



# SAN FRANCISCO PLANNING DEPARTMENT

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## Executive Summary Conditional Use

HEARING DATE: FEBRUARY 17, 2011

*Date:* February 10, 2011  
*Case No.:* **2009.1029C**  
*Project Address:* **1268 LOMBARD STREET**  
*Zoning:* RH-3 (Residential, House, Three-Family) District  
40-X Height and Bulk District  
*Block/Lot:* 0500/015  
*Project Sponsor:* 1268 Lombard Street, LLC  
2501 Mission Street  
San Francisco, CA 94110  
c/o Edward Toby Morris  
Kerman Morris Architects, LLP  
69A Water Street  
San Francisco, CA 94133  
*Staff Contact:* Glenn Cabreros – (415) 558-6169  
[glenn.cabreros@sfgov.org](mailto:glenn.cabreros@sfgov.org)  
*Recommendation:* **Approval with Conditions**

1650 Mission St.  
Suite 400  
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Planning  
Information:  
**415.558.6377**

### PROJECT DESCRIPTION

The applicant proposes new construction of a four-story, four-unit residential building. Due to the downsloping nature of the site, the proposed building would have a six-story rear wall. Three units may be developed as-of-right on the project site; however with a lot area of 4,727 square feet in the RH-3 (Residential, House, Three-Family) Zoning District, four units may be constructed at the project site with Conditional Use authorizing a dwelling unit density of up to one unit per 1,000 square feet of lot area.

### SITE DESCRIPTION AND PRESENT USE

The project is located on the north side of Lombard Street, Block 0500, Lot 015 with a lot area of 4,727 square feet of lot area. The property is located within the RH-3 (Residential, House, Three-Family) District and the 40-X Height and Bulk District. The property is a vacant lot that slopes steeply downhill from Lombard Street to the rear lot line.

### SURROUNDING PROPERTIES AND NEIGHBORHOOD

The project site is located within the blockface of Lombard Street between Polk and Larkin Streets in the Russian Hill Neighborhood. Directly adjacent and west of the site is a three-story-plus-basement, 13-unit apartment building. Directly adjacent and east of the site are a three-story, two-unit building that faces

Lombard Street and a tall two-story, three-unit building that fronts onto Culebra Terrace. This portion of Lombard Street slopes steeply uphill from Polk Street to Larkin Street. The immediate neighborhood is characterized by residential structures of various sizes and architectural styles. Along both sides of Lombard Street east of the project site are mostly lower density (one to three units), three-story buildings. West of the project site and towards the intersection of Lombard and Polk Street are taller, higher density buildings ranging from four to seven stories containing six to thirty-six units.

## ENVIRONMENTAL REVIEW

On January 13, 2011, the Project was determined to be exempt from the California Environmental Quality Act (“CEQA”) as a Class 3 Categorical Exemption under CEQA as described in the determination contained in the Planning Department file, Case No. 2009.1029E.

## HEARING NOTIFICATION

TYPE	REQUIRED PERIOD	REQUIRED NOTICE DATE	ACTUAL NOTICE DATE	ACTUAL PERIOD
Classified News Ad	20 days	December 31, 2010	December 29, 2010	22 days
Posted Notice	20 days	December 31, 2010	December 31, 2010	20 days
Mailed Notice	10 days	December 31, 2010	December 23, 2010	28 days

## PUBLIC COMMENT

- The Department has received comments from at least eleven individuals adamantly opposed to the project. Many of the opponents would like the project limited to the scale and height of the building demolished in 2009 and that the demolished building be reconstructed.

## ISSUES AND OTHER CONSIDERATIONS

- **Historical Preservation.** An emergency demolition permit was issued on March 13, 2009 by the Department of Building Inspection to demolish the Victorian-era, two-unit, two-story cottage that was located at the subject property. The cottage was listed on the *Here Today* survey (p. 279) and was considered to be a historic resource per the Department’s CEQA review procedures. Due to the strong interest shown by the HPC in the emergency demolition that took place at the property in March 2009, Planning Department Preservation staff brought the current new construction project to public hearings before the Architectural Review Committee (ARC) of the Historic Preservation Commission (HPC) and the full HPC for review and comment on May 19, 2010 and July 7, 2010 respectively. Although not required by the Department’s CEQA review procedures, the Review and Comment hearings were requested by the Department prior to issuance of a Historic Resource Evaluation Response Memo (HRER) under Case No. 2009.1029E.

## **REQUIRED COMMISSION ACTION**

In order for the project to proceed, the Commission must grant conditional use authorization to allow four dwelling units to be constructed on the subject property at a density ratio up to one dwelling unit for each 1,000 square feet of lot area in the RH-3 (Residential, House, Three-Family) District.

## **BASIS FOR RECOMMENDATION**

The Department believes this project is necessary and/or desirable under Section 303 of the Planning Code for the following reasons:

- The project proposes a dwelling unit density compatible with the neighborhood.
- The project is of a scale and mass that is compatible with other surrounding structures in the neighborhood, and therefore the new building is considered to be an appropriate in-fill project.
- The amount of units proposed is limited to four; therefore traffic associated with the project should not impact traffic or impede MUNI service.
- The proposed project meets all applicable requirements of the Planning Code and, on balance, meets the applicable Objectives and Policies of the General Plan.

<b>RECOMMENDATION:</b> <b>Approval with Conditions</b>
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**Attachments:** (also see attachment checklist)

Parcel Map  
Sanborn Map  
Aerial Photographs  
Zoning Map  
Categorical Exemption  
Project Sponsor submittal  
    Reduced Plans

Attachment Checklist

- Executive Summary
- Draft Motion
- Environmental Determination
- Parcel Map
- Height & Bulk Map
- Sanborn Map
- Zoning Map
- Aerial Photo
- Context Photos
- Site Photos

- Project sponsor submittal
- Drawings: Existing Conditions
- Check for legibility (vacant lot)
- Drawings: Proposed Project
- Check for legibility

Exhibits above marked with an "X" are included in this packet

\_\_\_\_\_  
Planner's Initials

*G:\Documents\2009\CU\1268 Lombard\1268 Lombard Commission Packet\2009.1029C - 1268 Lombard - Ex Summary.doc*



# SAN FRANCISCO PLANNING DEPARTMENT

Subject to: (Select only if applicable)

- Inclusionary Housing (Sec. 315)
- Jobs Housing Linkage Program (Sec. 313)
- Downtown Park Fee (Sec. 139)
- First Source Hiring (Admin. Code)
- Child Care Requirement (Sec. 314)
- Other

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## Planning Commission Draft Motion

HEARING DATE: FEBRUARY 17, 2011

*Date:* February 10, 2011  
*Case No.:* **2009.1029C**  
*Project Address:* **1268 LOMBARD STREET**  
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[glenn.cabreros@sfgov.org](mailto:glenn.cabreros@sfgov.org)

**ADOPTING FINDINGS RELATING TO THE APPROVAL OF CONDITIONAL USE AUTHORIZATION PURSUANT TO SECTIONS 209.1 AND 303 OF THE PLANNING CODE TO ALLOW NEW CONSTRUCTION OF FOUR DWELLING UNITS AT LOT 015 IN ASSESSOR’S BLOCK 0500 AT A DENSITY RATIO UP TO ONE DWELLING UNIT FOR EACH 1,000 SQUARE FEET OF LOT AREA IN THE RH-3 (RESIDENTIAL, HOUSE, THREE-FAMILY) DISTRICT AND THE 40-X HEIGHT AND BULK DISTRICT.**

### PREAMBLE

On November 17, 2009, Edward Toby Morris for 1268 Lombard Street, LLC (hereinafter “Project Sponsor”) filed an application with the Planning Department (hereinafter “Department”) for Conditional Use Authorization under Planning Code Sections 209.1 and 303 of the Planning Code to allow new construction of four dwelling units on Lot 015 in Assessor’s Block 0500 at a density ratio up to one dwelling unit for each 1,000 square feet of lot area in the RH-3 (Residential, House, Three-Family) District and the 40-X Height and Bulk District.

