view each petition signer and the comments they left you below.

Thank you,

Theo Gordon

1. Amanda Ryan (*ZIP code: 95124*)

2. Aaron Kanter (*ZIP code: 94110*)
Pleeeeeeease add more housing! Thanks =)

3. Aaron Johnson (*ZIP code: 94117*)

4. Adam Breon (*ZIP code: 94112*)

5. Mario Accordino (*ZIP code: 94107*)

6. Adam Buck (*ZIP code: 94158*)

7. Alex Gripshover (*ZIP code: 94114*)

8. allison arieff (*ZIP code: 94131*)

9. Allen Arieff (*ZIP code: 94131*)

10. Alexander Walker (*ZIP code: 94123*)

11. alexandra akopova (*ZIP code: 94131*)

12. Alim Virani (*ZIP code: 94109*)

We are in the middle of a housing crisis and all housing helps.

13. Andrew Martone (*ZIP code: 94110*)

Telling people not to build housing in San Francisco is just like Trump trying to build the wall... to keep those people out.

Housing should be much easier to build and much cheaper.

14. Amir Afifi (*ZIP code: 94115*)

15. Amanda Par (*ZIP code: 94115*)

16. Amy Markowitz (*ZIP code: 94112*)

We need housing. Don't be cowed, be thoughtful.

17. Ana Guerrero (*ZIP code: 94107*)

Label it what it is. Racism! Covert, stealthy racism. NIMBY needs to be called a different name in light of the new world we are now living in. Microaggression by wealthy, mostly white land owners.

18. Alexandra Nangle (*ZIP code: 94114*)

19. Andrew Wooster (*ZIP code: 94117*)

20. Andrew Sullivan (*ZIP code: 94117*)

Please approve this project without delay and get out of the way of future projects. If housing is a human right (it is) we need more of it!!

21. Angelica Cupat (*ZIP code: 94131*)

22. Anika Steig (*ZIP code: 94133*)

23. Anna Rose (*ZIP code: 94110-2208*)

24. Ann Belden (*ZIP code: 94117*)

25. Anthony Malson (*ZIP code: 94112*)

We need this!

26. Asheem Mamoowala (*ZIP code: 94122*)

This type of housing should always be fast tracked and not take so long to build.

27. Ashley Laws (*ZIP code: 94105*)

28. Alex Strader (*ZIP code: 94109*)

We must end NIMBYism and chip away at our housing crisis by building more housing. Thoughtful design and creative approaches like this are the way forward.

29. Philip McKay (*ZIP code: 94115*)

30. James Ausman (*ZIP code: 94110*)

We need more housing, not more excuses.

31. Avery Pickford (*ZIP code: 94114*)

32. barak gila (*ZIP code: 94110*)

if housing is a human right, let humans build housing -- Matt Yglesias

33. Bea Batz (*ZIP code: 94112*)

Dean Preston, you can't be a progressive only in certain parts of town. SE SF should not be used as some sort of affordable housing dumping ground either. Spreading out affordable housing throughout town makes the most sense. Segregation based on income is icky.

34. Beaudry Kock (*ZIP code: 94114*)

I left my heart in San Francisco, but regressive behavior by city politicians pandering to rich white people is really making me rethink that.

35. Ben Cook (*ZIP code: 94110*)

36. Benedict Donahue (*ZIP code: 94110*)

37. Bobak Esfandiari (*ZIP code: 94121*)

38. Elizabeth Olson (*ZIP code: 94131*)

Hello,

Please consider approving Small 4 unit infill housing project as SF has dire housing availability for regular Working people.

Thanks,
Elizabeth Olson

39. Ben Ewing (*ZIP code: 94118*)

40. bryan burkhart (*ZIP code: 94131*)

To: Supervisor Preston and the San Francisco Board of Supervisors

From: Bryan Burkhardt

Dean, I am surprised that you would stall a smart project like this as you posture as a tenants rights advocate, I would think you would understand the well considered project presented here.

We are in the midst of a decades-long housing crisis. We need to be doing everything we can to build more housing. Small infill projects are critical to addressing our shortage. Exclusionary zoning in wealthy neighborhoods mean \$5M McMansions are easily approved, but apartment buildings and missing middle housing are delayed and denied.

We ask the Board to immediately approve the four-unit project at 1846 Grove St. It's time to say YES to infill projects like this one. When we drive up costs, we drive up prices. Housing delayed is housing denied.

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This a a great opportunity for you to be on the right side of a well considered infill housing solution.

thank you,
Bryan Burkhardt

41. Bob Mills (*ZIP code: 94112*)

We need this housing built now!

42. Ima Arse (*ZIP code: 65733*)

Theo you are the stud!!!!

43. Sarah Boudreau (*ZIP code: 94123*)

44. Ben Phelps (*ZIP code: 90026*)

45. Katy Briggs (*ZIP code: 94122*)

Let's get more housing built!

46. christi azevedo (*ZIP code: 94103*)

this is a really dynamic project that provides excellent living and outdoor space. the home or duplex with 45% rear yard setback is inefficient and can lead to useless outdoor space and light only on front and rear of home. there should not be a myriad of appeal processes. if the planning commission approves- that's it.

47. Cacena Campbell (ZIP code: 94109)

48. Caleb Krywenko (ZIP code: 94122)

49. Caroline Bas (ZIP code: 94118)

50. Carol Wai (ZIP code: 94110)

51. Cary Bernstein (ZIP code: 94107)

52. Martin Guerra (ZIP code: 94114)

To: Supervisor Preston and the San Francisco Board of Supervisors

From: Martin Guerra

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53. Chandra Asken (ZIP code: 94110)

Beautiful project. Don't allow the few to spoil this for the many.

54. Charles Carriere (ZIP code: 94109)

55. Charmaine Curtis (ZIP code: 94127)

56. Gabriela Kaufman (ZIP code: 94121)

I believe we need more multi unit housing in the city especially on the west side where I currently live.

57. Chris Hallacy (ZIP code: 94117)

58. Chris Masterson (ZIP code: 94117)

I live just around the corner and am strongly in support. The project has been well considered and this city is in desperate need of housing. Surely will be an annoying construction process for the residents surrounding the site, but the homes they live in had to be built once too! Being a welcoming

city means building more space to live.

59. Chris Hansten (*ZIP code: 94117*)

I support small infill housing projects. We need all the housing we can get!

60. Cliff Bargar (*ZIP code: 94107*)

61. Colin Downs-Razouk (*ZIP code: 94122*)

I can understand why the people who live in these houses around this empty lot would prefer it to be empty, but by delaying construction on this lot you're essentially just gifting the space to the people around it, who already have so many advantages. This project seems like a no-brainer. This kind of delay seems typical for housing projects on west side of the city and we have to understand that delays have real costs in terms of deferring housing availability and disincentivizing future projects.

62. Emily Johnston (*ZIP code: 94114*)

63. Constance Bernstein (*ZIP code: 94117*)

Please approve this important project!!

64. Cori McElwain (*ZIP code: 94110*)

65. Corey Smith (*ZIP code: 94117*)

66. Cyd Harrell (*ZIP code: 94117*)

67. Cynthia Chapman (*ZIP code: 94117*)

68. Bruce Cyr (*ZIP code: 94112*)

Hello, I live in SF (District 11). At this rate my children will never be able to afford to live in the city they grew up in. BUILD MORE HOUSING! Please stop listening to the NIMBYs. Please do the right thing.

69. Dana Beuschel (*ZIP code: 94109*)

70. Dane Miller (*ZIP code: 94114*)

We need more housing!

71. Dan Toffey (*ZIP code: 94117*)

Why do we make people who want to build code compliant homes jump through arbitrary hoops that raise the cost of housing? The building codes are the building codes — enforce them, or change them. Discretionary review and arbitrary input processes do nothing but advantage entrenched and securely-housed homeowners, who have a vested interest in protecting their investment.

72. Darius Zubrickas (*ZIP code: 94115*)

73. Diana Tseng (*ZIP code: 94109*)

74. David Broockman (ZIP code: 94102)

75. David Cumby (ZIP code: 94133)

76. Dawn Ma (ZIP code: 94114)

The project is approved by the planning staff and commissioners who are the enforcer of the process. As a supervisor it is not your role to succumb to a handful of “public opinion” and overturn their job. By the same account for any judicial system will be an unruly soldiery, encouraging more illegal construction.

77. Deepak Jagannath (ZIP code: 94129)

78. Derrick Roorda (ZIP code: 94117)

Holding up this project after all other approvals is completely unjust. Stop the nimbyism. Do your job and help meet the housing needs in San Francisco. This project is very thoughtful, has cleared all technical hurdles, and should be approved immediately.

79. Derrick Low (ZIP code: 94109)

80. David Esler (ZIP code: 94110)

81. Desmond Niegowski (ZIP code: 94121)

82. Dan Federman (ZIP code: 94117)

83. Dylan Hulser (ZIP code: 94110)

84. Diana Ripple (ZIP code: 94110)

We should be adding housing where we can in San Francisco. We owe it to our residents to provide spaces for them to make a home!

85. David Kanter (ZIP code: 94114)

More housing. We need more housing.

86. David Kanter (ZIP code: 94114)

87. Dori Ganetsos (ZIP code: 94102)

88. Ethan Schlenker (ZIP code: 94110)

the city needs housing

89. Eduardo Jasso (ZIP code: 94114)

To: Supervisor Preston and the San Francisco Board of Supervisors

From: Dean Preston

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90. Edward Giordano (*ZIP code: 94611*)

91. Joshua Ehrlich (*ZIP code: 94117*)
Build more housing

92. Erika Etemad (*ZIP code: 94608*)

93. Elliot Onn (*ZIP code: 94117*)
As a resident of D5, I believe that we should support the creation of sensible housing.

94. Sophia Jiang (*ZIP code: 94109*)

95. Emily Schell (*ZIP code: 94117*)

96. Eric Marcus (*ZIP code: 94117*)

97. Erik Shilts (*ZIP code: 94131*)

98. Erin Thompson (*ZIP code: 94118*)

99. Eugene Katz (*ZIP code: 94121*)
This is a good project with potential homes for 4 families!

100. Eugene Brolly (*ZIP code: 94103*)

101. Eric Wooley (*ZIP code: 94117*)

102. Fabian Graf (*ZIP code: 94108*)

103. Rebecca Fedorko (ZIP code: 94102)

104. frank nolan (ZIP code: 94110)

105. Fred von Lohmann (ZIP code: 94114)

106. George Chikovani (ZIP code: 94127)

We need infill housing as part of the solution to the housing crisis. I support more infill housing in my neighborhood: Miraloma, Glen Park, Sunnyside

107. Jack Thompson (ZIP code: 94131)

108. Genève Campbell (ZIP code: 94123)

109. Matthew Gerring (ZIP code: 94117)

110. Garner Kropp (ZIP code: 94115)

I am a District 5 resident and voter. These projects should be approved.

111. Gerald Kanapathy (ZIP code: 94115)

112. Gordon Mohr (ZIP code: 94117)

We need creative new housing within walking distance of the panhandle, USF, Divis, & Haight!

113. Gabe Zitrin (ZIP code: 94109)

114. Hansen Qian (ZIP code: 94107)

115. Heather Olinto (ZIP code: 94131)

116. Hilary Clark (ZIP code: 94131)

117. Michael Hom (ZIP code: 94116)

I strongly support more housing in SF.

118. Homer Simpson (ZIP code: 94774)

Go yimby

119. Nicholas Marinakis (ZIP code: 94133)

120. Bora Ozturk (ZIP code: 94123)

121. Hilary Schiraldi (ZIP code: 94131)

122. Hannah Schwartz (ZIP code: 94114)

123. hubert hung (ZIP code: 94105)

124. Irene Malatesta (ZIP code: 94131)

I support new housing like this in San Francisco, making this city more livable for more people.

125. Inaki Longa (ZIP code: 94131)

Please don't waste your time arguing over this. Approve this project

126. Ira Kaplan (ZIP code: 94108)

127. john farhat (ZIP code: 94123)

128. Jeff Gard (ZIP code: 94110)

129. Jacob Rosenberg (ZIP code: 94110)

130. Jason Jervis (ZIP code: 94115)

We need more housing at ALL LEVELS!

131. Jay Donde (ZIP code: 94110)

132. Jayme Brown (ZIP code: 94115)

133. Jeff Lale (ZIP code: 94117)

SF desperately needs more housing of all kinds; let's build it quickly without added delay. And let's spend more time figuring out how to expedite housing production, including affordable housing.

134. Julie Goldobin (ZIP code: 94110)

Locals want more density. Build infill housing now!

135. James Hooker (ZIP code: 94117)

Build housing

136. Jonathan Quinteros (ZIP code: 94118)

137. Anya Kern (ZIP code: 94118)

138. Justin Brickell (ZIP code: 94117)

139. Jeremy Linden (ZIP code: 94103)

140. Joe Igber (ZIP code: 94611)

Best of luck!

141. Joe DiMento (ZIP code: 94131)

142. John Davis (ZIP code: 94110)

Please allow this infill housing project to move forward.

143. Jon Bradley (ZIP code: 94103)

Thanks

144. Jonathan Mofta (ZIP code: 94110)

145. Jordan Staniscia (ZIP code: 94110)

146. Jordon Wing (ZIP code: 94110)

147. Josh Ellinger (ZIP code: 94122)

148. juliana raimondi (ZIP code: 94103)

149. Joseph Mente (ZIP code: 94609)

150. Jeremy Smith (ZIP code: 94062)

151. Jonathan Tyburski (ZIP code: 94117)

It is unacceptable and irresponsible to delay housing in SF. We have had a long standing housing crisis and are now in the midst of a pandemic. Please dismiss this appeal and focus on addressing community needs, not aggravating them.

152. Judith Yang (ZIP code: 94123)

153. Julia Teitelbaum (ZIP code: 94103)

Can I stay in San Francisco? My friends are here, my job is here, my community is here. But the housing market is wearing me down. I look to rent, and the options are slim, pricey, and there's often landlords looking to nickel and dime you on laundry, trash, maintenance. I look to buy, just to see, and it's ridiculous, laughable. We call ourselves an inclusive city but you can only afford to own a home here if you can foot a cost of a million dollars or more. We say we're environmentally conscious but we'd rather have people drive for miles to commute than build homes near jobs.

Wealthy neighborhoods refuse to build more housing and, in doing so accelerate gentrification of poorer ones.

It is absurd that this infill project has been opposed for *years*. This dysfunction in our local politics is disheartening.

Please don't let a few neighbors kill hope of homes that cost less than a million dollars in SF.

154. June Kwon (*ZIP code: 94117*)

Please approve small Infill Housing Projects In Exclusionary Neighborhoods

155. Danielle Kanclerz (*ZIP code: 94110*)

156. Kanishka Cheng (*ZIP code: 94118*)

157. Kathy Keller (*ZIP code: 94131*)

Inclusion, not exclusion, is essential to social justice.

158. Katie Seitelman (*ZIP code: 94121*)

159. Kaylé Barnes (*ZIP code: 94115*)

As D5 resident, I'd love more housing available in my neighborhood-even "landlocked" housing.

160. Matthew Klenk (*ZIP code: 94127*)

161. Kurt Nangle (*ZIP code: 94114*)

162. Hui Lin (*ZIP code: 94117*)

Excellent and thoughtful design providing housing in a great neighborhood for people who need a home.

163. Kristy Wang (*ZIP code: 94112*)

164. Kenneth Russell (*ZIP code: 94132*)

165. Kevin Utschig (*ZIP code: 94110*)

166. Kurt McCulloch (*ZIP code: 94127*)

What a beautiful way to create housing in a city that so desperately needs it.

167. Ken Page (*ZIP code: 94103*)

To: Supervisor Preston and the San Francisco Board of Supervisors

From: Ken Page

We are in the midst of a decades-long housing crisis. We need to be doing everything we can to build more housing. Small infill projects are critical to addressing our shortage. Exclusionary zoning in wealthy neighborhoods mean \$5M McMansions are easily approved, but apartment buildings and missing middle housing are delayed and denied.

We ask the Board to immediately approve the four-unit project at 1846 Grove St. It's time to say YES

to infill projects like this one. When we drive up costs, we drive up prices. Housing delayed is housing denied.

As a San Francisco Supervisor, it is your responsibility to fix our housing crisis. Dismiss this unconscionable appeal. Stop prioritizing the concerns of wealthy homeowners and think about the families that could have access to good, stable housing in this great city. Spend less time arguing over 4 small units of housing and more time getting the stalled subsidized affordable housing developments in District 5 built. There is no excuse for not building more homes in San Francisco. San Francisco is not full.

168. An anonymous signer (*ZIP code: 94110*)

169. Kyle Cooper (*ZIP code: 94117*)

170. ALEXANDER LANDAU (*ZIP code: 94404*)

171. Matt Larson (*ZIP code: 94124*)

Please approve

172. Laura Fingal-Surma (*ZIP code: 94114*)

173. Laura Tepper (*ZIP code: 94131*)

Contesting this project undermines the best interests of our city and is unmistakably frivolous

174. Laura Foote (*ZIP code: 94103*)

Please support this housing!

175. Lauren Knight (*ZIP code: 94123*)

176. Lawrence Li (*ZIP code: 94117*)

177. Lenore Estrada (*ZIP code: 94102*)

More housing ASAP!

178. Nancy Lenvin (*ZIP code: 94133*)

Housing is desperately needed and this looks like a fantastic project.

179. Linda Carter (*ZIP code: 94112*)

180. Katie Byers (*ZIP code: 94131*)

We need more housing!

181. Lori Anderson (*ZIP code: 94131*)

Smaller homes at an affordable price is exactly what sf needs.

182. Lysa Ayres (ZIP code: 94122-2510)

183. Madelaine Boyd (ZIP code: 94114)

More housing for us citizens who need it! I live in an RH-2 neighborhood and I wish it were more dense.

184. Maria Danielides (ZIP code: 94117)

185. Marty Cerles Jr (ZIP code: 94115)

186. Matt Coelho (ZIP code: 94115)

It's a shame that the roadblocking by a couple of neighboring homeowners can help to maintain the housing crisis. How many approvals does this need? The Planning Commission UNANIMOUSLY approved this project.. what's the trouble?!

187. Matt Brezina (ZIP code: 94114)

Please stop the madness. And stop the performative bullshit. Let housing be built

188. Michael Dillon (ZIP code: 94117)

189. Megan Padalecki (ZIP code: 94117)

I am a 12-year resident of this neighborhood, and this project is a no-brainer. Forbidding this infill project is completely absurd!

190. Margaret Bonner (ZIP code: 94117)

As a neighbor I support this.

191. Mike Vladimer (ZIP code: 94110)

We need more homes in SF. Yes!!! Let's get this built now!

192. Michelle Mills (ZIP code: 94112)

I live in San Francisco District 12 which for some reason was not an option on your drop down list. I am in favor of this new housing project.

193. Mike Schiraldi (ZIP code: 94131)

It's time to dismantle the selfish machine wealthy white neighborhoods use to keep people away.

194. Michael Ducker (ZIP code: 94115)

As a nearby neighbor living in a backyard carriage house, it is important we continue to respect our 120+ year old traditions of quiet, private, affordable living. Please approve this project asap.

195. Miranda Dietz (ZIP code: 94131)

Build please! We need more housing in SF! Infill housing is great.

196. Kaushik Dattani (ZIP code: 94110)

197. Mitch Conquer (ZIP code: 94131)

198. Matthew Janes (ZIP code: 94110)

199. Molly Turner (ZIP code: 94114)

200. Molly Sun (ZIP code: 94102)

201. Margaret Kammerud (ZIP code: 94131)

202. Michael Plotitsa (ZIP code: 94121)

very good project

Like idea to use all available land

for needed housings

203. Lisa Wan (ZIP code: 94112)

204. Mike Sizemy (ZIP code: 94107)

205. Justine Tamaro (ZIP code: 95124)

206. Michael Brown (ZIP code: 94132)

207. Michael Gaines (ZIP code: 94117)

208. Maria Trinh (ZIP code: 94123)

Please increase density in SF and build housing that is affordable for families.

209. Nadia Rahman (ZIP code: 94118)

210. Mark Colwell (ZIP code: 94110)

In believable that this project, which displaces nobody and was unanimously passed by the planning commission, is now in limbo for another year? Absolutely no due process for San Franciscans trying to add housing units to the market

211. Paul Breed (ZIP code: 94107)

212. Nick Noyes (ZIP code: 94107)

I support infill housing in SF!

213. Nik Kaestner (ZIP code: 94112)

Cut the crap and build some housing!

214. Nathaniel Furniss (ZIP code: 94158)

215. Nick Lipanovich (*ZIP code: 94103*)

216. Noah KoucheKinia (*ZIP code: 94118*)

More housing!

217. Noah Christman (*ZIP code: 94705*)

This is outrageous. We desperately need housing, and this project will not adversely impact the community. Sup. Preston, you should be ashamed.

218. Olga Milan-Howells (*ZIP code: 94131*)

219. Orchid Bertelsen (*ZIP code: 94102*)

220. Stephanie Oh (*ZIP code: 94131*)

221. Livesey Pack (*ZIP code: 94121*)

222. Patrick Otellini (*ZIP code: 94112*)

223. Paul Tucker (*ZIP code: 94117*)

I live (Masonic & McAllister) in a neighborhood where a 'flag' lot is attempting development. I attended a community meeting at the Haight library regarding the lot surround by Fulton, Grove, Masonic and Ashbury. Other than logistical concerns of where trucks might park during construction I have not heard any concerns that rise to the level of policy. If this lot is zoned for residential it should move forward without delay.

I am a homeowner and support additional housing being built in my neighborhood.

224. Paul Espiniza (*ZIP code: 94110*)

225. Blake Carpenter (*ZIP code: 94102*)

226. Peter Liang (*ZIP code: 94110*)

227. peter dennehy (*ZIP code: 94107*)

Please make it easier to build in San Francisco by San Franciscans

228. Philip Crone (*ZIP code: 94112*)

229. Phillip Kobernick (*ZIP code: 94131*)

230. David Pieper (*ZIP code: 94105*)

231. RIA BRIGMANN (*ZIP code: 95476*)

232. Kwang Ketcham (*ZIP code: 94133*)

233. Theodore Randolph (*ZIP code: 94112*)

I think it's also time to reconsider supervisorial prerogative. Dean Preston already broke the traditional by voting against a project that's promising to inject millions of dollars into the affordable housing trust fund, located in Supervisor Stephani's district.

234. Perry Wexelberg (*ZIP code: 94608*)

I am an architect with our office based in San Francisco and this project seems completely reasonable and should be approved. This is an equity issue, while parts of the city that historically have less political power have been completely gentrified (The Mission), wealthy parts of the city remain unchanged, preserved in amber to maintain property values for the wealthy and historically privileged.

235. Rachel Fehr (*ZIP code: 94609*)

236. Rajiv Batra (*ZIP code: 94131*)

Jesus Christ, stop making us fight and beg for years over each little thing that should've been approved by default in 5 minutes. You're indefinitely delaying bungalows on empty lots now? Fuck. It's empty. EMPTY. Stop wasting everyone's time, unblock this, approve it, and focus on something worthwhile.

237. Ramon Iglesias (*ZIP code: 94102*)

Bureaucrats and politicians should not block the way to building more housing, whatever the features of it is.

Dean Preston and other members of the Board of Supervisors, stand aside and let this project be built!

238. Riley Avron (*ZIP code: 94102*)

239. Ryan Natividad (*ZIP code: 78705*)

240. Rebecca Gates (*ZIP code: 94114*)

Please approve this project. Don't deny people the right to housing. Thank you.

241. Reed Schwartz (*ZIP code: 94115*)

242. Robert Fruchtman (*ZIP code: 94117*)

243. Rodrigo Garcia-Uribe (*ZIP code: 94114*)

We need more housing wherever we can get it.

244. Richard Ballard (*ZIP code: 94131*)

As a San Francisco resident and homeowner I believe it is critical to address our city's housing and affordability crisis to support an equitable city for all. Please approve this housing unit.

245. Rishi Bhardwaj (ZIP code: 94158)
Down with NIMBYism!

246. Robin Kutner (ZIP code: 94117)

247. Auros Harman (ZIP code: 94066)

248. Roan Kattouw (ZIP code: 94109)

249. robin kutner (ZIP code: 94117)

250. Brent Hores (ZIP code: 94114)
SF needs more housing. Now!

251. Roy Leggitt (ZIP code: 94115)
Please support this development of a large vacant lot. I love the architecture and innovative design. We need more of these type of projects to allow families to enter communities and have a nice place to live. The neighbors should be thankful that modest, affordable and family-friendly new neighbors will be able to become part of their neighborhood.

252. Ryan Barrett (ZIP code: 94117)
Because everyone should have the chance to live in SF.

253. Sarah Keizer (ZIP code: 94114)
Please move forward with this project. As a long time San Francisco resident and design professional, I know how much this housing is needed and how San Francisco has suffered through the extracted permitting process. We need to support this now for our city and our people. Good thoughtful design is good for everyone. It brings the whole community up! Please move this forward!

254. Nicholas Hemenway (ZIP code: 94158)

255. Steve Hoffman (ZIP code: 94114)

256. Sabeek Pradhan (ZIP code: 94107)

257. Sage Vanden Heuvel (ZIP code: 94110)
Dear Board of Supervisors,

You have completely failed to address the housing crisis in San Francisco. Upzone the entire city, allow by-right construction of apartment buildings with no setbacks, no parking requirement, no height limits, and no FAR limits. Defund and disband the Planning Commission. Eliminate discretionary review. Reduce the permitting process for new businesses to allow operating permits within two months of application, maximum.

The citizens of San Francisco and the Bay Area are suffering from your inaction and complicity. If you are unable or unwilling to take the steps necessary to bring San Francisco into the 21st century,

resign.

Best,
Sage V.H.

258. Sam Wrightson (*ZIP code: 94110*)

259. Sam Miller (*ZIP code: 94102*)

260. Sara Ogilvie (*ZIP code: 94110*)

261. Sara Maamouri (*ZIP code: 94110*)

262. Sarah Berger (*ZIP code: 94114*)

263. Scot Conner (*ZIP code: 94704*)

264. Scott Cataffa (*ZIP code: 94112*)

265. sean lundy (*ZIP code: 94110*)

San Francisco needs more of this type of housing, please approve this badly needed project.

266. Ansh Shukla (*ZIP code: 94114*)

Resident of the Lower Haight who would love to see this cute little courtyard of homes built.

267. SENALEE KAPELEVICH (*ZIP code: 94127*)

268. Edward Shoikhet (*ZIP code: 94122*)

269. Anthony Fox (*ZIP code: 94109*)

270. Shahin Saneinejad (*ZIP code: 94117*)

271. Shannon Hee (*ZIP code: 94610*)

272. Shannon DeLong (*ZIP code: 946131*)

Dear Sandra,

It is unacceptable to assume everyone can afford multi million dollar houses. Where are these people supposed to live?

273. Dmitry Shapiro (*ZIP code: 94117*)

How is more housing on unused available land not a good thing for the neighborhood? the businesses servicing the neighborhood? the tax base of the neighborhood?

274. Michelle Birch (ZIP code: 94114)

This is a sustainable, thoughtful, beautiful design that preserves privacy and the existing old growth trees.

275. ed sidawi (ZIP code: 94110)

276. Sidharth Kapur (ZIP code: 94612)

277. Steve Marzo (ZIP code: 94112)

278. Sean Murphy (ZIP code: 94123)

279. Sonja Trauss (ZIP code: 94607)

Legalize Housing! Building housing is part of what we need, if housing is going to be a human right.

What's that land doing now, that is so great? Why is having it be an inaccessible meadow in the middle of a big city better than having it be a place for people to live.

If you think the problem with the project is that it is too small, then please feel free to help make it bigger.

280. Sophie Constantinou (ZIP code: 94110)

Build more housing!

281. Brian Stechschulte (ZIP code: 94122)

282. Tyler Stegall (ZIP code: 94122)

I'm incredibly disappointed that the San Francisco Board of Supervisors continues to endorse historically racist and exclusionary housing policy by delaying and denying new housing in historically exclusionary neighborhoods. Obstructing these projects is antithetical to progressive values and doesn't help San Francisco to become a more equitable city to live in. Let this housing get built!

283. Steven Buss (ZIP code: 94102)

284. Rachel Langdon (ZIP code: 94110)

285. Anjelika Plotitsa (ZIP code: 94121)

286. Stephen Fiehler (ZIP code: 94131)

We need more housing in SF to make living here more affordable

287. Timothy Bauman (ZIP code: 94117)

288. Michael Terndrup (ZIP code: 94301)

289. Becky Simmons (ZIP code: 85611)

Say no to NIMBY-ism! We need more housing!

290. Brian Ito (ZIP code: 94117)

This is really disappointing that we have to sign this petition. Dean Preston is my supervisor and I'm not sure why he wouldn't be in support of a project like this. This seems like a great way to introduce more housing in the neighborhood so not sure why he'd be against this.

291. Ryan Booth (ZIP code: 94117)

Stop these racist exclusionary housing policies.

292. Theo Gordon (ZIP code: 94115)

293. Theresa Runkle (ZIP code: 94127)

I like be in District 7, and I support infill development of new housing in SF. People need places to live!

294. Tom Meyer (ZIP code: 60610)

295. Troy Kashanipour (ZIP code: 94107)

296. Tom Buehler (ZIP code: 94110)

297. Thomas Webster (ZIP code: 94109)

298. Thomas POWERS (ZIP code: 94158)

299. Truc Nguyen (ZIP code: 94109)

300. Tara Killebrew (ZIP code: 94131-2941)

I've yet to read a good argument why more housing in a dense city shouldn't be encouraged.

301. Vicki Wang (ZIP code: 94115)

302. VICTOR ZEPEDA RUIZ (ZIP code: 94132)

303. Vin Leger (ZIP code: 94131)

To: Supervisor Preston and the San Francisco Board of Supervisors

From: Vincent Leger

We are in the midst of a decades-long housing crisis. We need to be doing everything we can to build more housing. Small infill projects are critical to addressing our shortage. Exclusionary zoning in wealthy neighborhoods mean \$5M McMansions are easily approved, but apartment buildings and missing middle housing are delayed and denied.

We ask the Board to immediately approve the four-unit project at 1846 Grove St. It's time to say YES

to infill projects like this one. When we drive up costs, we drive up prices. Housing delayed is housing denied.

As a San Francisco Supervisor, it is your responsibility to fix our housing crisis. Dismiss this unconscionable appeal. Stop prioritizing the concerns of wealthy homeowners and think about the families that could have access to good, stable housing in this great city. Spend less time arguing over 4 small units of housing and more time getting the stalled subsidized affordable housing developments in District 5 built. There is no excuse for not building more homes in San Francisco. San Francisco is not full.

304. Vadim Litvak (*ZIP code: 94116*)

Supervisor Mar

This city needs more housing projects like this, where multiple families can live on common ground. Since building up multi-family housing is problematic, it makes logical sense to subdivide land to create space within zoning limits.

305. John Kaufman (*ZIP code: 94131*)

I live in District 8 and support the possibility for multi unit housing as well as single family housing in all San Francisco neighborhoods due to the severe housing crisis that seems to be getting worse.

306. Vladimir Vlad (*ZIP code: 94102*)

There is absolutely no reason this shouldn't be built.

307. Charles Whitfield (*ZIP code: 94107*)

308. Jack Woodruff (*ZIP code: 94608*)

309. William Reeves (*ZIP code: 94117*)

Fewer units -> less supply -> higher prices -> people who can't afford it anymore moving to lower income/cheaper neighborhoods.

310. Cole Wrightson (*ZIP code: 94115*)

311. yafah franco (*ZIP code: 94131*)

312. Bozo Cloone (*ZIP code: 06155*)

Yes to infill projects

313. Zack Subin (*ZIP code: 94112*)

314. Zach Klein (*ZIP code: 94110*)

first_name	last_name	zip_code	email
David	Broockman	94102	not published for privacy
Sam	Miller	94102	
Molly	Sun	94102	
Steven	Buss	94102	
Rebecca	Fedorko	94102	
Blake	Carpenter	94102	
Lenore	Estrada	94102	
Orchid	Bertelsen	94102	
Ramon	Iglesias	94102	
Riley	Avron	94102	
Vladimir	Vlad	94102	
christi	azevedo	94103	
Julia	Teitelbaum	94103	
Jeremy	Linden	94103	
juliana	raimondi	94103	
Nick	Lipanovich	94103	
Eugene	Brolly	94103	
Ken	Page	94103	
Jon	Bradley	94103	
David	Pieper	94105	not published for privacy
Ashley	Laws	94105	
hubert	hung	94105	
Paul	Breed	94107	
Hansen	Qian	94107	
Cliff	Bargar	94107	
Charles	Whitfield	94107	
Michael	Sizemore	94107	
peter	dennehy	94107	
Cary	Bernstein	94107	
Mario	Accordino	94107	
Sabeek	Pradhan	94107	
Nick	Noyes	94107	
Ana	Guerrero	94107	
Troy	Kashanipour	94107	
Ira	Kaplan	94108	not published for privacy
Fabian	Graf	94108	
Gabe	Zitrin	94109	
Charles	Carriere	94109	
Roan	Kattouw	94109	
Dana	Beuschel	94109	
Truc	Nguyen	94109	
Derrick	Low	94109	
Thomas	Webster	94109	
Anthony	Fox	94109	
Alex	Strader	94109	
Alim	Virani	94109	

Diana	Tseng	94109
Cacena	Campbell	94109
Sophia	Jiang	94109
Matthew	Janes	94110
Sophie	Constantinou	94110
Rachel	Langdon	94110
Kevin	Utschig	94110
	kvngao@gmail.com	94110
Sage	Vanden Heuvel	94110
James	Ausman	94110
John	Davis	94110
Dylan	Hulser	94110
Barak	Gila	94110
Aaron	Kanter	94110
Michael	Vladimer	94110
Zach	Klein	94110
Ethan	Schlenker	94110
David	Esler	94110
Mark	Colwell	94110
Cori	McElwain	94110
Jordan	Staniscia	94110
Andrew	Martone	94110
Jeff	Gard	94110
Anna	Rose	94110
Julie	Goldobin	94110
Sara	Maamouri	94110
Diana	Ripple	94110
frank	nolan	94110
Sara	Ogilvie	94110
ed	sidawi	94110
Chandra	Asken	94110
Tom	Buehler	94110
Jonathan	Mofta	94110
Jay	Donde	94110
Jordon	Wing	94110
Benedict	Donahue	94110
Jacob	Rosenberg	94110
Danielle	Kanclerz	94110
Sam	Wrightson	94110
sean	lundy	94110
Carol	Wai	94110
Peter	Liang	94110
Ben	Cook	94110
Paul	Espiniza	94110
Kaushik	Dattani	94110
Michelle	Mills	94112
Amy	Markowitz	94112

Zack	Subin	94112
Bruce	Cyr	94112
Kristy	Wang	94112
Scott	Cataffa	94112
Patrick	Otellini	94112
Theodore	Randolph	94112
Shahin	Saneinejad	94112
Steve	Marzo	94112
Nik	Kaestner	94112
Bob	Mills	94112
Bea	Batz	94112
Linda	Carter	94112
Anthony	Malson	94112
Adam	Breon	94112
Rebecca	Gates	94114
Fred	von Lohmann	94114
Michelle	Birch	94114
Martin	Guerra	94114
Avery	Pickford	94114
Dane	Miller	94114
Rodrigo	Garcia-Uribe	94114
Laura	Fingal-Surma	94114
Kurt	Nangle	94114
Molly	Turner	94114
Alex	Gripshover	94114
Sarah	Berger	94114
Sarah	Keizer	94114
Matt	Brezina	94114
Emily	Johnston	94114
Brent	Hores	94114
Eduardo	Jasso	94114
Ansh	Shukla	94114
Hannah	Schwartz	94114
David	Kanter	94114
Madelaine	Boyd	94114
Alexandra	Nangle	94114
David	Kanter	94114
Steve	Hoffman	94114
Beaudry	Kock	94114
Dawn	Ma	94114
Laurence	Griffin	94115
Michael	Ducker	94115
KaylÃ©	Barnes	94115
Vicki	Wang	94115
Darius	Zubrickas	94115
Gerald	Kanapathy	94115
Marty	Cerles Jr	94115

Jason	Jervis	94115
Cole	Wrightson	94115
Jayme	Brown	94115
Garner	Kropp	94115
Theo	Gordon	94115
Roy	Leggitt	94115
Matt	Coelho	94115
Amanda	Par	94115
Reed	Schwartz	94115
Amir	Afifi	94115
Philip	McKay	94115
Vadim	Litvak	94116
Michael	Hom	94116
Matthew	Gerring	94117
Andrew	Sullivan	94117
Michael	Dillon	94117
Cyd	Harrell	94117
Kyle	Cooper	94117
Derrick	Roorda	94117
Dan	Toffey	94117
Jeff	Lale	94117
Lawrence	Li	94117
Eric	Wooley	94117
Aaron	Johnson	94117
Timothy	Bauman	94117
James	Hooker	94117
Elliot	Onn	94117
Jonathan	Tyburski	94117
Constance	Bernstein	94117
Emily	Schell	94117
Eric	Marcus	94117
Robert	Fruchtman	94117
Chris	Hansten	94117
Brian	Ito	94117
Justin	Brickell	94117
Paul	Tucker	94117
June	Kwon	94117
Ryan	Booth	94117
Andrew	Wooster	94117
robin	kutner	94117
Robin	Kutner	94117
Ann	Belden	94117
Corey	Smith	94117
Chris	Hallacy	94117
Joshua	Ehrlich	94117
Dan	Federman	94117
Ryan	Barrett	94117

Michael	Gaines	94117
Maria	Danielides	94117
William	Reeves	94117
Chris	Masterson	94117
Margaret	Bonner	94117
Megan	Padalecki	94117
Hui	Lin	94117
Gordon	Mohr	94117
Cynthia	Chapman	94117
Dmitry	Shapiro	94117
Mike	Donnelly	94117
Ben	Ewing	94118
Nadia	Rahman	94118
Kanishka	Cheng	94118
Caroline	Bas	94118
Erin	Thompson	94118
Jonathan	Quinteros	94118
Jonathan	Quinteros	94118
Noah	KoucheKinia	94118
Bobak	Esfandiari	94121
Livesey	Pack	94121
Desmond	Niegowski	94121
Gabriela	Kaufman	94121
Katie	Seitelman	94121
Anjelika	Plotitsa	94121
Eugene	Katz	94121
Michael	Plotitsa	94121
Josh	Ellinger	94122
Asheem	Mamoowala	94122
Katy	Briggs	94122
Tyler	Stegall	94122
Edward	Shoikhet	94122
Colin	Downs-Razouk	94122
Caleb	Krywenko	94122
Brian	Stechschulte	94122
Lysa	Ayres	94122
john	farhat	94123
Sarah	Boudreau	94123
GenÃ"ve	Campbell	94123
Maria	Trinh	94123
Bora	Ozturk	94123
Alex	Walker	94123
Sean	Murphy	94123
Judith	Yang	94123
Lauren	Knight	94123
Matt	Larson	94124
George	Chikovani	94127

Theresa	Runkle	94127
Matthew	Klenk	94127
Charmaine	Curtis	94127
Kurt	McCulloch	94127
SENALEE	KAPELEVICH	94127
Deepak	Jagannath	94129
Lori	Anderson	94131
Miranda	Dietz	94131
Erik	Shilts	94131
Angelica	Cupat	94131
Jack	Thompson	94131
Stephanie	Oh	94131
Joseph	DiMento	94131
Richard	Ballard	94131
Margaret	Kammerud	94131
Kathy	Keller	94131
Stephen	Fiehler	94131
Mitch	Conquer	94131
Lisa	Wan	94131
Hilary	Clark	94131
Allen	Arieff	94131
Rajiv	Batra	94131
Laura	Tepper	94131
Katie	Byers	94131
yafah	franco	94131
Irene	Malatesta	94131
Phillip	Kobernick	94131
alexandra	akopova	94131
Olga	Milan-Howells	94131
bryan	burkhart	94131
Tara	Killebrew	94131
Mike	Schiraldi	94131
Inaki	Longa	94131
Vin	Leger	94131
Hilary	Schiraldi	94131
John	Kaufman	94131
Elizabeth	Olson	94131
Heather	Olinto	94131
Michael	Brown	94132
Kenneth	Russell	94132
VICTOR	ZEPEDA RUIZ	94132
Kwang	Ketcham	94133
Anika	Steig	94133
Nicholas	Marinakis	94133
David	Cumby	94133
Nancy	Lenvin	94133
Laura	Foote	94133

Allison	Arieff	94141
Nathaniel	Furniss	94158
Adam	Buck	94158
Thomas	Powers	94158
Rishi	Bhardwaj	94158
Nicholas	Hemenway	94158
Michael	Terndrup	94301
ALEXANDER	LANDAU	94404
Sonja	Trauss	94607
Elika	Etemad	94608
Perry	Wexelberg	94608
Jack	Woodruff	94608
Rachel	Fehr	94609
Joseph	Mente	94609
Shannon	Hee	94610
Edward	Giordano	94611
Joe	Igber	94611
Sidharth	Kapur	94612
Shannon	DeLong	94613
Scot	Conner	94704
Noah	Christman	94705
Homer	Simpson	94774
Amanda	Ryan	95124
Justine	Tamaro	95124
RIA	BRIGMANN	95476
Dori	Ganetsos	95819
Philip	Crone	
Tom	Meyer	60610
Ima	Arse	65733
Ryan	Natividad	78705
Becky	Simmons	85611
Ben	Phelps	90026
Jeremy	Smith	94062
Auros	Harman	94066

From: [BOS Legislation, \(BOS\)](#)
To: [Brian Kingan](#); ["Malinda Kai Tuazon"](#); [Troy Kashanipour](#)
Cc: [PEARSON, ANNE \(CAT\)](#); [STACY, KATE \(CAT\)](#); [JENSEN, KRISTEN \(CAT\)](#); [Teague, Corey \(CPC\)](#); [Sanchez, Scott \(CPC\)](#); [Gibson, Lisa \(CPC\)](#); [Jain, Devyani \(CPC\)](#); [Navarrete, Joy \(CPC\)](#); [Lewis, Don \(CPC\)](#); [Varat, Adam \(CPC\)](#); [Sider, Dan \(CPC\)](#); [Starr, Aaron \(CPC\)](#); [Rodgers, AnMarie \(CPC\)](#); [Ionin, Jonas \(CPC\)](#); [Dito, Matthew \(CPC\)](#); [Rosenberg, Julie \(BOA\)](#); [Sullivan, Katy \(BOA\)](#); [Longaway, Alec \(BOA\)](#); [BOS-Supervisors](#); [BOS-Legislative Aides](#); [Calvillo, Angela \(BOS\)](#); [Somera, Alisa \(BOS\)](#); [Mchugh, Eileen \(BOS\)](#); [BOS Legislation, \(BOS\)](#)
Subject: PLANNING DEPARTMENT RESPONSE: Appeal of Conditional Use Authorization and CEQA Exemption Determination - Proposed 1846 Grove Street Project - Appeal Hearing on July 28, 2020
Date: Monday, July 20, 2020 12:14:05 PM
Attachments: [image001.png](#)

Hello,

The Office of the Clerk of the Board received the following appeal responses from the Planning Department, regarding the appeals of the Categorical Exemption under the California Environmental Quality Act and Conditional Use Authorization for the proposed project at 1846 Grove Street.