On January 20, 2011, the San Francisco Planning Commission (hereinafter "Commission") conducted a duly noticed public hearing at a regularly scheduled meeting on Conditional Use Application No. 2009.1029C.

On January 13, 2011, the Project was determined to be exempt from the California Environmental Quality Act ("CEQA") as a Class 3 Categorical Exemption under CEQA as described in the determination contained in the Planning Department file, Case No. 2009.1029E.

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

**MOVED**, that the Commission hereby authorizes the Conditional Use requested in Application No. 2009.1029C, subject to the conditions contained in "EXHIBIT A" of this motion, based on the following findings:

## **FINDINGS**

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

1. The above recitals are accurate and constitute findings of this Commission.
2. **Site Description and Present Use.** The project is located on the north side of Lombard Street, Block 0500, Lot 015 with a lot area of 4,727 square feet of lot area. The property is located within the RH-3 (Residential, House, Three-Family) District and the 40-X Height and Bulk District. The property is a vacant lot that slopes steeply downhill from Lombard Street to the rear lot line.
3. **Surrounding Properties and Neighborhood.** The project site is located within the blockface of Lombard Street between Polk and Larkin Streets in the Russian Hill Neighborhood. Directly adjacent and west of the site is a three-story-plus-basement, 13-unit apartment building. Directly adjacent and east of the site are a three-story, two-unit building that faces Lombard Street and a tall two-story, three-unit building that fronts onto Culebra Terrace. This portion of Lombard Street slopes steeply uphill from Polk Street to Larkin Street. The immediate neighborhood is characterized by residential structures of various sizes and architectural styles. Along both sides of Lombard Street east of the project site are mostly lower density (one to three units), three-story buildings. West of the project site and towards the intersection of Lombard and Polk Street are taller, higher density buildings ranging from four to seven stories containing six to thirty-six units.
4. **Project Description.** The applicant proposes new construction of a four-story, four-unit residential building. Due to the downsloping nature of the site, the proposed building would have a six-story rear wall. Three units may be developed as-of-right on the project site; however with a lot area of 4,727 square feet in the RH-3 (Residential, House, Three-Family) Zoning District,

four units may be constructed at the project site with Conditional Use authorizing a dwelling unit density of up to one unit per 1,000 square feet of lot area.

5. **Historical Preservation.** An emergency demolition permit was issued on March 13, 2009 by the Department of Building Inspection to demolish the Victorian-era, two-unit, two-story cottage that was located at the subject property. The cottage was listed on the *Here Today* survey (p. 279) and was considered to be a historic resource per the Department's CEQA review procedures. Due to the strong interest shown by the HPC in the emergency demolition that took place at the property in March 2009, Planning Department Preservation staff brought the current new construction project to public hearings before the Architectural Review Committee (ARC) of the Historic Preservation Commission (HPC) and the full HPC for review and comment on May 19, 2010 and July 7, 2010 respectively. Although not required by the Department's CEQA review procedures, the Review and Comment hearings were requested by the Department prior to issuance of a Historic Resource Evaluation Response Memo (HRER) under Case No. 2009.1029E.
6. **Public Comment.** The Department has received comments from at least eleven individuals adamantly opposed to the project. Many of the opponents would like the project limited to the scale and height of the building demolished in 2009 and that the demolished building be reconstructed.
7. **Planning Code Compliance:** The Commission finds that the Project is consistent with the relevant provisions of the Planning Code in the following manner:
  - A. **Dwelling Unit Density.** Planning Code Section 209.1 states that the dwelling unit density of up to one dwelling unit per 1,000 square feet of lot area in the RH-3 District may be allowed with Conditional Use Authorization.

*The Project Sponsor is seeking Conditional Use Authorization to construct 4 units on a 4,727 square foot lot at the project site.*
  - B. **Height.** Planning Code Section 260 limits a building height to 40 feet within the 40-X Height and Bulk District.

*The project is proposed to the 40-foot height limit. Per Section 260, the proposed stair and elevator penthouse is allowed to exceed the height limit by 10 and 16 feet, respectively, as features exempted from the height limit.*
  - C. **Rear Yard Requirement in the RH-3 District.** Planning Code Section 134 states that the minimum rear yard depth shall be equal to 45-percent of the total depth. Section 134 also allows the use of the adjacent building depths to determine an averaged required rear yard depth, which can in no case be less than 25 percent of the lot depth or 15 feet, whichever is greater.

*The project proposes an alternate method of rear yard averaging as allowed per Section 134. As such, the depth of the rear yard at the lowest level is equal to approximately 34 feet or 25 percent of the total lot depth.*

- D. **Parking.** Planning Section 151 of the Planning Code requires one off-street parking space per dwelling unit.

*The project proposes four dwelling units, and four independently-accessible parking spaces are provided within an enclosed garage.*

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

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

*The proposed dwelling unit density and building massing are compatible with the neighborhood. The proposed four units are in keeping with the varied dwelling unit density per lot found throughout the neighborhood, which ranges from two units to 34 units per lot. The lot adjacent to the west of the project site and of similar lot size as that of the project site contains 13 units. The proposed building scale at the street is in keeping with adjacent buildings on the blockface and maintains the stepping pattern of front façades that mimics the sloped topography. The overall massing of the proposed building is such that the bulk of the building is designed against a blank façade of the longer adjacent building to the west, which also provides relief to the shorter building to the east. While tall rear façades are typical of buildings in the immediate vicinity due to the steep topography of the block, the rear façade at the project is stepped so as not to appear to be a massive wall. The project is necessary and desirable as it is an appropriate infill of a vacant lot that will contribute four units to the City's housing stock.*

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

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

*The height and bulk of the project is designed to address the building's scale and massing as perceived from the public right-of-way as well as from the mid-block open space.*

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

*The Planning Code requires one parking space per dwelling unit. Four parking spaces are proposed along with the four dwelling units.*

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

*The proposed use is a residential building. Noxious or offensive emissions are typically not associated with residential uses.*

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

*The proposed four parking spaces are contained within an enclosed garage, and therefore screened from the public right-of-way. The existing tree at the front of the property is proposed to be retained.*

- 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.*

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

## 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 2:**

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

#### **Policy 3:**

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

*The project proposes appropriate infill on a vacant lot. The proposed four-story building would benefit the neighborhood character by maintaining the built street wall along the blockface. The main front façade at the front property line is a three-story mass that is compatible with the building scale and mass on the blockface, particularly the adjacent buildings. As related to the topography of Lombard Street, the three-*

*story front façade also maintains the stepping pattern of the existing buildings along the blockface. Furthermore, the four-story portion of the project is set back 15 feet from the main façade so that the fourth floor massing appears subordinate to the front façade. In response to topography, the proposed stair/elevator penthouse is located on the uphill side of the lot and set back over 23 feet from the main front façade.*

## HOUSING ELEMENT

### Objectives and Policies

#### OBJECTIVE 1:

TO PROVIDE NEW HOUSING, ESPECIALLY PERMANENTLY AFFORDABLE HOUSING, IN APPROPRIATE LOCATIONS WHICH MEETS IDENTIFIED HOUSING NEEDS AND TAKES IN ACCOUNT THE DEMAND FOR AFFORDABLE HOUSING CREATED BY EMPLOYEMENT DEMAND.

#### Policy 1.4:

Locate in-fill housing on appropriate sites in established residential neighborhoods.

*The project is an appropriate in-fill residential development. The proposed density for the project is also compatible with the existing, surrounding density patterns.*

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

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

*Existing neighborhood-serving retail uses would not be adversely affected by the project, as the project is a residential use located within a residential zoning district.*

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

*The existing neighborhood character would be conserved and protected as the project would appropriately infill a vacant lot along the blockface. The additional four units would provide new housing opportunities and economic diversity to the established neighborhood.*

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

*No affordable housing is removed for this Project.*

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

*The project is proposes to add four dwelling units and the project site is not located along a MUNI transit line. The vehicular traffic associated with the amount of dwelling units would not impede MUNI service. The project site is well served my MUNI lines (within one block distance on Polk Street and nearby Van Ness Avenue): MUNI #19, 30X, 47, 49 and 76.*

- 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 achieves the greatest possible preparedness to protect against injury and loss of life in an earthquake.

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

- G. That landmarks and historic buildings be preserved.

*A landmark or historic building does not occupy the Project site.*

- 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 open spaces. The Project does not have an impact on open spaces.*

11. 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.

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

DECISION

That based upon the Record, the submissions by the Applicant, the staff of the Department and other interested parties, the oral testimony presented to this Commission at the public hearings, and all other written materials submitted by all parties, the Commission hereby **APPROVES Conditional Use Application No. 2009.1029C** subject to the following conditions attached hereto as "EXHIBIT A" in general conformance with plans filed with the Application as received on December 3, 2010 and stamped "EXHIBIT B", which is incorporated herein by reference as though fully set forth.

**APPEAL AND EFFECTIVE DATE OF MOTION:** Any aggrieved person may appeal this Conditional Use Authorization to the Board of Supervisors within thirty (30) days after the date of this Motion No. \_\_\_\_\_. 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.

I hereby certify that the Planning Commission ADOPTED the foregoing Motion on February 17, 2011.

Linda D. Avery  
Commission Secretary

AYES:

NAYS:

ABSENT:

ADOPTED: February 17, 2011

## EXHIBIT A

### AUTHORIZATION

1. This authorization is for a conditional use to allow four dwelling units located at 1268 Lombard Street, Block 0500, and Lot 015 pursuant to Planning Code Sections 209.1 and 303 within the RH-3 (Residential House, Three-Family) District and a 40-X Height and Bulk District; in general conformance with plans, dated December 3, 2010, and stamped "EXHIBIT B" included in the docket for Case No. 2009.1029C and subject to conditions of approval reviewed and approved by the Commission on January 20, 2011 under Motion No \_\_\_\_\_. 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

2. 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 January 20, 2011 under Motion No \_\_\_\_\_.

### PRINTING OF CONDITIONS OF APPROVAL ON PLANS

3. The conditions of approval under the 'Exhibit A' of this Planning Commission Motion No. \_\_\_\_\_ 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

4. 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

5. 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

6. **Validity and Expiration.** The authorization and right vested by virtue of this action is valid for three years from the effective date of the Motion. A building permit from the Department of Building Inspection to construct the project and/or commence the approved use must be issued as this Conditional Use authorization is only an approval of the proposed project and conveys no independent right to construct the project or to commence the approved use. The Planning Commission may, in a public hearing, consider the revocation of the approvals granted if a site or building permit has not been obtained within three (3) years of the date of the Motion approving the Project. 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. The Commission may also consider revoking the approvals if a permit for the Project has been issued but is allowed to expire and more than three (3) years have passed since the Motion was approved.

*For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, [www.sf-planning.org](http://www.sf-planning.org).*

### DESIGN

7. **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.
8. The garage door shall be limited to 10-feet in width.
9. The windows that face the public right-of-way shall be painted wood windows.

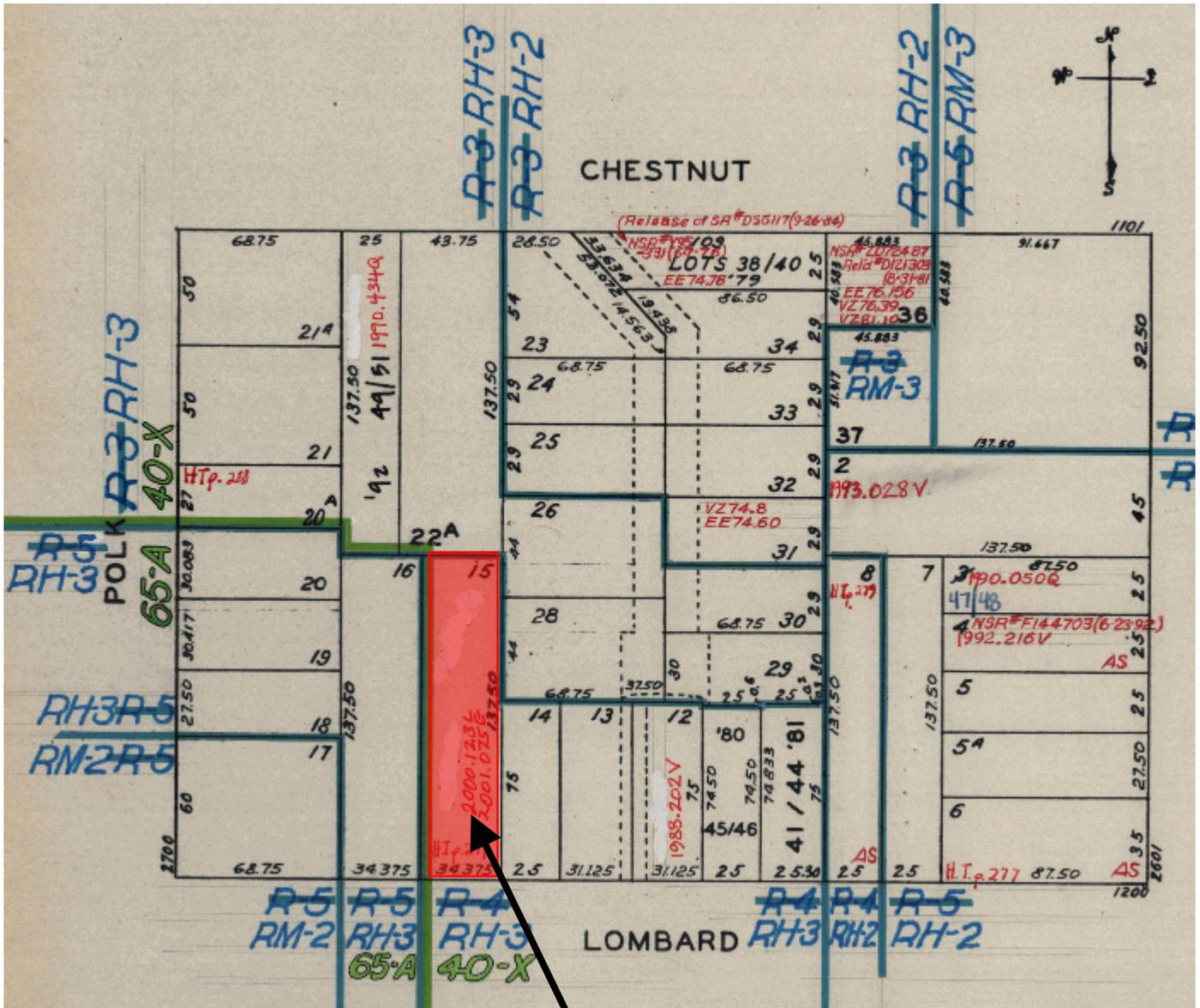
*For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, [www.sf-planning.org](http://www.sf-planning.org).*

### PARKING AND TRAFFIC

10. **Parking Requirement.** Pursuant to Planning Code Section 151, the Project shall provide four (4) independently accessible off-street parking spaces.