[Planning Department Response - CEQA Appeal - July 27, 2020](#)

[Planning Department Response - CUA Appeal - July 27, 2020](#)

NOTE: The President may entertain a motion to continue the following appeal hearings to the Board of Supervisors' meeting of Tuesday, August 25, 2020.

I invite you to review the entire matter on our [Legislative Research Center](#) by following the links below:

[Board of Supervisors File No. 200746](#)

[Board of Supervisors File No. 200750](#)

Best regards,

Lisa Lew

San Francisco Board of Supervisors
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San Francisco, CA 94102
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lisa.lew@sfgov.org | www.sfbos.org

(VIRTUAL APPOINTMENTS) To schedule a "virtual" meeting with me (on Microsoft Teams), please ask and I can answer your questions in real time.

Due to the current COVID-19 health emergency and the Shelter in Place Order, the Office of the Clerk of the Board is working remotely while providing complete access to the legislative process and our services.



Click [here](#) to complete a Board of Supervisors Customer Service Satisfaction form

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.



SAN FRANCISCO PLANNING DEPARTMENT

Conditional Use Authorization Appeal 1846 Grove Street

DATE: July 27, 2020
TO: Angela Calvillo, Clerk of the Board of Supervisors
FROM: Rich Hillis, Planning Director – (415) 558-6411
Matt Dito, Case Planner – (415) 575-9164
RE: Board File No. 200750, Planning Record No. 2018-011441APL
Appeal of Conditional Use Authorization for 1846 Grove Street
HEARING DATE: July 28, 2020
ATTACHMENTS:
A. Planning Commission Approval (Motion No. 20681)
B. Appeal Letter (dated May 11, 2020)

PROJECT SPONSOR: Troy Kashanipour, Troy Kashanipour Architecture, 2325 3rd Street, Suite 401, San Francisco, CA 94107
APPELLANTS: Meg Gray, 1829 Fulton Street, San Francisco, CA 94117; and
Malinda Kai Tuazon, 613 Masonic Avenue, San Francisco, CA 94117

DEPARTMENT'S RECOMMENDATION: Uphold the Conditional Use Authorization and deny the appeal.

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 Sections 303 (Conditional Use Authorization), 207 (Dwelling Unit Density Limits), and 209.1 (RH [Residential, House] Districts), to allow the construction of four two-story single-family dwelling units at 1846 Grove Street ("Project Site"), within an RH-2 (Residential, House – Two Family) Zoning District and a 40-X Height & Bulk District ("the Project").

This response addresses the appeal ("Appeal Letter") to the Board filed on May 11, 2020 by Meg Gray and Malinda Kai Tuazon. The Appeal Letter referenced the proposed project in Planning Record No. 2018-011441CUA.

The decision before the Board is whether to uphold or overturn the Planning Commission's approval of Conditional Use Authorization to allow construction of the Project.

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SITE DESCRIPTION & PRESENT USE

The Project Site is located on the south side of Fulton Street in the Haight Ashbury neighborhood between Ashbury Street and Masonic Avenue. The lot is an undeveloped “flag lot” (a lot with minimal street frontage and a long access path before widening at the rear). The majority of lot area is at the rear, where the mid-block open space is typically located, and shares a property line with 17 adjacent lots. The lot slopes upward approximately 10 percent from the east to the west. The lot is accessed from Fulton Street, despite the Grove Street address.

SURROUNDING PROPERTIES AND NEIGHBORHOOD

The Project Site is located within both an RH-2 and RH-3 Zoning District in the Haight Ashbury neighborhood. The front of the lot (containing the accessway from Fulton Street) is zoned RH-3 and will not be developed. The Project proposes to construct the four dwelling units only in the area of the lot located within an RH-2 Zoning District. The lots adjacent to the Project Site are predominantly zoned RH-2 and RH-3, with three-story one- or two-family dwellings. The corner lot to the northeast of the Project Site is located in an NC-1 Zoning District, with a four-story eight-family dwelling located on the lot. While there are no nearby commercial corridors, the Project Site is located approximately one-half block away from a shopping center at Masonic Avenue and Fulton Street, which contains many neighborhood necessities.

PROJECT DESCRIPTION

The Project includes the construction of four two-story single-family dwelling units in the rear yard of a vacant lot. The dwellings consist of two two-bedroom dwellings and two three-bedroom dwellings. The units range in size from 1,026 to 1,407 square feet. The Project includes 10 bicycle parking spaces and no off-street automobile parking spaces. The Project proposes a mixture of public and private open space, with a total of 2,390 square feet being usable. There is a total of 3,753 square feet of open space included in the Project.

BACKGROUND

2018 – Conditional Use Authorization Application filed

On August 20, 2018, Troy Kashanipour of Troy Kashanipour Architecture (hereinafter “Project Sponsor”) filed Application No. 2018-011441CUAVAR (hereinafter “Application”) with the Planning Department (hereinafter “Department”) for Conditional Use Authorization for the Project.

The Project includes four dwelling units in an RH-2 Zoning District. Typically, on lots within an RH-2 Zoning District two dwelling units are principally permitted. Pursuant to Planning Code Sections 207 and 209.1, one dwelling unit per 1,500 square feet of lot area may be permitted with Conditional Use Authorization. With Conditional Use Authorization, a maximum of five dwelling units are permitted. The Project proposes four dwelling units.

2019 – Conditional Use Authorization hearing

On December 12, 2019, the Commission conducted a duly noticed public hearing at a regularly scheduled meeting on the Project. After hearing and closing public comment, the hearing on the Project was continued to March 12, 2020.

2020 – Conditional Use Authorization hearing

The Project was subsequently continued from March 12, 2020 to March 19, 2020, March 26, 2020, and April 9, 2020. The continuances were due to meeting cancellations from the COVID-19 pandemic.

At the April 9, 2020 public hearing, which was conducted remotely, the Commission granted Conditional Use Authorization, pursuant to Planning Code Sections 303, 207, and 209.1, for the Project.

CONDITIONAL USE AUTHORIZATION REQUIREMENTS

In reviewing Conditional Use applications, the Commission must refer to the criteria outlined in Section 303 (Conditional Uses) of the Planning Code. Section 303 states that the following must be met in order for the Commission to grant approval of an application:

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.
4. Such use or feature as proposed will provide development that is in conformity with the stated purpose of the applicable Use District.
5. The use or feature satisfies any criteria specific to the use or feature in Subsections (g), *et seq.* of this [Planning Code] Section [303].

If a Project meets the criteria outlined in Section 303 of the Code, then the Commission may grant Conditional Use Authorization.

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: The Appellant contends that the Project is not necessary or desirable for the neighborhood and community.

Response 1: After reviewing all relevant case material and considering public comment, the Planning Commission made the determination that the proposed project is necessary and desirable for the following reasons:

1. The density is appropriate, given the size of the subject lot relative to the lot sizes in the surrounding area. The subject lot area measures at approximately 7,900 square feet. The 16 adjacent lots range in area from 2,250 square feet to 3,438 square feet. All lots are zoned either RH-2 (Residential, House – Two Family) or RH-3 (Residential, House – Three Family). The exception is the lot at the southwest corner of Masonic Avenue and Fulton Street that is approximately 5,000 square feet in area and is part of a Neighborhood Commercial District. Given that the subject lot, which maintains both RH-2 and RH-3 zoning designations, is more than twice as large as even the largest adjacent lots zoned RH-2 or RH-3, four dwelling units is an appropriate development proposal. When calculating density as a ratio of dwelling units to lot area, the Project proposes less density than the adjacent lots principally permitted density.
2. The scale and design of the Project is considerate of the adjacent properties. The Project incorporates property line setbacks and sloped roofs for second stories where an adjacent lot would be most adversely impacted by the development, such as the northwest corner where “Dwelling #3”¹ is located. One-story structures on property lines are not considered to be an adverse impact to adjacent properties, as one story is generally the same height as a property line fence, creating no discernible visual impact. The Project proposes a maximum of two stories in height for all structures to reduce the impact on adjacent lots. The Project Site is located within a 40-foot height and bulk district, and the adjacent properties are generally three- and four-story structures. Two-story structures are appropriate given the location of the Project in the mid-block, and considerate of the adjacent properties.
3. The Planning Commission also determined that, on balance, the Project is consistent with the San Francisco General Plan, particularly the Housing Element. The Housing Element identifies housing development on vacant, residential zoned sites as one of the City’s primary methods to increase housing stock². Additionally, the Housing Element identifies all housing production, not just affordable housing production, as a primary objective³ for the City.

¹ As seen in Sheet A1.2 of the plan set in Exhibit A.

² Section IV (“Meeting Housing Needs), subsection A.3 states “[l]ocating new housing development in [undeveloped residential lots] makes sense, as housing should go where other housing already exists...there would be little impact on the neighborhoods’ residential character.”

³ Issue 1, Objective 1, Policy 1.1 in the Housing Element states the City should “[p]lan for the full range of housing needs in the City and County of San Francisco, especially affordable housing.”

In summary, the Commission found that the size of the Project Site in relation to the adjacent properties, the design of the Project, and its conformity with the City's General Plan made the request for additional density a necessary, desirable, and compatible with the neighborhood.

Issue 2: The Appellant states that the Project has been granted variances for the density limit, rear yard, dwelling unit exposure, and bicycle parking access requirements of the Planning Code without providing any social benefit to the City.

The Appellant further states that below market rate housing is an example of a social benefit that the Project does not include, and because the Project does not increase the City's stock of affordable housing by providing any below market rate units, it is not necessary or desirable.

Response 2: The CU appeal process is not the appropriate way to appeal a Variance, and the variances granted for this project were not appealed by the appellant through the variance appeal process. In addition, of the five findings that are required for a Variance, providing a public benefit is not one of them.

The granting, or denial, of a variance allows any aggrieved person the right to appeal the variance decision to the Board of Appeals. The appeal must be made within ten days after the date of issuance of the variance decision. The Zoning Administrator issued a signed variance decision letter on June 19, 2020, which was distributed to the appellant. An appeal was not filed on the decision. The granted variances from the rear yard, exposure, and bicycle parking access requirements are not subject to the appeal of the Conditional Use Authorization that is before the Board.

The Planning Code does not permit variances from density limits. The authorization for the Project to exceed the principally permitted dwelling unit density limit was granted by the Commission as part of the Conditional Use Authorization. Therefore, the authorization for exceeding the dwelling unit density is subject to this appeal before the Board.

Additionally, the Appellant stated that the Project does not provide any social benefits to the City, such as below market rate uses. Below market rate units are only required for Projects proposing a total of 10 or more dwelling units. As the Project only proposes four dwelling units, below market rate units are not required, nor can they be imposed by the Planning Commission on a case-by-case basis. Nor can the Zoning Administrator require inclusionary units as a condition for granting a variance.

Issue 3: The Appellant contends that the Project is a safety hazard.

Response 3: Life and Safety Issues are not under the purview of the Planning Code; however, the Project will be reviewed for full compliance with all technical life and safety codes by other responsible departments.

The issues raised by the applicant are not under the purview of the Planning Code. If any review body responsible for implementing life and safety standards determines that the Project, in whole or in part, is not compliant with the City's safety standards, revisions will be required to the Project to meet said standards. If the standards cannot be met, the Project will not be built.

To acknowledge the concerns of the neighborhood, the Commission imposed a condition of approval⁴ that stated "[s]hould compliance with technical standards related to fire safety result in a significant change to the Project, as determined by the Zoning Administrator, then a new Conditional Use authorization shall be required by the Planning Commission." The intent of this condition was to ensure that any significant change to the Project, including, but not limited to, design, square footage, massing, or number of dwelling units, would require a new application. A new application would then allow for additional public input.

In summary, the Commission found that because the Project will be required to comply with all life and safety standards it does not pose any threat to the safety of future tenants or nearby residents. Additionally, the Project will be required to file a new Conditional Use Authorization application should significant changes occur to the Project, allowing for further community input in the Project if necessary.

Issue 4: The Appellant states that the Project adverse impacts on traffic patterns for persons and vehicles due to a lack of off-street parking and loading.

Response #4: Staff disagrees that not providing on-site parking increases traffic.

Consistent with the City's Transit First policy and the City's efforts to reduce our greenhouse gas emissions, San Francisco removed minimum parking controls from the Planning Code. At the time, San Francisco was the first major city in the US to completely remove minimum parking requirements city-wide, starting off a trend that continues to grow. Further, research shows that requiring parking actually increases rather than reduces traffic⁵ by prioritizing the use of the private automobiles over other forms of transit; however, even if the future residents of these dwelling rely solely on private automobiles, any impact that four dwelling units have on vehicular traffic would be minimal. Further, off-street loading spaces are unnecessary in low-density residential projects because they do not regularly require the delivery or shipment of large quantities of materials once construction is complete.

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 for the Project at 1846 Grove Street and deny the appeal.

⁴ Condition 8 in Exhibit A.

⁵ Schmitt, Angie. *Social Engineering! Cities That Build More Parking Get More Traffic* (January 13, 2016) Retrieved from: <https://usa.streetsblog.org/2016/01/13/social-engineering-cities-that-build-more-parking-get-more-traffic/>



SAN FRANCISCO PLANNING DEPARTMENT

Planning Commission Motion No. 20681

HEARING DATE: APRIL 9, 2020

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Record No.: 2018-011441CUAVAR
Project Address: 1846 GROVE STREET
Zoning: RH-2 (Residential, House – Two Family) Zoning District
RH-3 (Residential, House – Three Family) Zoning District
40-X Height & Bulk District
Block/Lot: 1187/003H
Project Sponsor: Troy Kashanipour
Troy Kashanipour Architecture
2325 3rd Street, Suite 401
San Francisco, CA 94107
Property Owner: Green Grove SF, LLC
2325 3rd Street, Suite 401
San Francisco, CA 94107
Staff Contact: Matt Dito – (415) 575-9164
matthew.dito@sfgov.org

ADOPTING FINDINGS RELATING TO CONDITIONAL USE AUTHORIZATION, PURSUANT TO PLANNING CODE SECTIONS 207, 209.1, AND 303, FOR RESIDENTIAL DENSITY OF ONE UNIT PER 1,500 SQUARE FEET OF LOT AREA TO PERMIT THE CONSTRUCTION OF FOUR TWO-STORY SINGLE-FAMILY DWELLING UNITS ON A VACANT LOT LOCATED AT 1846 GROVE STREET, LOT 003H IN ASSESSOR'S BLOCK 1187, WITHIN AN RH-2 (RESIDENTIAL, HOUSE – TWO FAMILY) AND RH-3 (RESIDENTIAL, HOUSE – THREE FAMILY) ZONING DISTRICT AND A 40-X HEIGHT & BULK DISTRICT.

PREAMBLE

On August 20, 2018, Troy Kashanipour of Troy Kashanipour Architecture (hereinafter "Project Sponsor") filed Application No. 2018-011441CUAVAR (hereinafter "Application") with the Planning Department (hereinafter "Department") for Conditional Use Authorization to allow four dwelling units (hereinafter "Project") at 1846 Grove Street, Lot 003H in Assessor's Block 1187 (hereinafter "Project Site").

On November 7, 2019, the San Francisco Planning Commission (hereinafter "Commission") conducted a duly noticed public hearing at a regularly scheduled meeting on Conditional Use Authorization Application No. 2018-011441CUAVAR and continued the hearing to December 12, 2019.

On December 12, 2019, the Commission conducted a duly noticed public hearing at a regularly scheduled meeting on Conditional Use Authorization Application No. 2018-011441CUAVAR.

The Project is exempt from the California Environmental Quality Act ("CEQA") as a Class 3 Categorical Exemption.

The Planning Department Commission Secretary is the Custodian of Records; the File for Record No. 2018-011441CUAVAR is located at 1650 Mission Street, Suite 400, San Francisco, California.

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 Authorization as requested in Application No. 2018-011441CUAVAR, 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. **Project Description.** The Project proposes construction of four two-story single-family dwelling units in the rear yard of a vacant lot. The dwellings consist of one one-bedroom unit, three two-bedroom units, and one three-bedroom unit. The units range in size from 673 to 1,266 square feet. Due to the practical infeasibility of developing the front of the subject property, the Project is located at the rear of the lot. Setbacks and sloped roofs have been provided at the second story, wherever possible, to minimize impacts on the 17 properties that share a property line with the subject property. The Project includes 10 bicycle parking spaces and no off-street automobile parking spaces. The Project proposes a mixture of public and private open space, with a total of 2,390 square feet being usable. There is a total of 3,753 square feet of open space included in the Project.
3. **Site Description and Present Use.** The Project Site is located on the south side of Fulton Street in the Haight Ashbury neighborhood between Ashbury Street and Masonic Avenue. The lot is an undeveloped "flag lot" (a lot with minimal street frontage and a long access path before widening at the rear). The majority of lot area at the rear, where the mid-block open space is typically located, and shares a property line with 17 adjacent lots. The lot slopes upward approximately 10 percent from the east to the west. The lot is accessed from Fulton Street, despite the Grove Street address.
4. **Surrounding Properties and Neighborhood.** The Project Site is located within both an RH-2 and RH-3 Zoning District in the Haight Ashbury neighborhood. The front of the lot (containing the accessway from Fulton Street) is zoned RH-3, and will not be developed. The Project proposes to construct the four dwelling units only in the area of the lot located within an RH-2 Zoning District. The lots adjacent to the Project Site are predominantly zoned RH-2 and RH-3, with three-story one- or two-family dwellings. The corner lot to the northeast of the Project Site is located in an NC-1

Zoning District, with a four-story eight-family dwelling located on the lot. While there is no nearby commercial corridors, the Project Site is located approximately one-half block away from a shopping center at Masonic Avenue and Fulton Street, which contains many necessary neighborhood necessities.

5. **Public Outreach and Comments.** The Department has received 45 letters in opposition to the Project, and 24 letters in support of the Project.

- a. **Outreach:** The Sponsor has hosted two meetings within the community, on September 7, 2017 and on October 22, 2017.

- i. **Feedback from September 2017:** Most feedback was centered on the feasibility of the project due to site constraints. Some opposition was received due to the perceived financial impact the development would have on their own surrounding properties.
- ii. **Feedback from October 2019:** Most feedback was in regards to concern about the impacts development may have on surrounding properties and quality of life concerns. Story poles were requested on the project site so that neighbors could see the proposed height of the buildings.
- iii. **November 2019:** There were two attendees at the November meeting. One was concerned about density and the other was supportive of the project.

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. **Use.** Planning Code Section 209.1 states that Conditional Use Authorization is required in an RH-2 Zoning District to exceed the principally permitted density limit of two dwelling units per lot. One dwelling unit per 1,500 square feet of lot area is permitted with Conditional Use Authorization.

The Project Site is located in both an RH-2 and RH-3 Zoning District, though the Project proposes only to develop the RH-2 portion. The RH-2 portion of the lot is 7,476 square feet. With Conditional Use Authorization, a maximum of five dwelling units are permitted. The Project proposes four dwelling units.

- B. **Front Setback.** Planning Code Section 132 states that the minimum front setback depth shall be based on the average of adjacent properties or a Legislated Setback.

The adjacent properties do not have front setbacks, and there is no legislated setback on the Project Site. Therefore, the project does not have a required front setback.

- C. **Rear Yard.** Planning Code Section 134 requires a rear yard equal to 45 percent of the total lot depth, at grade and above, for properties containing dwelling units in RH-2 Zoning Districts.

The subject property has a lot depth of approximately 175 feet, resulting in a required rear yard of approximately 79 feet pursuant to the Planning Code. However, it is generally recognized with lots that have significantly different depths in one horizontal direction throughout the lot, that there shall be separate rear yard lines calculated, as the general intent of the code is to ensure that every lot has a feasible buildable area. In the case of the Project Site, the narrow portion of the lot off Fulton Street would have a separate rear yard calculation from the wider bulk of the lot at the rear. The dual rear yard lines can be seen in Exhibit B. Due to the concentric configuration of the dwelling units at the rear of the lot, a variance from the Planning Code is required.

- D. **Useable Open Space.** Planning Code Section 135 requires 125 square feet of useable open space for each dwelling unit if all private, or 166 square feet of common usable open space per unit.

The Project proposes a mixture of private and public usable open space for the four dwelling units. All of the dwelling units have private, Code-compliant usable open space adjacent to the buildings. In addition, there is a large amount of public open space in the middle of the development.

- E. **Dwelling Unit Exposure.** Planning Code Section 140 requires that at least one room of all dwelling units face onto a public street or public alley at least 30 feet in width, a side yard at least 25 feet in width, a rear yard meeting the requirements of the Code or an open area, whether an inner court or space between separate buildings on the same lot, that is no less than 25 feet in every horizontal dimension.

The Project proposes a large inner court between the four dwelling units, measuring approximately 2,500 square feet. Due to the nature of the Project Site as a "flag lot", and the applicant's effort to design the dwellings in a manner that least impacts the adjacent neighbors, two of the four dwelling units do not meet the requirement of Planning Code Section 140, despite the copious inner court. A variance from the Planning Code is required.

- F. **Off-Street Parking.** Planning Code Section 151.1 permits a maximum of 1.5 off-street automobile parking spaces per dwelling unit.

The Project does not include any off-street automobile parking.

- G. **Bicycle Parking.** Planning Code Section 155.2 requires at least one weather-protected bicycle parking space for each dwelling unit.

The Project proposes 10 bicycle parking spaces in storage lockers for four dwelling units, meeting the Planning Code requirement.

- H. **Bicycle Parking Access.** Planning Code Section 155.1 requires that bicycle parking spaces be located in area with a minimum five foot wide hallway that leads to the parking entrance. Two limited constriction points, where the route may narrow to a minimum of three feet, and extend no more than one foot of distance, are permitted.

Due to the nature of the Project Site as a “flag lot”, the only available access to the bicycle parking lockers is through a three and one-half foot corridor from the street. A variance from the Planning Code is required.

- I. **Height.** Planning Code Section 260 requires that all structures be no taller than the height prescribed in the subject height and bulk district. Section 260(a)(1)(B) states that where a lot is level with or slopes downward from a street at the centerline of the building or building step, such point shall be taken at curb level on such a street.

The subject property is located within a 40-foot height district. The Project includes four single-family dwellings with a maximum height of 20 feet above grade, in compliance with the height district.

- J. **Child Care Requirements for Residential Projects.** Planning Code Section 414A requires that any residential development project that results in at least one net new residential unit shall comply with the imposition of the Residential Child Care Impact Fee requirement.

The Project proposes new construction of four residential units. Therefore, the Project is subject to the Residential Child Care Impact Fee and must comply with the requirements of Planning Code Section 414A.

7. **Conditional Use Findings.** Planning Code Section 303 establishes criteria for the Planning Commission to consider when reviewing applications for Conditional Use authorization. On balance, the project complies 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 Site is larger than what is typical for residential lots in the Haight Ashbury neighborhood, such that the Planning Code allows increased dwelling unit density at a rate of one dwelling unit per 1,500 square feet of lot area. The four single-family dwelling units proposed are necessary and desirable in that the Project would add to the neighborhoods housing stock, while developing a heretofore vacant lot. Due to the nature of the Project Site as a “flag lot”, some impact to the 17 adjacent neighbors is unavoidable, but the Project has been designed in a way to minimize such impacts. The design of the buildings are consistent with the Residential Design Guidelines, and compatible with the neighborhood.

- 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:

- (1) Nature of proposed site, including its size and shape, and the proposed size, shape and arrangement of structures;

The Project Site is a "flag lot," which is uncommon. It features a long, narrow access path from Fulton Street before widening at the rear, where the mid-block open space is typically located. The Project includes four two-story single-family dwelling units, located near the perimeter of the lot at the rear. While some impact to the 17 adjacent neighbors is unavoidable, the Project has been designed in a manner that minimizes those impacts by incorporating greenery, sloped roofs, and setbacks wherever possible. The Project is consistent with the Residential Design Guidelines.

- (2) 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 Planning Code does not require parking or loading for residential uses, and the Project includes 10 bicycle parking spaces. The Project will not significantly affect traffic patterns in the immediate area.

- (3) The safeguards afforded to prevent noxious or offensive emissions such as noise, glare, dust and odor;

As the proposed project is residential in nature, unlike commercial or industrial uses, the proposed residential use is not expected to produce noxious or offensive emissions. Safeguards will be used during construction to mitigate any impact to the neighborhood.

- (4) Treatment given, as appropriate, to such aspects as landscaping, screening, open spaces, parking and loading areas, service areas, lighting and signs;

The Project is designed in a contemporary aesthetic, and incorporates significant landscaping and screening. Portions of the proposed dwellings that are one-story will maintain a landscaped roof, minimizing the visual impact to adjacent neighbors. There is a large amount of open space in the form of an inner court. The access path from Fulton Street will be constructed with floor lighting, which is appropriate given its close proximity to adjacent properties.

- 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.

- D. That the use as proposed would provide development that is in conformity with the purpose of the applicable Use District.

The proposed project is consistent with the stated purposed of the RH-2 Zoning District, which are devoted to one- and two-family buildings, and generally do not exceed three or four stories. The Project proposes four single-family dwellings, and does not exceed two stories in height.

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 1:

IDENTIFY AND MAKE AVAILABLE FOR DEVELOPMENT ADEQUATE SITES TO MEET THE CITY'S HOUSING NEEDS, ESPECIALLY PERMANENTLY AFFORDABLE HOUSING.

Policy 1.10

Support new housing projects, especially affordable housing, where households can easily rely on public transportation, walking and bicycling for the majority of daily trips.

The Project does not include off-street automobile parking, but includes ten bicycle parking spaces for four dwelling units, and is located near numerous Muni transit lines. These features will ensure that households can easily rely on alternate methods to the private automobile for their transit needs.

OBJECTIVE 11:

SUPPORT AND RESPECT THE DIVERSE AND DISTINCT 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 existing neighborhood character.

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.

Policy 11.4:

Continue to utilize zoning districts which conform to a generalized residential land use and density plan and the General Plan.

Policy 11.6

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

Policy 11.8

Consider a neighborhood's character when integrating new uses, and minimize disruption caused by expansion of institutions into residential areas.

The Project has been designed in conformity with Residential Design Guidelines, which ensure that existing residential neighborhood character is respected and unimpacted, to the extent possible. The development includes a large amount of common open space in the middle of the development, which should promote community interaction amongst residents of the dwelling units. The residential uses provided conform to the general land use profile of the neighborhood.

OBJECTIVE 12:

BALANCE HOUSING GROWTH WITH ADEQUATE INFRASTRUCTURE THAT SERVES THE CITY'S GROWING POPULATION.

Policy 12.2

Consider the proximity of quality of life elements such as open space, child care, and neighborhood services, when developing new housing units.

The Project provides a large amount of public open space for prospective residents, and is located nearby many neighborhood services such as grocery stores, other retail uses, eating and drinking uses, and personal services. The Project also will require that the Project Sponsor pay the Residential Child Care Impact Fee pursuant to Planning Code Section 414A.

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 1.2:

Recognize, protect and reinforce the existing street pattern, especially as it is related topography.

Policy 1.3:

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

The Project proposes the four single-family dwelling units on a vacant "flag lot." The Project represents the sensitive infill of a large vacant lot within the allowable density of the RH-2 Zoning District in which the lot is located. The proposed massing and location of the dwellings are compatible with the existing neighborhood character. While the development pattern of the neighborhood generally does not include residential development in the mid-block open space, the Project minimizes, to the extent possible, impacts on the 17 adjacent properties by incorporating sloped roofs, landscaped roofs, and setbacks. The scale and design of the proposed Project is compatible with the neighborhood and, in total, will create a positive effect for the neighborhood and City as a whole.

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 complies 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 Site does not possess any neighborhood-serving retail uses. The Project provides four new dwelling units, which will enhance the nearby retail uses by providing new residents.

- 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 site does not possess any existing housing. The Project would provide four new dwelling units, thus resulting in an overall increase in the neighborhood housing stock. The Project maintains a height and scale compatible with the surrounding neighborhood and is consistent with the Residential Design Guidelines.

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

The Project does not include any existing or proposed affordable housing; however, the four proposed single-family dwellings are small to moderately sized, making them naturally more affordable, and will be added to the City's housing stock.

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

The Project Site is well-served by public transit, being located within a quarter-mile of stops for the 5-Fulton, 5R-Fulton Rapid, 31-Balboa, 31BX-Balboa B Express, and 43-Masonic Muni transit lines.

Additionally, the Project provides bicycle parking for residents of the dwellings. Muni transit service and the neighborhood streets will not be overburdened by the Project.

- 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 will not displace any service or industry establishment. The Project will not affect industrial or service sector uses or related employment opportunities. Ownership of industrial or service sector businesses will not be affected by this Project.

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

The Project will be designed and will be constructed to conform to the structural and seismic safety requirements of the Building Code. This proposal will not impact the property's ability to withstand an earthquake.

- G. That landmarks and historic buildings be preserved.

Currently, the Project Site does not contain any City Landmarks or historic buildings.

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

The Project will have no negative impact on existing parks and public open spaces. The Project is located in what is typically considered the mid-block open space, though impacts will be minimized due to small scale of the Project and other attenuating measures.

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 Authorization Application No. 2018-011441CUAVAR** subject to the following conditions attached hereto as "EXHIBIT A" in general conformance with plans on file, dated February 17, 2020 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. 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 April 9, 2020.



Jonas P. Ionin
Commission Secretary

AYES: Diamond, Fung, Imperial, Johnson, Koppel, Moore
NAYS: None
ABSENT: None
ADOPTED: April 9, 2020

EXHIBIT A

AUTHORIZATION

This authorization is for a conditional use to allow the construction of four single-family dwellings located at 1846 Grove Street, Lot 003H within Assessor's Block 1187, pursuant to Planning Code Sections **207, 209.1, and 303** within an RH-2 (Residential, House – Two Family) Zoning District and a 40-X Height and Bulk District; in general conformance with plans, dated **February 17, 2020**, and stamped "EXHIBIT B" included in the docket for Record No. **2018-011441CUAVAR** and subject to conditions of approval reviewed and approved by the Commission on **April 9, 2020** under Motion No. **20681**. 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 **April 9, 2020** under Motion No. **20681**.

PRINTING OF CONDITIONS OF APPROVAL ON PLANS

The conditions of approval under the 'Exhibit A' of this Planning Commission Motion No. **20681** 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 – COMPLIANCE AT PLAN STAGE

6. **Final Materials.** The Project Sponsor shall continue to work with Planning Department on the building design. Final materials, glazing, color, texture, landscaping, and 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. **Fire Safety.** Should compliance with technical standards related to fire safety result in a significant change to the Project, as determined by the Zoning Administrator, then a new Conditional Use authorization shall be required by the Planning Commission.

For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org

PARKING AND TRAFFIC

9. **Bicycle Parking.** The Project shall provide no fewer than **four** Class 1 bicycle parking spaces as required by Planning Code Sections 155.1 and 155.2.

For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

10. **Parking Maximum.** Pursuant to Planning Code Section 151, the Project shall provide no more than **eight (8)** off-street parking spaces.

For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

PROVISIONS

11. **Residential Child Care Impact Fee.** The Project is subject to the Residential Child Care Fee, as applicable, pursuant to Planning Code Section 414A.

For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org

MONITORING - AFTER ENTITLEMENT

12. **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

13. **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

TROY KASHANIPOUR ARCHITECTURE 2325 3RD STREET SUITE 401, SAN FRANCISCO CALIFORNIA 94107.

Department of Building Inspection
1860 Mission Street
San Francisco, CA 94103-2414
Phone: 415.558.6133 Fax: 415.558.6886

May 1, 2017

Re: Pre-Application Plan Review Meeting
Project Address: 1840 Grove Street; Block 1187 Lot 003H
Code Basis: SFBC 2016

Reviewers: Jeff Ma (DBI), Lt. Janice Hayes (SFFD)
Meeting Attendees: Troy Kashanipour (Architect), Sasha Plotitsa
Meeting Date: May 16, 2017

Background and Project Summary Information:

The existing vacant parcel is a flag lot accessed through a gate on Fulton Street. The lot is 7,869 square feet. The access is through a 4' wide space between buildings, six inches of which belong to the adjacent corner parcel on Lot 1. Planning Department density allows, and Planning staff supports 5 dwelling units on a parcel of this size. Five R-3 dwellings are proposed. An existing mature oak tree will be maintained. The proposed 3-R dwellings will be limited in height to 2 story with an internal open courtyard. Also proposed on-site are smaller accessory storage structures. Window area for the dwellings on each parcel shall be based on an assumed property line between buildings per 705.3 and shall conform with fire separation distances as defined in 705.8.

Construction type shall be Type V-A unless otherwise required by Fire and DBI. The buildings on-site and the Site shall have Egress per CBC Chapter 10.

Code Discussion Items:

1. Number of Exits and Exit Access Doorways from each Dwelling – CBC 1006.
 - The exit from each dwelling, CBC 1006.2.1 Single Exits are permitted from each R-3 dwelling with an occupant load of less than 20 where the dwelling unit is equipped with sprinklers and the common path of egress travel is less than 125'.

DBI RESPONSE: Agreed. Access to dwelling unit exit (door to exterior court) less than 125'. Maximum 3 Story Buildings.

Jeff Ma

2. Outdoor Area occupant load: Please confirm that outdoor areas are accessory to the residential units No additional occupant load is required per Exception 1 and 2 of 1004.5

CBC 1004.5 Outdoor areas: Yards, patios, courts and similar outdoor areas accessible to and

1

TROY KASHANIPOUR ARCHITECTURE 2325 3RD STREET SUITE 401, SAN FRANCISCO CALIFORNIA 94107.

DBI RESPONSE: Sprinklering per NFPA-13. subject to Fire Dept. plan review.
Jeff Ma

5. Alternate Scenario:

Combine Units 1&2 into a single R-3 Occupancy. Combine Units 3&4 into an R-3 Occupancy. Unit 3 shall remain as R-3. This is permitted per 705.3 Exception 1. Please advise of acceptability.

DBI RESPONSE: Combining units as proposed above is acceptable.

Jeff Ma

Please advise of any additional Fire Department or Building Department requirements for this parcel based on the scheme presented that are anticipated for this parcel.

Troy Kashanipour

Troy Kashanipour, Architect & Agent for Owner

Reviewed and agreed by
Jeff Ma 6/13/17
SFFDBI

3

TROY KASHANIPOUR ARCHITECTURE 2325 3RD STREET SUITE 401, SAN FRANCISCO CALIFORNIA 94107.

usable by the building occupants shall be provided with means of egress as required by this chapter. The occupant load of such outdoor areas shall be assigned by the building official in accordance with the anticipated use. Where outdoor areas are to be used by persons in addition to the occupants of the building, and the path of egress travel from the outdoor areas passes through the building, means of egress requirements for the building shall be based on the sum of the occupant loads of the building plus the outdoor areas.

Exceptions:

1. Outdoor areas used exclusively for service of the building need only have one means of egress.
2. Both outdoor areas associated with Group R-3 and individual dwelling units of Group R-2

DBI RESPONSE: Agreed, outdoor areas are accessory to the residential use and do not have their own occupant load.

Jeff Ma

3. The Exit Discharge:

The passage between the existing buildings on lot 1 and lot 13 is 3'-6" wide is considered an Egress Court.

- Per 1028.4.1: The required width is 36" for R-3 occupancies.
- Per 1028.4.2: The Construction of an egress court serving R-3 occupancies requires no rating per Exception 1.

DBI RESPONSE: Agreed as long as less than 50 total occupants are served by egress court

Jeff Ma

4. Sprinklering - The following is proposed:

- A dedicated fire sprinkler line shall be brought into the property. This line will be provide with a backflow preventer and a check-valve.
- After the valves the main line shall split and, there shall be independent service to each dwelling unit.
- Each unit will be equipped with an independent monitoring service.
- Each R-3 dwelling shall be sprinklered to NFPA-13R standards.
- Small independent accessory to the main structure shall have fire ratings as required by code but are not proposed to be sprinklered. They shall be used for light storage such as bicycles, garden and household equipment.

FIRE DEPARTMENT RESPONSE: Applicants to meet with Fire Department to discuss Fire Department Access.

2

FIRE DEPARTMENT: ACCESS REVIEW APPROVAL:

1821 Fulton Street (5 units R-3 Dwelling units)

Block 1187/ lot 003H

The Architecture plans has been reviewed and SFFD comments:

Condition of approval.

Revise the Architecture plans

- 1- licensed architect need to stamp and sign the Architecture plans.
- 2- Architecture plans must be approved from San Francisco Building department.
- 3- Indicate in the Architecture plans:
 - Each R-3 dwelling shall be sprinklered and monitored per 2016 NFPA 13 and 2016 CFC 903.3.1.1. per pre-application meeting on 2/6/2018.
 - The sprinkler system for each R-3 dwelling shall be monitored.
 - The Maximum height at the second story will not exceed 20 feet above grade.
 - The type construction of each R-3 dwelling shall be Type III per pre-application meeting on 2/6/2018.
 - Standpipe system 2ways X 3 inches outlets shall be provided at the entry, in middle and far end of the property per pre-application meeting on 2/6/2018.
 - Removal of the street tree at sidewalk near entry gate per pre-application meeting on 2/6/2018.
 - A minimum 3.5 feet clear width without obstruction at any access point of the exist discharge shall be provided.
 - A red fire zone curb" NO PARKING" shall be provided in front of property.

Kamal Andacawes, P.E.