*For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, [www.sf-planning.org](http://www.sf-planning.org).*

# Parcel Map

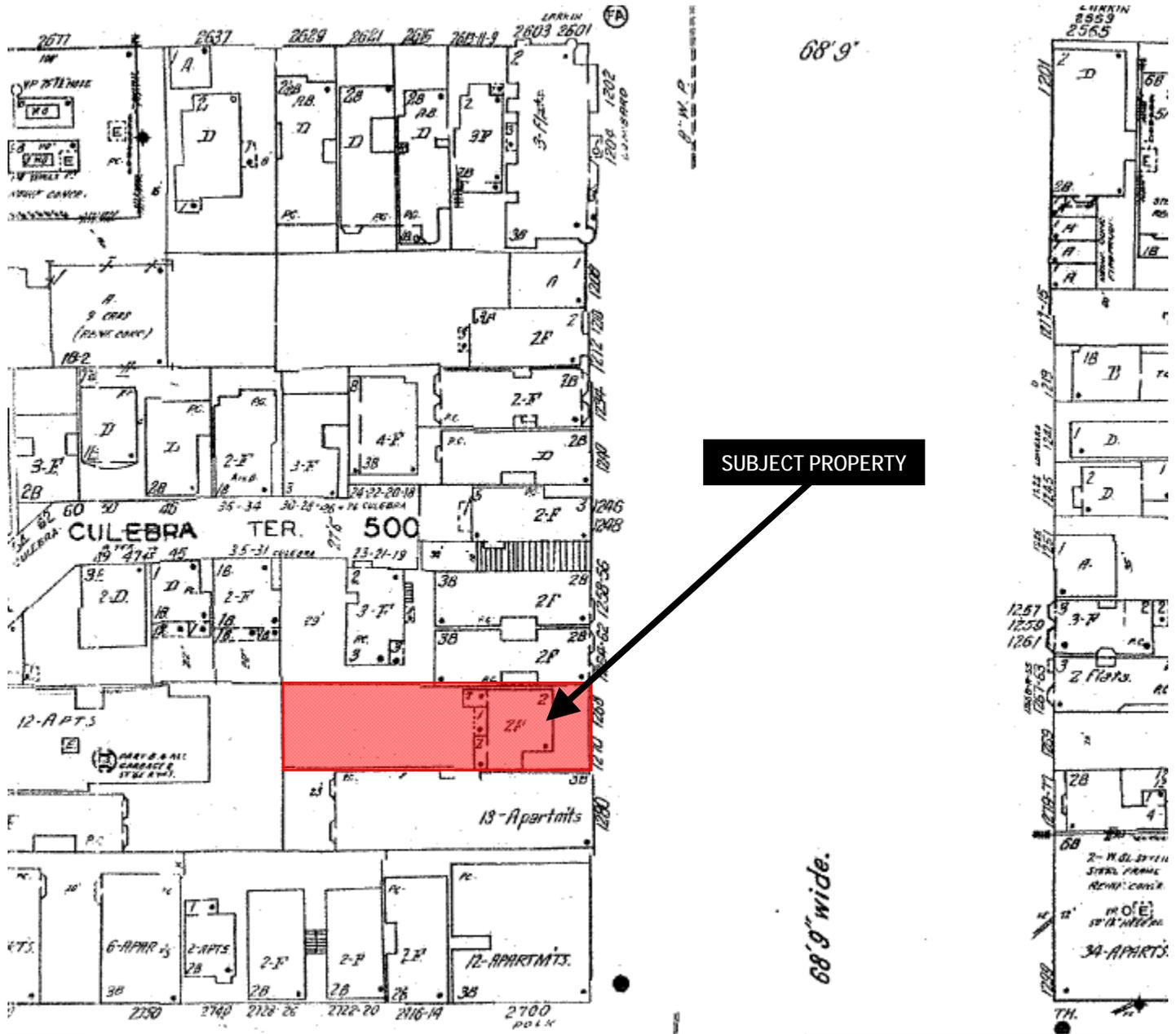


**SUBJECT PROPERTY**



Conditional Use Hearing  
 Case Number 2009.1029C  
 1268 Lombard Street  
 Hearing Date: February 17, 2011

# Sanborn Map\*



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



# Aerial Photo 1



**SUBJECT PROPERTY**



Conditional Use Hearing  
Case Number 2009.1029C  
1268 Lombard Street  
Hearing Date: February 17, 2011