Kamal

Fire Protection Engineer

San Francisco Fire Department

Captain/ Michael Patt

Michael Patt

Bureau of Fire Prevention

San Francisco Fire Department

APPROVED AS NOTED
DATE 6/12/18
Diana Baker
CHIEF, DIVISION OF FIRE
PREVENTION & INVESTIGATION

in addition:
rescue windows
required

OWNER:
GREEN GROVE SF LLC
2325 3RD STREET, SUITE 401
SAN FRANCISCO, CA 94107
PHONE: 415.431.0869

ISSUE:

ISSUED FOR VARIANCE & CUA

DATE:

08.15.2018

CONSULTANT

-

APPROVAL

LICENSED ARCHITECT
TROY KASHANIPOUR
C 27646
REN. 6/30/2019
STATE OF CALIFORNIA

DRAWN:

TK

CHECKED:

TK

SCALE:

NONE

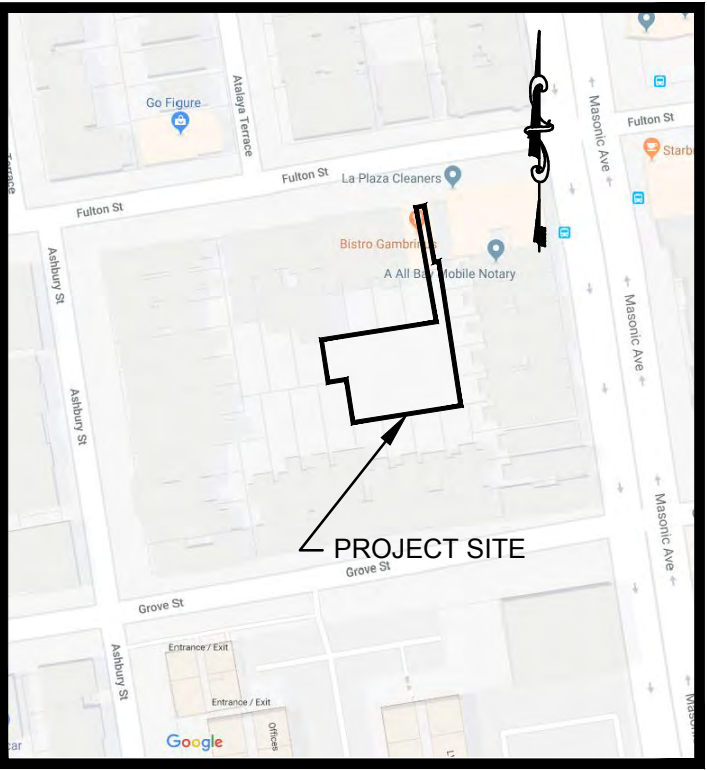
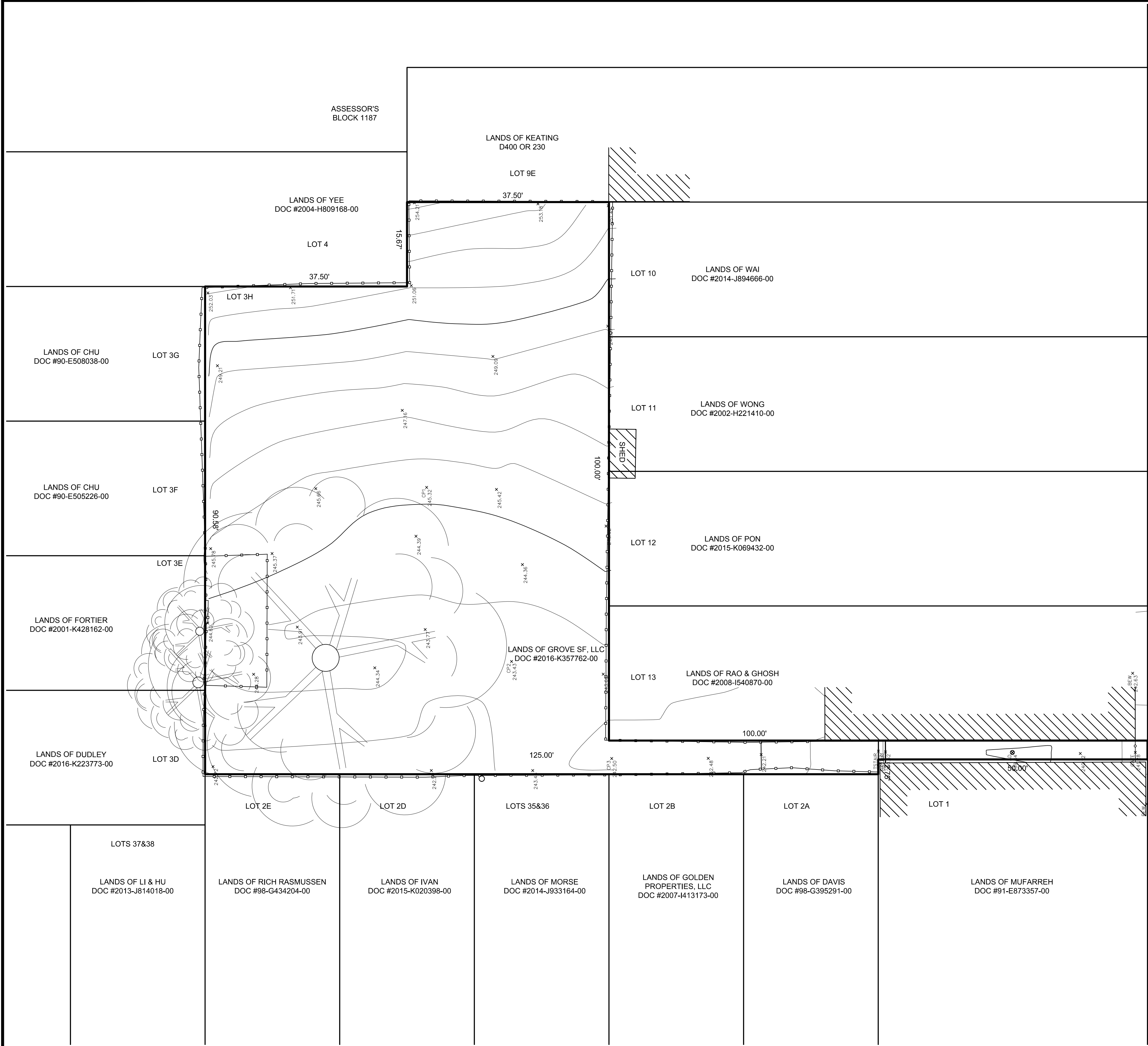
PRE-APPLICATION NOTES

A0.1

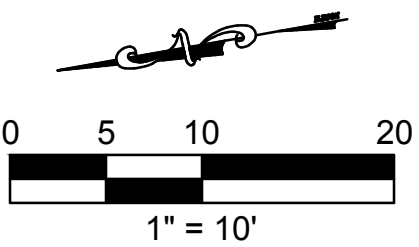
TROY KASHANIPOUR ARCHITECTURE 2325 3RD STREET SUITE 401, SF CA 94107. PHONE/FAX 415.431.0869

1821 FULTON STREET

E:\2019-1002 TB Map & ROS SF\1846 Grove - Topo.dwg@ 05:41:48 PM
Plotted on: 03/05/19 @ 05:41:48 PM



VICINITY MAP
NO SCALE



LEGEND

---	APPROXIMATE BOUNDARY OF PROPERTY LINE
---	APPROXIMATE BOUNDARY OF ADJOINING PROPERTIES
---	LOT LINE PER ORIGINAL SUBDIVISION
---	WOODEN FENCE LINE
---	CHAIN LINK FENCE LINE
---	CONTOUR LINE W/ ELEVATION
---	BUILDING FOOTPRINT
EP	EDGE OF PAVEMENT
FG	FINISHED GRADE
IR	IRRIGATION CONTROLS
DI	DRAINAGE INLET
WV	WATER VALVE
CL	CENTERLINE
FS	FINISHED SURFACE
FF	FINISHED FLOOR
CONC	CONCRETE
HYD	HYDRANT
RL	RIDGE LINE ELEVATION
GF	GARAGE FLOOR ELEVATION
FD	FOUND
(XXX)	RECORD DATA
TREE	TREE

NOTE

RECORD OF SURVEY TO BE FILED WITH THE CITY AND COUNTY OF SAN FRANCISCO. PROPERTY CORNERS WILL BE SET AT ALL PROPERTY CORNERS OR OFFSETS THERETO.

BASIS OF ELEVATIONS

THE COORDINATES AND ELEVATION ARE BASED FROM THE CONTROL POINT CP1 LOCATED IN DANMANN AVENUE ALONG THE FRONTAGE OF THE PROPERTY. SAID COORDINATES BEING IN NAD83(2011)(EPOCH:2010.0000 PER OPUS SOLUTION DATED SEPTEMBER 1, 2018) CALIFORNIA ZONE 3 STATE PLANE COORDINATE SYSTEM, HAVING A NORTHING OF 2,110,615.10 AND AN EASTING OF 5,998,954.67, AND SAID ELEVATION BEING NAVD88 (COMPUTED USING GEOID12B) AND HAVING AN ELEVATION OF 245.32'.

ELEVATIONS AND CONTOURS SHOWN HEREIN ARE BASED ON A SURVEY DONE ON FEBRUARY 09, 2019.

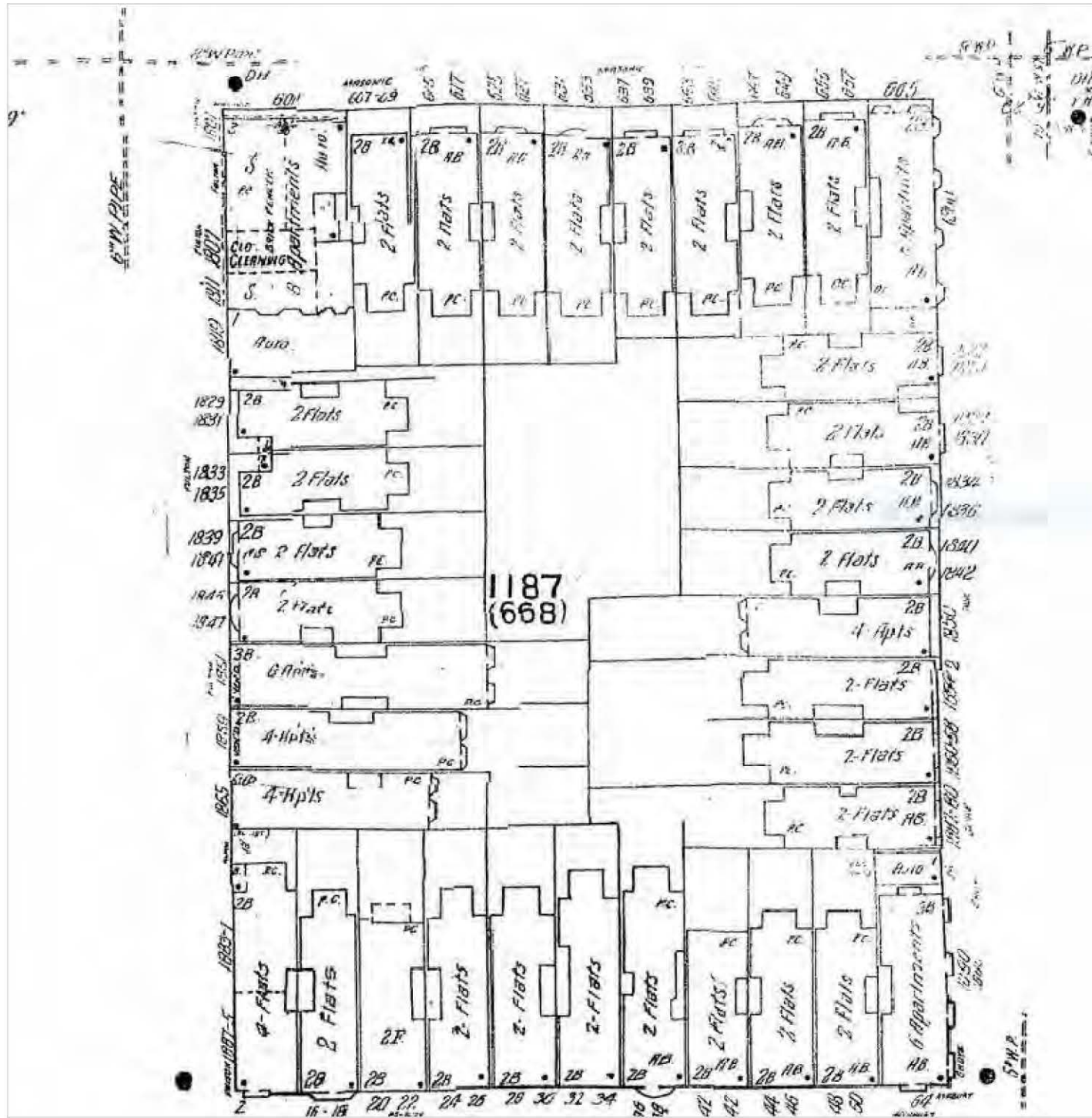
Michael S. Mahoney
MICHAEL S. MAHONEY
PLS 5577



NO.	REVISIONS	DATE	JOB# : 2019.1002	DESIGNED: JKO	PREPARED FOR: GREEN GROVE LLC /CARE OF TROY KASHANIPOUR 225 3RD STREET, SUITE 401 SAN FRANCISCO, CA 94107	TITLE: TOPOGRAPHIC MAP OF 1846V GROVE STREET SAN FRANCISCO, CA 94044	SHEET 1 OF 1
			DATE : 2/9/19	DRAWN: JKO			
			100% SUBMITTAL	APPROVED: JKO/MSM			



SANBORN MAP



OVERHEAD VIEW LOOKING FROM NORTH



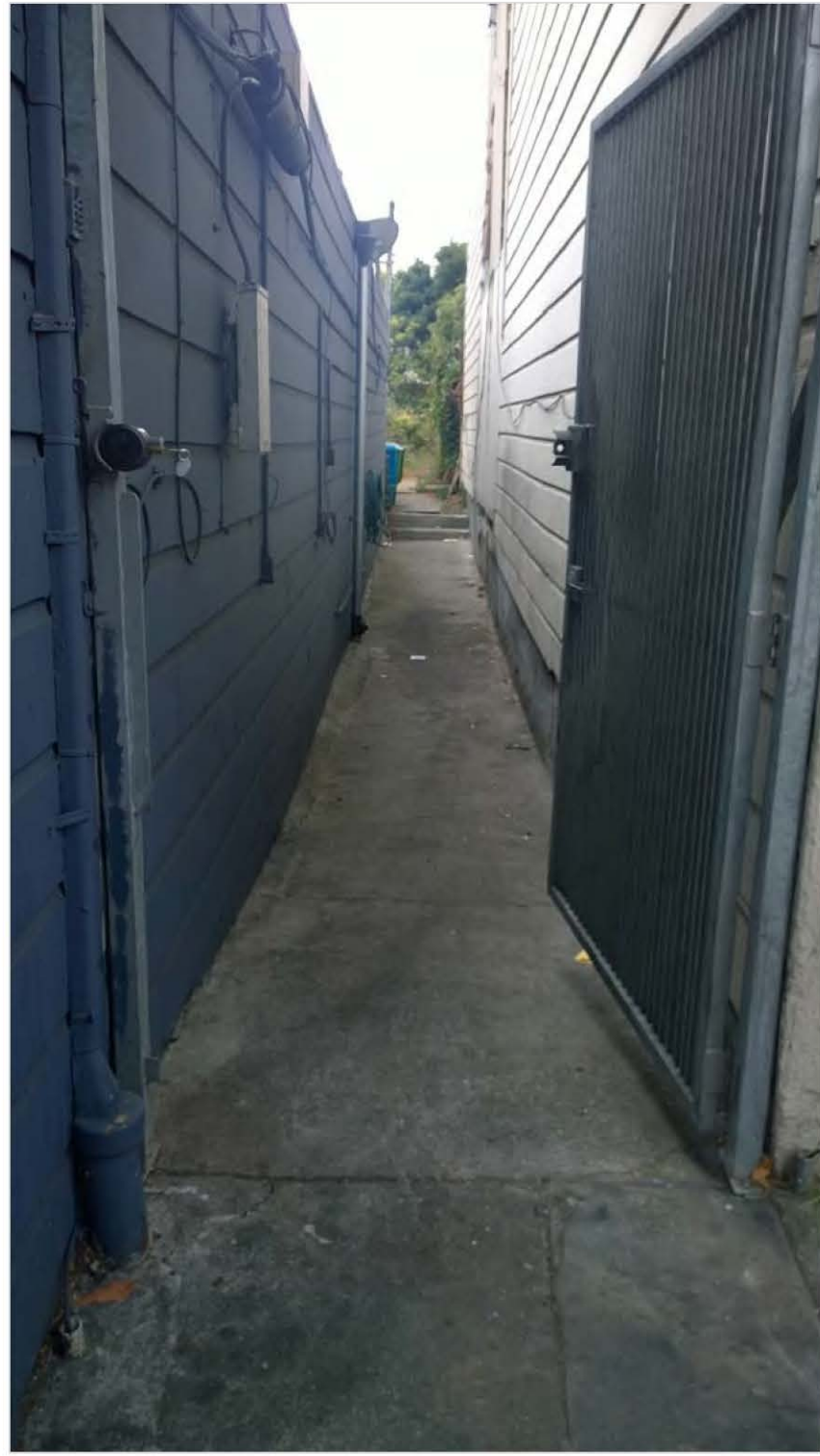
OVERHEAD VIEW LOOKING FROM SOUTH



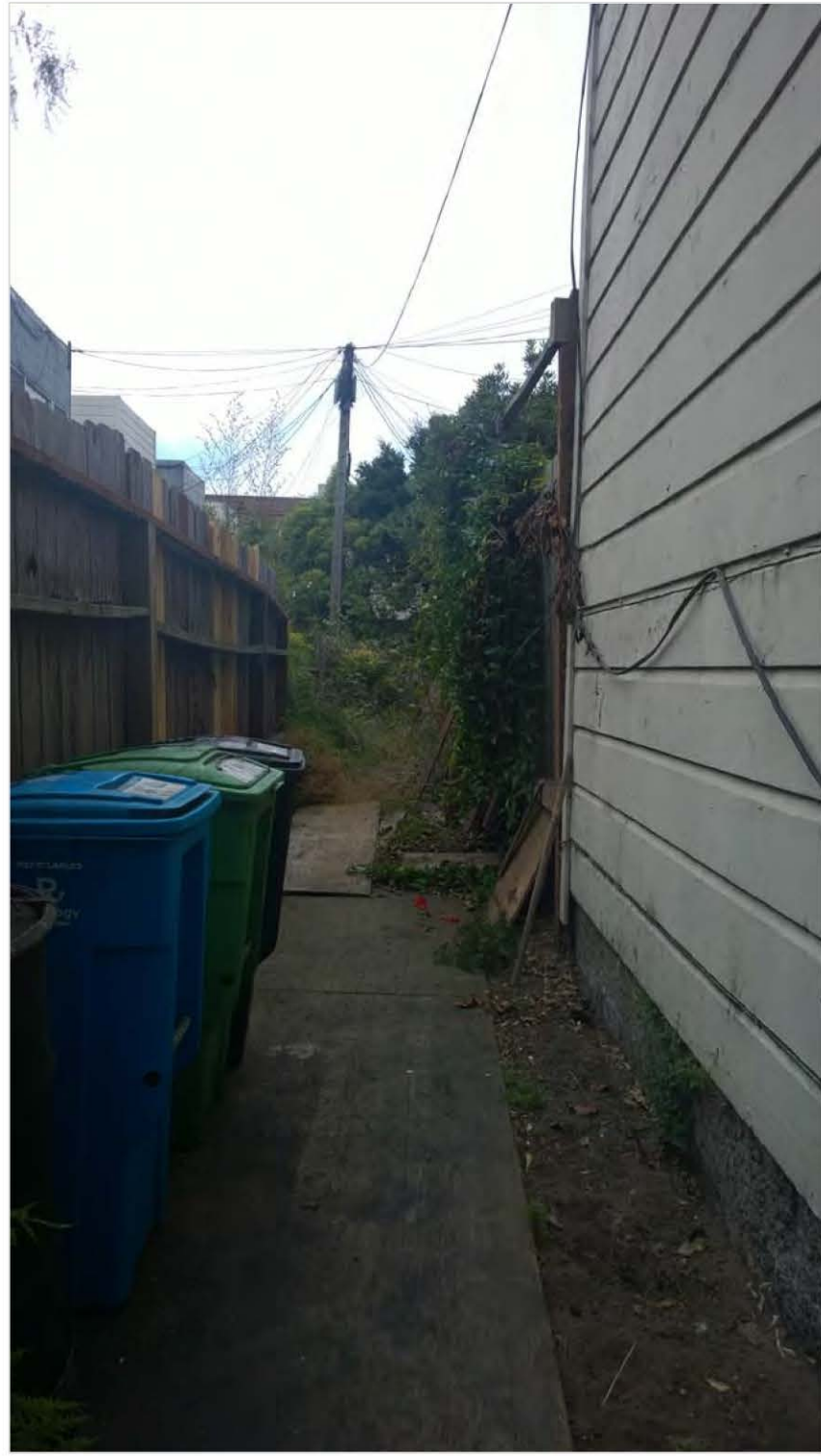
OVERHEAD VIEW



ACCESS FIRST 50' : 3.5' WIDTH



NEXT 50' : 6.25' WIDTH



ENTER FULL LENGTH OF LOT, LOOKING NORTH



LOOKING WEST



LOOKING EAST



LOOKING SOUTH



TROY KASHANIPOUR ARCHITECTURE 2325 3RD STREET SUITE 401, SF CA 94107. PHONE/FAX 415.431.0869

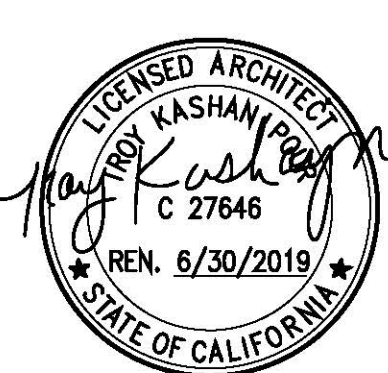
1821 FULTON STREET

OWNER:
GREEN GROVE SF LLC
2325 3RD STREET, SUITE 401
SAN FRANCISCO, CA 94107
PHONE: 415.431.0869

ISSUE: DATE:
ISSUED FOR VARIANCE & CUA 08.15.2018

CONSULTANT
-

APPROVAL



DRAWN:
TK
CHECKED:
TK
SCALE:
NONE

SITE PHOTOGRAPHS

A0.2



1 PROPOSED SITE PLAN
SCALE: 3/32" = 1'-0"

TROY KASHANIPOUR ARCHITECTURE 2325 3RD STREET SUITE 401, SF CA 94107. PHONE/FAX 415.431.0869

1821 FULTON STREET

OWNER:
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SAN FRANCISCO, CA 94107
PHONE: 415.431.0869

ISSUE:
ISSUED FOR VARIANCE & CUA 08.15.2018
PLANNING REVISIONS 06.10.2019
PLANNING REVISIONS 08.02.2019

DATE:
08.15.2018
06.10.2019
08.02.2019

CONSULTANT
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APPROVAL

LICENSED ARCHITECT
TROY KASHANIPOUR
C 27646
REN. 6/30/2021
STATE OF CALIFORNIA

DRAWN:
TK
CHECKED:
TK
SCALE:
3/32" = 1'-0"

PROPOSED SITE PLAN

A1.1



OPEN SPACE REQUIREMENTS PER SECTION 135, RH-2 ZONING
125 SQFT PER UNIT IF PRIVATE, 166 SQFT PER UNIT IF COMMON.

OPEN SPACE ON SITE IS IRREGULAR: TOTAL SIZE: 3753 SQFT

CONTINUOUS RECTANGULAR AREA OF SHARED OPEN SPACE:
21.5'x68.5' = 1,473 SQFT

PRIVATE OPEN SPACE: 125 SQFT PER UNIT REQUIRED IF PRIVATE

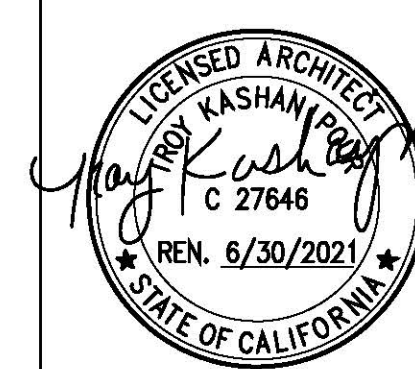
DWELLING 1: 230 SQFT - COMPLIES AS PRIVATE OPEN SPACE
DWELLING 2: 257 SQFT - - COMPLIES AS PRIVATE OPEN SPACE
DWELLING 3: 254 SQFT - COMPLIES AS PRIVATE OPEN SPACE
DWELLING 4: 176 SQFT- COMPLIES AS PRIVATE OPEN SPACE
DWELLING 5: 49 SQFT - DOES NOT COMPLY AS PRIVATE OPEN SPACE, UNIT USES COMMON OPEN SPACE

OWNER:
GREEN GROVE SF LLC
2325 3RD STREET, SUITE 401
SAN FRANCISCO, CA 94107
PHONE: 415.431.0869

ISSUE: PLANNING REVISIONS
DATE: 08.18.2019

CONSULTANT

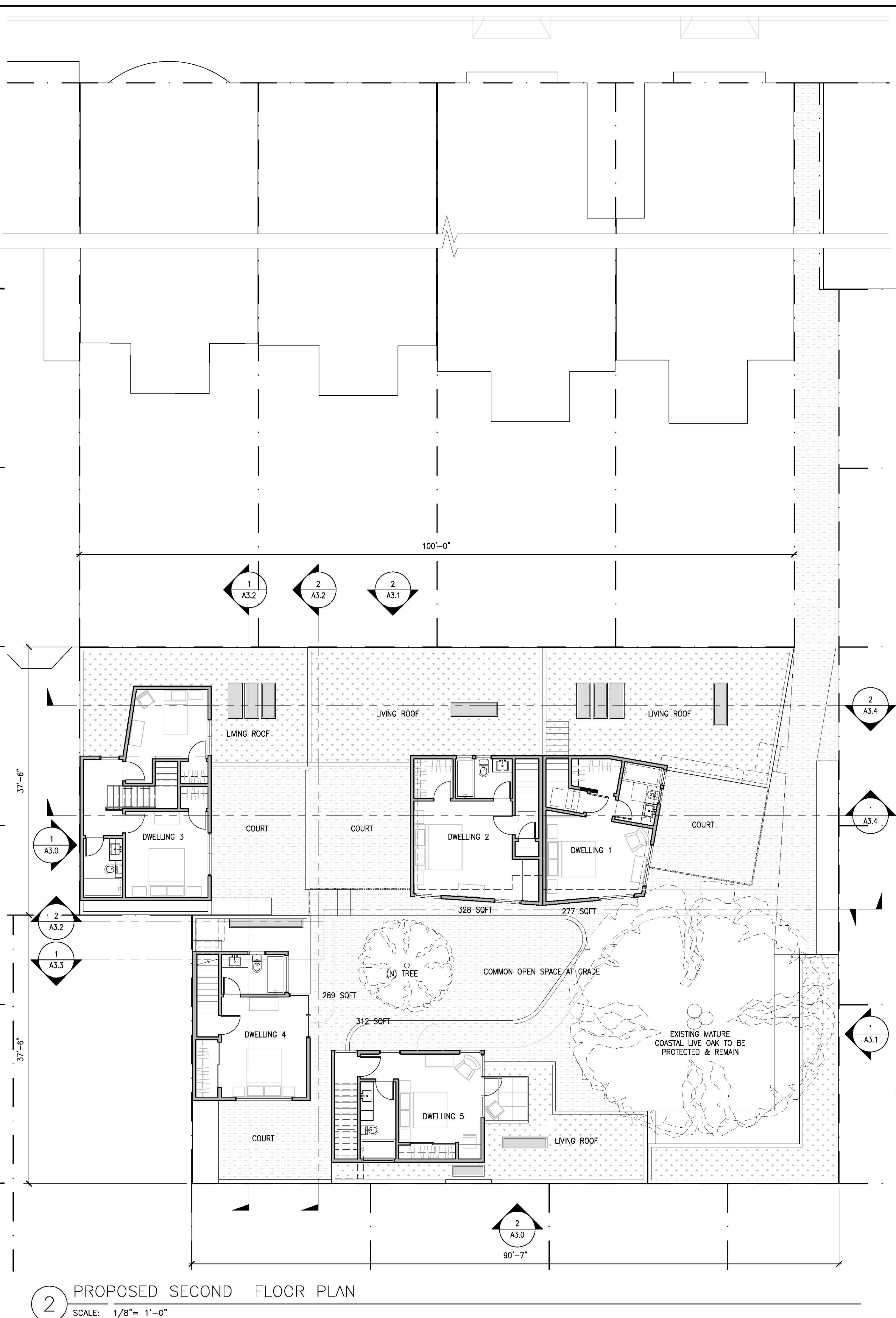
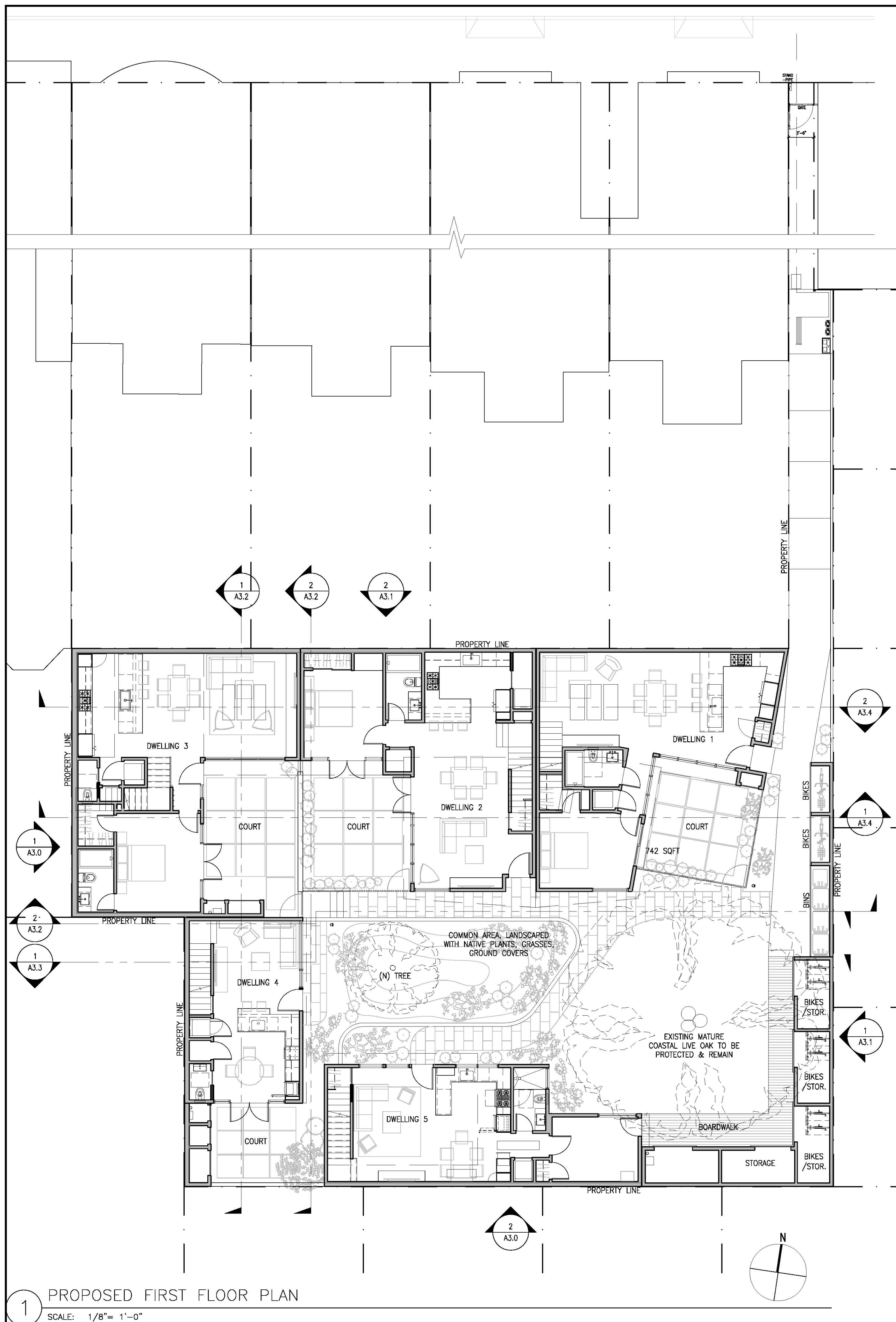
APPROVAL



DRAWN: TK
CHECKED: TK
SCALE: 3/32"=1'-0"

OPEN SPACE AND
UNIT EXPOSURE DIAGRAM

A1.2



OWNER:
GREEN GROVE SF LLC
2325 3RD STREET, SUITE 401
SAN FRANCISCO, CA 94107
PHONE: 415.431.0869

ISSUE:	DATE:
ISSUED FOR VARIANCE & CUA	08.15.2018
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PLANNING REVISIONS	08.02.2019

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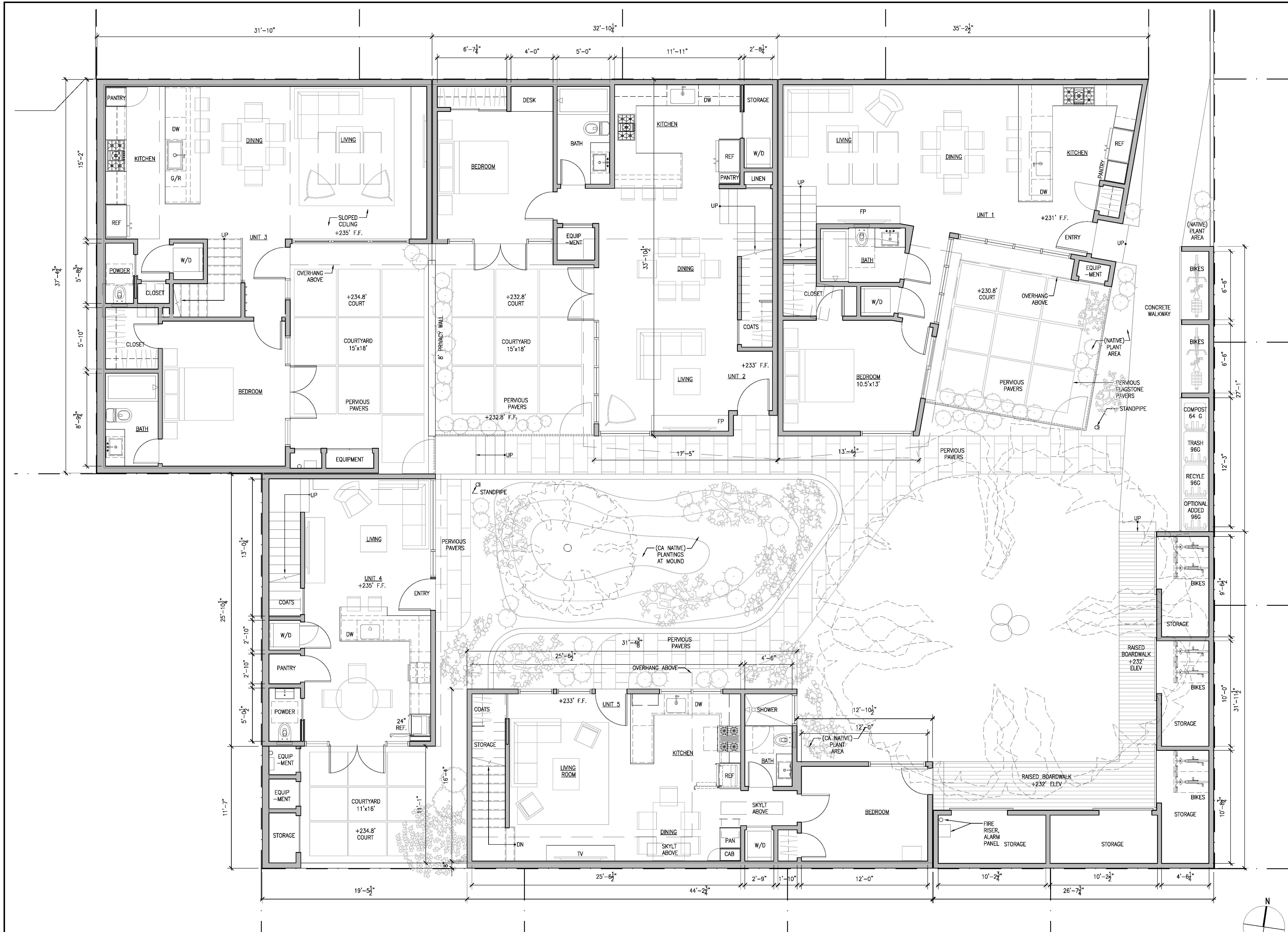
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CHECKED:	TK
SCALE:	1"=1'-0"

CHECKED:

SCALE:
1"=1'-0"

SCHEMATIC DESIGN
PROPOSED FLOOR PLANS

A2.0



1 PROPOSED FIRST FLOOR PLAN
SCALE: 1/4" = 1'-0"

TROY KASHANIPOUR ARCHITECTURE2325 3RD STREET SUITE 401, SF CA 94107PHONE/FAX 415.431.0869

1821 FULTON STREET

OWNER:
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08.15.2018
06.10.2019
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CONSULTANT
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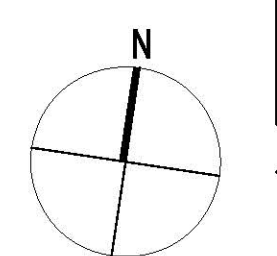
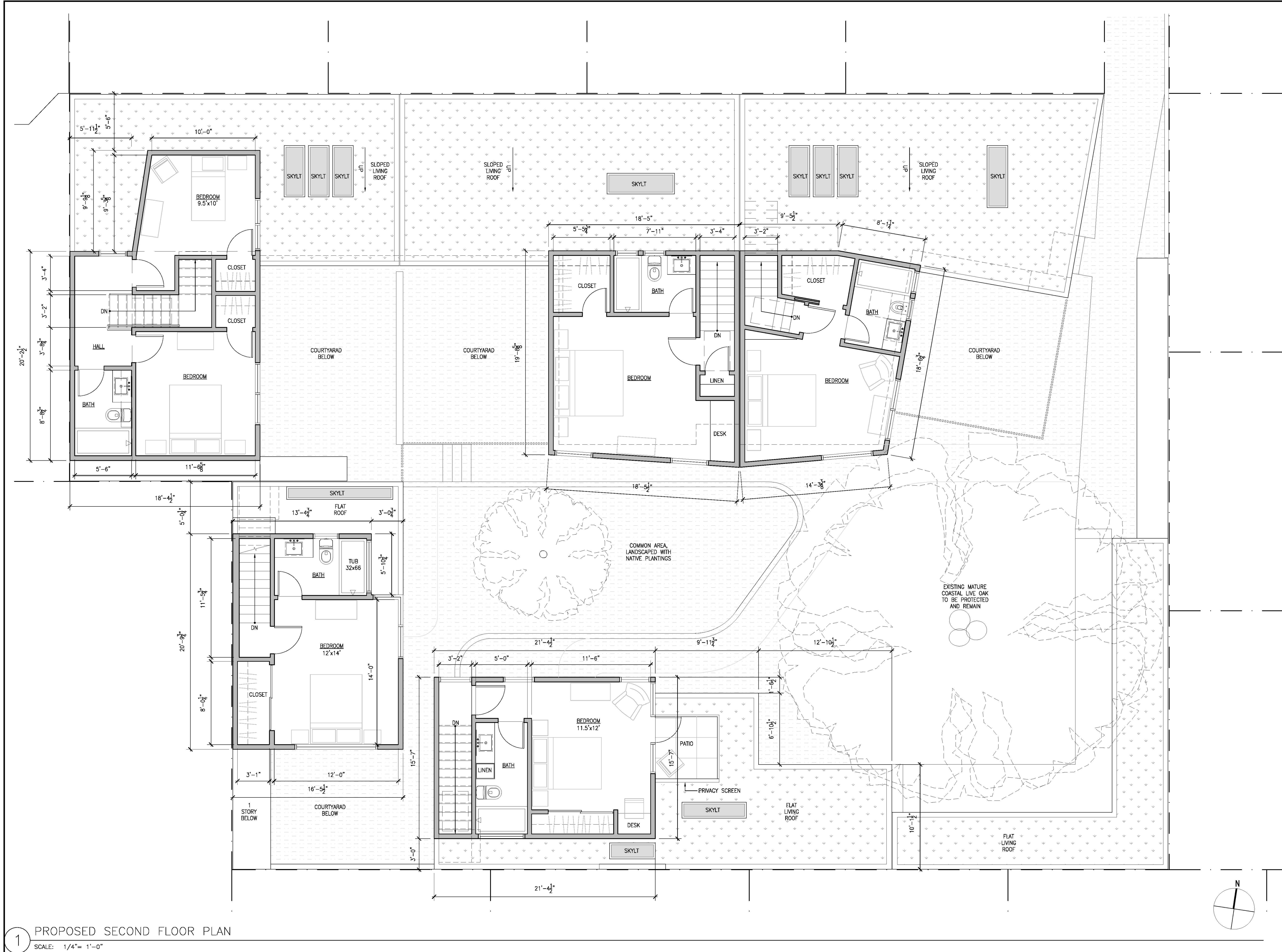
APPROVAL