# Aerial Photo 2



**SUBJECT PROPERTY**



# Aerial Photo 3

SUBJECT PROPERTY



# Aerial Photo 4

SUBJECT PROPERTY

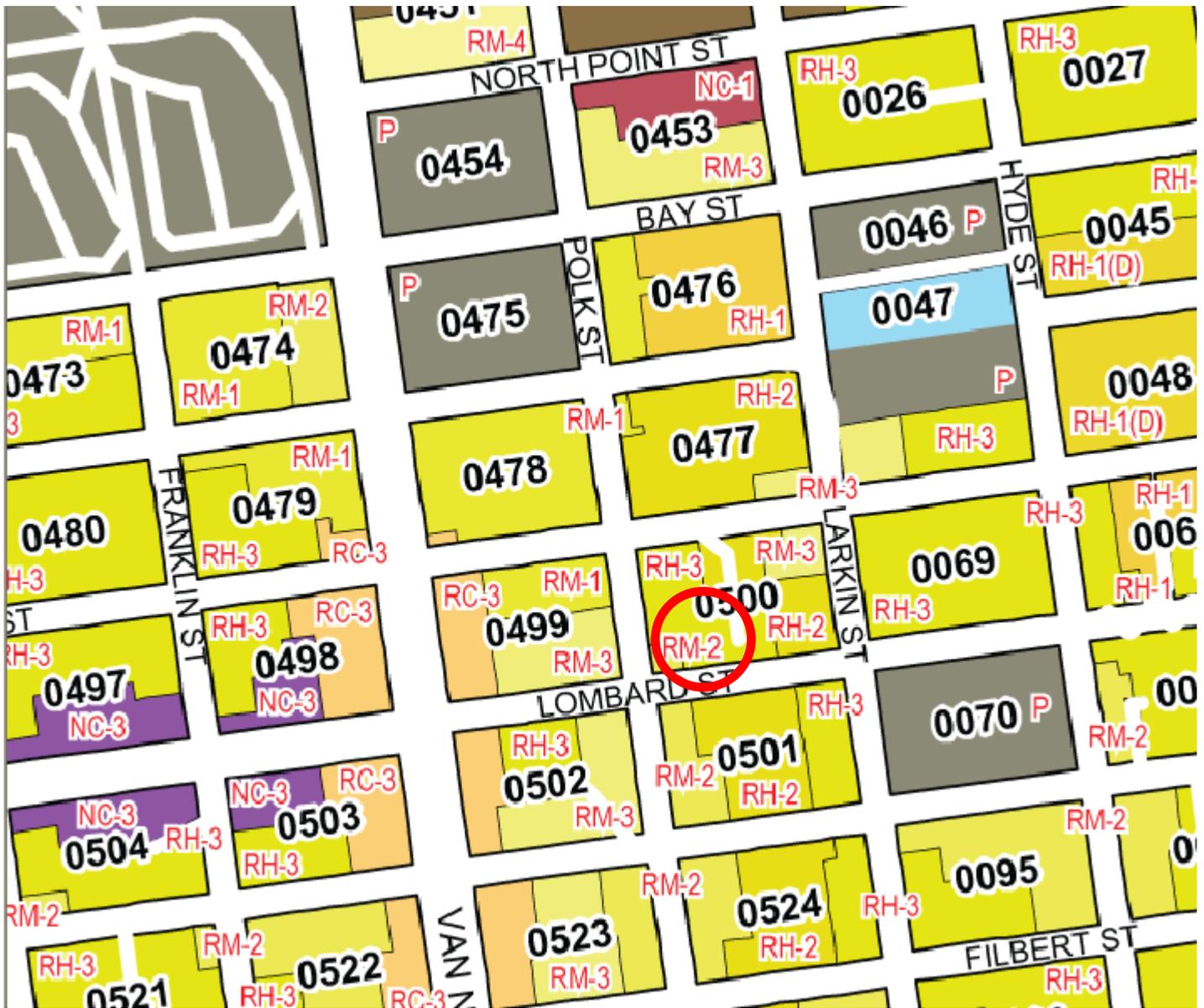


# Aerial Photo 5

SUBJECT PROPERTY



# Zoning Map



Conditional Use Hearing  
Case Number 2009.1029C  
1268 Lombard Street  
Hearing Date: February 17, 2011



# SAN FRANCISCO PLANNING DEPARTMENT

## Certificate of Determination Exemption from Environmental Review

Case No.: 2009.1029E  
 Project Title: 1268 Lombard Street  
 Zoning: RH-3 (Residential, House, Three-Family)  
 40-X Height and Bulk District  
 Block/Lot: 0500/015  
 Lot Size: 4,726 square feet  
 Project Sponsor: Toby Morris, Kerman / Morris Architects  
 (415) 749-0302  
 Staff Contact: Shelley Caltagirone – (415) 558-6625  
 shelly.caltagirone@sfgov.org

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Planning  
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**415.558.6377**

### PROJECT DESCRIPTION:

The proposed project involves construction of a new 4-unit, 5-story, 13,243-square-foot residential building on a vacant lot. The building would measure approximately 40' tall and 103' deep. The project site is located on a block bounded by Chestnut Street, Lombard Street, Larkin Street, and Polk Street. The proposed project requires Conditional Use Authorization per San Francisco Planning Code Sections 209.1 and 303.

### EXEMPT STATUS:

Categorical Exemption, Class 3 (State CEQA Guidelines Section 15303(b))

### REMARKS:

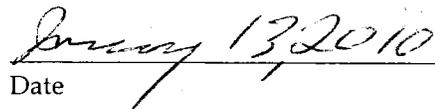
See next page.

### DETERMINATION:

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



Bill Wycko  
 Environmental Review Officer



Date

cc: Toby Morris, Project Sponsor  
 1268 Lombard Street LLC, Property Owner  
 Brett Bollinger, MEA Division  
 Shelley Caltagirone, Preservation Planner

Supervisor Farrell, District 2  
 Virna Byrd, M.D.F.  
 Distribution List  
 Historic Preservation Distribution List

**REMARKS (continued):**

In evaluating whether the proposed project would be exempt from environmental review under the California Environmental Quality Act (CEQA), the Planning Department determined that the subject property is not a historical resource. The property is a vacant parcel and contains no historic buildings, structures, or objects. The site is considered a "Category B" (Properties Requiring Further Consultation and Review) property for the purposes of the Planning Department's California Environmental Quality Act (CEQA) review procedures due to the parcel's proximity to a potential California Register-eligible historic district. As described in the Historic Resource Evaluation (HRE) Memorandum<sup>1</sup> (attached), the 1268 Lombard Street property appears to be located within the setting of a potential California Register-eligible historic district. The subject property is adjacent to (across the street from and three lots west of) the boundary of the potential historic district. The district appears to be eligible for listing under Criterion 1 (Event) and Criterion 3 (Architecture) as a collection of pre- and post-1906 residential architecture containing a wide yet cohesive range of turn-of-the-century styles (Italianate, Stick East-Lake, Queen Anne, Classical Revival, Shingle, and Spanish Revival) with "fine detailing and traditional compositions." The district is also noted for the theme of Shingle-style houses and flats and the addition of shingles to 19<sup>th</sup> century houses. The period of significance is identified as 1876-1928, a period representing the changing aesthetics in residential architecture of this portion of Russian Hill at the turn-of-the-century. Because the subject property no longer retains a building or structure that would contribute to the district, the site does not appear to contribute to the district. As such, the property is not considered a historic resource for the purposes of CEQA.

Since the property was determined to be located within the setting of a potential California Register-eligible historic district, the Planning Department assessed whether the proposed project would materially impair the district. The Department concurs with the analysis presented in architectural historian William Kostura's *Study of the Effect of the proposed New Building at 1268 Lombard Street on a Nearby Potential Historic District* that the proposed project would not have an adverse effect on off-site historical resources, including the adjacent historic district. The design of the new construction would be compatible with the architectural character of the potential district, thereby preserving the setting and feeling of these resources. Specifically, the project design would be compatible with the character of the neighborhood for the following reasons:

- The height of the proposed building at the street wall would be in keeping with the heights of the adjacent properties, retaining a stepping pattern of buildings along the north side of Lombard Street.
- The setback at the east side of the building would reduce the mass of the new structure as viewed from Lombard Street so that the relative size of the building would be perceived as similar to the surrounding buildings.

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<sup>1</sup> Memorandum from Shelley Caltagirone, Preservation Technical Specialist, to Brett Bollinger, Planner, Major Environmental Analysis, December 15, 2010.

- The proposed painted wood cladding, wood trim/fascia, and wood-framed windows and doors would be in keeping with the traditional materials found on the block and within the historic district.
- The fenestration pattern includes a rectangular projecting bay element and paired window units with narrow lights that would relate well to the traditional fenestration patterns found on the block.
- The projecting cornice element and frieze are a contemporary interpretation of the cornices found on the Victorian-era buildings on the block, which would help to relate the new building to its context.
- The proposed new design would employ a level of ornamentation (including the trim-work, pent-roofed entrance, metal picket railing, and tile-work) that is comparable but more subdued than that found in the historic buildings on the block. This would create an appropriate subordinate relationship between the new building and the historic buildings that would allow the district contributors to stand out more prominently in the streetscape.

For these reasons, the proposed project would have no adverse effect on the potential historic district located in the vicinity of the project site.

The proposed project would involve the construction of a new 4-unit, 5-story, 13,243-square-foot residential building. CEQA State Guidelines Section 15303(b), or Class 3, provides for new construction of multi-family residential structures totaling no more than four dwelling units on a single parcel. In urbanized areas, this exemption applies to apartments, duplexes, and similar structures designed for not more than six dwelling units. The proposed project would create four dwelling units on a single parcel. The proposed project therefore meets the criteria of Class 3.