LICENSED ARCHITECT
TROY KASHANIPOUR
C 27646
REN. 6/30/2021
STATE OF CALIFORNIA

DRAWN:
TK
CHECKED:
TK
SCALE:
1/4" = 1'-0"

PROPOSED FIRST FLOOR PLAN

A2.1



1 PROPOSED SECOND FLOOR PLAN
SCALE: 1/4" = 1'-0"

TROY KASHANIPOUR ARCHITECTURE2325 3RD STREET SUITE 401, SF, CA 94107. PHONE/FAX 415.431.0869

1821 FULTON STREET

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08.15.2018
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08.02.2019

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APPROVAL

1

LICENSED ARCHITECT

TROY KASHANIPOUR

C 27646

REN. 6/30/2021

STATE OF CALIFORNIA

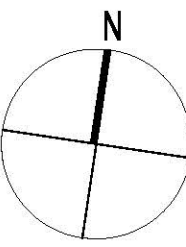
DRAWN:
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CHECKED:
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SCALE:
1/4"=1'-0"

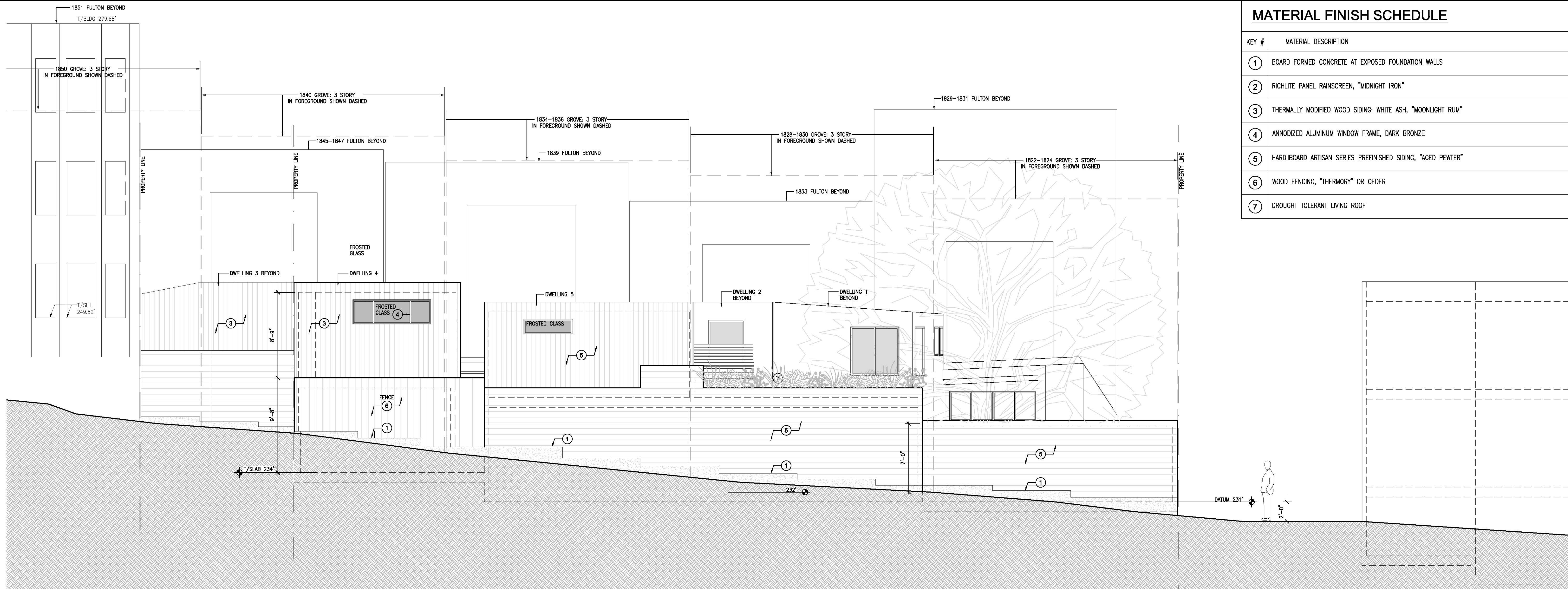
PROPOSED SECOND FLOOR PLAN

A2.2



1821 FULTON STREET

A2.3

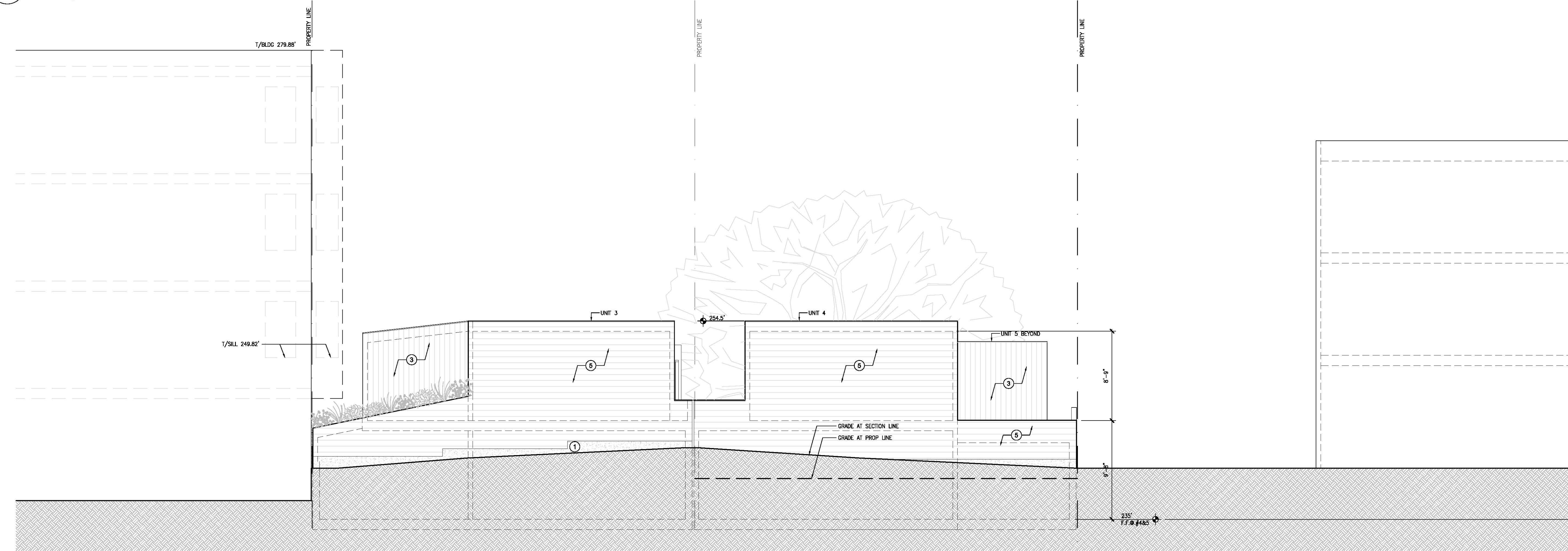


MATERIAL FINISH SCHEDULE

KEY #	MATERIAL DESCRIPTION
①	BOARD FORMED CONCRETE AT EXPOSED FOUNDATION WALLS
②	RICHLITE PANEL RAINSCREEN, "MIDNIGHT IRON"
③	THERMALLY MODIFIED WOOD SIDING: WHITE ASH, "MOONLIGHT RUM"
④	ANNOIDIZED ALUMINUM WINDOW FRAME, DARK BRONZE
⑤	HARDIBOARD ARTISAN SERIES PREFINISHED SIDING, "AGED PEWTER"
⑥	WOOD FENCING, "THERMORY" OR CEDER
⑦	DROUGHT TOLERANT LIVING ROOF

2 SOUTH ELEVATION AT PROPERTY LINE

SCALE: 3/16"= 1'-0"



1 WEST ELEVATION AT PROPERTY LINE

SCALE: 3/16"= 1'-0"

TROY KASHANIPOUR ARCHITECTURE 2325 3RD STREET SUITE 401, SF CA 94107. PHONE/FAX 415.431.0869

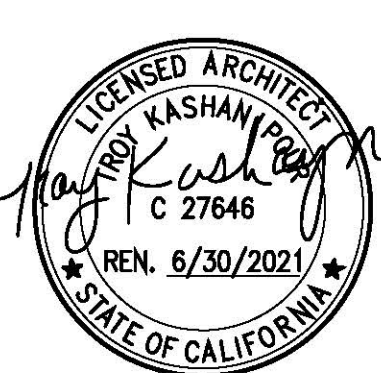
1821 FULTON STREET

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2325 3RD STREET, SUITE 401
SAN FRANCISCO, CA 94107
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CONSULTANT
-

APPROVAL



DRAWN:
TK
CHECKED:
TK
SCALE:
3/32"=1'-0"

PROPOSED ELEVATION

A3.0

KEY #	MATERIAL DESCRIPTION
①	BOARD FORMED CONCRETE AT EXPOSED FOUNDATION WALLS
②	RICHLITE PANEL RAINSCREEN, "MIDNIGHT IRON"
③	THERMALLY MODIFIED WOOD SIDING: WHITE ASH, "MOONLIGHT RUM"
④	ANNOXIDIZED ALUMINUM WINDOW FRAME, DARK BRONZE
⑤	HARDIBOARD ARTISAN SERIES PREFINISHED SIDING, "AGED PEWTER"
⑥	WOOD FENCING, "THERMORY" OR CEDAR
⑦	DROUGHT TOLERANT LIVING ROOF

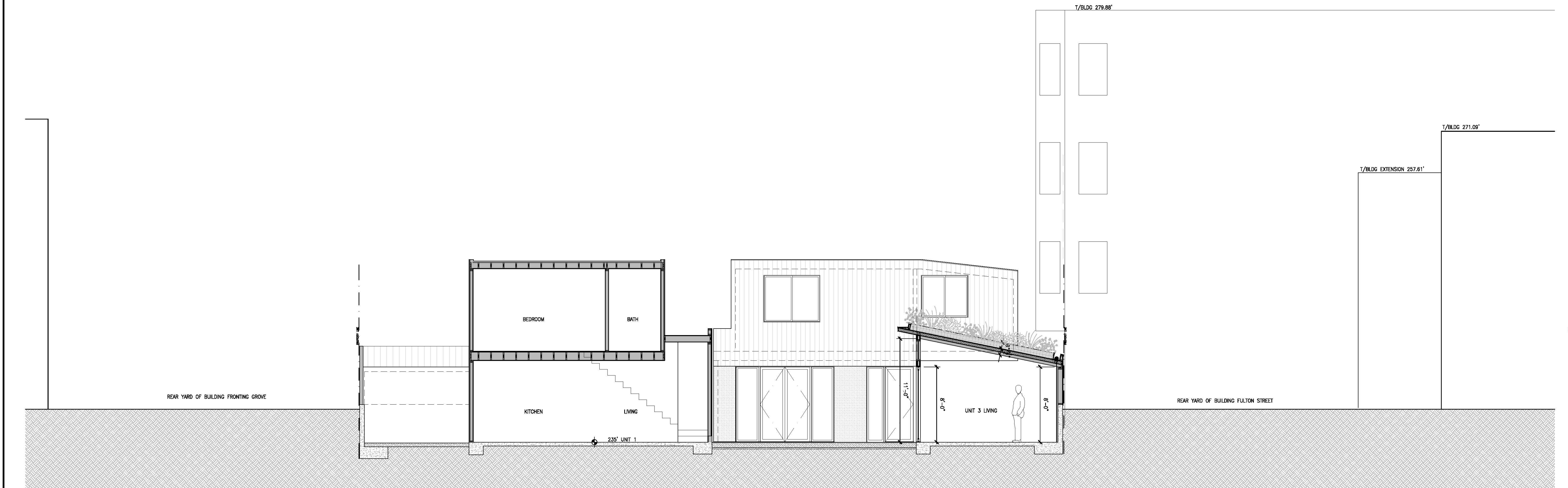


1821 FULTON STREET

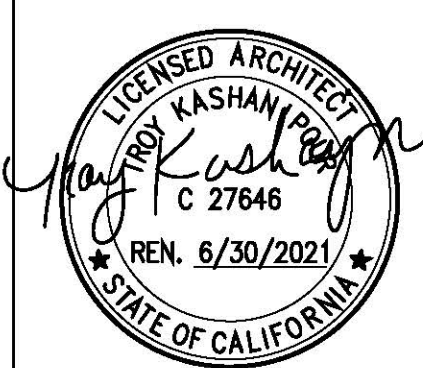
A3.1

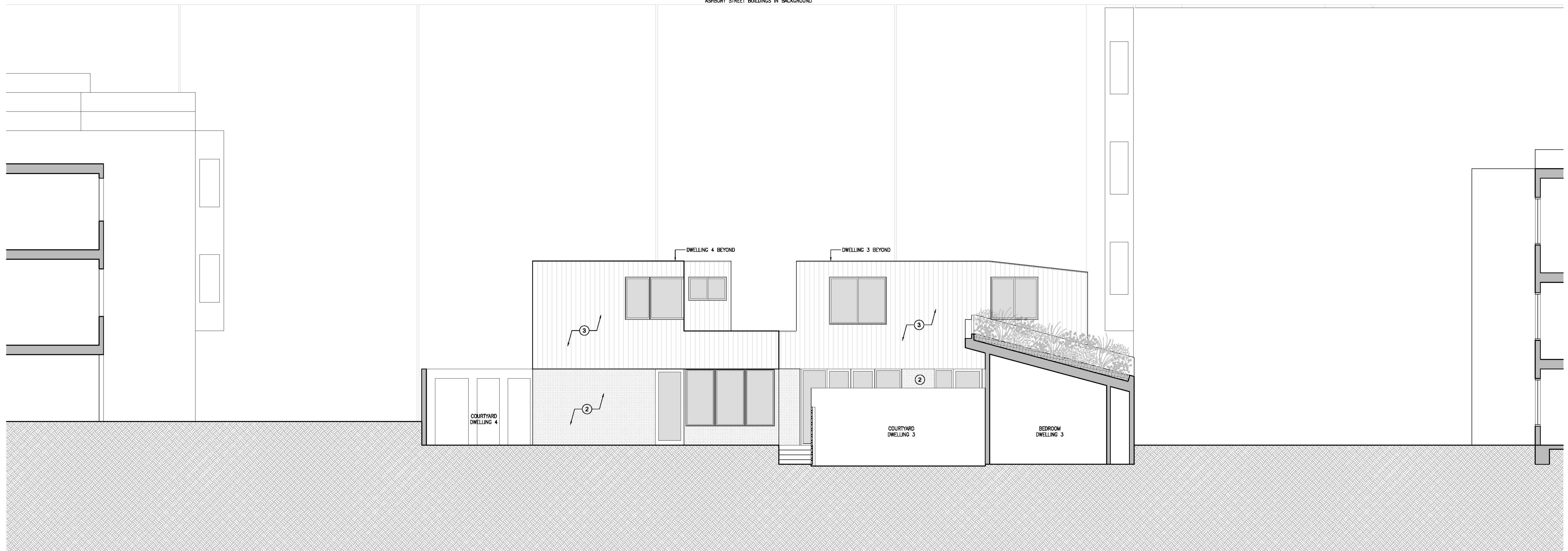


2 BUILDING SECTION/ELEVATION LOOKING NORTH
SCALE: 3/16"= 1'-0"

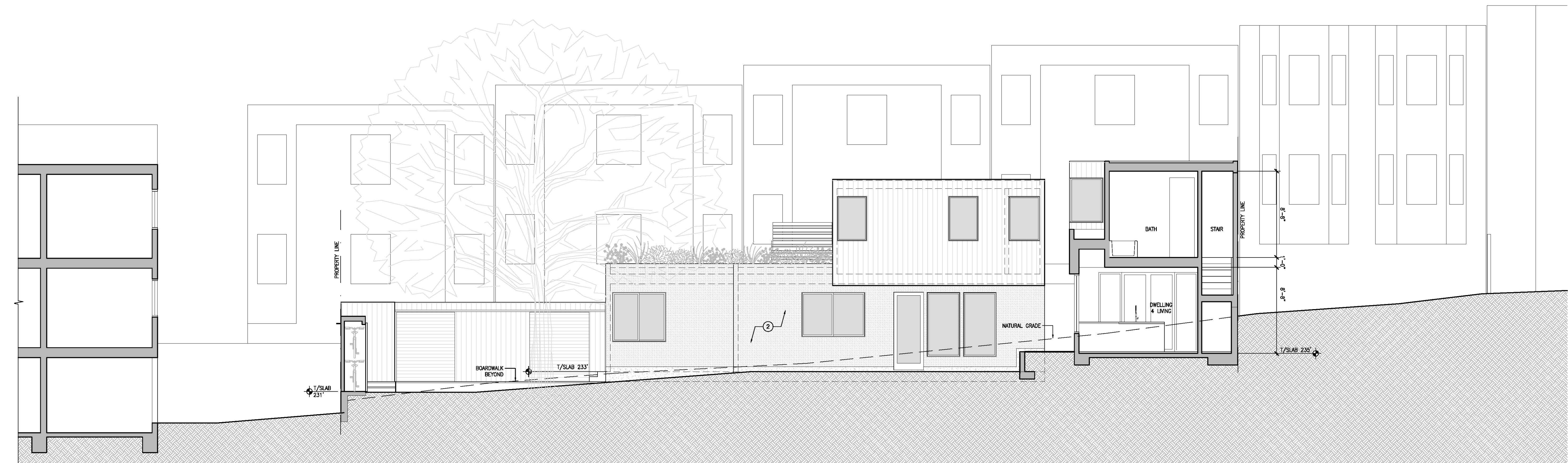


1 BUILDING SECTION/ELEVATION LOOKING WEST
SCALE: 3/16"= 1'-0"

TROY KASHANIPOUR ARCHITECTURE 2325 3RD STREET SUITE 401, SF CA 94107. PHONE/FAX 415.431.0869		1821 FULTON STREET	
OWNER: GREEN GROVE SF LLC 2325 3RD STREET, SUITE 401 SAN FRANCISCO, CA 94107 PHONE: 415.431.0869			
ISSUE:		DATE:	
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PLANNING REVISIONS		06.10.2019	
PLANNING REVISIONS		08.02.2019	
CONSULTANT			
-			
APPROVAL			
-			
		DRAWN: TK CHECKED: TK SCALE: 3/32"=1'-0"	
PROPOSED SECTION			
A3.2			



2 BUILDING SECTION/ELEVATION LOOKING WEST
SCALE: 3/16"= 1'-0"



1 BUILDING SECTION/ELEVATION LOOKING SOUTH
SCALE: 3/16"= 1'-0"

OWNER:
GREEN GROVE SF LLC
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SAN FRANCISCO, CA 94107
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ISSUE: DATE:
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CONSULTANT
-

APPROVAL



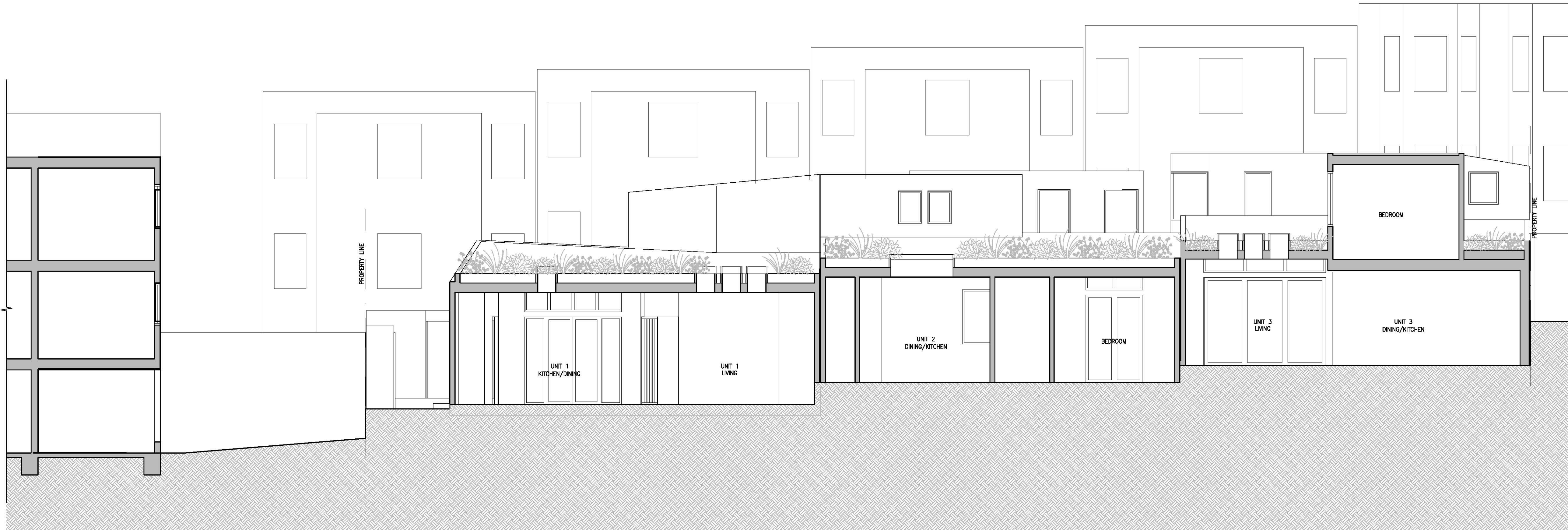
DRAWN:
TK
CHECKED:
TK
SCALE:
3/32"=1'-0"

PROPOSED SECTION

A3.3

TROY KASHANI POUR ARCHITECTURE 2325 3RD STREET SUITE 401, SF CA 94107, PHONE/FAX 415.431.0869

1821 FULTON STREET



2 BUILDING SECTION/ELEVATION LOOKING SOUTH

SCALE: 3/16"= 1'-0"



1 BUILDING SECTION/ELEVATION LOOKING SOUTH

SCALE: 3/16"= 1'-0"

TROY KASHANIPOUR ARCHITECTURE 2325 3RD STREET SUITE 401, SF CA 94107. PHONE/FAX 415.431.0869

1821 FULTON STREET

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PLANNING REVISIONS 08.02.2019

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-

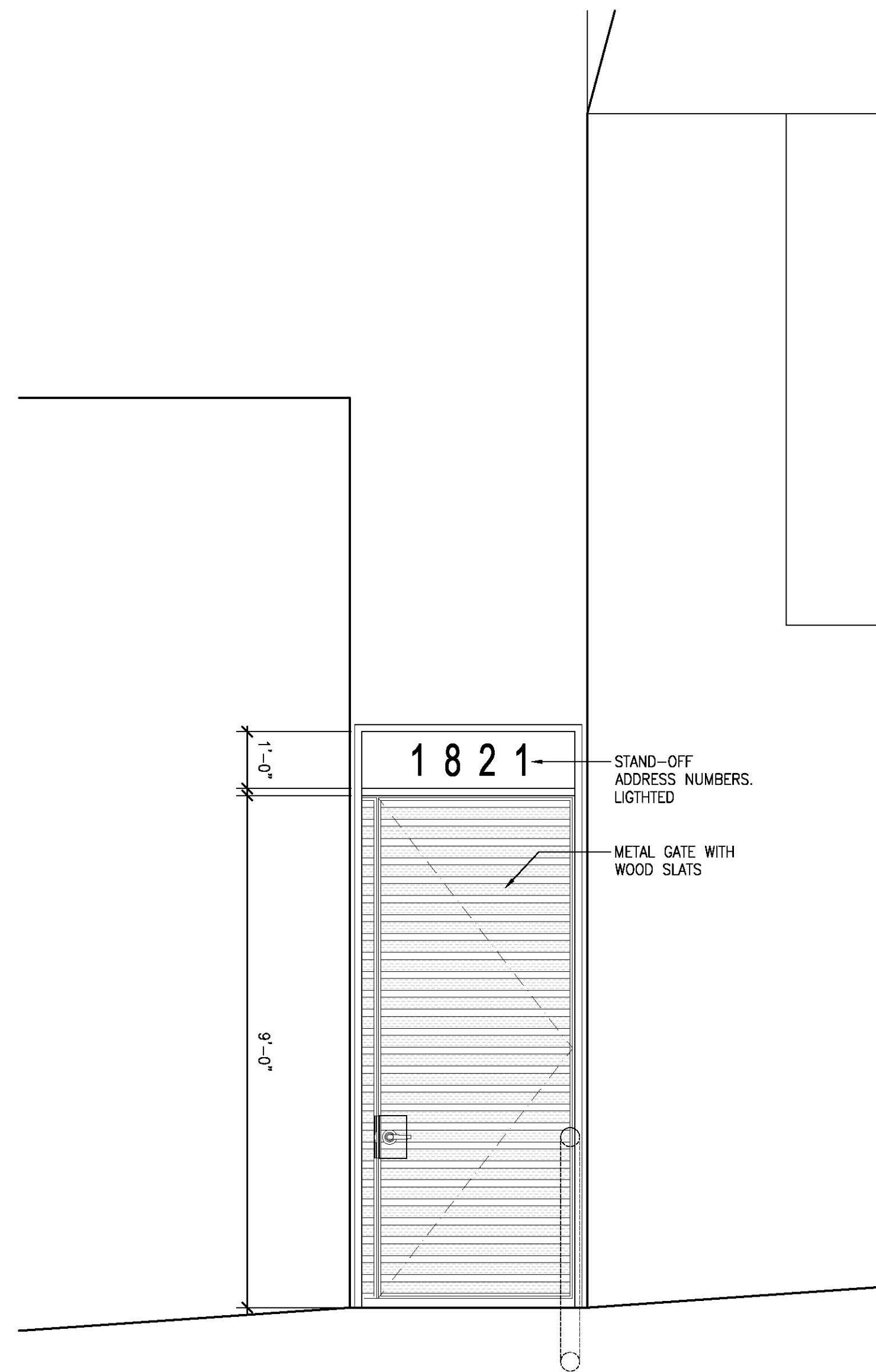
APPROVAL



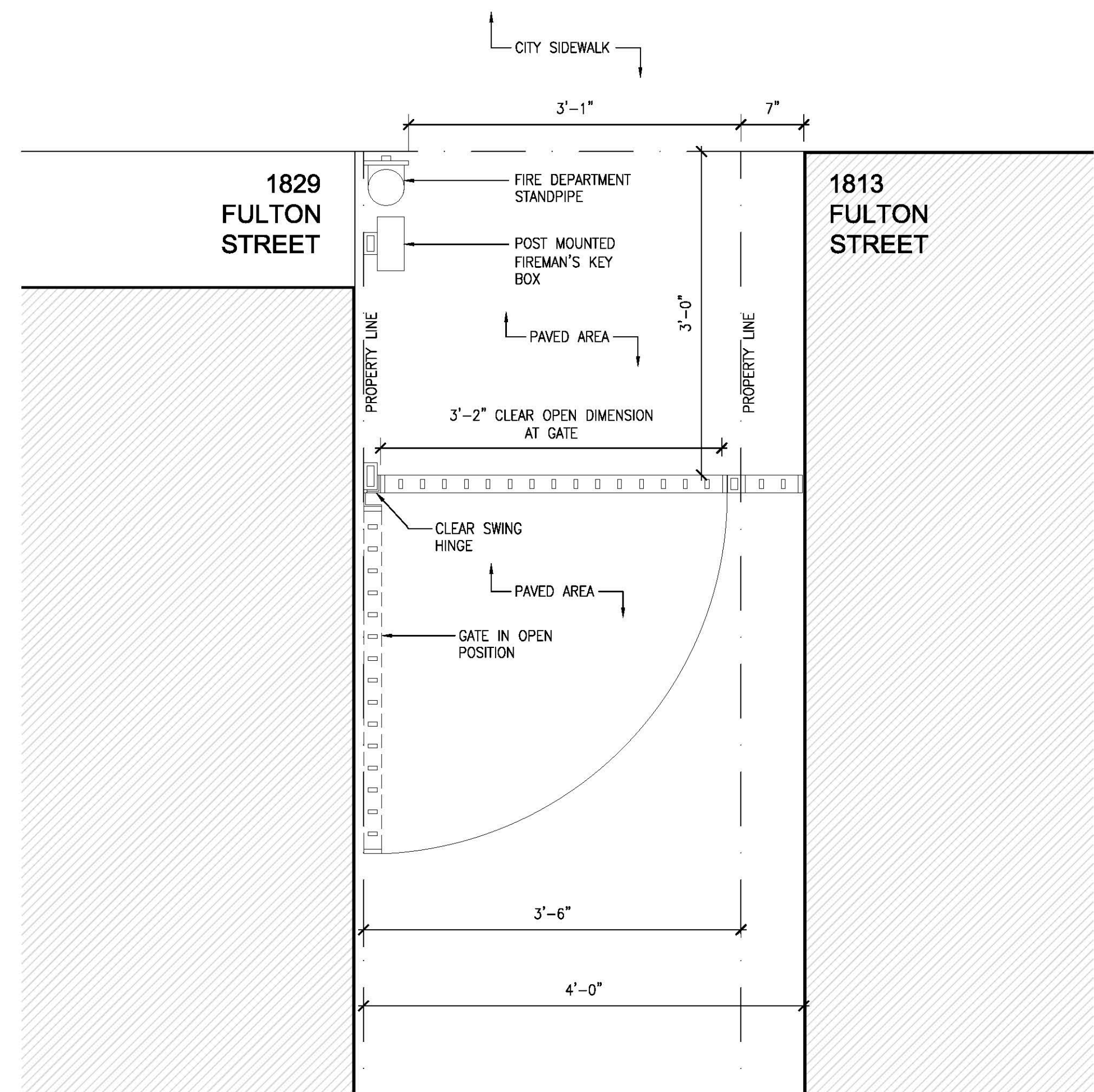
DRAWN:
TK
CHECKED:
TK
SCALE:
3/32"=1'-0"

PROPOSED SECTION

A3.4



5 ELEVATION AT ENTRY GATE
SCALE: 1/2" = 1'-0"



1 ENLARGED PLAN AT GATE
SCALE: 1" = 1'-0"

TROY KASHANIPOUR ARCHITECTURE 2325 3RD STREET SUITE 401, SF CA 94107. PHONE/FAX 415.431.0869

1821 FULTON STREET

OWNER:
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2325 3RD STREET, SUITE 401
SAN FRANCISCO, CA 94107
PHONE: 415.431.0869

ISSUE: ISSUED FOR VARIANCE & CUA DATE: 08.15.2018

CONSULTANT
-

APPROVAL



DRAWN: TK
CHECKED: TK
SCALE: AS SHOWN

ENLARGED DETAILS

A8.0

**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 1846 Grove Street

April 9, 2020

Date of City Planning Commission Action

(Attach a Copy of Planning Commission's Decision)

May 11, 2020

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.: 2018-011441CUA.

_____ 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:

The Executive Summary of the Conditional Use submitted by the Planning Department and Project Sponsor (record no 2018-011441CUAVAR) and the Planning Commission approval decision on 04/09/2020 contain the information from which this appeal is based. Specifically, the appeal is for five parts:

1. **Finding 6, A-I, Planning Code Compliance.** The Project as approved takes advantage of Planning Code variances and exceptions as listed below without providing any social benefit to the City. Specifically, the Project will not provide any below market rate housing, which is needed for low income seniors, students, first responders, teachers and health care workers, despite its proximity to City College of San Francisco, University of San Francisco and Saint Mary's Hospital. The variances granted are at the expense of the Project's 17 adjoining properties and a detriment to current and future residents, in effect to all residents of the City.

- a. Section 209.1 (RH-2 Zoning)
- b. Section 134 (Rear Yard)
- c. Section 140 (Dwelling Unit Exposure)
- d. Section 155.1 (Bicycle Access)

2. **Finding 7, B (1), Conditional Use Findings.** The Project suffers from a unique feature which makes it unsafe for its residents, their guests and their neighbors. It has a 3.5-foot wide (42 inches) by 50-foot long breezeway as its sole means of access and egress during and after construction. This breezeway was created as a utility maintenance easement for neighbors to maintain their building, and for utility companies to access their service lines. Two people carrying groceries cannot pass each other at a normal walking pace. The Project Sponsor has stated that due to the site constraints, all materials for construction must be brought in by shopping cart or handcart without benefit of cranes or construction vehicles. In the event of a fire, earthquake or other adverse event, residents and their guests will be precluded from exiting safely and quickly, while first responders will be unable to enter carrying their equipment. Wheelchair users and mobility impaired individuals would find egress impracticable, and are at extremely high risk during an emergency. The Project Sponsor has failed to provide a comparable example of a development project with a single, similarly-constrained access/egress point.



3. **Finding 7, B (2, 3), Conditional Use Findings.** Due to the increased density of this project and the allowance of a rear yard variance resulting in virtual zero setbacks from property lines, the Project will have negative impacts on accessibility and traffic patterns for persons and vehicles, the type and volume of such traffic, and the adequacy of off-street parking and loading.

4. **Finding 5, Public Outreach and Comments.** The Project summary inadequately describes the public outreach process and comments. The summary states, “The Department has received one letter in outright opposition to the project,” even though at the December hearing the project planner stated that the department had received 23 letters of opposition and a petition with over 350 signatures. At the continuance hearing on April 9, 2019, the project planner stated, “In response to the revised proposal, the department received 45 letters of opposition.” The Project Sponsor held follow-up meetings without inviting past participants, despite having their contact information, and at no time did the Project Sponsor engage in meaningful discussion with the neighbors as a group. After the December hearing, the Project Sponsor tried to meet with only a subset of neighbors. When the rest of the community demanded participation in a group meeting, the meeting’s venue was changed by the Project Sponsor about 24 hours before convening.

5. **Inconsistency in project categorization.** The April hearing packet was missing the Environmental Review documentation, provided in the December 12, 2019 <https://commissions.sfplanning.org/cpcpackets/2018-011441CUAVAR.pdf> hearing packet. The project was determined to be exempt from CEQA analysis using Class 3 Categorical Exemption, which applies to “up to three new single-family residences or six dwelling units in one building.” Since the project includes four units, the project is categorized as “dwelling units in one building” to qualify for the CEQA exemption. For Fire Code and ADA compliance however, the project is categorized as “single family residences.” A single family residence requires only a 36 inch width for egress and does not need to be ADA-accessible, while a four-unit building requires a 44 inch width egress and must be ADA-accessible.

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

Appeal Part 1

Section 209.1 principally permits a maximum of two single-family homes in lots zoned RH-2. This Project includes four units, and therefore requires conditional use authorization, which is granted by the Planning Commission when a project is necessary or desirable; city housing stock statistics and neighborhood opposition to this proposal clearly demonstrates that this project is neither.

The Project Sponsor states that the Project will increase the housing stock in San Francisco; however, recent findings show there are more vacant homes in San Francisco than the number of homeless people. This Project has no below market rate units and therefore will not address the affordable housing shortage.

Citation: <https://sf.curbed.com/2019/12/3/20993251/san-francisco-bay-area-vacant-homes-per-homeless-count>

Section 134 requires a rear yard equal to 45 percent of the lot depth, which all 17 adjoining units comply with. The variance granted will allow the Project to build against neighbors’ fences, including an approximately 20-foot tall, 36.5 foot wide monolithic box structure behind a 12.5 foot wall (including parapets) just 8 inches from two neighboring lots. Head on views of this monolith are omitted from angled-perspective 3D color renderings in the project plans submitted to the Planning

Commission; in the project plans, the approximately 20 foot height labels are printed in inches with microscopic print next to very largely labeled lower height walls (8' sloping up to 11'). The 26 windows for those two properties blocked by the monolith are conveniently missing from presented diagrams, unlike in all other 2D height renderings.

The planning department approves or disapproves vertical or horizontal extensions based on whether the neighboring lots have already executed similar extensions, and based on established, well-conceived setback requirements. The Project as proposed would have virtually zero lot lines making it infeasible for the neighbors to build accessory dwelling units (ADUs) in their rear yards, which would add to affordable housing stock.

Section 140 requires dwelling unit exposure. At least one room in each unit must face the street, a side yard at least 25 feet in width, or a Code-complying rear yard. Two of the four dwelling units do not meet this requirement..

Section 155.1 requires that bicycles have convenient access to and from the street and specifies a minimum of 5 feet width for bicycle access and egress. The Project fails to provide this. It is constrained by the 3.5 feet wide breezeway access/egress. Though the Section permits constraint points which are less than 5 feet wide, such as doorways, provided that the points "extend no more than one foot," the breezeway access/egress of the Project extends for 50 feet.

Appeal Part 2

The unique breezeway access egress of 3.5 feet wide by 50 feet in length poses substantial safety issues. At the April 9th, 2020 Planning Commission hearing, the Commissioners relied on assurances provided by a retired employee of the San Francisco Fire Department. No written statement nor evidence of analyses or evaluations were presented. At the hearing, the retired employee referred to the Project as "our project," raising questions as to his relationship to the proposed development.

Historically, many lots like the Project lot were purposely left vacant after the 1906 earthquake as a "fire block" to prevent rapid fire spread and offer a safe place to shelter. Similar fire block lots are ubiquitous in the surrounding neighborhood and most of these fire blocks remain undeveloped. Those that have been developed have multiple ingress/egress access points, and are typically extensions of existing buildings with their own frontages on perimeter streets.

Appeal Part 3

The project proposes twice as many units than principally permitted and a higher density than the surrounding neighborhood.

The occupancy load is 25 for this proposal as shown on the plans. However, California Building Code 1006.2.1 states two exits shall be provided where the design occupant load exceeds 10. In R-2 and R-3 occupancies, one means of egress is permitted from individual units **with a maximum occupant load of 20** where the dwelling unit is equipped throughout with automatic sprinkler system and the common path of egress travel does not exceed 125 feet. Only the unit nearest to the breezeway has a path of egress travel that does not exceed 125 feet.

Citation California Building Code 1006.2.1 ([Egress based on occupant load and common path of egress travel distance](#))

There will be considerable detriment to quality of life factors from crowding, loss of light and open space, noise, glare, dust and odor impacts. These impacts have not been adequately assessed and mitigated. While knowledge of SARS-nCoV2 is still in development, lessons from Wuhan, Hong Kong, and New York City suggest that higher density housing may have been an important factor in more rapid transmission from inability to provide adequate physical / social distancing and from shared air and plumbing ventilation (Jason Chu, MPH).

Appeal Part 4

At the April 9, 2019 hearing, which was the first virtual hearing held by the Planning Department, there were many technical challenges which limited the community's ability to provide public comment. The organized community group presentation opposed to this project was 31st in the queue of call-in speakers, and the community presenter was unable to hear the commission or the clerk while sharing his presentation. The hearing had to be restarted at 5 PM due to the video conference platform's 4-hour limit. Public comment speakers were put on hold during the intermission while the video conference was re-started. Some public comment speakers were not able to hear the clerk's instructions to speak. An unknown number of public comment speakers were left in the call-in queue without the ability to provide public comment, including the following neighbors: Jonathan Chu, Brad Aldridge, Marc Junkcic, and Jacqueline Reis.