CEQA State Guidelines Section 15300.2 states that a categorical exemption shall not be used for an activity where there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances. Section 15300.2(f) specifically states that a categorical exemption shall not be used for a project that may cause a substantial adverse change in the significance of an historical resource. As described above, the proposed project would not cause a substantial adverse change in the significance of the historical resource under Section 15300.2(f). Given this fact and the nature of the proposed project, the exemption provided for in CEQA State Guidelines Section 15301(e), or Class 1, may be used. There are no other unusual circumstances surrounding the proposed project that would suggest a reasonable possibility of a significant environmental effect. The project would be exempt under the above-cited classification. For the above reasons, the proposed project is appropriately exempt from environmental review.





# SAN FRANCISCO PLANNING DEPARTMENT

**MEMO**

## Historic Resource Evaluation Response

**MEA Planner:** Brett Bollinger  
**Project Address:** 1268 Lombard Street  
**Block/Lot:** 0500/015  
**Case No.:** 2009.1029E  
**Date of Review:** December 14, 2010  
**Planning Dept. Reviewer:** Shelley Caltagirone  
 (415) 558-6625 | shelly.caltagirone@sfgov.org

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

**Reception:**  
**415.558.6378**

**Fax:**  
**415.558.6409**

**Planning  
 Information:**  
**415.558.6377**

**PROPOSED PROJECT**       Demolition       Alteration       New Construction

### PROJECT DESCRIPTION

The proposed project involves construction of a new 4-unit, 5-story, 13,243-square-foot residential building. The building would measure approximately 40' tall and 103' deep. Please see plans dated December 3, 2010 for details.<sup>1</sup>

### PRE-EXISTING HISTORIC RATING / SURVEY

The property is a vacant lot and contains no historic buildings, structures, or objects. The site is considered a "Category B" (Properties Requiring Further Consultation and Review) property for the purposes of the Planning Department's California Environmental Quality Act (CEQA) review procedures due to the lot's proximity to a potential California Register-eligible historic district.<sup>2</sup>

### HISTORIC DISTRICT / NEIGHBORHOOD CONTEXT

The subject property (1268 Lombard Street, Assessor's Block 0500, Lot 015) is a 34' x 137.5' vacant lot located on the north side of Lombard Street between Polk and Larkin Streets in a portion of the Russian Hill neighborhood referred to as the West Slope in William Kostura's *Russian Hill the Summit*.<sup>3</sup> The site is zoned RH-3 (Residential, House District, Three-Family) and is in as 40-X Height and Bulk District. The lot is located on a block that was largely spared from the destruction of the 1906 Earthquake and Fire, resulting in a collection of buildings dating from the mid-19<sup>th</sup> century through the present. In general, the West Slope of Russian Hill is composed of a mixture of single and multi-family residences dating predominantly from the post-1906 period.

<sup>1</sup> An emergency demolition permit was issued on March 13, 2009 by the Department of Building Inspection to demolish a Victorian-era, two-unit, two-story cottage located at the subject property. The project under review by the Department is limited to the review of the new construction project as the emergency demolition project was exempt from further environmental review.

<sup>2</sup> This environmental review considers the existing conditions of the site at the time of the application. Therefore, the historic resource status of the demolished building is not pertinent to the current review.

<sup>3</sup> Kostura, William. *Russian Hill the Summit; 1853-1906*. Aerie Publications: San Francisco, 1997.

Kostura has identified the West Slope of Russian Hill as a potential historic district comprised of most of the properties within Assessor's Block 0501 and the six properties located at the east end of Lombard Street within Assessor's Block 0500.<sup>4</sup> The district appears to be significant as a collection of pre- and post-1906 residential architecture containing a wide yet cohesive range of turn-of-the-century styles (Italianate, Stick East-Lake, Queen Anne, Classical Revival, Shingle, and Spanish Revival) with "fine detailing and traditional compositions." The district is also noted for the theme of Shingle-style houses and flats and the addition of shingles to 19<sup>th</sup> century houses. The period of significance is identified as 1876-1928, a period representing the changing aesthetics in residential architecture of this portion of Russian Hill at the turn-of-the-century.

**1. California Register Criteria of Significance:** Note, a building may be an historical resource if it meets any of the California Register criteria listed below. If more information is needed to make such a determination please specify what information is needed. (*This determination for California Register Eligibility is made based on existing data and research provided to the Planning Department by the above named preparer / consultant and other parties. Key pages of report and a photograph of the subject building are attached.*)

Event: or  Yes  No  Unable to determine  
Persons: or  Yes  No  Unable to determine  
Architecture: or  Yes  No  Unable to determine

Information Potential:  Further investigation recommended.

District or Context:  Yes, may contribute to a potential district or significant context

If Yes; Period of significance:

The subject property located at 1268 Lombard Street appears to be located within the setting of a potential California Register-eligible historic district. The district appears to be eligible for listing under Criterion 1 (Event) and Criterion 3 (Architecture) for the reasons discussed above. Because the property no longer retains a building or structure that would contribute to the district, the site does not appear to contribute to the district. Below is a brief description of the subject property's historical significance per the criteria for inclusion on the California Register. This summary is based upon William Kostura's *Study of the Effect of the Proposed New Building at 1268 Lombard Street on a Nearby Potential Historic District*, dated November 2, 2009 (attached). Staff concurs fully with the findings of the Kostura report.

**Criterion 1: It is associated with events that have made a significant contribution to the broad patterns of local or regional history, or the cultural heritage of California or the United States;**

The subject lot, without the original cottage building, does not retain sufficient character-defining features to convey the property's association with pre- and post-1906 development in this area of Russian Hill. The single remaining feature of the site which conveys an association with the pre-1906

<sup>4</sup> Kostura, William. *The West Slope of Russian Hill: A Historical Context and Inventory of Historic Resources for Residential Buildings around Lombard and Larkin Streets*. San Francisco, CA. Adopted by the Historic Preservation Commission in October 2009, and on file at the San Francisco Planning Department located at 1650 Mission Street, Suite 400, San Francisco, CA 94103.

development in this area is the slope at the front of the lot, which likely resulted from the change in grade that occurred along Lombard Street in the 1890s. When the cottage was extant, a bridge spanned this sloped area to give access to the main level of the cottage. This single landscape feature is not a sufficiently strong association with the past to qualify under this criterion.

*Criterion 2: It is associated with the lives of persons important in our local, regional or national past;*

The subject property is associated with a line of blue collar and clerical tenants and owners who lived in the cottage between the early 1860s and the 1930s. None of these persons can be considered to be individually significant in our local, regional, or national past. However, in William Kostura's DPR form for the property dated November 2000, he argues that the property's association with several generations of people representing an important economic and social class in the history of San Francisco should qualify the property for listing under this criterion. This association with the lives of blue color and clerical workers is no longer conveyed by the property without the cottage in which they lived. Therefore, the property does qualify under this criterion.

*Criterion 3: It embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of a master, or possesses high artistic values;*

The house that previously occupied the site was constructed in 1861 for Robert Price, a laborer. It was a one-story-plus-basement Italianate cottage that had been covered with wooden shingles at a later date.<sup>5</sup> An emergency demolition permit was issued on March 13, 2009 by the Department of Building Inspection to demolish a Victorian-era cottage. Without the building, the property does not retain sufficient historical integrity to qualify under this criterion.

*Criterion 4: It yields, or may be likely to yield, information important in prehistory or history;*

It does not appear that the subject property is likely to yield information important to a better understanding of prehistory or history.