Appeal Part 5

Single Family Residence vs. Dwelling Unit

General description	California Building Code description	California Building Code designation	Egress Minimum Width	Width Reference	CEQA Class 3 Exemption
"Single Family Residence"	Buildings that do not contain more than two dwelling units	R-3 https://up.codes/viewer/california/ca-building-code-2016-v1/chapter/3/use-and-occupancy-classification#310.5	36 inches	Egress courts serving Group R-3 shall be not less than 36 inches in width. https://up.codes/viewer/california/ca-building-code-2016-v1/chapter/10/means-of-egress#1028.4.1	"Up to three new single-family residences" or
"Dwelling Units in One Building"	Residential occupancies containing more than two dwelling units including Apartment houses	R-2 https://up.codes/viewer/california/ca-building-code-2016-v1/chapter/3/use-and-occupancy-classification#310.4	44 inches	https://up.codes/viewer/california/ca-building-code-2016-v1/chapter/10/means-of-egress#1028.4.1 "the minimum width shall be not less than 44 inches"	(up to) "six dwelling units in one building."

The Project includes plans to build four "single family dwelling units" in a lot zoned RH-2 in San Francisco (Residential House – Two Family). The plans show the buildings rated R-3, which per the California Building Code are buildings that do not contain more than two dwelling units, and only require a minimum width of 36 inches for egress.

However, the Project is inconsistently categorized in order to meet the requirements for a CEQA categorical exemption. The Project Sponsor applied for Class 3 CEQA Categorical Exemption, which is meant to apply to “up to three single family residences or six dwelling units in one building.” In order to qualify for the exemption, the Project is categorized as four R-2 dwelling units, instead of R-3 single family residences.

Per the California Building Code, R-2 units require 44 inches of egress, and the proposal only provides an egress width of 42 inches.

Conclusion

By increasing the stock of unaffordable housing, this Project does not benefit any segment of the San Francisco population. The variances and exceptions granted were done so at the expense of the safety of current and future residents. The only beneficiaries are the project developers.

For these reasons, we urge the Board of Supervisors to overturn the approval of the conditional use authorization application for this project.

Person to Whom
Notices Shall Be Mailed

Name and Address of Person Filing Appeal:

Meg Gray

Name

Malinda Kai Tuazon

Name

1829 Fulton Street, SF, CA 94117

Address

613 Masonic Ave, SF, CA 94117

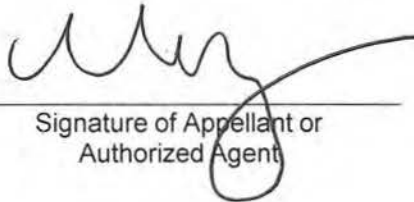
Address

(541) 968-7352

Telephone Number

(415) 794-4497

Telephone Number



Signature of Appellant or
Authorized Agent

City Planning Commission
Case No. 2018-011441CUA

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. Please see signature pages as Attachment 1			
2. _____	_____	_____	_____
3. _____	_____	_____	_____
4. _____	_____	_____	_____
5. _____	_____	_____	_____
6. _____	_____	_____	_____
7. _____	_____	_____	_____
8. _____	_____	_____	_____
9. _____	_____	_____	_____
10. _____	_____	_____	_____
11. _____	_____	_____	_____
12. _____	_____	_____	_____
13. _____	_____	_____	_____
14. _____	_____	_____	_____
15. _____	_____	_____	_____
16. _____	_____	_____	_____
17. _____	_____	_____	_____
18. _____	_____	_____	_____
19. _____	_____	_____	_____
20. _____	_____	_____	_____
21. _____	_____	_____	_____
22. _____	_____	_____	_____

Pursuant to Planning Code Section 308.1(b), the undersigned members of the Board of Supervisors believe that there is sufficient public interest and concern to warrant an appeal of the Planning Commission on Case No. 2018-011441CUAVAR, a conditional use authorization regarding (address) 1846 Grove Street, District 5. The undersigned members respectfully request the Clerk of the Board to calendar this item at the soonest possible date.

SIGNATURE

DATE

Dean Preston /s/

May 8, 2020

Hillary Ronen /s/

May 8, 2020

Matt Haney /s/

May 8, 2020

Aaron Peskin /s/

May 8, 2020

Gordon Mar /s/

May 8, 2020

(Attach copy of Planning Commission's Decision)

From: [Smeallie, Kyle \(BOS\)](#)
To: [Ronen, Hillary](#)
Cc: [Beinart, Amy \(BOS\)](#); [BOS Legislation. \(BOS\)](#)
Subject: Your approval requested: Conditional Use Appeal at 1846 Grove Street
Date: Friday, May 8, 2020 2:10:09 PM
Attachments: [CU Appeal - 1846 Grove Street - Supervisor Signatures.pdf](#)

Good afternoon Supervisor Ronen,

Following up about the CU Appeal at 1846 Grove Street in District 5, as requested by a group of D5 constituents.

I understand you have indicated your support for the Board to hear this appeal. I have checked with the Clerk's office (see thread below), and given the state of emergency, an electronic signature (as listed on the attached document) will suffice for conveying your approval, along with the accompanying text:

This email is to confirm that the use of the /s/ symbol is intended to have the same effect as the my signature and to confirm my intent to approve the document.

If you could reply to this thread with the original attachment and foregoing text, that will suffice for your approval.

The deadline is Monday, but the appellants would like to submit materials today if possible. Let me know if you have any questions.

Thank you!
Kyle Smeallie
Legislative Aide
District 5 Supervisor Dean Preston

From: [Smeallie, Kyle \(BOS\)](#)
To: [Preston, Dean \(BOS\)](#)
Cc: [BOS Legislation, \(BOS\)](#)
Subject: Your approval requested: Conditional Use Appeal at 1846 Grove Street
Date: Friday, May 8, 2020 2:11:44 PM
Attachments: [CU Appeal - 1846 Grove Street - Supervisor Signatures.pdf](#)

Dean,

Following up about the CU Appeal at 1846 Grove Street, as requested by a group of our constituents.

I understand you have indicated your support for the Board to hear this appeal. I have checked with the Clerk's office (see thread below), and given the state of emergency, an electronic signature (as listed on the attached document) will suffice for conveying your approval, along with the accompanying text:

This email is to confirm that the use of the /s/ symbol is intended to have the same effect as the my signature and to confirm my intent to approve the document.

If you could reply to this thread with the original attachment and foregoing text, that will suffice for your approval.

The deadline is Monday, but the appellants would like to submit materials today if possible. Let me know if you have any questions.

Thank you!
Kyle Smeallie
Legislative Aide
District 5 Supervisor Dean Preston

From: [Smeallie, Kyle \(BOS\)](#)
To: [Haney, Matt \(BOS\)](#)
Cc: [RivamonteMesa, Abigail \(BOS\)](#); [BOS Legislation, \(BOS\)](#)
Subject: Your approval requested: Conditional Use Appeal at 1846 Grove Street
Date: Friday, May 8, 2020 2:14:01 PM
Attachments: [CU Appeal - 1846 Grove Street - Supervisor Signatures.pdf](#)

Good afternoon Supervisor Haney,

Following up about the CU Appeal at 1846 Grove Street in District 5, as requested by a group of D5 constituents.

I understand you have indicated your support for the Board to hear this appeal. I have checked with the Clerk's office (see thread below), and given the state of emergency, an electronic signature (as listed on the attached document) will suffice for conveying your approval, along with the accompanying text:

This email is to confirm that the use of the /s/ symbol is intended to have the same effect as the my signature and to confirm my intent to approve the document.

If you could reply to this thread with the original attachment and foregoing text, that will suffice for your approval.

The deadline is Monday, but the appellants would like to submit materials today if possible. Let me know if you have any questions.

Thank you!
Kyle Smeallie
Legislative Aide
District 5 Supervisor Dean Preston

From: [Smeallie, Kyle \(BOS\)](#)
To: [Peskin, Aaron \(BOS\)](#)
Cc: [Hepner, Lee \(BOS\)](#); [Angulo, Sunny \(BOS\)](#); [BOS Legislation, \(BOS\)](#)
Subject: Your approval requested: Conditional Use Appeal at 1846 Grove Street
Date: Friday, May 8, 2020 2:15:43 PM
Attachments: [CU Appeal - 1846 Grove Street - Supervisor Signatures.pdf](#)

Good afternoon Supervisor Peskin,

Following up about the CU Appeal at 1846 Grove Street in District 5, as requested by a group of D5 constituents.

I understand you have indicated your support for the Board to hear this appeal. I have checked with the Clerk's office (see thread below), and given the state of emergency, an electronic signature (as listed on the attached document) will suffice for conveying your approval, along with the accompanying text:

This email is to confirm that the use of the /s/ symbol is intended to have the same effect as the my signature and to confirm my intent to approve the document.

If you could reply to this thread with the original attachment and foregoing text, that will suffice for your approval.

The deadline is Monday, but the appellants would like to submit materials today if possible. Let me know if you have any questions.

Thank you!
Kyle Smeallie
Legislative Aide
District 5 Supervisor Dean Preston

From: [Smeallie, Kyle \(BOS\)](#)
To: [Mar, Gordon \(BOS\)](#)
Cc: [Quan, Daisy \(BOS\)](#); [BOS Legislation, \(BOS\)](#)
Subject: Your approval requested: Conditional Use Appeal at 1846 Grove Street
Date: Friday, May 8, 2020 2:18:00 PM
Attachments: [CU Appeal - 1846 Grove Street - Supervisor Signatures.pdf](#)

Good afternoon Supervisor Mar,

Following up about the CU Appeal at 1846 Grove Street in District 5, as requested by a group of D5 constituents.

I understand you have indicated your support for the Board to hear this appeal. I have checked with the Clerk's office (see thread below), and given the state of emergency, an electronic signature (as listed on the attached document) will suffice for conveying your approval, along with the accompanying text:

This email is to confirm that the use of the /s/ symbol is intended to have the same effect as the my signature and to confirm my intent to approve the document.

If you could reply to this thread with the original attachment and foregoing text, that will suffice for your approval.

The deadline is Monday, but the appellants would like to submit materials today if possible. Let me know if you have any questions.

Thank you!
Kyle Smeallie
Legislative Aide
District 5 Supervisor Dean Preston

From: [Ronen, Hillary](#)
To: [Smeallie, Kyle \(BOS\)](#)
Cc: [Beinart, Amy \(BOS\)](#); [BOS Legislation. \(BOS\)](#)
Subject: Re: Your approval requested: Conditional Use Appeal at 1846 Grove Street
Date: Friday, May 8, 2020 2:15:23 PM

This email is to confirm that the use of the /s/ symbol is intended to have the same effect as the my signature and to confirm my intent to approve the document.

Let me know if you need anything else from me.

Hillary

Sent from my iPhone

On May 8, 2020, at 2:10 PM, Smeallie, Kyle (BOS) <kyle.smeallie@sfgov.org> wrote:

This email is to confirm that the use of the /s/ symbol is intended to have the same effect as the my signature and to confirm my intent to approve the document.

If you could reply to this thread with the original attachment and foregoing text, that will suffice for your approval.

From: [Mar, Gordon \(BOS\)](#)
To: [Smeallie, Kyle \(BOS\)](#)
Cc: [Quan, Daisy \(BOS\)](#); [BOS Legislation, \(BOS\)](#)
Subject: Re: Your approval requested: Conditional Use Appeal at 1846 Grove Street
Date: Saturday, May 9, 2020 12:05:20 AM
Attachments: [CU Appeal - 1846 Grove Street - Supervisor Signatures.pdf](#)

This email is to confirm that the use of the /s/ symbol is intended to have the same effect as the my signature and to confirm my intent to approve the document.

Gordon Mar

Get [Outlook for iOS](#)

From: Smeallie, Kyle (BOS) <kyle.smeallie@sfgov.org>
Sent: Friday, May 8, 2020 2:17:57 PM
To: Mar, Gordon (BOS) <gordon.mar@sfgov.org>
Cc: Quan, Daisy (BOS) <daisy.quan@sfgov.org>; BOS Legislation, (BOS) <bos.legislation@sfgov.org>
Subject: Your approval requested: Conditional Use Appeal at 1846 Grove Street

Good afternoon Supervisor Mar,

Following up about the CU Appeal at 1846 Grove Street in District 5, as requested by a group of D5 constituents.

I understand you have indicated your support for the Board to hear this appeal. I have checked with the Clerk's office (see thread below), and given the state of emergency, an electronic signature (as listed on the attached document) will suffice for conveying your approval, along with the accompanying text:

This email is to confirm that the use of the /s/ symbol is intended to have the same effect as the my signature and to confirm my intent to approve the document.

If you could reply to this thread with the original attachment and foregoing text, that will suffice for your approval.

The deadline is Monday, but the appellants would like to submit materials today if possible. Let me know if you have any questions.

Thank you!
Kyle Smeallie
Legislative Aide
District 5 Supervisor Dean Preston

From: [Preston, Dean \(BOS\)](#)
To: [Smeallie, Kyle \(BOS\)](#)
Cc: [BOS Legislation, \(BOS\)](#)
Subject: Re: Your approval requested: Conditional Use Appeal at 1846 Grove Street
Date: Saturday, May 9, 2020 12:27:27 AM

This email is to confirm that the use of the /s/ symbol is intended to have the same effect as my signature and to confirm my intent to approve the document.

Please let me know if you require anything further.

Thank you.

Dean Preston
Supervisor, District 5
San Francisco Board of Supervisors

From: "Smeallie, Kyle (BOS)" <kyle.smeallie@sfgov.org>
Date: Friday, May 8, 2020 at 2:11 PM
To: "Preston, Dean (BOS)" <dean.preston@sfgov.org>
Cc: "BOS Legislation, (BOS)" <bos.legislation@sfgov.org>
Subject: Your approval requested: Conditional Use Appeal at 1846 Grove Street

Dean,

Following up about the CU Appeal at 1846 Grove Street, as requested by a group of our constituents.

I understand you have indicated your support for the Board to hear this appeal. I have checked with the Clerk's office (see thread below), and given the state of emergency, an electronic signature (as listed on the attached document) will suffice for conveying your approval, along with the accompanying text:

This email is to confirm that the use of the /s/ symbol is intended to have the same effect as the my signature and to confirm my intent to approve the document.

If you could reply to this thread with the original attachment and foregoing text, that will suffice for your approval.

The deadline is Monday, but the appellants would like to submit materials today if possible. Let me know if you have any questions.

Thank you!

Kyle Smeallie

Legislative Aide

District 5 Supervisor Dean Preston

From: [Peskin, Aaron \(BOS\)](#)
To: [Smeallie, Kyle \(BOS\)](#)
Cc: [Hepner, Lee \(BOS\)](#); [Angulo, Sunny \(BOS\)](#); [BOS Legislation, \(BOS\)](#)
Subject: Re: Your approval requested: Conditional Use Appeal at 1846 Grove Street
Date: Sunday, May 10, 2020 10:33:35 PM

This email is to confirm that the use of the /s/ symbol is intended to have the same effect as the my signature and to confirm my intent to approve appealing this project to the Board of Supervisors.

/s/ Aaron Peskin

If you could reply to this thread with the original attachment and foregoing text, that will suffice for your approval.

The deadline is Monday, but the appellants would like to submit materials today if possible. Let me know if you have any questions.

Thank you!
Kyle Smeallie
Legislative Aide
District 5 Supervisor Dean Preston

From: [Haney, Matt \(BOS\)](#)
To: [Smeallie, Kyle \(BOS\)](#)
Cc: [RivamonteMesa, Abigail \(BOS\)](#); [BOS Legislation, \(BOS\)](#)
Subject: Re: Your approval requested: Conditional Use Appeal at 1846 Grove Street
Date: Monday, May 11, 2020 7:28:57 AM

This email is to confirm that the use of the /s/ symbol is intended to have the same effect as the my signature and to confirm my intent to approve the document.

Get [Outlook for iOS](#)

From: Smeallie, Kyle (BOS) <kyle.smeallie@sfgov.org>
Sent: Friday, May 8, 2020 2:13:57 PM
To: Haney, Matt (BOS) <matt.haney@sfgov.org>
Cc: RivamonteMesa, Abigail (BOS) <abigail.rivamontemesa@sfgov.org>; BOS Legislation, (BOS) <bos.legislation@sfgov.org>
Subject: Your approval requested: Conditional Use Appeal at 1846 Grove Street

Good afternoon Supervisor Haney,

Following up about the CU Appeal at 1846 Grove Street in District 5, as requested by a group of D5 constituents.

I understand you have indicated your support for the Board to hear this appeal. I have checked with the Clerk's office (see thread below), and given the state of emergency, an electronic signature (as listed on the attached document) will suffice for conveying your approval, along with the accompanying text:

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If you could reply to this thread with the original attachment and foregoing text, that will suffice for your approval.

The deadline is Monday, but the appellants would like to submit materials today if possible. Let me know if you have any questions.

Thank you!

Kyle Smeallie
Legislative Aide
District 5 Supervisor Dean Preston

Attachment 1

Signatures of Property Owners

City Planning Commission
Case Nos. 2018-011441CUA & 2018-011441VAR
Address: 1846 Grove St.

I declare that I am hereby a subscriber to this Notice of Appeal and am owner of property affected by the proposed amendment or conditional use.

If ownership has changed and assessment roll has not been amended, I 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 of property owned

1882 Grove St.

Assessor's Block & Lot

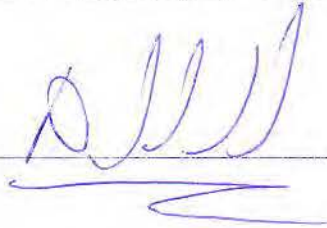
1187 015

Printed Name of Owner(s)

SHILPA PATHAK

DUSHYANT PATHAK

Owner(s) Original Signature(s)



City Planning Commission
Case Nos. 2018-011441CUA & 2018-011441VAR
Address: 1846 Grove St.

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Street Address of property owned

32-34 Ashbury St.

Assessor's Block & Lot

1187 007

Printed Name of Owner(s)

DAVID MEHDY

Owner(s) Original Signature(s)

David Mehdy

City Planning Commission
Case Nos. 2018-011441CUA & 2018-011441VAR
Address: 1846 Grove St.

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If ownership has changed and assessment roll has not been amended, I 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 of property owned

1833- 1835 Fulton St.

Assessor's Block & Lot

1187 012

Printed Name of Owner(s)

SAM QUON PON + SUSAN NG PON

Owner(s) Original Signature(s)

Sam Quon Pon and Susan Ng Pon

City Planning Commission
Case Nos. 2018-011441CUA & 2018-011441VAR
Address: 1846 Grove St.

I declare that I am hereby a subscriber to this Notice of Appeal and am owner of property affected by the proposed amendment or conditional use.

If ownership has changed and assessment roll has not been amended, I 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 of property owned

1839-1841 Fulton St. SF, CA 94117

Assessor's Block & Lot

1187 011

Printed Name of Owner(s)

Bikye Wong

Owner(s) Original Signature(s)

Bikye Wong

City Planning Commission
Case Nos. 2018-011441CUA & 2018-011441VAR
Address: 1846 Grove St.

I declare that I am hereby a subscriber to this Notice of Appeal and am owner of property affected by the proposed amendment or conditional use.

If ownership has changed and assessment roll has not been amended, I 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 of property owned

44 Ashbury St. SF, CA 94117

Assessor's Block & Lot

1187 033

Printed Name of Owner(s)

Christopher Covington

Owner(s) Original Signature(s)

Chris Covington

City Planning Commission
Case Nos. 2018-011441CUA & 2018-011441VAR
Address: 1846 Grove St.

I declare that I am hereby a subscriber to this Notice of Appeal and am owner of property affected by the proposed amendment or conditional use.

If ownership has changed and assessment roll has not been amended, I 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 of property owned

625 MASONIC AVE SF, CA 94117

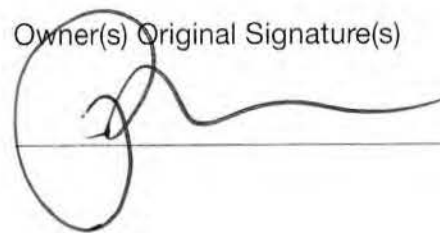
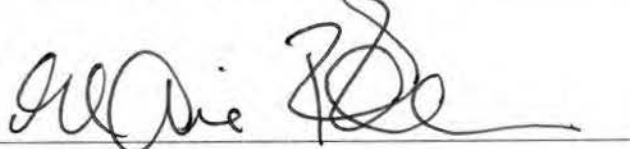
Assessor's Block & Lot

1187 035

Printed Name of Owner(s)

Rachel Clee and Elaine Robertson

Owner(s) Original Signature(s)

City Planning Commission
Case Nos. 2018-011441CUA & 2018-011441VAR
Address: 1846 Grove St.

I declare that I am hereby a subscriber to this Notice of Appeal and am owner of property affected by the proposed amendment or conditional use.

If ownership has changed and assessment roll has not been amended, I 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 of property owned

57 Ashbury St. SF, CA 94117

Assessor's Block & Lot

1188 002C

Printed Name of Owner(s)

Daniel Morse

Owner(s) Original Signature(s)

Daniel Morse

City Planning Commission
Case Nos. 2018-011441CUA & 2018-011441VAR
Address: 1846 Grove St.

I declare that I am hereby a subscriber to this Notice of Appeal and am owner of property affected by the proposed amendment or conditional use.

If ownership has changed and assessment roll has not been amended, I 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 of property owned

1890 Grove St. SF, CA 94117

Assessor's Block & Lot

1187 006B

Printed Name of Owner(s)

1890 Grove, LLC Paul Reo Mngs

Owner(s) Original Signature(s)

Paul Reo

City Planning Commission
Case Nos. 2018-011441CUA & 2018-011441VAR
Address: 1846 Grove St.

I declare that I am hereby a subscriber to this Notice of Appeal and am owner of property affected by the proposed amendment or conditional use.

If ownership has changed and assessment roll has not been amended, I 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 of property owned

46 Ashbury St. SF, CA 94117

Assessor's Block & Lot

1187 034

Printed Name of Owner(s)

THOMAS AREND

Owner(s) Original Signature(s)

 4/29/2020

City Planning Commission
Case Nos. 2018-011441CUA & 2018-011441VAR
Address: 1846 Grove St.

I declare that I am hereby a subscriber to this Notice of Appeal and am owner of property affected by the proposed amendment or conditional use.

If ownership has changed and assessment roll has not been amended, I 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 of property owned

1828-1830 Grove St. SF, CA 94117

Assessor's Block & Lot

1187 003E

Printed Name of Owner(s)

Jessica Potts + Christopher Foster Jennifer + Pat Forbert

Owner(s) Original Signature(s)

Jessica Potts & C Foster Jennifer + Pat Forbert

City Planning Commission
Case Nos. 2018-011441CUA & 2018-011441VAR
Address: 1846 Grove St.

I declare that I am hereby a subscriber to this Notice of Appeal and am owner of property affected by the proposed amendment or conditional use.

If ownership has changed and assessment roll has not been amended, I 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 of property owned

1880 Grove St. SF, CA 94117

Assessor's Block & Lot

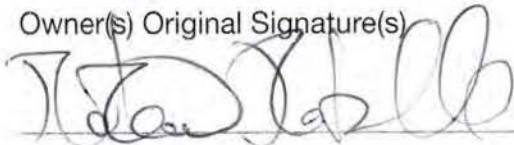
1187 014

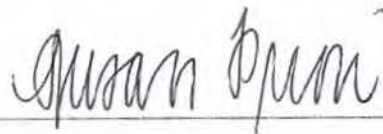
Printed Name of Owner(s)

Mathew Mitchell

Susan Prim

Owner(s) Original Signature(s)





City Planning Commission
Case Nos. 2018-011441CUA & 2018-011441VAR
Address: 1846 Grove St.

I declare that I am hereby a subscriber to this Notice of Appeal and am owner of property affected by the proposed amendment or conditional use.

If ownership has changed and assessment roll has not been amended, I 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 of property owned

1829 Fulton St.

Assessor's Block & Lot

1187 031

Printed Name of Owner(s)

Margaret Gray

John Mark Ikeda

Owner(s) Original Signature(s)



City Planning Commission
Case Nos. 2018-011441CUA & 2018-011441VAR
Address: 1846 Grove St.

I declare that I am hereby a subscriber to this Notice of Appeal and am owner of property affected by the proposed amendment or conditional use.

If ownership has changed and assessment roll has not been amended, I 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 of property owned

1831 Fulton St.

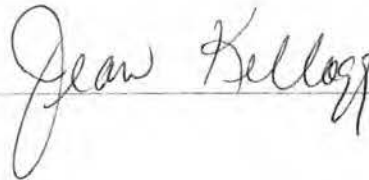
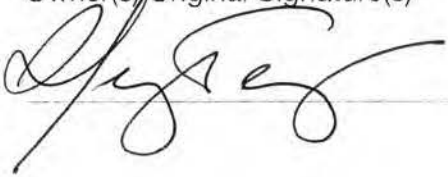
Assessor's Block & Lot

1187 032

Printed Name of Owner(s)

TANG-KELLOGG FAMILY REVOCABLE TRUST,
HENRY TANG AND JEAN KELLOGG, TRUSTEES

Owner(s) Original Signature(s)



City Planning Commission
Case Nos. 2018-011441CUA & 2018-011441VAR
Address: 1846 Grove St.

I declare that I am hereby a subscriber to this Notice of Appeal and am owner of property affected by the proposed amendment or conditional use.

If ownership has changed and assessment roll has not been amended, I 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 of property owned

627 MASONIC AVE SF, CA 94117

Assessor's Block & Lot

1187 036

Printed Name of Owner(s)

Brian Kingan

Abigail Kingan

Owner(s) Original Signature(s)

Brian S. Kingan

Abigail Kingan

City Planning Commission
Case Nos. 2018-011441CUA & 2018-011441VAR
Address: 1846 Grove St.

I declare that I am hereby a subscriber to this Notice of Appeal and am owner of property affected by the proposed amendment or conditional use.

If ownership has changed and assessment roll has not been amended, I 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 of property owned

631-633 MASONIC AVE. SF, CA 94117

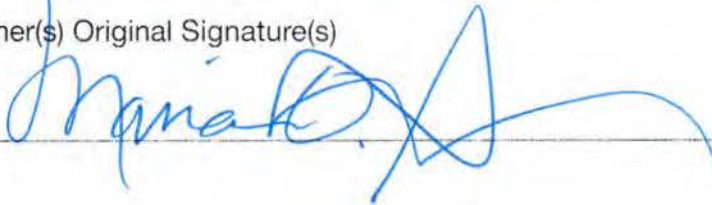
Assessor's Block & Lot

1187 002D

Printed Name of Owner(s)

Marian O. Tran

Owner(s) Original Signature(s)



City Planning Commission
Case Nos. 2018-011441CUA & 2018-011441VAR
Address: 1846 Grove St.

I declare that I am hereby a subscriber to this Notice of Appeal and am owner of property affected by the proposed amendment or conditional use.

If ownership has changed and assessment roll has not been amended, I 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 of property owned

637-639 Masonic Ave.

Assessor's Block & Lot

1187 002E

Printed Name of Owner(s)

STEVEN ST. DENNY

STEVEN ST. DENNY

Owner(s) Original Signature(s)

A large, stylized handwritten signature in blue ink, appearing to read 'STEVEN ST. DENNY', written over a horizontal line.A second, more compact handwritten signature in blue ink, also appearing to read 'STEVEN ST. DENNY', written over a horizontal line.

City Planning Commission
Case Nos. 2018-011441CUA & 2018-011441VAR
Address: 1846 Grove St.

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Street Address of property owned

1858-1860 Grove St. SF, CA 94117

Assessor's Block & Lot

1187 005A

Printed Name of Owner(s)

The Whomp Whomp Family Trust
Brandon Skeefe, Jennifer Lathier

Grant W Keefe

Owner(s) Original Signature(s)



City Planning Commission
Case Nos. 2018-011441CUA & 2018-011441VAR
Address: 1846 Grove St.

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Street Address of property owned

1822-1824 Grove St.

Assessor's Block & Lot

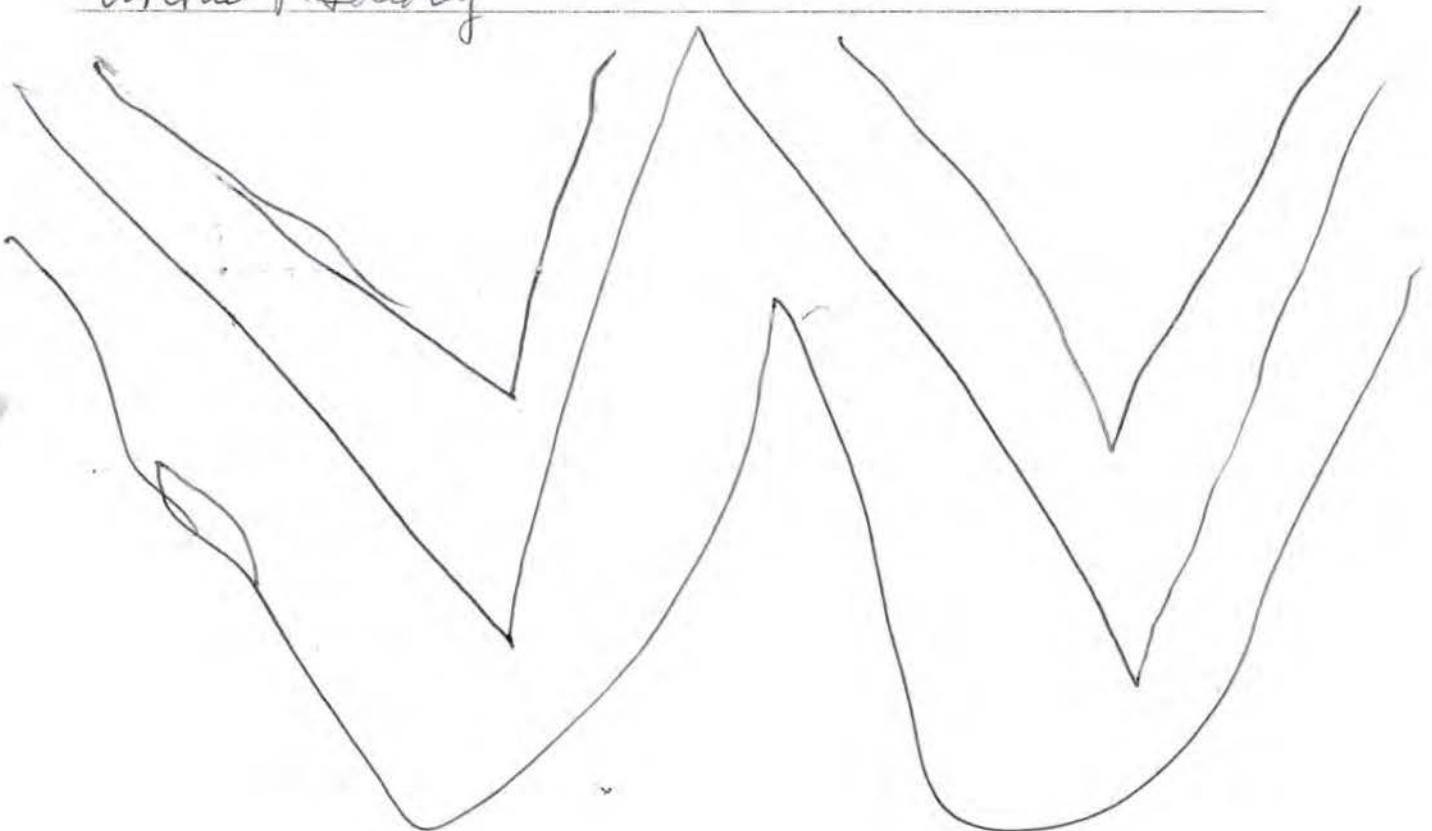
1187 0030

Printed Name of Owner(s)

Adnie P. Dudley

Owner(s) Original Signature(s)

Adnie P. Dudley



City Planning Commission
Case Nos. 2018-011441CUA & 2018-011441VAR
Address: 1846 Grove St.

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Street Address of property owned

1800 Grove St. SF, CA 94117

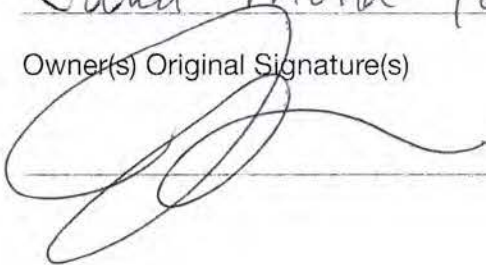
Assessor's Block & Lot

1187 003C

Printed Name of Owner(s)

Julia Molla for Alma Jackson (deceased)

Owner(s) Original Signature(s)

A handwritten signature in dark ink, appearing to read 'Julia Molla', written over a horizontal line.

City Planning Commission
Case Nos. 2018-011441CUA & 2018-011441VAR
Address: 1846 Grove St.

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Street Address of property owned

~~1834 - 1836 Grove St.~~ 1840 - 1842 grove st. *WJC*

Assessor's Block & Lot

1187 0036

Printed Name of Owner(s)

WILSON CHU

EMMELINE CHU

Owner(s) Original Signature(s)

Emmeline Chu

Wilson Chu

City Planning Commission
Case Nos. 2018-011441CUA & 2018-011441VAR
Address: 1846 Grove St.

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Street Address of property owned

1834 - 1836 Grove St.

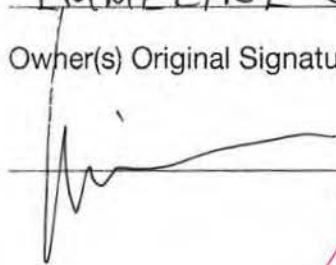
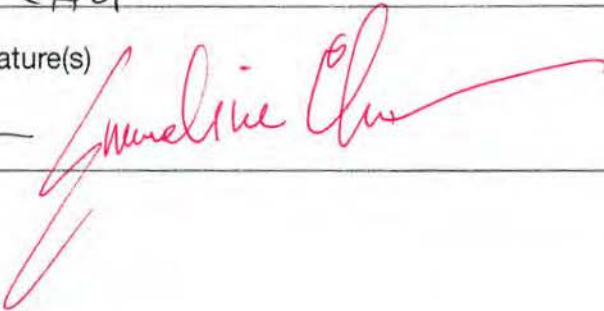
Assessor's Block & Lot

1187 003F

Printed Name of Owner(s)

WILSON CHU
EMMELINE CHU

Owner(s) Original Signature(s)

City Planning Commission
Case Nos. 2018-011441CUA & 2018-011441VAR
Address: 1846 Grove St.

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Street Address of property owned

16 - 18 Ashbury St. SF, CA 94117

Assessor's Block & Lot

1187 009B

Printed Name of Owner(s)

ALVAN R. TERAGAWACHI / ROBERT L. ROCKWELL 4/29/20

Owner(s) Original Signature(s)

Alvan R. Teragawachi Robert L. Rockwell 4/29/20.

City Planning Commission
Case Nos. 2018-011441CUA & 2018-011441VAR
Address: 1846 Grove St.

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If ownership has changed and assessment roll has not been amended, I 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 of property owned

1854 Grove St. SF, CA 94117

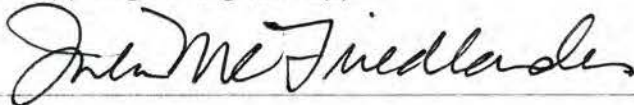
Assessor's Block & Lot

1187 021

Printed Name of Owner(s)

JULIA FRIEDLANDER

Owner(s) Original Signature(s)



City Planning Commission
Case Nos. 2018-011441CUA & 2018-011441VAR
Address: 1846 Grove St.

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Street Address of property owned

1850 Grove St. SF, CA 94117

Assessor's Block & Lot

1187 004

Printed Name of Owner(s)

YEM SOO YEE

Owner(s) Original Signature(s)

Yem Soo Yee

Attachment 2

Planning Commission's Decision

Motion No. 20681



SAN FRANCISCO PLANNING DEPARTMENT

Planning Commission Motion No. 20681

HEARING DATE: APRIL 9, 2020

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

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

Record No.: 2018-011441CUAVAR
Project Address: 1846 GROVE STREET
Zoning: RH-2 (Residential, House – Two Family) Zoning District
RH-3 (Residential, House – Three Family) Zoning District
40-X Height & Bulk District
Block/Lot: 1187/003H
Project Sponsor: Troy Kashanipour
Troy Kashanipour Architecture
2325 3rd Street, Suite 401
San Francisco, CA 94107
Property Owner: Green Grove SF, LLC
2325 3rd Street, Suite 401
San Francisco, CA 94107
Staff Contact: Matt Dito – (415) 575-9164
matthew.dito@sfgov.org

ADOPTING FINDINGS RELATING TO CONDITIONAL USE AUTHORIZATION, PURSUANT TO PLANNING CODE SECTIONS 207, 209.1, AND 303, FOR RESIDENTIAL DENSITY OF ONE UNIT PER 1,500 SQUARE FEET OF LOT AREA TO PERMIT THE CONSTRUCTION OF FOUR TWO-STORY SINGLE-FAMILY DWELLING UNITS ON A VACANT LOT LOCATED AT 1846 GROVE STREET, LOT 003H IN ASSESSOR'S BLOCK 1187, WITHIN AN RH-2 (RESIDENTIAL, HOUSE – TWO FAMILY) AND RH-3 (RESIDENTIAL, HOUSE – THREE FAMILY) ZONING DISTRICT AND A 40-X HEIGHT & BULK DISTRICT.

PREAMBLE

On August 20, 2018, Troy Kashanipour of Troy Kashanipour Architecture (hereinafter "Project Sponsor") filed Application No. 2018-011441CUAVAR (hereinafter "Application") with the Planning Department (hereinafter "Department") for Conditional Use Authorization to allow four dwelling units (hereinafter "Project") at 1846 Grove Street, Lot 003H in Assessor's Block 1187 (hereinafter "Project Site").

On November 7, 2019, the San Francisco Planning Commission (hereinafter "Commission") conducted a duly noticed public hearing at a regularly scheduled meeting on Conditional Use Authorization Application No. 2018-011441CUAVAR and continued the hearing to December 12, 2019.

On December 12, 2019, the Commission conducted a duly noticed public hearing at a regularly scheduled meeting on Conditional Use Authorization Application No. 2018-011441CUAVAR.

The Project is exempt from the California Environmental Quality Act ("CEQA") as a Class 3 Categorical Exemption.

The Planning Department Commission Secretary is the Custodian of Records; the File for Record No. 2018-011441CUAVAR is located at 1650 Mission Street, Suite 400, San Francisco, California.

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 Authorization as requested in Application No. 2018-011441CUAVAR, 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. **Project Description.** The Project proposes construction of four two-story single-family dwelling units in the rear yard of a vacant lot. The dwellings consist of one one-bedroom unit, three two-bedroom units, and one three-bedroom unit. The units range in size from 673 to 1,266 square feet. Due to the practical infeasibility of developing the front of the subject property, the Project is located at the rear of the lot. Setbacks and sloped roofs have been provided at the second story, wherever possible, to minimize impacts on the 17 properties that share a property line with the subject property. The Project includes 10 bicycle parking spaces and no off-street automobile parking spaces. The Project proposes a mixture of public and private open space, with a total of 2,390 square feet being usable. There is a total of 3,753 square feet of open space included in the Project.
3. **Site Description and Present Use.** The Project Site is located on the south side of Fulton Street in the Haight Ashbury neighborhood between Ashbury Street and Masonic Avenue. The lot is an undeveloped "flag lot" (a lot with minimal street frontage and a long access path before widening at the rear). The majority of lot area at the rear, where the mid-block open space is typically located, and shares a property line with 17 adjacent lots. The lot slopes upward approximately 10 percent from the east to the west. The lot is accessed from Fulton Street, despite the Grove Street address.
4. **Surrounding Properties and Neighborhood.** The Project Site is located within both an RH-2 and RH-3 Zoning District in the Haight Ashbury neighborhood. The front of the lot (containing the accessway from Fulton Street) is zoned RH-3, and will not be developed. The Project proposes to construct the four dwelling units only in the area of the lot located within an RH-2 Zoning District. The lots adjacent to the Project Site are predominantly zoned RH-2 and RH-3, with three-story one- or two-family dwellings. The corner lot to the northeast of the Project Site is located in an NC-1

Zoning District, with a four-story eight-family dwelling located on the lot. While there is no nearby commercial corridors, the Project Site is located approximately one-half block away from a shopping center at Masonic Avenue and Fulton Street, which contains many necessary neighborhood necessities.

5. **Public Outreach and Comments.** The Department has received 45 letters in opposition to the Project, and 24 letters in support of the Project.