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2. **Integrity** is the ability of a property to convey its significance. To be a resource for the purposes of CEQA, a property must not only be shown to be significant under the California Register criteria, but it also must have integrity. To retain historic integrity a property will always possess several, and usually most, of the aspects. The subject property has retained or lacks integrity from the period of significance noted above:

**Location:**     Retains     Lacks  
**Association:**     Retains     Lacks  
**Design:**     Retains     Lacks  
**Workmanship:**     Retains     Lacks

**Setting:**     Retains     Lacks  
**Feeling:**     Retains     Lacks  
**Materials:**     Retains     Lacks

There are no remaining buildings, structures, or objects located at the property to convey the site's historic relationship to the adjacent potential historic district. The site's location and setting are the

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<sup>5</sup> Kostura, p. 13.

only remaining elements of the historic property and are not sufficient to convey historic significance related to the collection of pre- and post-1906 residential buildings in the area dating from 1876-1928.

3. Determination of whether the property is an "historical resource" for purposes of CEQA.

- No Resource Present (Go to 6 below.)       Historical Resource Present (Continue to 4.)

4. If the property appears to be an historical resource, whether the proposed project would materially impair the resource (i.e. alter in an adverse manner those physical characteristics which justify the property's inclusion in any registry to which it belongs).

- The project will not cause a substantial adverse change in the significance of the resource such that the significance of the resource would be materially impaired. (Continue to 5 if the project is an alteration.)
- The project is a significant impact as proposed. (Continue to 5 if the project is an alteration.)

5. Character-defining features of the building to be retained or respected in order to avoid a significant adverse effect by the project, presently or cumulatively, as modifications to the project to reduce or avoid impacts. Please recommend conditions of approval that may be desirable to mitigate the project's adverse effects.

6. Whether the proposed project may have an adverse effect on off-site historical resources, such as adjacent historic properties.

- Yes     No     Unable to determine

Staff concurs with the analysis presented in William Kostura's study that the proposed project would not have an adverse effect on off-site historical resources.<sup>6</sup> The subject property is adjacent to (across the street from and three lots west of) a potential historic district and alterations to the site may affect the setting of that district. The design of the new construction would be compatible with the architectural character of the potential district, thereby preserving the setting and feeling of these resources. Specifically, the project design is compatible with the character of the neighborhood for the following reasons:

- The height of the proposed building at the street wall would be in keeping with the heights of the adjacent properties, retaining a stepping pattern of buildings along the north side of Lombard Street.

<sup>6</sup> Please note that the project has been revised since the November 2009 analysis to further improve the new building's compatibility with the district.

- The setback at the east side of the building will reduce the mass of the new structure as viewed from Lombard Street so that the relative size of the building will be perceived as similar to the surrounding buildings.
- The proposed painted wood cladding, wood trim/fascia, and wood-framed windows and doors will be in keeping with the traditional materials found on the block and within the historic district.
- The fenestration pattern includes a rectangular projecting bay element and paired window units with narrow lights that relate well to the traditional fenestration patterns found on the block.
- The projecting cornice element and frieze are a contemporary interpretation of the cornices found on the Victorian-era buildings on the block, which help to relate the new building to its context.
- The proposed new design employs a level of ornamentation (including the trim-work, pent-roofed entrance, metal picket railing, and tile-work) that is comparable but more subdued than that found in the historic buildings on the block. This creates an appropriate subordinate relationship between the new building and the historic buildings that allows them to stand out more prominently in the streetscape.

For these reasons, the proposed project will have no adverse effect on the potential historic district located in the vicinity of the project site.

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#### SENIOR PRESERVATION PLANNER REVIEW

Signature: Tina Tam  
Tina Tam, Senior Preservation Planner

Date: 11/11/2011

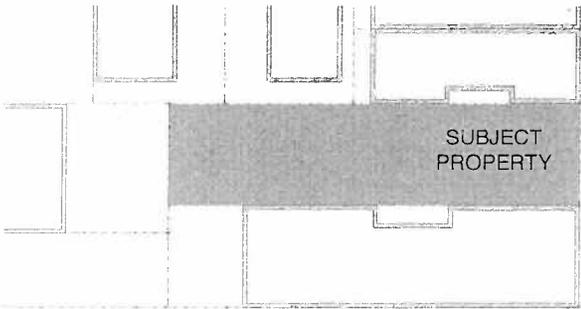
cc: Linda Avery, Recording Secretary, Historic Preservation Commission  
Virnaliza Byrd / Historic Resource Impact Review File  
Glenn Cabrerros, Neighborhood Planner

SC: G:\DOCUMENTS\Cases\CEQA\HRER\1268 Lombard\2009.1029E\_1268 Lombard\_HRER memo.doc

ADJACENT PROPERTY  
BLOCK 0500/ LOT 016

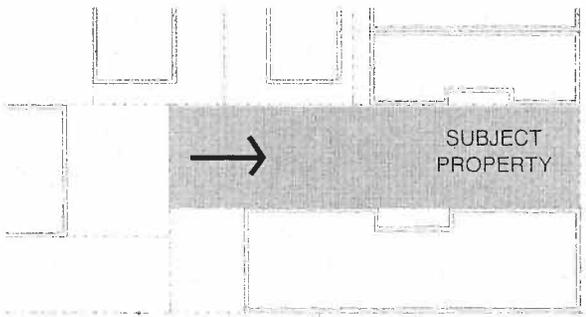
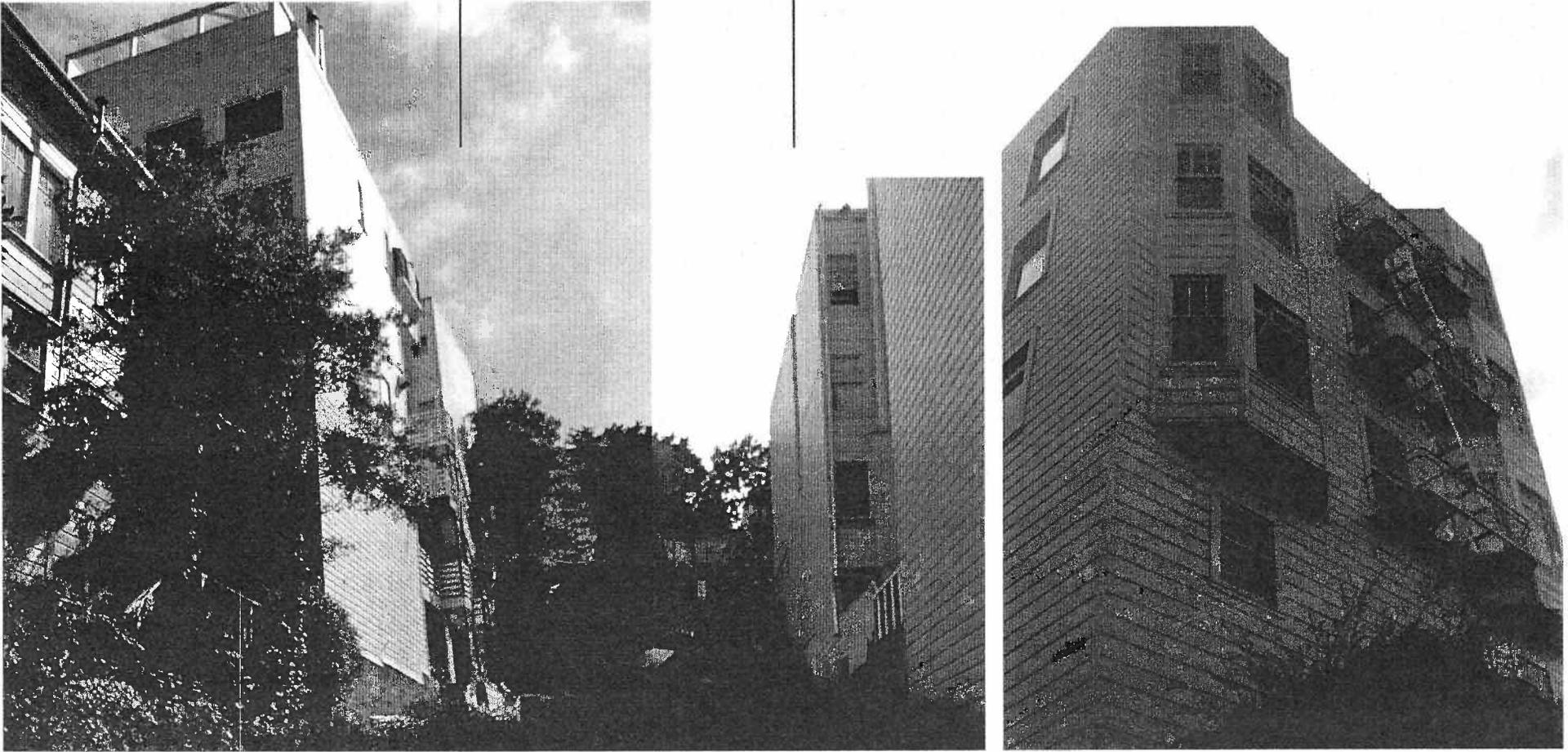
SUBJECT PROPERTY  
BLOCK 0500/ LOT 015