- a. **Outreach:** The Sponsor has hosted two meetings within the community, on September 7, 2017 and on October 22, 2017.

- i. **Feedback from September 2017:** Most feedback was centered on the feasibility of the project due to site constraints. Some opposition was received due to the perceived financial impact the development would have on their own surrounding properties.
- ii. **Feedback from October 2019:** Most feedback was in regards to concern about the impacts development may have on surrounding properties and quality of life concerns. Story poles were requested on the project site so that neighbors could see the proposed height of the buildings.
- iii. **November 2019:** There were two attendees at the November meeting. One was concerned about density and the other was supportive of the project.

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. **Use.** Planning Code Section 209.1 states that Conditional Use Authorization is required in an RH-2 Zoning District to exceed the principally permitted density limit of two dwelling units per lot. One dwelling unit per 1,500 square feet of lot area is permitted with Conditional Use Authorization.

The Project Site is located in both an RH-2 and RH-3 Zoning District, though the Project proposes only to develop the RH-2 portion. The RH-2 portion of the lot is 7,476 square feet. With Conditional Use Authorization, a maximum of five dwelling units are permitted. The Project proposes four dwelling units.

- B. **Front Setback.** Planning Code Section 132 states that the minimum front setback depth shall be based on the average of adjacent properties or a Legislated Setback.

The adjacent properties do not have front setbacks, and there is no legislated setback on the Project Site. Therefore, the project does not have a required front setback.

- C. **Rear Yard.** Planning Code Section 134 requires a rear yard equal to 45 percent of the total lot depth, at grade and above, for properties containing dwelling units in RH-2 Zoning Districts.

The subject property has a lot depth of approximately 175 feet, resulting in a required rear yard of approximately 79 feet pursuant to the Planning Code. However, it is generally recognized with lots that have significantly different depths in one horizontal direction throughout the lot, that there shall be separate rear yard lines calculated, as the general intent of the code is to ensure that every lot has a feasible buildable area. In the case of the Project Site, the narrow portion of the lot off Fulton Street would have a separate rear yard calculation from the wider bulk of the lot at the rear. The dual rear yard lines can be seen in Exhibit B. Due to the concentric configuration of the dwelling units at the rear of the lot, a variance from the Planning Code is required.

- D. **Useable Open Space.** Planning Code Section 135 requires 125 square feet of useable open space for each dwelling unit if all private, or 166 square feet of common usable open space per unit.

The Project proposes a mixture of private and public usable open space for the four dwelling units. All of the dwelling units have private, Code-compliant usable open space adjacent to the buildings. In addition, there is a large amount of public open space in the middle of the development.

- E. **Dwelling Unit Exposure.** Planning Code Section 140 requires that at least one room of all dwelling units face onto a public street or public alley at least 30 feet in width, a side yard at least 25 feet in width, a rear yard meeting the requirements of the Code or an open area, whether an inner court or space between separate buildings on the same lot, that is no less than 25 feet in every horizontal dimension.

The Project proposes a large inner court between the four dwelling units, measuring approximately 2,500 square feet. Due to the nature of the Project Site as a "flag lot", and the applicant's effort to design the dwellings in a manner that least impacts the adjacent neighbors, two of the four dwelling units do not meet the requirement of Planning Code Section 140, despite the copious inner court. A variance from the Planning Code is required.

- F. **Off-Street Parking.** Planning Code Section 151.1 permits a maximum of 1.5 off-street automobile parking spaces per dwelling unit.

The Project does not include any off-street automobile parking.

- G. **Bicycle Parking.** Planning Code Section 155.2 requires at least one weather-protected bicycle parking space for each dwelling unit.

The Project proposes 10 bicycle parking spaces in storage lockers for four dwelling units, meeting the Planning Code requirement.

- H. **Bicycle Parking Access.** Planning Code Section 155.1 requires that bicycle parking spaces be located in area with a minimum five foot wide hallway that leads to the parking entrance. Two limited constriction points, where the route may narrow to a minimum of three feet, and extend no more than one foot of distance, are permitted.

Due to the nature of the Project Site as a “flag lot”, the only available access to the bicycle parking lockers is through a three and one-half foot corridor from the street. A variance from the Planning Code is required.

- I. **Height.** Planning Code Section 260 requires that all structures be no taller than the height prescribed in the subject height and bulk district. Section 260(a)(1)(B) states that where a lot is level with or slopes downward from a street at the centerline of the building or building step, such point shall be taken at curb level on such a street.

The subject property is located within a 40-foot height district. The Project includes four single-family dwellings with a maximum height of 20 feet above grade, in compliance with the height district.

- J. **Child Care Requirements for Residential Projects.** Planning Code Section 414A requires that any residential development project that results in at least one net new residential unit shall comply with the imposition of the Residential Child Care Impact Fee requirement.

The Project proposes new construction of four residential units. Therefore, the Project is subject to the Residential Child Care Impact Fee and must comply with the requirements of Planning Code Section 414A.

7. **Conditional Use Findings.** Planning Code Section 303 establishes criteria for the Planning Commission to consider when reviewing applications for Conditional Use authorization. On balance, the project complies 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 Site is larger than what is typical for residential lots in the Haight Ashbury neighborhood, such that the Planning Code allows increased dwelling unit density at a rate of one dwelling unit per 1,500 square feet of lot area. The four single-family dwelling units proposed are necessary and desirable in that the Project would add to the neighborhoods housing stock, while developing a heretofore vacant lot. Due to the nature of the Project Site as a “flag lot”, some impact to the 17 adjacent neighbors is unavoidable, but the Project has been designed in a way to minimize such impacts. The design of the buildings are consistent with the Residential Design Guidelines, and compatible with the neighborhood.

- 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:

- (1) Nature of proposed site, including its size and shape, and the proposed size, shape and arrangement of structures;

The Project Site is a "flag lot," which is uncommon. It features a long, narrow access path from Fulton Street before widening at the rear, where the mid-block open space is typically located. The Project includes four two-story single-family dwelling units, located near the perimeter of the lot at the rear. While some impact to the 17 adjacent neighbors is unavoidable, the Project has been designed in a manner that minimizes those impacts by incorporating greenery, sloped roofs, and setbacks wherever possible. The Project is consistent with the Residential Design Guidelines.

- (2) 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 Planning Code does not require parking or loading for residential uses, and the Project includes 10 bicycle parking spaces. The Project will not significantly affect traffic patterns in the immediate area.

- (3) The safeguards afforded to prevent noxious or offensive emissions such as noise, glare, dust and odor;

As the proposed project is residential in nature, unlike commercial or industrial uses, the proposed residential use is not expected to produce noxious or offensive emissions. Safeguards will be used during construction to mitigate any impact to the neighborhood.

- (4) Treatment given, as appropriate, to such aspects as landscaping, screening, open spaces, parking and loading areas, service areas, lighting and signs;

The Project is designed in a contemporary aesthetic, and incorporates significant landscaping and screening. Portions of the proposed dwellings that are one-story will maintain a landscaped roof, minimizing the visual impact to adjacent neighbors. There is a large amount of open space in the form of an inner court. The access path from Fulton Street will be constructed with floor lighting, which is appropriate given its close proximity to adjacent properties.

- 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.

- D. That the use as proposed would provide development that is in conformity with the purpose of the applicable Use District.

The proposed project is consistent with the stated purposed of the RH-2 Zoning District, which are devoted to one- and two-family buildings, and generally do not exceed three or four stories. The Project proposes four single-family dwellings, and does not exceed two stories in height.

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 1:

IDENTIFY AND MAKE AVAILABLE FOR DEVELOPMENT ADEQUATE SITES TO MEET THE CITY'S HOUSING NEEDS, ESPECIALLY PERMANENTLY AFFORDABLE HOUSING.

Policy 1.10

Support new housing projects, especially affordable housing, where households can easily rely on public transportation, walking and bicycling for the majority of daily trips.

The Project does not include off-street automobile parking, but includes ten bicycle parking spaces for four dwelling units, and is located near numerous Muni transit lines. These features will ensure that households can easily rely on alternate methods to the private automobile for their transit needs.

OBJECTIVE 11:

SUPPORT AND RESPECT THE DIVERSE AND DISTINCT 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 existing neighborhood character.

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.

Policy 11.4:

Continue to utilize zoning districts which conform to a generalized residential land use and density plan and the General Plan.

Policy 11.6

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

Policy 11.8

Consider a neighborhood's character when integrating new uses, and minimize disruption caused by expansion of institutions into residential areas.

The Project has been designed in conformity with Residential Design Guidelines, which ensure that existing residential neighborhood character is respected and unimpacted, to the extent possible. The development includes a large amount of common open space in the middle of the development, which should promote community interaction amongst residents of the dwelling units. The residential uses provided conform to the general land use profile of the neighborhood.

OBJECTIVE 12:

BALANCE HOUSING GROWTH WITH ADEQUATE INFRASTRUCTURE THAT SERVES THE CITY'S GROWING POPULATION.

Policy 12.2

Consider the proximity of quality of life elements such as open space, child care, and neighborhood services, when developing new housing units.

The Project provides a large amount of public open space for prospective residents, and is located nearby many neighborhood services such as grocery stores, other retail uses, eating and drinking uses, and personal services. The Project also will require that the Project Sponsor pay the Residential Child Care Impact Fee pursuant to Planning Code Section 414A.

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 1.2:

Recognize, protect and reinforce the existing street pattern, especially as it is related topography.

Policy 1.3:

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

The Project proposes the four single-family dwelling units on a vacant "flag lot." The Project represents the sensitive infill of a large vacant lot within the allowable density of the RH-2 Zoning District in which the lot is located. The proposed massing and location of the dwellings are compatible with the existing neighborhood character. While the development pattern of the neighborhood generally does not include residential development in the mid-block open space, the Project minimizes, to the extent possible, impacts on the 17 adjacent properties by incorporating sloped roofs, landscaped roofs, and setbacks. The scale and design of the proposed Project is compatible with the neighborhood and, in total, will create a positive effect for the neighborhood and City as a whole.

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 complies 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 Site does not possess any neighborhood-serving retail uses. The Project provides four new dwelling units, which will enhance the nearby retail uses by providing new residents.

- 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 site does not possess any existing housing. The Project would provide four new dwelling units, thus resulting in an overall increase in the neighborhood housing stock. The Project maintains a height and scale compatible with the surrounding neighborhood and is consistent with the Residential Design Guidelines.

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

The Project does not include any existing or proposed affordable housing; however, the four proposed single-family dwellings are small to moderately sized, making them naturally more affordable, and will be added to the City's housing stock.

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

The Project Site is well-served by public transit, being located within a quarter-mile of stops for the 5-Fulton, 5R-Fulton Rapid, 31-Balboa, 31BX-Balboa B Express, and 43-Masonic Muni transit lines.

Additionally, the Project provides bicycle parking for residents of the dwellings. Muni transit service and the neighborhood streets will not be overburdened by the Project.

- 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 will not displace any service or industry establishment. The Project will not affect industrial or service sector uses or related employment opportunities. Ownership of industrial or service sector businesses will not be affected by this Project.

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

The Project will be designed and will be constructed to conform to the structural and seismic safety requirements of the Building Code. This proposal will not impact the property's ability to withstand an earthquake.

- G. That landmarks and historic buildings be preserved.

Currently, the Project Site does not contain any City Landmarks or historic buildings.

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

The Project will have no negative impact on existing parks and public open spaces. The Project is located in what is typically considered the mid-block open space, though impacts will be minimized due to small scale of the Project and other attenuating measures.

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 Authorization Application No. 2018-011441CUAVAR** subject to the following conditions attached hereto as "EXHIBIT A" in general conformance with plans on file, dated February 17, 2020 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. 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 April 9, 2020.



Jonas P. Ionin
Commission Secretary

AYES: Diamond, Fung, Imperial, Johnson, Koppel, Moore
NAYS: None
ABSENT: None
ADOPTED: April 9, 2020

EXHIBIT A

AUTHORIZATION

This authorization is for a conditional use to allow the construction of four single-family dwellings located at 1846 Grove Street, Lot 003H within Assessor's Block 1187, pursuant to Planning Code Sections **207, 209.1, and 303** within an RH-2 (Residential, House – Two Family) Zoning District and a 40-X Height and Bulk District; in general conformance with plans, dated **February 17, 2020**, and stamped "EXHIBIT B" included in the docket for Record No. **2018-011441CUAVAR** and subject to conditions of approval reviewed and approved by the Commission on **April 9, 2020** under Motion No. **20681**. 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 **April 9, 2020** under Motion No. **20681**.

PRINTING OF CONDITIONS OF APPROVAL ON PLANS

The conditions of approval under the 'Exhibit A' of this Planning Commission Motion No. **20681** 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 – COMPLIANCE AT PLAN STAGE

6. **Final Materials.** The Project Sponsor shall continue to work with Planning Department on the building design. Final materials, glazing, color, texture, landscaping, and 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. **Fire Safety.** Should compliance with technical standards related to fire safety result in a significant change to the Project, as determined by the Zoning Administrator, then a new Conditional Use authorization shall be required by the Planning Commission.

For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org

PARKING AND TRAFFIC

9. **Bicycle Parking.** The Project shall provide no fewer than **four** Class 1 bicycle parking spaces as required by Planning Code Sections 155.1 and 155.2.

For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

10. **Parking Maximum.** Pursuant to Planning Code Section 151, the Project shall provide no more than **eight (8)** off-street parking spaces.

For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

PROVISIONS

11. **Residential Child Care Impact Fee.** The Project is subject to the Residential Child Care Fee, as applicable, pursuant to Planning Code Section 414A.

For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org

MONITORING - AFTER ENTITLEMENT

12. **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

13. **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

TROY KASHANIPOUR ARCHITECTURE 2325 3RD STREET SUITE 401, SAN FRANCISCO CALIFORNIA 94107.

Department of Building Inspection
1860 Mission Street
San Francisco, CA 94103-2414
Phone: 415.558.6133 Fax: 415.558.6886

May 1, 2017

Re: Pre-Application Plan Review Meeting
Project Address: 1840 Grove Street; Block 1187 Lot 003H
Code Basis: SFBC 2016

Reviewers: Jeff Ma (DBI), Lt. Janice Hayes (SFFD)
Meeting Attendees: Troy Kashani pour (Architect), Sasha Plotitsa
Meeting Date: May 16, 2017

Background and Project Summary Information:

The existing vacant parcel is a flag lot accessed through a gate on Fulton Street. The lot is 7,869 square feet. The access is through a 4' wide space between buildings, six inches of which belong to the adjacent corner parcel on Lot 1. Planning Department density allows, and Planning staff supports 5 dwelling units on a parcel of this size. Five R-3 dwellings are proposed. An existing mature oak tree will be maintained. The proposed 3-R dwellings will be limited in height to 2 story with an internal open courtyard. Also proposed on-site are smaller accessory storage structures. Window area for the dwellings on each parcel shall be based on an assumed property line between buildings per 705.3 and shall conform with fire separation distances as defined in 705.8.

Construction type shall be Type V-A unless otherwise required by Fire and DBI. The buildings on-site and the Site shall have Egress per CBC Chapter 10.

Code Discussion Items:

1. Number of Exits and Exit Access Doorways from each Dwelling – CBC 1006.
 - The exit from each dwelling, CBC 1006.2.1 Single Exits are permitted from each R-3 dwelling with an occupant load of less than 20 where the dwelling unit is equipped with sprinklers and the common path of egress travel is less than 125'.

DBI RESPONSE: Agreed. Access to dwelling unit exit (door to exterior court) less than 125'. Maximum 3 Story Buildings.

Jeff Ma

2. Outdoor Area occupant load: Please confirm that outdoor areas are accessory to the residential units No additional occupant load is required per Exception 1 and 2 of 1004.5

CBC 1004.5 Outdoor areas: Yards, patios, courts and similar outdoor areas accessible to and

1

TROY KASHANIPOUR ARCHITECTURE 2325 3RD STREET SUITE 401, SAN FRANCISCO CALIFORNIA 94107.

DBI RESPONSE: Sprinklering per NFPA-13. subject to Fire Dept. plan review.
Jeff Ma

5. Alternate Scenario:

Combine Units 1&2 into a single R-3 Occupancy, Combine Units 3&4 into an R-3 Occupancy, Unit 3 shall remain as R-3. This is permitted per 705.3 Exception 1. Please advise of acceptability.

DBI RESPONSE: Combining units as proposed above is acceptable.

Jeff Ma

Please advise of any additional Fire Department or Building Department requirements for this parcel based on the scheme presented that are anticipated for this parcel.

Troy Kashani pour

Troy Kashani pour, Architect & Agent for Owner

Reviewed and agreed by
Jeff Ma 6/13/17
SFFDBI

3

TROY KASHANIPOUR ARCHITECTURE 2325 3RD STREET SUITE 401, SAN FRANCISCO CALIFORNIA 94107.

usable by the building occupants shall be provided with means of egress as required by this chapter. The occupant load of such outdoor areas shall be assigned by the building official in accordance with the anticipated use. Where outdoor areas are to be used by persons in addition to the occupants of the building, and the path of egress travel from the outdoor areas passes through the building, means of egress requirements for the building shall be based on the sum of the occupant loads of the building plus the outdoor areas.

Exceptions:

1. Outdoor areas used exclusively for service of the building need only have one means of egress.
2. Both outdoor areas associated with Group R-3 and individual dwelling units of Group R-2

DBI RESPONSE: Agreed, outdoor areas are accessory to the residential use and do not have their own occupant load.

Jeff Ma

3. The Exit Discharge:

The passage between the existing buildings on lot 1 and lot 13 is 3'-6" wide is considered an Egress Court.

- Per 1028.4.1: The required width is 36" for R-3 occupancies.
- Per 1028.4.2: The Construction of an egress court serving R-3 occupancies requires no rating per Exception 1.

DBI RESPONSE: Agreed as long as less than 50 total occupants are served by egress court

Jeff Ma

4. Sprinklering - The following is proposed:

- A dedicated fire sprinkler line shall be brought into the property. This line will be provide with a backflow preventer and a check-valve.
- After the valves the main line shall split and, there shall be independent service to each dwelling unit.
- Each unit will be equipped with an independent monitoring service.
- Each R-3 dwelling shall be sprinklered to NFPA-13R standards.
- Small independent accessory to the main structure shall have fire ratings as required by code but are not proposed to be sprinklered. They shall be used for light storage such as bicycles, garden and household equipment.

FIRE DEPARTMENT RESPONSE: Applicants to meet with Fire Department to discuss Fire Department Access.

2

FIRE DEPARTMENT: ACCESS REVIEW APPROVAL:

1821 Fulton Street (5 units R-3 Dwelling units)

Block 1187/ lot 003H

The Architecture plans has been reviewed and SFFD comments:

Condition of approval.

Revise the Architecture plans

- 1- licensed architect need to stamp and sign the Architecture plans.
- 2- Architecture plans must be approved from San Francisco Building department.
- 3- Indicate in the Architecture plans:
 - Each R-3 dwelling shall be sprinklered and monitored per 2016 NFPA 13 and 2016 CFC 903.3.1.1. per pre-application meeting on 2/6/2018.
 - The sprinkler system for each R-3 dwelling shall be monitored.
 - The Maximum height at the second story will not exceed 20 feet above grade.
 - The type construction of each R-3 dwelling shall be Type III per pre-application meeting on 2/6/2018.
 - Standpipe system 2ways X 3 inches outlets shall be provided at the entry, in middle and far end of the property per pre-application meeting on 2/6/2018.
 - Removal of the street tree at sidewalk near entry gate per pre-application meeting on 2/6/2018.
 - A minimum 3.5 feet clear width without obstruction at any access point of the exist discharge shall be provided.
 - A red fire zone curb" NO PARKING" shall be provided in front of property.

Kamal Andacawes, P.E.

Kamal

Fire Protection Engineer

San Francisco Fire Department

Captain/ Michael Patt

Michael Patt

Bureau of Fire Prevention

San Francisco Fire Department

APPROVED AS NOTED
DATE 6/12/18
Diana J. Baker
CHIEF, DIVISION OF FIRE
PREVENTION & INVESTIGATION

in addition:
rescue windows
required

OWNER:
GREEN GROVE SF LLC
2325 3RD STREET, SUITE 401
SAN FRANCISCO, CA 94107
PHONE: 415.431.0869

ISSUE:

ISSUED FOR VARIANCE & CUA

DATE:

08.15.2018

CONSULTANT

-

APPROVAL

APPROVED ARCHITECT
TROY KASHANIPOUR
C 27646
REN. 6/30/2019
STATE OF CALIFORNIA

DRAWN:

TK

CHECKED:

TK

SCALE:

NONE

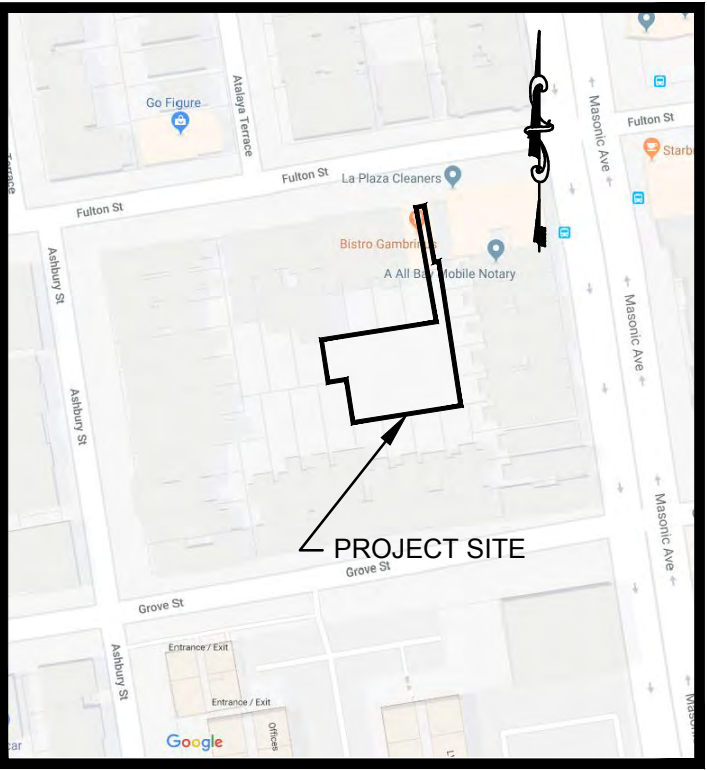
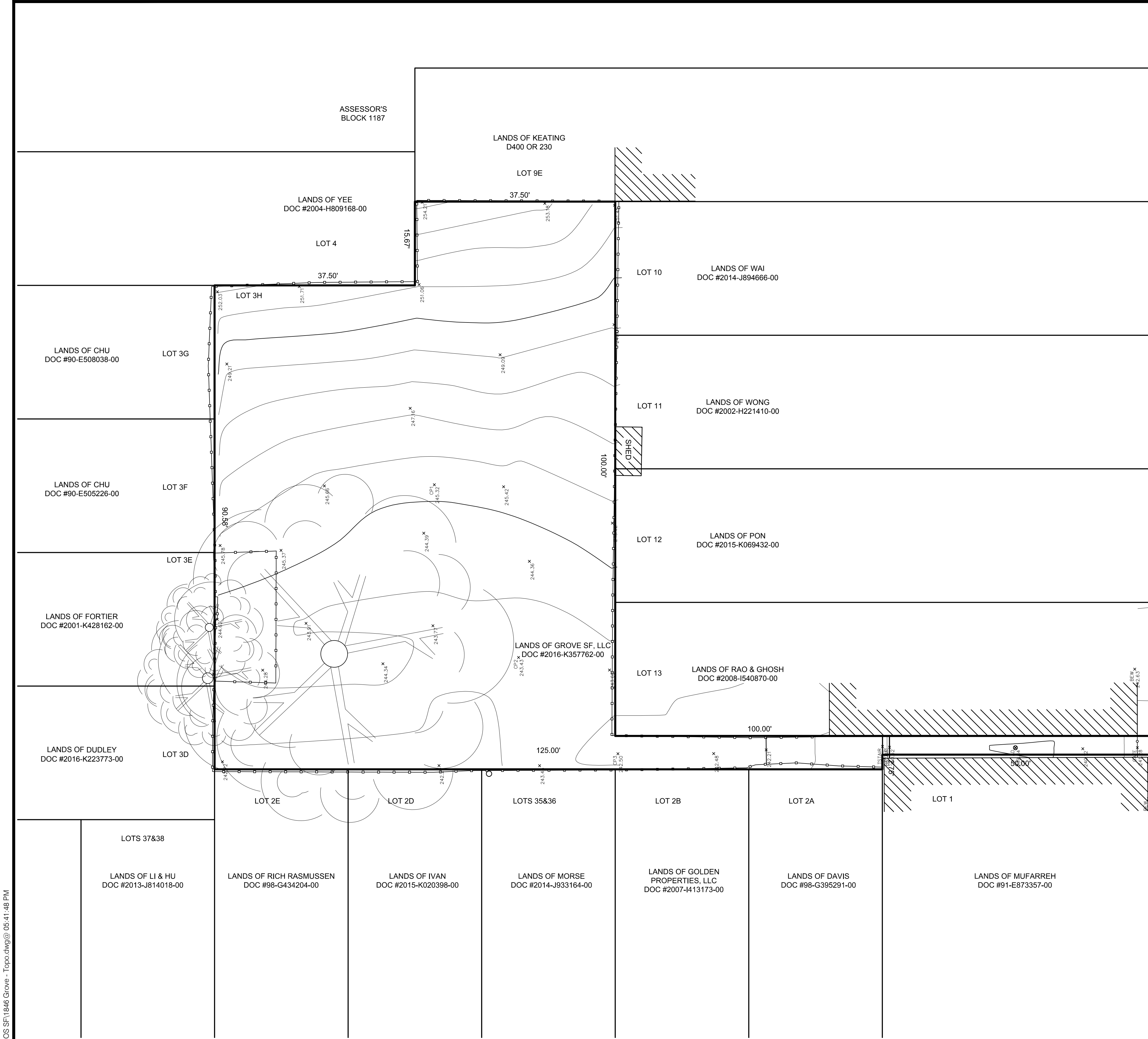
PRE-APPLICATION NOTES

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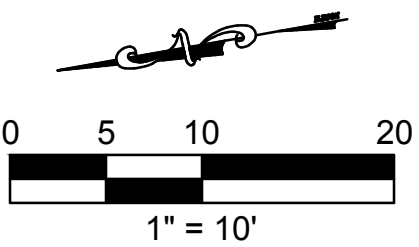
TROY KASHANIPOUR ARCHITECTURE 2325 3RD STREET SUITE 401, SF CA 94107. PHONE/FAX 415.431.0869

1821 FULTON STREET

E:\2019-1002 TB Map & ROS SF\1846 Grove - Topo.dwg@ 05:41:48 PM
Plotted on: 03/05/19 @ 05:41:48 PM



VICINITY MAP
NO SCALE



LEGEND

---	APPROXIMATE BOUNDARY OF PROPERTY LINE
---	APPROXIMATE BOUNDARY OF ADJOINING PROPERTIES
---	LOT LINE PER ORIGINAL SUBDIVISION
---	WOODEN FENCE LINE
---	CHAIN LINK FENCE LINE
---	CONTOUR LINE W/ ELEVATION
---	BUILDING FOOTPRINT
EP	EDGE OF PAVEMENT
FG	FINISHED GRADE
IR	IRRIGATION CONTROLS
DI	DRAINAGE INLET
WV	WATER VALVE
CL	CENTERLINE
FS	FINISHED SURFACE
FF	FINISHED FLOOR
CONC	CONCRETE
HYD	HYDRANT
RL	RIDGE LINE ELEVATION
GF	GARAGE FLOOR ELEVATION
FD	FOUND
(XXX)	RECORD DATA
TREE	TREE

NOTE

RECORD OF SURVEY TO BE FILED WITH THE CITY AND COUNTY OF SAN FRANCISCO. PROPERTY CORNERS WILL BE SET AT ALL PROPERTY CORNERS OR OFFSETS THERETO.

BASIS OF ELEVATIONS

THE COORDINATES AND ELEVATION ARE BASED FROM THE CONTROL POINT CP1 LOCATED IN DANMANN AVENUE ALONG THE FRONTAGE OF THE PROPERTY. SAID COORDINATES BEING IN NAD83(2011)(EPOCH:2010.0000 PER OPUS SOLUTION DATED SEPTEMBER 1, 2018) CALIFORNIA ZONE 3 STATE PLANE COORDINATE SYSTEM, HAVING A NORTHING OF 2,110,615.10 AND AN EASTING OF 5,998,954.67, AND SAID ELEVATION BEING NAVD88 (COMPUTED USING GEOID12B) AND HAVING AN ELEVATION OF 245.32'.

ELEVATIONS AND CONTOURS SHOWN HEREIN ARE BASED ON A SURVEY DONE ON FEBRUARY 09, 2019.

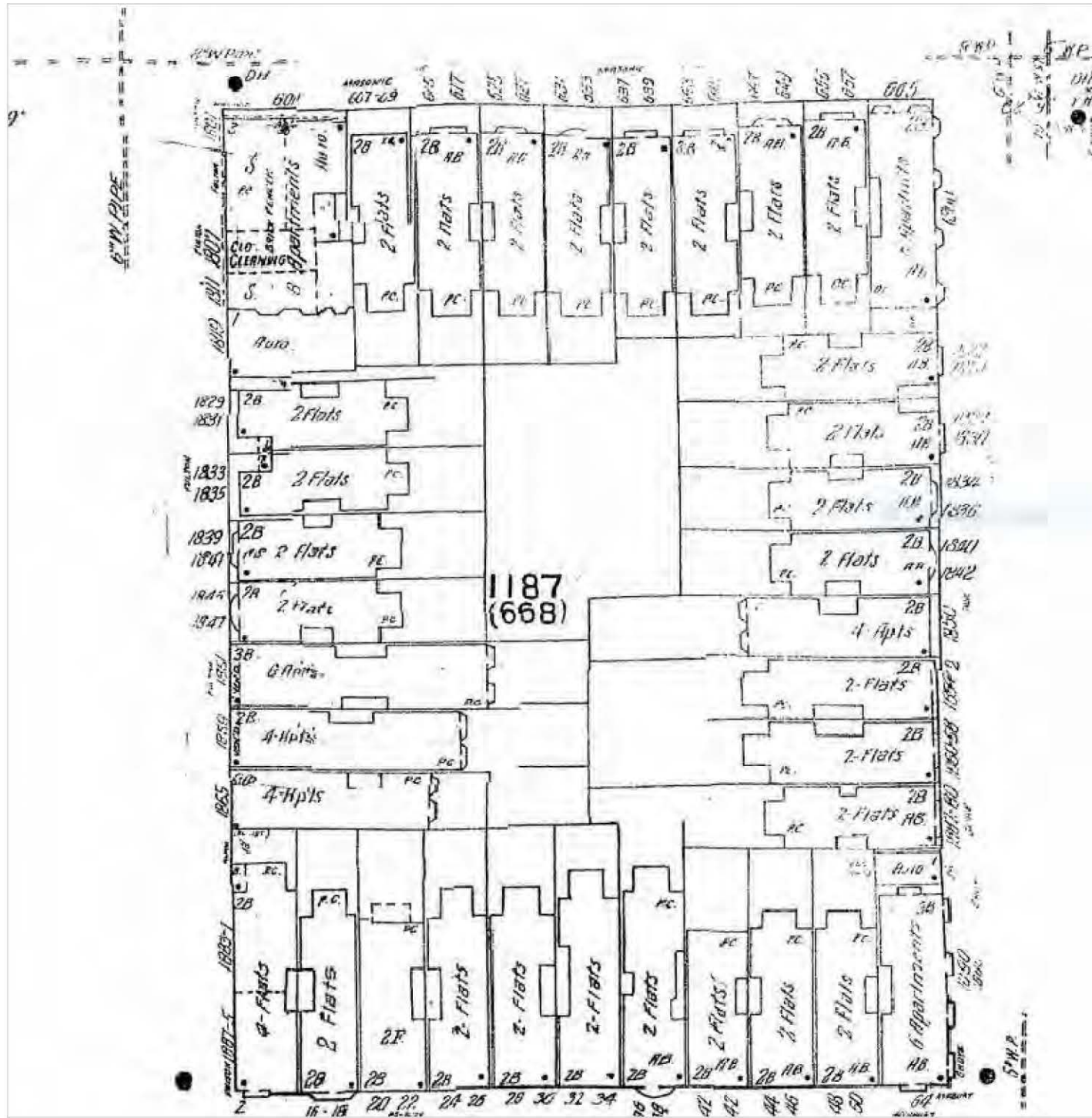
Michael S. Mahoney
MICHAEL S. MAHONEY
PLS 5577



NO.	REVISIONS	DATE	JOB# : 2019.1002	DESIGNED: JKO	PREPARED FOR: GREEN GROVE LLC /CARE OF TROY KASHANIPOUR 225 3RD STREET, SUITE 401 SAN FRANCISCO, CA 94107	TITLE: TOPOGRAPHIC MAP OF 1846V GROVE STREET SAN FRANCISCO, CA 94044	SHEET 1 OF 1
			DATE : 2/9/19	DRAWN: JKO			
			100% SUBMITTAL	APPROVED: JKO/MSM			



SANBORN MAP



OVERHEAD VIEW LOOKING FROM NORTH



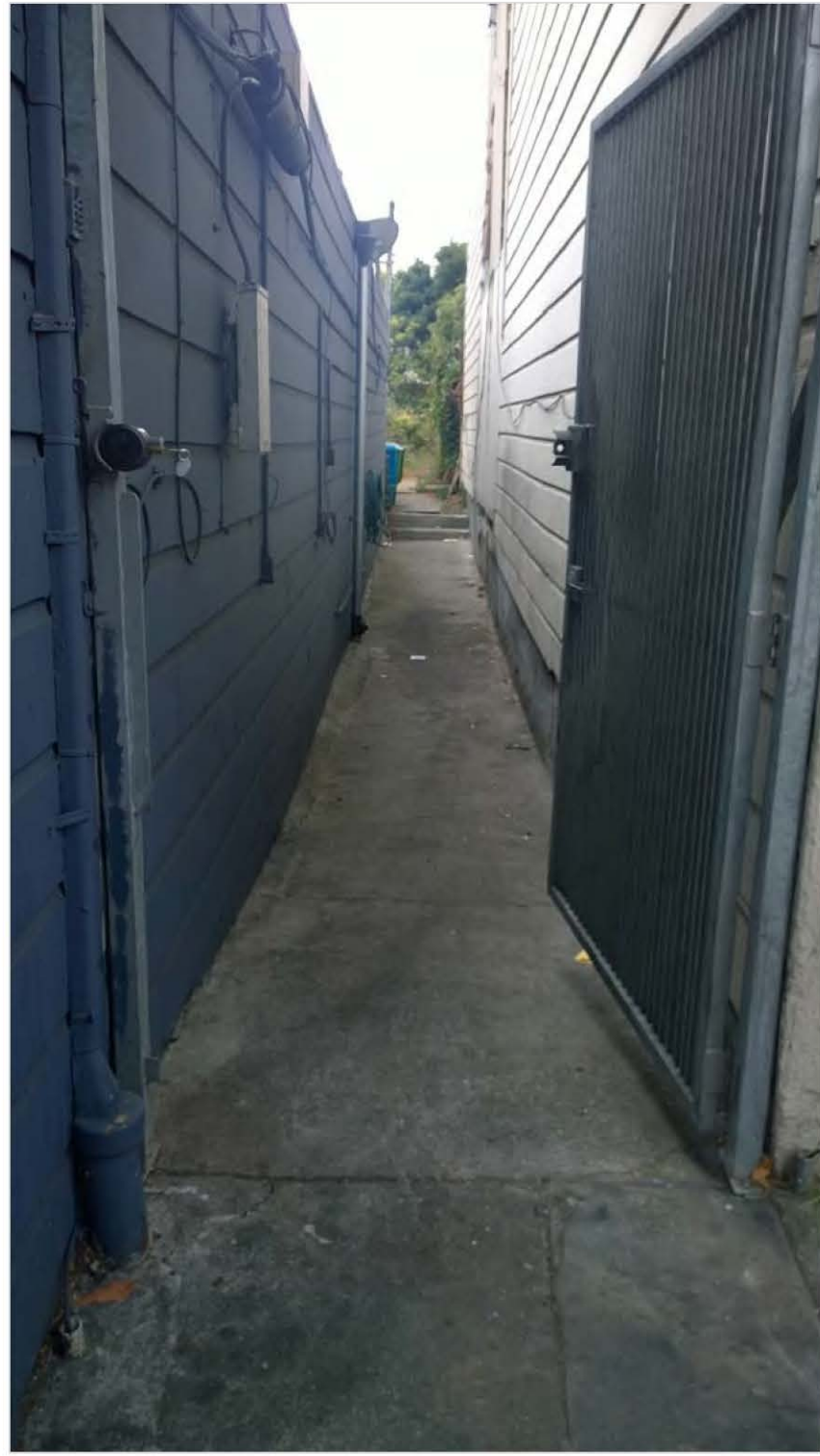
OVERHEAD VIEW LOOKING FROM SOUTH



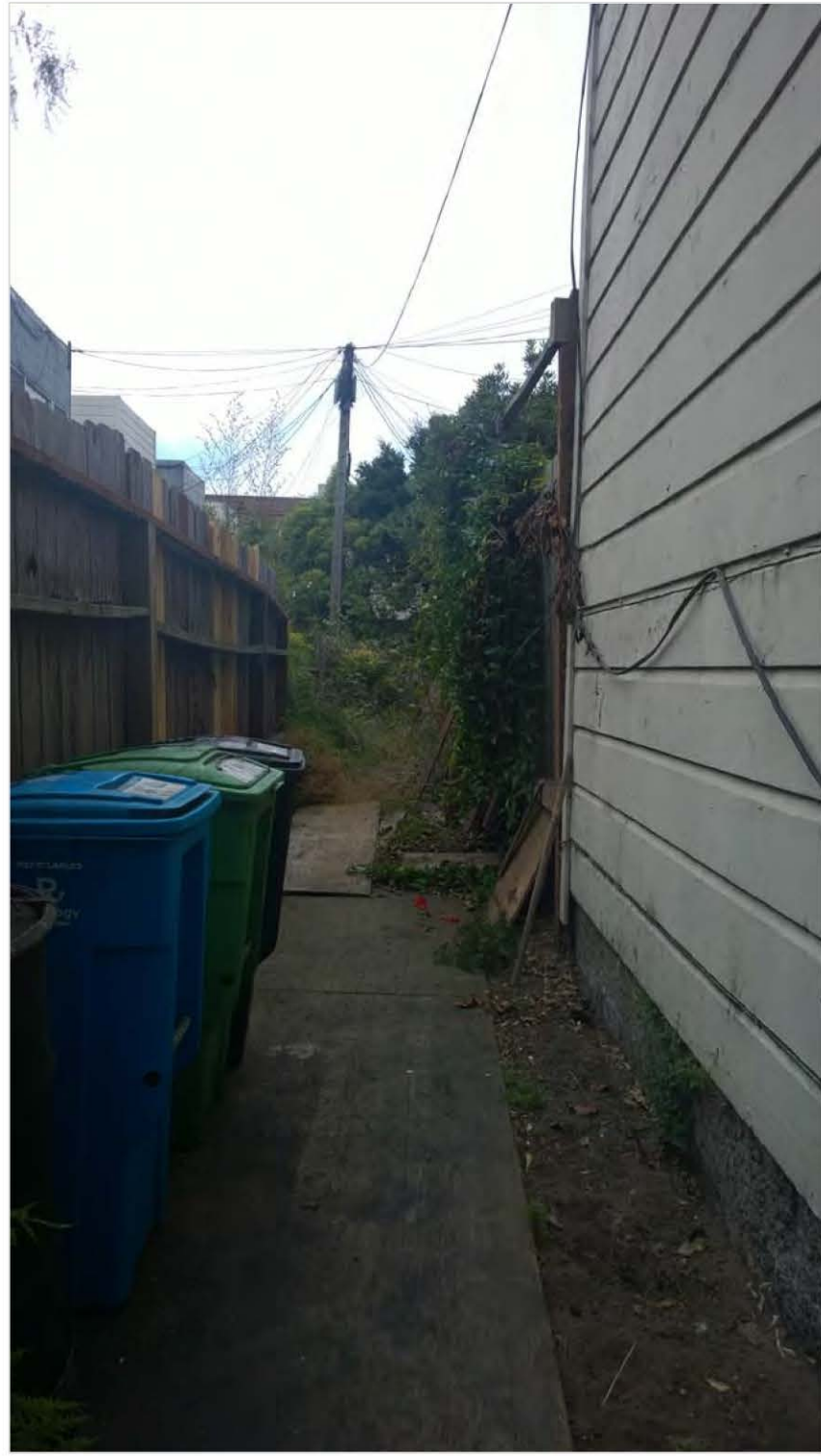
OVERHEAD VIEW



ACCESS FIRST 50' : 3.5' WIDTH



NEXT 50' : 6.25' WIDTH



ENTER FULL LENGTH OF LOT, LOOKING NORTH



LOOKING WEST



LOOKING EAST



LOOKING SOUTH



TROY KASHANIPOUR ARCHITECTURE 2325 3RD STREET SUITE 401, SF CA 94107. PHONE/FAX 415.431.0869

1821 FULTON STREET

OWNER:
GREEN GROVE SF LLC
2325 3RD STREET, SUITE 401
SAN FRANCISCO, CA 94107
PHONE: 415.431.0869

ISSUE: DATE:
ISSUED FOR VARIANCE & CUA 08.15.2018

CONSULTANT
-

APPROVAL



DRAWN:
TK
CHECKED:
TK
SCALE:
NONE

SITE PHOTOGRAPHS

A0.2



1 PROPOSED SITE PLAN
SCALE: 3/32" = 1'-0"

TROY KASHANIPOUR ARCHITECTURE 2325 3RD STREET SUITE 401, SF CA 94107. PHONE/FAX 415.431.0869

1821 FULTON STREET

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PLANNING REVISIONS 06.10.2019
PLANNING REVISIONS 08.02.2019

DATE:
08.15.2018
06.10.2019
08.02.2019

CONSULTANT
-

APPROVAL

LICENSED ARCHITECT
TROY KASHANIPOUR
C 27646
REN. 6/30/2021
STATE OF CALIFORNIA

DRAWN:
TK
CHECKED:
TK
SCALE:
3/32" = 1'-0"

PROPOSED SITE PLAN

A1.1



OPEN SPACE REQUIREMENTS PER SECTION 135, RH-2 ZONING
125 SQFT PER UNIT IF PRIVATE, 166 SQFT PER UNIT IF COMMON.

OPEN SPACE ON SITE IS IRREGULAR: TOTAL SIZE: 3753 SQFT

CONTINUOUS RECTANGULAR AREA OF SHARED OPEN SPACE:
21.5'x68.5' = 1,473 SQFT

PRIVATE OPEN SPACE: 125 SQFT PER UNIT REQUIRED IF PRIVATE

DWELLING 1: 230 SQFT - COMPLIES AS PRIVATE OPEN SPACE
DWELLING 2: 257 SQFT - COMPLIES AS PRIVATE OPEN SPACE
DWELLING 3: 254 SQFT - COMPLIES AS PRIVATE OPEN SPACE
DWELLING 4: 176 SQFT- COMPLIES AS PRIVATE OPEN SPACE
DWELLING 5: 49 SQFT - DOES NOT COMPLY AS PRIVATE OPEN SPACE, UNIT USES COMMON OPEN SPACE

TROY KASHANIPOUR ARCHITECTURE 2325 3RD STREET SUITE 401, SF CA 94107. PHONE/FAX 415.431.0869

1821 FULTON STREET

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2325 3RD STREET, SUITE 401
SAN FRANCISCO, CA 94107
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ISSUE:
PLANNING REVISIONS

DATE:
08.18.2019

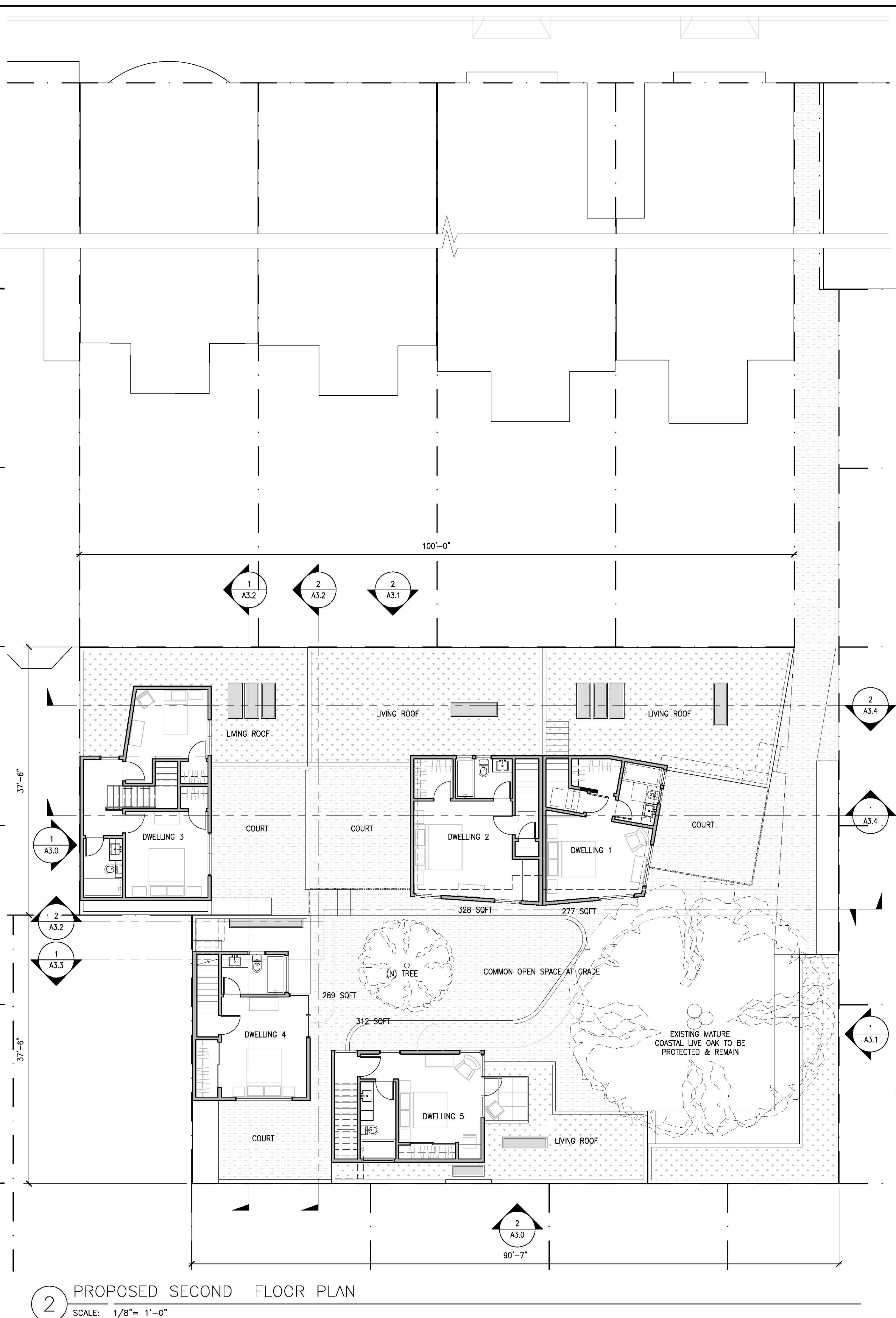
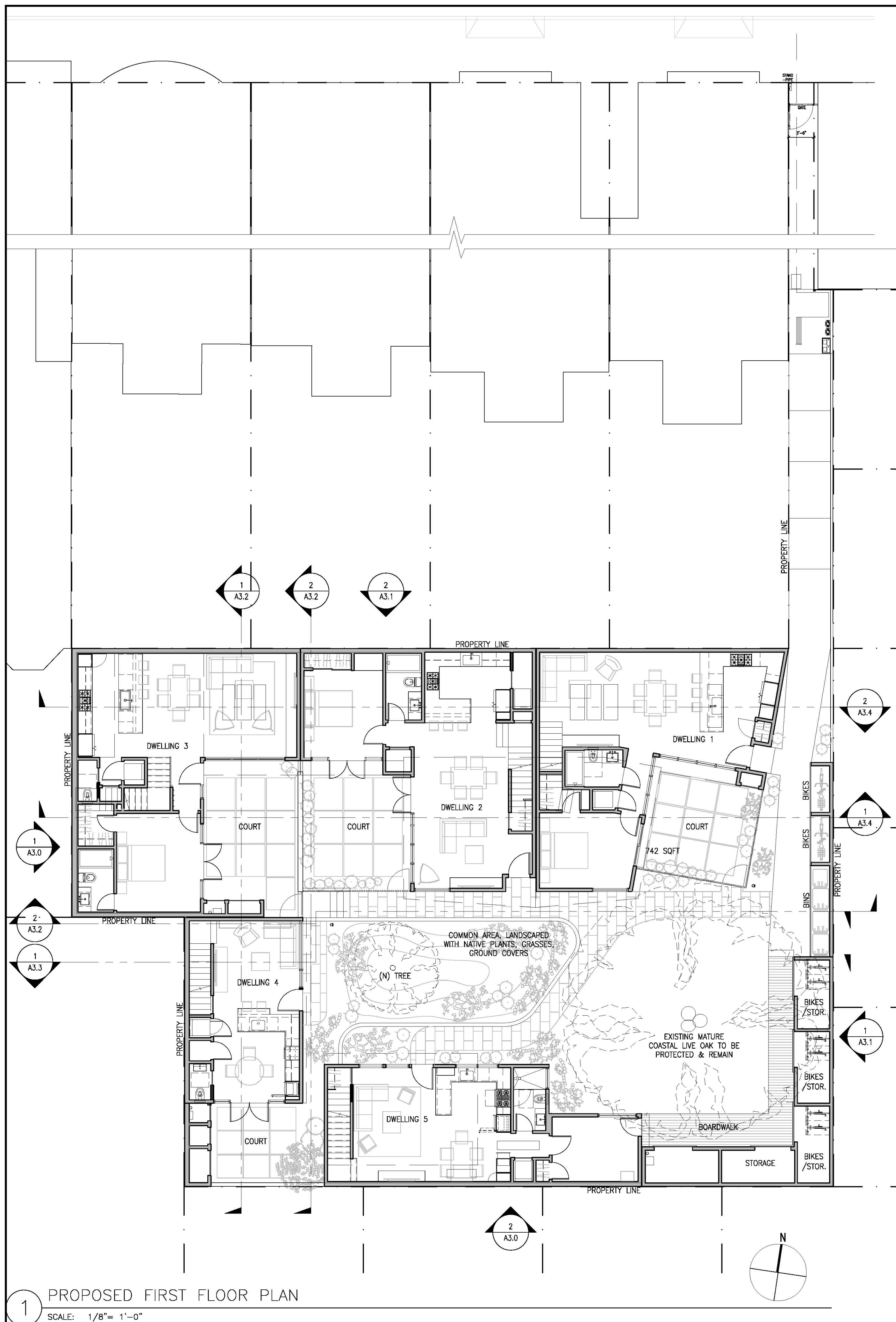
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APPROVAL

DRAWN:
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SCALE:
3/32"=1'-0"

OPEN SPACE AND
UNIT EXPOSURE DIAGRAM

A1.2



OWNER:
GREEN GROVE SF LLC
2325 3RD STREET, SUITE 401
SAN FRANCISCO, CA 94107
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CONSULTANT

APPROVAL

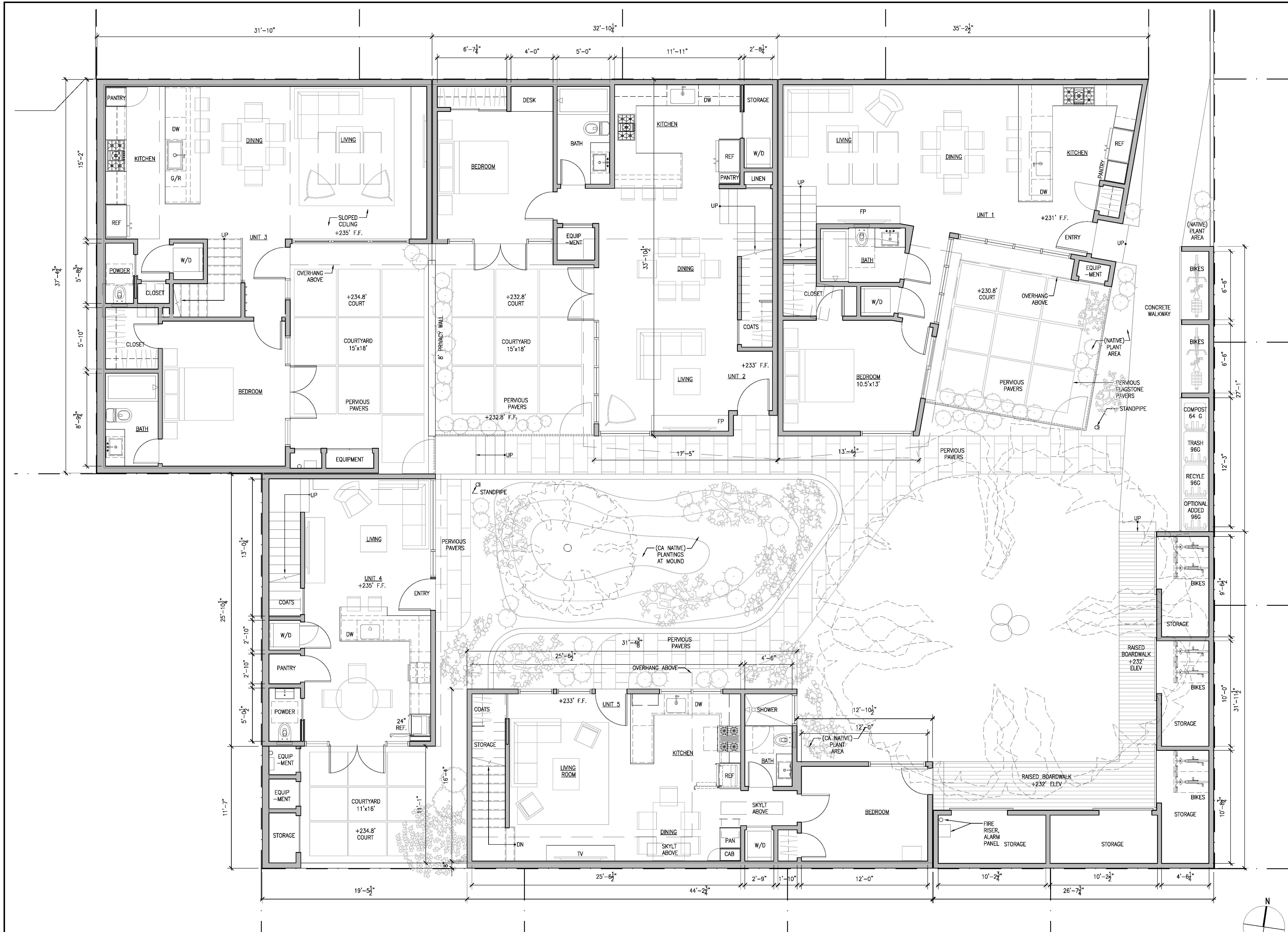
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SCALE:	1"=1'-0"

CHECKED:

SCALE:
1"=1'-0"

SCHEMATIC DESIGN
PROPOSED FLOOR PLANS

A2.0



1 PROPOSED FIRST FLOOR PLAN
SCALE: 1/4" = 1'-0"

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1821 FULTON STREET

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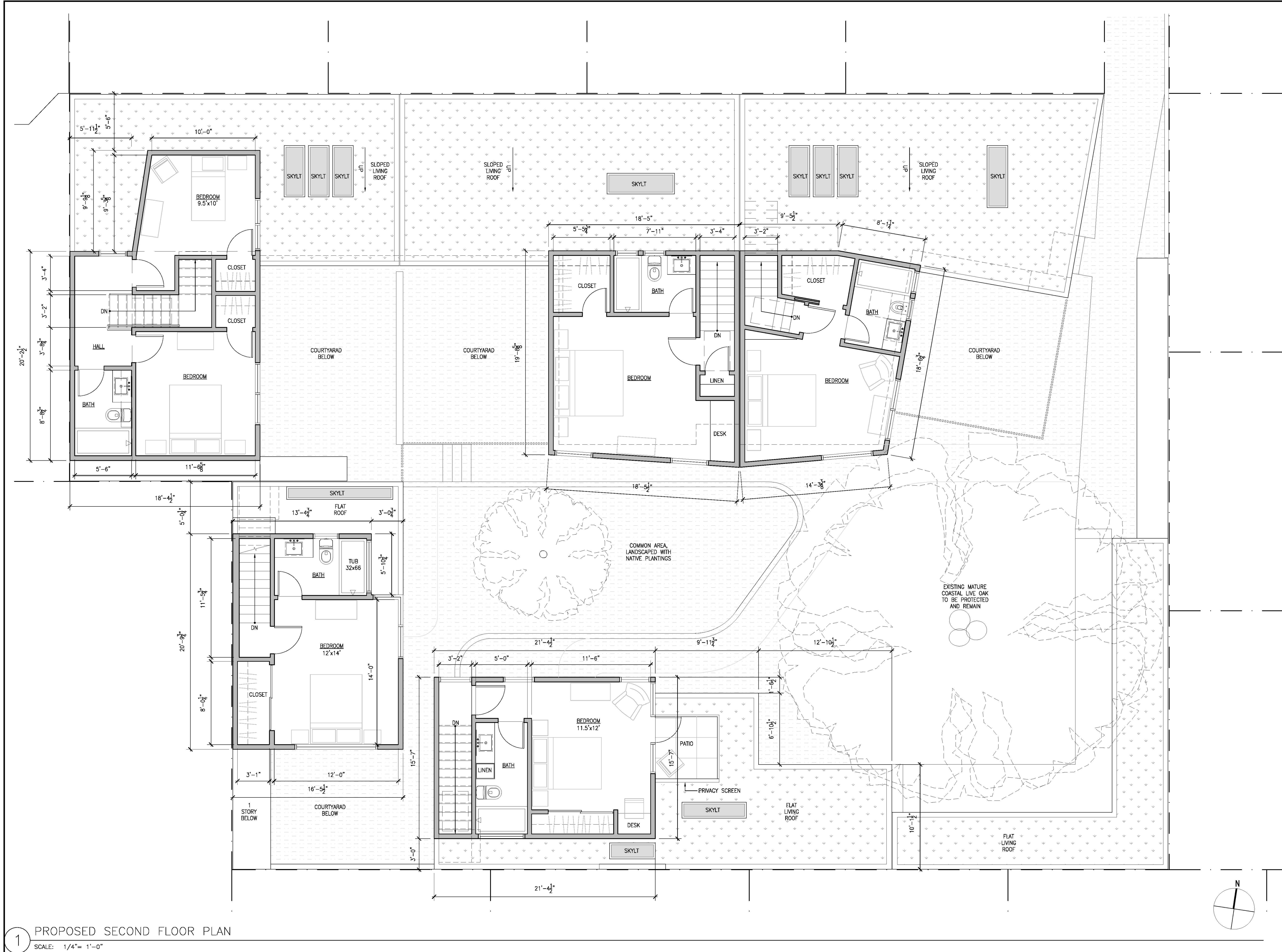
APPROVAL

APPROVED ARCHITECT
TROY KASHANIPOUR
C 27646
REN. 6/30/2021
STATE OF CALIFORNIA

DRAWN: TK
CHECKED: TK
SCALE: 1/4" = 1'-0"

PROPOSED FIRST FLOOR PLAN

A2.1



1 PROPOSED SECOND FLOOR PLAN
SCALE: 1/4" = 1'-0"

TROY KASHANIPOUR ARCHITECTURE2325 3RD STREET SUITE 401, SF, CA 94107. PHONE/FAX 415.431.0869

1821 FULTON STREET

OWNER:
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PHONE: 415.431.0869

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PLANNING REVISIONS
PLANNING REVISIONS

DATE:
08.15.2018
06.10.2019
08.02.2019

CONSULTANT
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APPROVAL

1

LICENSED ARCHITECT

TROY KASHANIPOUR

C 27646

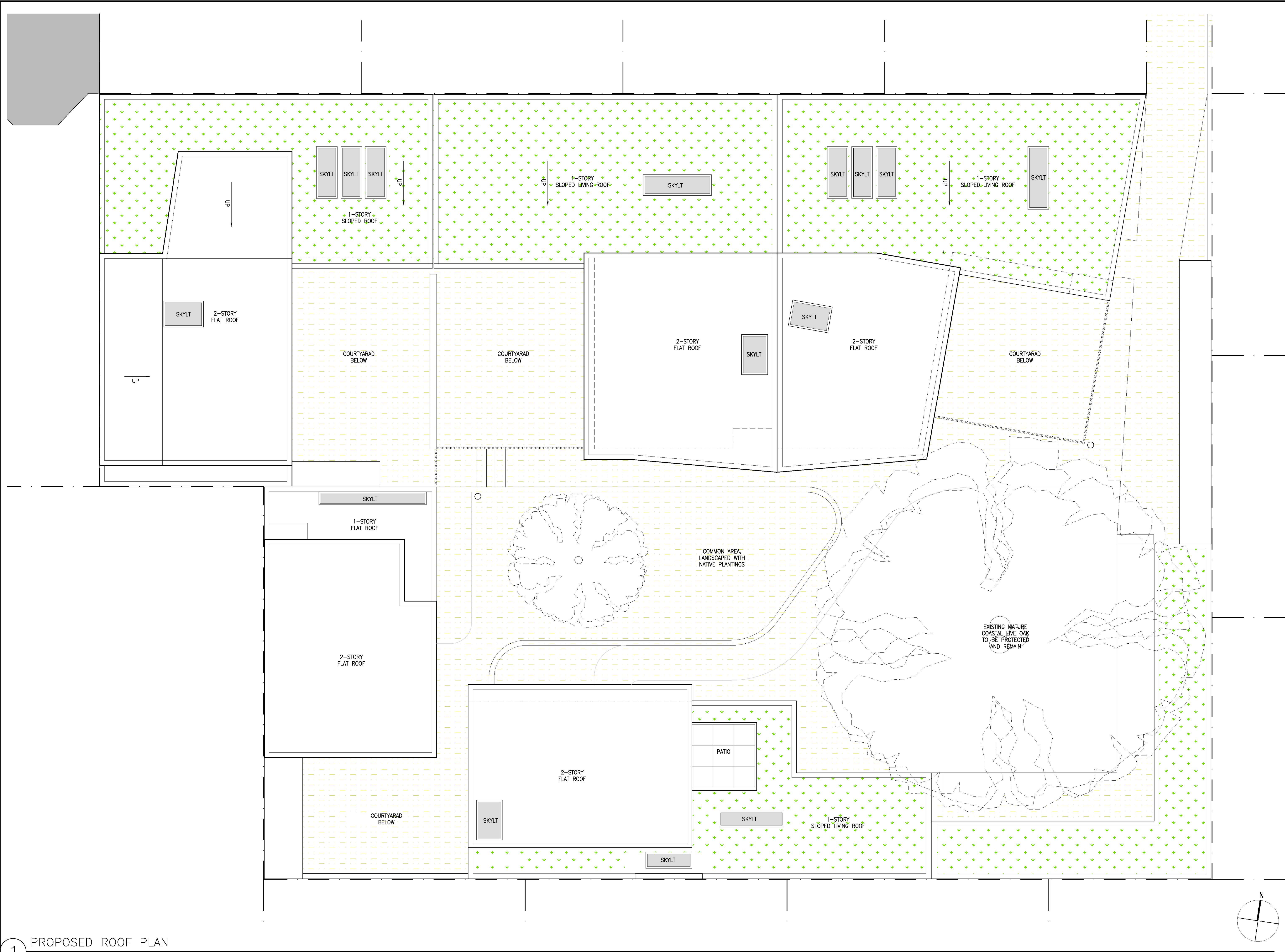
REN. 6/30/2021

STATE OF CALIFORNIA

DRAWN:
TK
CHECKED:
TK
SCALE:
1/4"=1'-0"

PROPOSED SECOND FLOOR PLAN

A2.2



1 PROPOSED ROOF PLAN
SCALE: 1/4"= 1'-0"

TROY KASHANIPOUR ARCHITECTURE2325 3RD STREET SUITE 401, SF CA 94107. PHONE/FAX 415.431.0869

1821 FULTON STREET

OWNER:
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06.10.2019
08.02.2019

CONSULTANT
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APPROVAL

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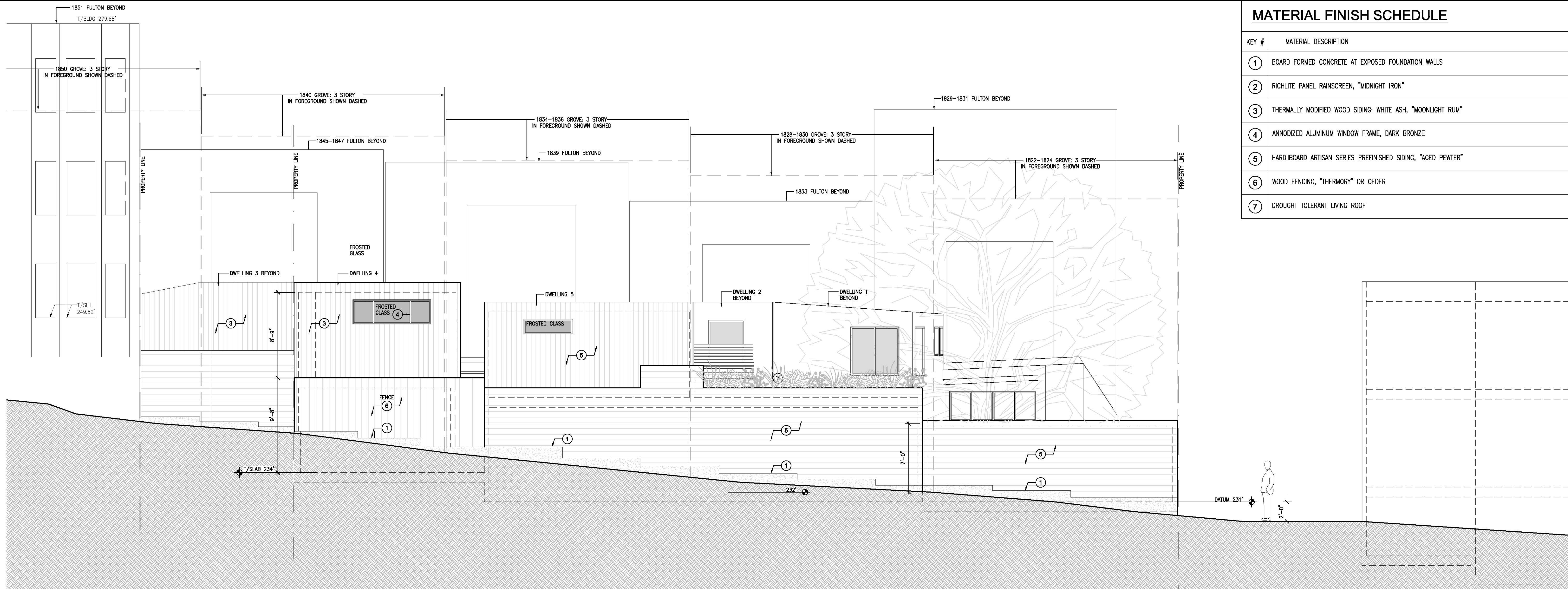
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100

PROPOSED ROOF PLAN

A2.3

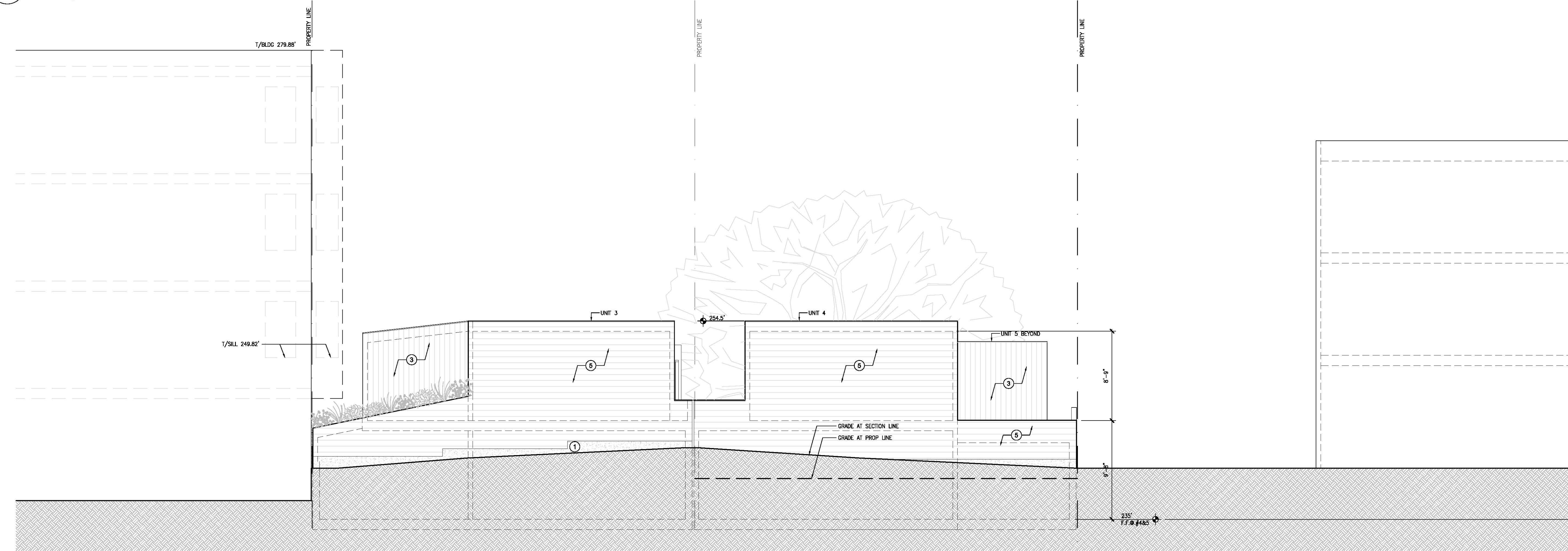


MATERIAL FINISH SCHEDULE

KEY #	MATERIAL DESCRIPTION
①	BOARD FORMED CONCRETE AT EXPOSED FOUNDATION WALLS
②	RICHLITE PANEL RAINSCREEN, "MIDNIGHT IRON"
③	THERMALLY MODIFIED WOOD SIDING: WHITE ASH, "MOONLIGHT RUM"
④	ANNOIDIZED ALUMINUM WINDOW FRAME, DARK BRONZE
⑤	HARDIBOARD ARTISAN SERIES PREFINISHED SIDING, "AGED PEWTER"
⑥	WOOD FENCING, "THERMORY" OR CEDER
⑦	DROUGHT TOLERANT LIVING ROOF

2 SOUTH ELEVATION AT PROPERTY LINE

SCALE: 3/16"= 1'-0"



1 WEST ELEVATION AT PROPERTY LINE

SCALE: 3/16"= 1'-0"

TROY KASHANIPOUR ARCHITECTURE 2325 3RD STREET SUITE 401, SF CA 94107. PHONE/FAX 415.431.0869

1821 FULTON STREET

OWNER:
GREEN GROVE SF LLC
2325 3RD STREET, SUITE 401
SAN FRANCISCO, CA 94107
PHONE: 415.431.0869

ISSUE: DATE:
ISSUED FOR VARIANCE & CUA 08.15.2018
PLANNING REVISIONS 06.10.2019
PLANNING REVISIONS 08.02.2019

CONSULTANT
-

APPROVAL



DRAWN:
TK
CHECKED:
TK
SCALE:
3/32"=1'-0"

PROPOSED ELEVATION

A3.0

KEY #	MATERIAL DESCRIPTION
①	BOARD FORMED CONCRETE AT EXPOSED FOUNDATION WALLS
②	RICHLITE PANEL RAINSCREEN, "MIDNIGHT IRON"
③	THERMALLY MODIFIED WOOD SIDING: WHITE ASH, "MOONLIGHT RUM"
④	ANNOXIDIZED ALUMINUM WINDOW FRAME, DARK BRONZE
⑤	HARDIBOARD ARTISAN SERIES PREFINISHED SIDING, "AGED PEWTER"
⑥	WOOD FENCING, "THERMORY" OR CEDAR
⑦	DROUGHT TOLERANT LIVING ROOF



1821 FULTON STREET

A3.1



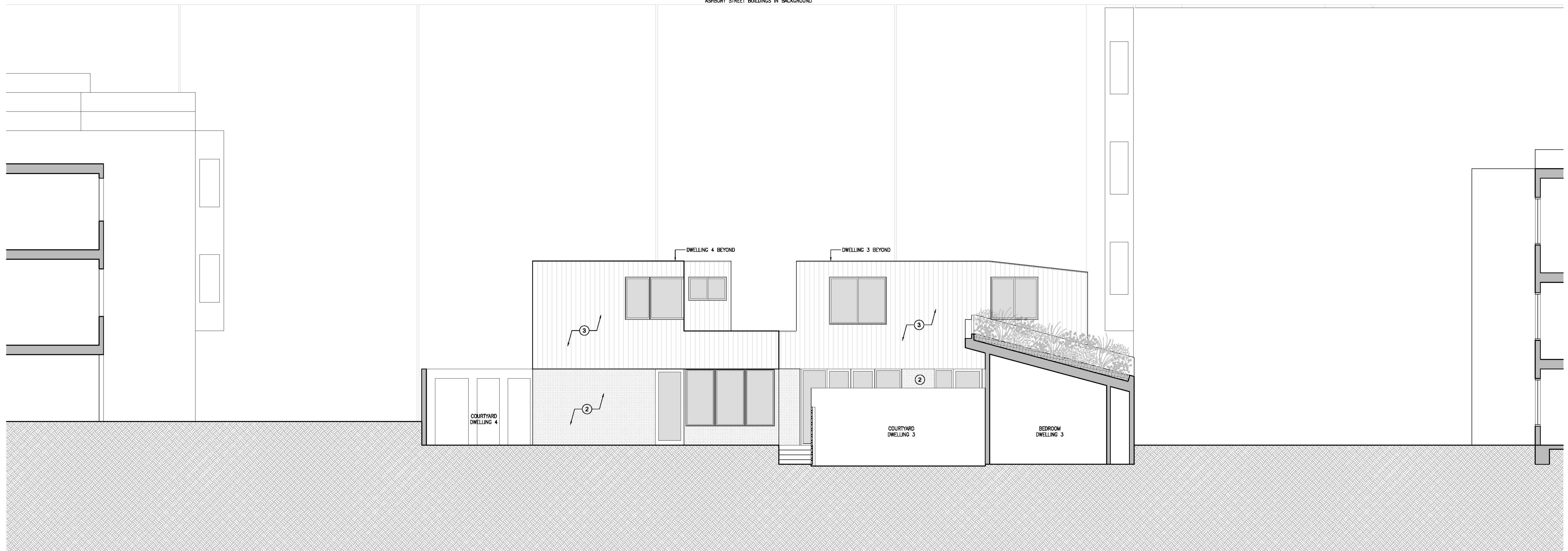
2 SCALE: 3/16" = 1'-0"

ISSUE:	DATE:
ISSUED FOR VARIANCE & CUA	08.15.2018
PLANNING REVISIONS	06.10.2019
PLANNING REVISIONS	08.02.2019

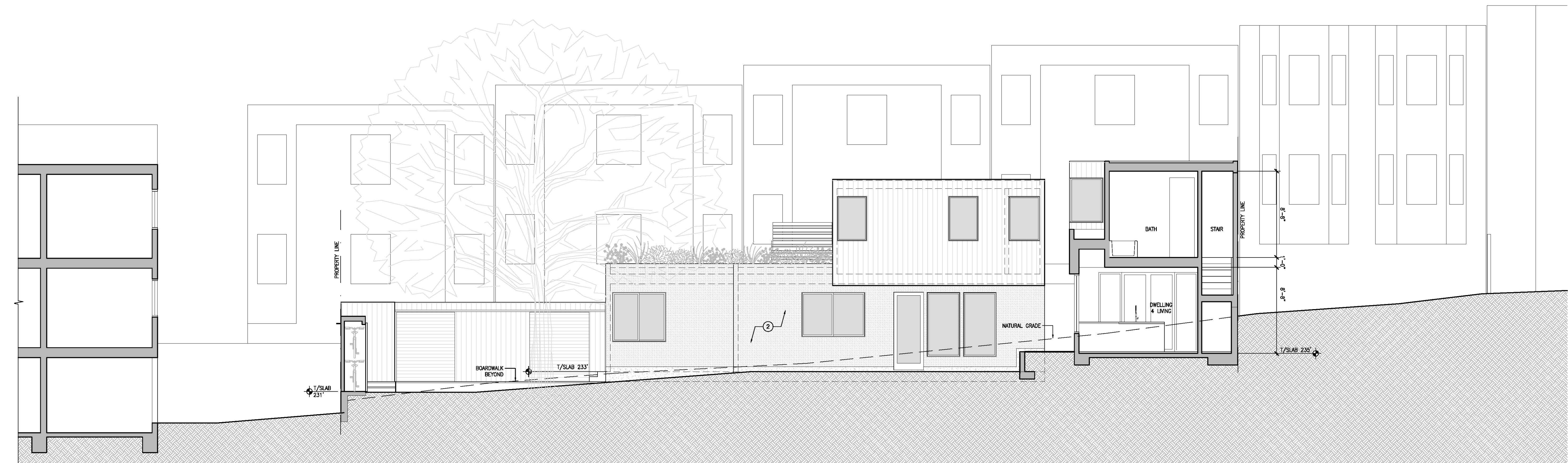
ISSUE:	DATE:
ISSUED FOR VARIANCE & CUA	08.15.2018
PLANNING REVISIONS	06.10.2019
PLANNING REVISIONS	08.02.2019

DRAWN:	TK
CHECKED:	TK
SCALE:	1/32"=1'-0"

A3.2



2 BUILDING SECTION/ELEVATION LOOKING WEST
SCALE: 3/16" = 1'-0"



1 BUILDING SECTION/ELEVATION LOOKING SOUTH
SCALE: 3/16" = 1'-0"

OWNER:
GREEN GROVE SF LLC
2325 3RD STREET, SUITE 401
SAN FRANCISCO, CA 94107
PHONE: 415.431.0869

ISSUE: DATE:
ISSUED FOR VARIANCE & CUA 08.15.2018
PLANNING REVISIONS 06.10.2019
PLANNING REVISIONS 08.02.2019

CONSULTANT
-

APPROVAL



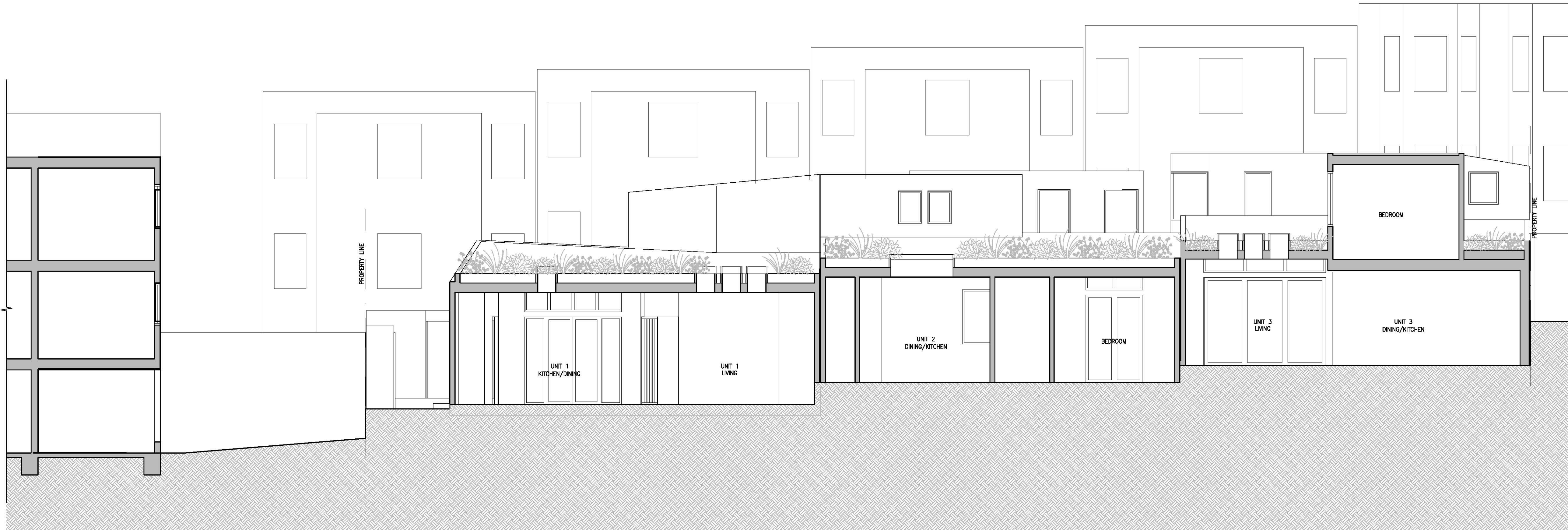
DRAWN:
TK
CHECKED:
TK
SCALE:
3/32" = 1'-0"

PROPOSED SECTION

A3.3

TROY KASHANI POUR ARCHITECTURE 2325 3RD STREET SUITE 401, SF CA 94107, PHONE/FAX 415.431.0869

1821 FULTON STREET



2 BUILDING SECTION/ELEVATION LOOKING SOUTH

SCALE: 3/16"= 1'-0"



1 BUILDING SECTION/ELEVATION LOOKING SOUTH

SCALE: 3/16"= 1'-0"

TROY KASHANIPOUR ARCHITECTURE 2325 3RD STREET SUITE 401, SF CA 94107. PHONE/FAX 415.431.0869

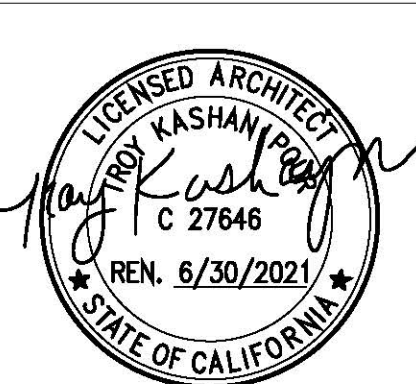
1821 FULTON STREET

OWNER:
GREEN GROVE SF LLC
2325 3RD STREET, SUITE 401
SAN FRANCISCO, CA 94107
PHONE: 415.431.0869

ISSUE: DATE:
ISSUED FOR VARIANCE & CUA 08.15.2018
PLANNING REVISIONS 06.10.2019
PLANNING REVISIONS 08.02.2019

CONSULTANT
-

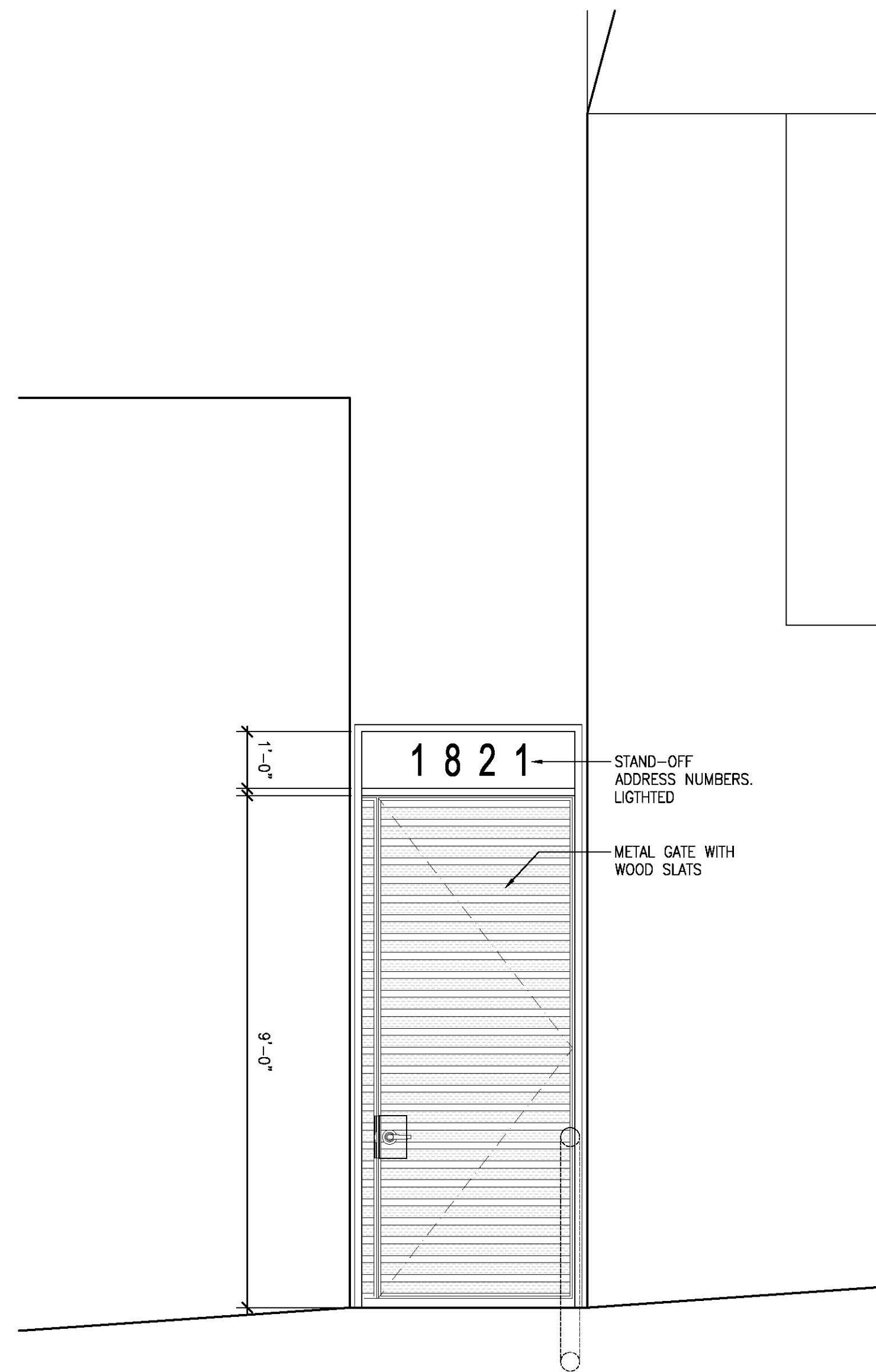
APPROVAL



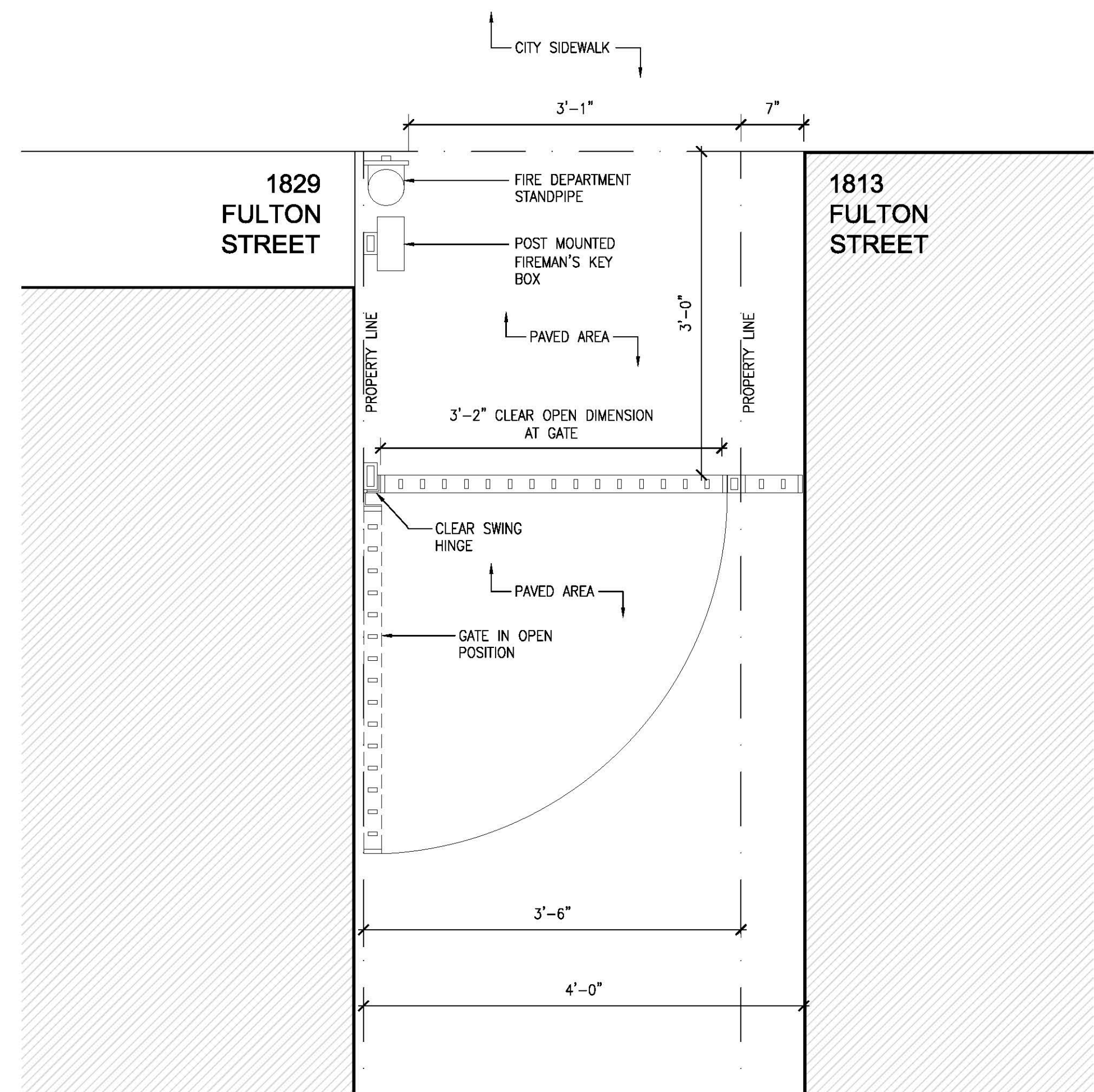
DRAWN:
TK
CHECKED:
TK
SCALE:
3/32"=1'-0"

PROPOSED SECTION

A3.4



5 ELEVATION AT ENTRY GATE
SCALE: 1/2" = 1'-0"



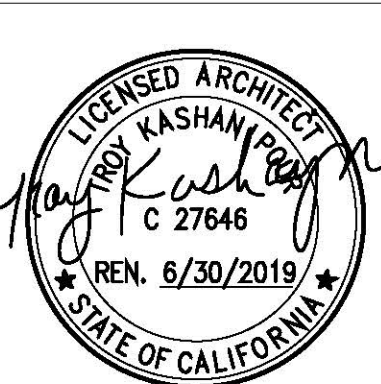
1 ENLARGED PLAN AT GATE
SCALE: 1" = 1'-0"

OWNER:
GREEN GROVE SF LLC
2325 3RD STREET, SUITE 401
SAN FRANCISCO, CA 94107
PHONE: 415.431.0869

ISSUE: ISSUED FOR VARIANCE & CUA
DATE: 08.15.2018

CONSULTANT

APPROVAL



DRAWN: TK
CHECKED: TK
SCALE: AS SHOWN

ENLARGED DETAILS

A8.0

TROY KASHANI POUR ARCHITECTURE 2325 3RD STREET SUITE 401, SF CA 94107. PHONE/FAX 415.431.0869

1821 FULTON STREET

Attachment 3

Check Image

This check was dropped off at the Post Office on May 8, 2020, addressed to:

Clerk of the Board of Supervisors
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco, CA 94012

HENRY TANG 1831 FULTON STREET SAN FRANCISCO, CA 94117		1340 11-8166/3210 02
DATE <u>May 8, 2020</u>		
PAY TO THE ORDER OF	<u>S.F. Planning Department</u>	\$ <u>640.00</u>
<u>Six hundred forty & 00/100</u>		DOLLARS
FIRST REPUBLIC BANK 640 3rd Street Santa Rosa, CA 95404 Tel. 888-408-8288		Photo Safe Deposit® Details on back
FOR	<u>CU Appeal fee</u> <u>2018-011441CUA</u>	
⑆321081669⑆ 99500093259⑆ 01340		

Attachment 4

Fee Waiver



NEIGHBORHOOD GROUP NOTIFICATION FORM

By filling out this form you are registering your neighborhood group to receive notices from the San Francisco Planning Department.

As per the Sunshine Ordinance and Planning Code, your contact information will be subject to public review; it will also be posted on the Department's website, www.sfplanning.org

If you have any questions, please contact planningnews@sfgov.org or 415-575-9121.

Please provide the following information (* REQUIRED):

Organization Name * NOPA West Neighbors (NOPAWN)

Mailing Address * 1831 Fulton St

Contact Person to be listed in Directory * Henry Tang and Brian Kingan

Title * Co-Presidents

Phone Number * 415-441-6728

E-Mail Address (generic email suggested) * nopawestneighbors@gmail.com

Number of Members: 30 Adopted By-laws: Yes ☐ No ☒

Non-profit: Yes ☐ No ☒ Meeting Schedule (Frequency and Time): approx monthly, 1 hr

Organization's Founding Date: 09/20/2017

Geographic Area of Interest:

Pick your area of interest as per the Planning Department Neighborhood Map (<http://sf-planning.org/NEIGHBORHOOD-GROUPS-MAP>) below:

- | | | |
|--|--|---|
| <input type="checkbox"/> Bayview | <input type="checkbox"/> Lakeshore | <input type="checkbox"/> Presidio Heights |
| <input type="checkbox"/> Bernal Heights | <input type="checkbox"/> Marina | <input type="checkbox"/> Russian Hill |
| <input type="checkbox"/> Castro/Upper Market | <input type="checkbox"/> Mission | <input type="checkbox"/> Seacliff |
| <input type="checkbox"/> Chinatown | <input type="checkbox"/> Nob Hill | <input type="checkbox"/> South of Market |
| <input type="checkbox"/> Crocker Amazon | <input type="checkbox"/> Noe Valley | <input type="checkbox"/> Treasure Island |
| <input type="checkbox"/> Diamond Heights | <input type="checkbox"/> North Beach | <input type="checkbox"/> Twin Peaks |
| <input type="checkbox"/> Downtown/Civic Center | <input type="checkbox"/> Ocean View | <input type="checkbox"/> Upper Market |
| <input type="checkbox"/> Excelsior | <input type="checkbox"/> Outer Mission | <input type="checkbox"/> Visitacion Valley |
| <input type="checkbox"/> Financial District | <input type="checkbox"/> Outer Richmond | <input type="checkbox"/> West of Twin Peaks |
| <input type="checkbox"/> Glen Park | <input type="checkbox"/> Outer Sunset | <input type="checkbox"/> Western Addition |
| <input type="checkbox"/> Golden Gate Park | <input type="checkbox"/> Pacific Heights | <input type="checkbox"/> Citywide |
| <input checked="" type="checkbox"/> Haight Ashbury | <input type="checkbox"/> Parkside | |
| <input type="checkbox"/> Inner Richmond | <input type="checkbox"/> Potrero Hill | |
| <input type="checkbox"/> Inner Sunset | <input type="checkbox"/> Presidio | |

San Francisco Planning Department Neighborhood Map:



Email completed form to planningnews@sfgov.org. Please note that it takes about 2-4 weeks to start receiving notices.

Application Submission Date: May 5, 2020

From: [Marian Ivan](#)
To: [MandelmanStaff, \(BOS\)](#); [Mar. Gordon \(BOS\)](#); [Peskin, Aaron \(BOS\)](#); [Preston, Dean \(BOS\)](#); [Fewer, Sandra \(BOS\)](#); [Ronen, Hillary](#); [Safai, Ahsha \(BOS\)](#); [Stefani, Catherine \(BOS\)](#); [Walton, Shamann \(BOS\)](#); [Yee, Norman \(BOS\)](#); [1846groveighbors@gmail.com](#); [BOS Legislation, \(BOS\)](#); [Haney, Matt \(BOS\)](#)
Subject: I oppose the landlocked lot construction project at 1846 Grove
Date: Friday, August 14, 2020 12:11:55 PM

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

Dear Supervisors,

I am writing in opposition to the proposed development at 1846 Grove Street. I have five reasons for my position:

1. I believe that building four dwelling units in a landlocked lot with a long narrow 3.5 ft breezeway as the only means of entrance and egress defies common sense.
2. These market-rate housing units are neither necessary nor desirable and will do nothing to alleviate the shortage of affordable housing in San Francisco.
3. The properties immediately adjacent to the lot will be exposed to significant fire risk both during and after construction. These homes are not protected by fire sprinklers. There have been a number of multi-million dollar fires in the last few years both in San Francisco and the Bay Area from residential buildings during course of construction. Those properties were further away from the nearby buildings than the homes adjacent to the subject location. The proposed project runs to the lot lines and are only separated by old wooden fences. Any welding on the proposed project could be catastrophic for the other homes
4. The developer claims to have engaged with the local community however, on further examination, his claims are specious. The neighbors can provide additional information on this topic.
5. Two neighborhood trees will be adversely affected and could potentially die because of this project: the first is the Live Oak on the site which is huge, old and very healthy. Live Oak trees are endangered by smog and development, and they cannot tolerate having their roots trampled on (it kills them). The second is a California Oak on Masonic just east of the subject parcel. This oak is estimated to be 100 years old. It too is a neighborhood treasure. The developers plan to divert water away from the site into the sewers. These trees have NO OTHER source of water to survive.

In addition to the above points, my home is immediately east of the proposed project and the proposed buildings will look directly into my bedrooms and those of my neighbors. City codes were developed precisely to avoid this complete lack of privacy.

I respectfully urge you to protect the City's quality of life and disallow this development from being built.

Regards,

Marian Ivan

631 Masonic Ave.

San Francisco, CA 94117

From: [Board of Supervisors, \(BOS\)](#)
To: [BOS-Supervisors](#)
Cc: [BOS Legislation, \(BOS\)](#)
Subject: FW: Oppose the Landlocked Lot Proposed Construction at 1846 Grove
Date: Thursday, August 13, 2020 3:16:03 PM

-----Original Message-----

From: Suzanne Rinaldo <sgrinaldo@icloud.com>
Sent: Wednesday, August 12, 2020 6:18 PM
To: Board of Supervisors, (BOS) <board.of.supervisors@sfgov.org>
Subject: Oppose the Landlocked Lot Proposed Construction at 1846 Grove

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

Dear Supervisors,

We strongly oppose the landlocked lot construction proposal at 1946 Grove. We ask that the Board disapprove this proposal.

The project site has only one, very narrow 3-5 foot wide breezeway as its only entrance and exit. Building four new units on this site will lead to an extremely dangerous situation for occupants and responding personnel in the event of an emergency such as a fire. We respect the fact that the city needs more housing. But it does not need more dangerous housing that imperils the lives of new and old occupants of the area alike. Given the city's priorities, it might better be used as a park space for the surrounding residences. The property is right in back of a bar/cafe and a laundromat on Fulton Street. Both have heavy users who are now endangered if this construction goes forward.

We ask that the Supervisors enforce all applicable building and fire codes and deny this project's conditional use application. In addition to being dangerous in and of itself, this project has proceeded with the investors dismissing neighborhood input throughout the process. This type of arrogance is not the solution to our city's housing crisis and it is not based on public needs and public safety. Please vote to approve the appeal and overturn the Planning Commission's unusually careless decision regarding the 1846 project.

We have good friends who live in this immediate area and they and we are frankly terrified of the fire danger that the Commission appears to have ignored. If you took one good in person look at the tiny opening into the lot, you would be appalled, at the idea of using it to let new residents and emergency personnel enter and exit. There is no safe way emergency vehicles can access the area. They would have to park on either Fulton or Masonic, two already very busy streets. Heavy hoses would have to be dragged a very long way down the extremely narrow entrance and exit corridor. We know how dangerous this can be as our daughter has been a firefighter/paramedic in downtown Oakland and she saw firsthand the dangerous impact of such limited access and crowding on fire safety and public safety. . It is undeniably dangerous. And avoidable. Please reconsider the Planning Commission's strange choice to approve this lot construction project. It is unwise and a public hazard.

Thank you for your attention to this matter.

Suzanne G. Rinaldo and David W. Rinaldo
New SF address: 1902 Lyon St. Apt. C
San Francisco, CA 94115

From: [Suzanne Glynne](#)
To: [Haney, Matt \(BOS\)](#); [MandelmanStaff, \[BOS\]](#); [Mar, Gordon \(BOS\)](#); [Peskin, Aaron \(BOS\)](#); [Preston, Dean \(BOS\)](#); [Fewer, Sandra \(BOS\)](#); [Ronen, Hillary](#); [Safai, Ahsha \(BOS\)](#); [Stefani, Catherine \(BOS\)](#); [Walton, Shamann \(BOS\)](#); [Yee, Norman \(BOS\)](#); 1846groveneighbors@gmail.com; [BOS Legislation, \(BOS\)](#)
Subject: I oppose the landlocked lot construction project at 1846 Grove
Date: Wednesday, July 29, 2020 12:03:09 PM

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

Dear Supervisors,

We oppose the landlocked lot construction project at 1846 Grove Street and ask the Board to disapprove this proposal.

The project site has one narrow 3.5-foot-wide breezeway as its only entrance and exit. Building four units at this site will lead to an unsafe situation for occupants and responding emergency personnel in the event of an emergency such as a fire. We ask that you enforce the applicable building and fire codes and deny this project's conditional use application.

Suzanne Glynne

From: [BOS Legislation, \(BOS\)](#)
To: [Brian Kingan; "Malinda Kai Tuazon"](#)
Cc: [PEARSON, ANNE \(CAT\); STACY, KATE \(CAT\); JENSEN, KRISTEN \(CAT\); Teague, Corey \(CPC\); Sanchez, Scott \(CPC\); Gibson, Lisa \(CPC\); Jain, Devyani \(CPC\); Navarrete, Joy \(CPC\); Lewis, Don \(CPC\); Varat, Adam \(CPC\); Sider, Dan \(CPC\); Starr, Aaron \(CPC\); Rodgers, AnMarie \(CPC\); Ionin, Jonas \(CPC\); Dito, Matthew \(CPC\); Rosenberg, Julie \(BOA\); Sullivan, Katy \(BOA\); Longaway, Alec \(BOA\); BOS-Supervisors; BOS-Legislative Aides; Calvillo, Angela \(BOS\); Somera, Alisa \(BOS\); Mchugh, Eileen \(BOS\); BOS Legislation, \(BOS\)](#)
Subject: HEARING NOTICE: Appeal of Conditional Use Authorization and CEQA Exemption Determination - Proposed 1846 Grove Street Project - Appeal Hearing on July 28, 2020
Date: Tuesday, July 14, 2020 2:26:27 PM
Attachments: [image001.png](#)

Greetings,

The Office of the Clerk of the Board has scheduled remote hearings for Special Order before the Board of Supervisors on Tuesday, July 28, 2020, at 3:00 p.m., to hear the appeals of the Exemption Determination under CEQA and Conditional Use Authorization for a proposed project at 1846 Grove Street.

Please find linked below letters of appeals filed against the proposed project for 1846 Grove Street, as well as a direct link to the Planning Department's Timeliness for appeal, and an information letter from the Clerk of the Board.

[CEQA Appeal - 1846 Grove Street - May 9, 2020](#)

[Conditional Use Authorization Appeal - 1846 Grove Street - May 11, 2020](#)

[Planning Department Memo - July 13, 2020](#)

[Clerk of the Board Letter - July 14, 2020](#)

Please find the following link to the hearing notice for these matters.

[Public Hearing Notice - July 14, 2020](#)

NOTE: The President may entertain a motion to continue the following appeal hearings to the Board of Supervisors' meeting of Tuesday, August 25, 2020.

I invite you to review the entire matter on our [Legislative Research Center](#) by following the links below:

[Board of Supervisors File No. 200746](#)

[Board of Supervisors File No. 200750](#)

Best regards,

Lisa Lew

San Francisco Board of Supervisors
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco, CA 94102
T 415-554-7718 | F 415-554-5163
lisa.lew@sfgov.org | www.sfbos.org

(VIRTUAL APPOINTMENTS) To schedule a “virtual” meeting with me (on Microsoft Teams), please ask and I can answer your questions in real time.

Due to the current COVID-19 health emergency and the Shelter in Place Order, the Office of the Clerk of the Board is working remotely while providing complete access to the legislative process and our services.



Click [here](#) to complete a Board of Supervisors Customer Service Satisfaction form

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. 554-5227

NOTICE OF PUBLIC HEARING

BOARD OF SUPERVISORS OF THE CITY AND COUNTY OF SAN FRANCISCO Sent via Email and/or U.S. Postal Service

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

NOTE:	The President will entertain a motion to continue these Hearings to the Board of Supervisors meeting of August 25, 2020. Public Comment will be taken on the continuance only.
--------------	---

Date: Tuesday, July 28, 2020

Time: 3:00 p.m.

Location: REMOTE MEETING VIA VIDEOCONFERENCE
Watch: www.sfgovtv.org
SF Cable Channel 26 once the meeting starts, the telephone number and Meeting ID will be displayed on the screen.
Public Comment Call-In: <https://sfbos.org/remote-meeting-call>

Subject: **File No. 200746.** Hearing of persons interested in or objecting to the determination of exemption from environmental review under the California Environmental Quality Act issued as a Categorical Exemption by the Planning Department on February 12, 2019, for the proposed project at 1846 Grove Street, Assessor's Parcel Block No. 1187, Lot No. 003H; for the construction of four two-story single-family dwelling units on a vacant lot within an RH-2 (Residential, House - Two Family) and RH-3 (Residential, House - Three Family) Zoning District and a 40-X Height and Bulk District. (District 5) (Appellant: Brian Kingan) (Filed May 9, 2020)

File No. 200750. Hearing of persons interested in or objecting to the certification of Conditional Use Authorization pursuant to Planning Code, Sections 207, 209.1, and 303, for a proposed project at 1846 Grove Street, Assessor's Parcel Block No. 1187, Lot No. 003H, identified in Planning Case No. 2018-011441CUA, issued by the Planning Commission by Motion No. 20681, dated April 9, 2020, for residential density of one unit per 1,500 square feet of lot area to permit the construction of four two-story single-family dwelling units on a vacant lot within an RH-2 (Residential, House - Two Family) and RH-3 (Residential, House - Three Family) Zoning District and a 40-X Height and Bulk District. (District 5) (Appellant: Malinda Kai Tuazon) (Filed May 11, 2020)

On March 17, 2020, the Board of Supervisors authorized their Board and Committee meetings to convene remotely and allow for remote public comment due to the Coronavirus -19 pandemic. Therefore, Board of Supervisors meetings that are held through videoconferencing will allow remote public comment through teleconferencing. Visit the SFGovTV website (www.sfgovtv.org) to stream the live meetings or watch them on demand.

PUBLIC COMMENT CALL-IN

WATCH: SF Cable Channel 26, once the meeting starts, and the telephone number and Meeting ID will be displayed on the screen; or

VISIT: <https://sfbos.org/remote-meeting-call>

Please visit the Board's website (<https://sfbos.org/city-board-response-covid-19>) regularly to be updated on the City's response to COVID-19 and how the legislative process may be impacted.

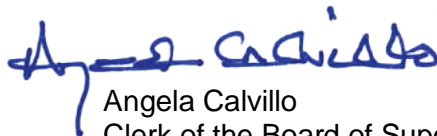
In accordance with Administrative Code, Section 67.7-1, persons who are unable to attend the hearing on this matter may submit written comments prior to the time the hearing begins. These comments will be made as part of the official public record in this matter and shall be brought to the attention 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 or sent via email (board.of.supervisors@sfgov.org). Information relating to this matter is available in the Office of the Clerk of the Board or the Board of Supervisors' Legislative Research Center (<https://sfbos.org/legislative-research-center-lrc>). Agenda information relating to this matter will be available for public review on Friday, July 24, 2020.

For any questions about this hearing, please contact one of the Legislative Clerks:

Lisa Lew (lisa.lew@sfgov.org) ~ (415) 554-7718)

Jocelyn Wong (jocelyn.wong@sfgov.org) ~ (415) 554-7702)

Please Note: The Department is open for business, but employees are working from home. Please allow 48 hours for us to return your call or email.



Angela Calvillo
Clerk of the Board of Supervisors
City and County of San Francisco

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

PROOF OF MAILING

Legislative File No. 200746 and 200750

Description of Items: Hearing - Appeal of Determination of Exemption From Environmental Review - Appeal of Conditional Use Authorization - 1846 Grove Street - XXX Notices Mailed

I, John Bullock, 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:

Date: July 14, 2020

Time: 5:04 p.m.

USPS Location: Dropped off at 101 s van ness Repro office

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

Signature: 

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

491 Notices

From: [BOS Legislation, \(BOS\)](#)
To: [Ko, Yvonne \(CPC\)](#)
Cc: [Yeung, Tony \(CPC\)](#); [BOS-Operations](#); [BOS Legislation, \(BOS\)](#)
Subject: CHECK PICKUP: Appeal of Conditional Use Authorization and CEQA Exemption Determination - Proposed 1846 Grove Street Project - Appeal Hearing on July 28, 2020
Date: Wednesday, July 15, 2020 8:06:37 AM
Attachments: [image001.png](#)
[grove ceqa fee waiver.pdf](#)
[grove cu fee waiver.pdf](#)
[Appeal Check Pickup.doc](#)

Hi Yvonne,

Two checks for appeals filing fee for the CEQA Exemption Determination appeal and the Conditional Use Authorization appeal of the proposed project at 1846 Grove Street are ready to be picked up here in the Clerk's Office. Please coordinate with our BOS-Operations team copied here to set up a date and time for pickup.

Please be advised fee waivers were filed for these appeal as attached.

Operations,

These checks should be in your possession currently. Please attach each check with the attached fee waiver form for Planning to pick up. Lastly, kindly have Planning sign the attached appeal check pickup form.

Thank you all.

Lisa Lew

San Francisco Board of Supervisors
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco, CA 94102
T 415-554-7718 | F 415-554-5163
lisa.lew@sfgov.org | www.sfbos.org

(VIRTUAL APPOINTMENTS) To schedule a "virtual" meeting with me (on Microsoft Teams), please ask and I can answer your questions in real time.

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From: BOS Legislation, (BOS) <bos.legislation@sfgov.org>

Sent: Tuesday, July 14, 2020 2:26 PM

To: Brian Kingan <kinganb33@gmail.com>; 'Malinda Kai Tuazon' <malindakai@gmail.com>
Cc: PEARSON, ANNE (CAT) <Anne.Pearson@sfcityatty.org>; STACY, KATE (CAT) <Kate.Stacy@sfcityatty.org>; JENSEN, KRISTEN (CAT) <Kristen.Jensen@sfcityatty.org>; Teague, Corey (CPC) <corey.teague@sfgov.org>; Sanchez, Scott (CPC) <scott.sanchez@sfgov.org>; Gibson, Lisa (CPC) <lisa.gibson@sfgov.org>; Jain, Devyani (CPC) <devyani.jain@sfgov.org>; Navarrete, Joy (CPC) <joy.navarrete@sfgov.org>; Lewis, Don (CPC) <don.lewis@sfgov.org>; Varat, Adam (CPC) <adam.varat@sfgov.org>; Sider, Dan (CPC) <dan.sider@sfgov.org>; Starr, Aaron (CPC) <aaron.starr@sfgov.org>; Rodgers, AnMarie (CPC) <anmarie.rodgers@sfgov.org>; Ionin, Jonas (CPC) <jonas.ionin@sfgov.org>; Dito, Matthew (CPC) <matthew.dito@sfgov.org>; Rosenberg, Julie (BOA) <julie.rosenberg@sfgov.org>; Sullivan, Katy (BOA) <katy.sullivan@sfgov.org>; Longaway, Alec (BOA) <alec.longaway@sfgov.org>; BOS-Supervisors <bos-supervisors@sfgov.org>; BOS-Legislative Aides <bos-legislative_aides@sfgov.org>; Calvillo, Angela (BOS) <angela.calvillo@sfgov.org>; Somera, Alisa (BOS) <alisa.somera@sfgov.org>; Mchugh, Eileen (BOS) <eileen.e.mchugh@sfgov.org>; BOS Legislation, (BOS) <bos.legislation@sfgov.org>
Subject: HEARING NOTICE: Appeal of Conditional Use Authorization and CEQA Exemption Determination - Proposed 1846 Grove Street Project - Appeal Hearing on July 28, 2020

Greetings,

The Office of the Clerk of the Board has scheduled remote hearings for Special Order before the Board of Supervisors on Tuesday, July 28, 2020, at 3:00 p.m., to hear the appeals of the Exemption Determination under CEQA and Conditional Use Authorization for a proposed project at 1846 Grove Street.

Please find linked below letters of appeals filed against the proposed project for 1846 Grove Street, as well as a direct link to the Planning Department's Timeliness for appeal, and an information letter from the Clerk of the Board.

[CEQA Appeal - 1846 Grove Street - May 9, 2020](#)

[Conditional Use Authorization Appeal - 1846 Grove Street - May 11, 2020](#)

[Planning Department Memo - July 13, 2020](#)

[Clerk of the Board Letter - July 14, 2020](#)

Please find the following link to the hearing notice for these matters.

[Public Hearing Notice - July 14, 2020](#)

NOTE: The President may entertain a motion to continue the following appeal hearings to the Board of Supervisors' meeting of Tuesday, August 25, 2020.

I invite you to review the entire matter on our [Legislative Research Center](#) by following the links below:

[Board of Supervisors File No. 200746](#)

[Board of Supervisors File No. 200750](#)

Best regards,

Lisa Lew

San Francisco Board of Supervisors
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco, CA 94102
T 415-554-7718 | F 415-554-5163
lisa.lew@sfgov.org | www.sfbos.org

(VIRTUAL APPOINTMENTS) To schedule a “virtual” meeting with me (on Microsoft Teams), please ask and I can answer your questions in real time.

Due to the current COVID-19 health emergency and the Shelter in Place Order, the Office of the Clerk of the Board is working remotely while providing complete access to the legislative process and our services.



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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

July 14, 2020

Brian Kingan
627 Masonic Avenue
San Francisco, CA 94117

Malinda Kai Tuazon
613 Masonic Avenue
San Francisco, CA 94117

**Subject: File Nos. 200746 and 200750 - Appeals of CEQA Exemption
Determination and Conditional Use Authorization - 1846 Grove Street
Project**

Dear Mr. Kingan and Ms. Tuazon:

The Office of the Clerk of the Board is in receipt of a memorandum dated July 13, 2020, from the Planning Department regarding their determination on the timely filing of appeal of the CEQA Exemption Determination for the proposed project at 1846 Grove Street.

The Planning Department has determined that the appeal was filed in a timely manner (copy attached).

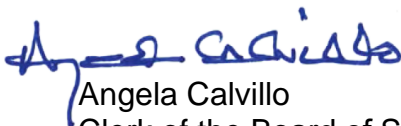
The conditional use appeal was filed with the subscription of five members of the Board of Supervisors, and therefore meets the filing requirements of Planning Code, Section 308.1.

Pursuant to Administrative Code, Section 31.16, and Planning Code, Section 308.1, a remote hearing date has been scheduled for **Tuesday, July 28, 2020, at 3:00 p.m.**, at the Board of Supervisors meeting.

Please provide to the Clerk's Office as soon as possible, names and addresses of interested parties to be notified of the hearing, in spreadsheet format. If there is supporting documentation you wish to include for the hearing, please email an electronic copy by Thursday, July 23, 2020, at noon to bos.legislation@sfgov.org. Any materials received after this date, will still be distributed to all parties and be included as part of the official file.

If you have any questions, please feel free to contact Legislative Clerks Lisa Lew at (415) 554-7718, Jocelyn Wong at (415) 554-7702, or Brent Jalipa at (415) 554 7712.

Very truly yours,



Angela Calvillo
Clerk of the Board of Supervisors
City and COunty of San Francisco

c: Anne Pearson, Deputy City Attorney
Kate Stacy, Deputy City Attorney
Kristen Jensen, Deputy City Attorney
Corey Teague, Zoning Administrator, Planning Department
Scott Sanchez, Acting Deputy Zoning Administrator, Planning Department
Lisa Gibson, Environmental Review Officer, Planning Department
Devyani Jain, Deputy Environmental Review Officer, Planning Department
Joy Navarette, Environmental Planning, Planning Department
Don Lewis, Environmental Planning, Planning Department
Adam Varat, Acting Director of Citywide Planning, Planning Department
Dan Sider, Director of Executive Programs, Planning Department
Aaron Starr, Manager of Legislative Affairs, Planning Department
AnMarie Rodgers, Legislative Affairs, Planning Department
Jonas Ionin, Planning Commission Secretary, Planning Department
Matthew Dito, Staff Contact, Planning Department
Julie Rosenberg, Executive Director, Board of Appeals
Katy Sullivan, Legal Assistant, Board of Appeals
Alec Longaway, Legal Process Clerk, Board of Appeals

From: [BOS Legislation, \(BOS\)](#)
To: [Malinda Kai Tuazon](#)
Cc: [Calvillo, Angela \(BOS\)](#); [Somera, Alisa \(BOS\)](#); [BOS Legislation, \(BOS\)](#); [Preston, Dean \(BOS\)](#); [Ronen, Hillary; Haney, Matt \(BOS\)](#); [Peskin, Aaron \(BOS\)](#); [Mar, Gordon \(BOS\)](#); [Smeallie, Kyle \(BOS\)](#); [Mchugh, Eileen \(BOS\)](#)
Subject: RE: Appeal: Case No. 2018-011441CUA (1846 Grove)
Date: Monday, May 11, 2020 3:11:05 PM

Dear Malinda Tuazon,

I am writing to confirm receipt of the appeal for the Conditional Use Authorization for the proposed project at 1846 Grove Street, received on May 11, 2020.

In an emergency order dated March 11, 2020, Mayor London N. Breed suspended all local deadlines imposed on policy bodies to the extent that the policy body cannot meet and comply with the deadline due to the public health emergency. Because the Board of Supervisors cannot currently meet to hold hearings on appeals in a way that ensures access by all interested parties, local deadlines for scheduling and acting on such appeals have been suspended by the mayoral order. Upon expiration of the health emergency order, our office will provide appellants with updates regarding the statuses of their appeals.

Please do not hesitate to contact us if there are any questions. Thank you.

Lisa Lew

San Francisco Board of Supervisors

1 Dr. Carlton B. Goodlett Place, Room 244

San Francisco, CA 94102

T 415-554-7718 | F 415-554-5163

lisa.lew@sfgov.org | www.sfbos.org

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-----Original Message-----

From: Malinda Kai Tuazon <malindakai@gmail.com>

Sent: Monday, May 11, 2020 1:26 PM

To: BOS Legislation, (BOS) <bos.legislation@sfgov.org>

Subject: Appeal: Case No. 2018-011441CUA (1846 Grove)

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

Hello,

Please see the attached appeal packet for the above-listed project. If you require additional information, please do not hesitate to contact me.

Kindest Regards,

Malinda Tuazon

(415) 794-4497

Introduction Form

By a Member of the Board of Supervisors or 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 inquiries"
- ☐ 5. City Attorney Request.
- ☐ 6. Call File No. from Committee.
- ☐ 7. Budget Analyst request (attached written motion).
- ☐ 8. Substitute Legislation File No.
- ☐ 9. Reactivate File No.
- ☐ 10. Topic 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 the Imperative Form.

Sponsor(s):

Subject:

The text is listed:

Hearing of persons interested in or objecting to the certification of Conditional Use Authorization pursuant to Planning Code, Sections 207, 209.1, and 303, for a proposed project at 1846 Grove Street, Assessor's Parcel Block No. 1187, Lot No. 003H, identified in Planning Case No. 2018-011441CUA, issued by the Planning Commission by Motion No. 20681, dated April 9, 2020, for residential density of one unit per 1,500 square feet of lot area to permit the construction of four two-story single-family dwelling units on a vacant lot within an RH-2 (Residential, House - Two Family) and RH-3 (Residential, House - Three Family) Zoning District and a 40-X Height and Bulk District. (District 5) (Appellant: Malinda Kai Tuazon) (Filed May 11, 2020)

Signature of Sponsoring Supervisor:

For Clerk's Use Only