ADJACENT PROPERTY  
BLOCK 0500/ LOT 014



SUBJECT PROPERTY: 1268 LOMBARD STREET  
BUILDINGS ON SAME BLOCK

← ADJACENT PROPERTY BLOCK 0500/ LOT 014 | SUBJECT PROPERTY BLOCK 0500/ LOT 015 | ADJACENT PROPERTY BLOCK 0500/ LOT 016 →





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Open

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Jovanne Reilly

Judy Junghans

Robert D'Arcy

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Helen Doyle

To: Chairman and Members of the Planning Commission:

Re: Proposed Project at 1268 Lombard Street, San Francisco

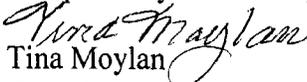
Russian Hill Neighbors ("RHN") is an organization whose goal is to improve the quality of life on the hill.

RHN met Monday, February 7, 2011, to review the current proposed project. We are a collaborative organization that works with the community, but after meeting with both the neighbors and project sponsors, RHN unanimously agreed that we are opposed to the current proposal for the following reasons:

1. The current project is not in scale with the neighborhood.
2. This project would not be a positive addition to the neighborhood, specifically:
  - a. The height of the building, exceeds the average of the two heights of its neighboring buildings.
  - b. The penthouses and roof decks negatively affect the immediate neighbors.
  - c. The request for a conditional use permit for a fourth unit will negatively impact our neighborhood which is already severely impacted by tourist traffic that uses this residential street to get to the "crookedest Street" which begins just west of the project site.

No additional density should be allowed for this site on a conditional use basis due to the already major impacts our neighborhood experiences from the tourists.

Respectfully Submitted,

  
Tina Moylan  
President

***Stephen & Victoria Berexin  
1262 Lombard St.  
San Francisco, CA 94109***

February, 9, 2011

**RE: 1268 Lombard St, "CUP"**

Dear Mr. Chairman and Members of the Planning Commission:

My wife Victoria and I are the owners of the apartment building immediately adjacent to the east side of the proposed project at 1268 Lombard Street. We are the former owners of the site, our family having owned it for many decades when it had a cottage on it that has recently been demolished and removed by the current owners and applicant.

Before we sold the property, we had done preliminary plans to develop the property ourselves and had commissioned plans from Jerry Kler, Architect, for three condominium units, the design of which incorporated protections for the air, light and views from our adjoining property. We sold the property to the current owners with the express understanding that through their LLC they planned to develop the property "by constructing at least three (3) condominium units thereon in accordance with the plans ...from Jerry Kler Architects dated October 7, 2000..." A set of the plans was provided the applicant as part of purchase.

The current proposal is a completely new set of plans by a different architect that pushes the allowable constraints of the property to the absolute maximum. Specifically, it adversely impacts our adjoining property by blocking the windows on the west side from access to air, light and views in a way that vitiates the careful protections incorporated in the Kler plans. In September, 2009, the applicant held a neighborhood meeting at the site to discuss their proposal. I told the architect that it was not the plan originally contemplated in the letter agreement referred to above and that further I would oppose the plan as drawn. He suggested there could be changes and he offered to keep me apprised of the plans for the project. I heard nothing from either the project sponsor or the architect until a notice of hearing was posted on the site on December 24, 2010. I personally was not aware of the posting until the first week in January, 2011. I called the architect on January 11 to ask for the latest plan which was just then delivered to the Planning Department. The sponsors finally asked for a meeting on or about Feb 1 which we of course agreed to.. They finally invited us to meet with them on February 8, 2011 at which time we told them of the incredible adverse impact on our property that their design would have and of our resulting opposition to what they are proposing.

At the hearing, I will have our architect, Jerry Kler, present to demonstrate how he was able to design an economically viable three (3) unit project that was protective of and mitigated the impacts to our adjoining property. We request that you require the applicant to redesign its plans so as to eliminate its blockage of the windows on the west side of our property and to revise their plans for the

**Stephen & Victoria Berezin**  
**1262 Lombard St.**  
**San Francisco, CA 94109**

rooftop so as to not impact the views from the adjacent properties. The current proposal is clearly too massive in scale for the site and has serious adverse impacts, as noted above, on our and other properties in the neighborhood.

The Commission should consider imposing on the site a Notice of Special Restriction to guide this developer or any future developer as to the number of units and scale of project that would be required before your approval would be granted.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'S. Berezin', with a long, sweeping horizontal flourish extending to the right.

Stephen Berezin

**Romano, Sal**

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**Subject:** : 1268 Lombard Demolition, Development proposal

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**From:** sal.romano@wellsfargo.com

**Sent:** Thursday, February 03, 2011 10:18 PM

**Glenn cabreros**

**Subject:** 1268 Demolition and proposed development

Dear Commissioners and Mr.. Cabreros  
My name is Salvatore Romano.

My wife and I live/own 1242 Lombard street ,a few doors up from the proposed development at 1268 Lombard  
We as neighbors are "very opposed" to this development for the following reasons:

1- This project replaces an historic cottage "Demolished By Emergency Order" with an approx 13,000 sq ft., 4 unit building ,  
which is not at all in keeping with the character of our community .

2-Our block of Lombard Street buildings are approx of 30000 -4500 sq ft  
Our block consists of 2 - 3 unit buildings each one stepping up the hill as you go east up Lombard street  
.This is a 4 unit complex of over 13,000 sq feet.which is too big and looms over the Culebra Street corridor

3- This building viewed form the street is higher then the uphill neighbors buildings ,not in keeping with the character of the community.  
And blocks light and air of the uphill neighbors.

4- -Also, this development goes back into the Culebra Street corridor and as viewed form Culebra street looking west ,  
will be a massive structure parallel to the cottages on culebra street.

Again, not at all in keeping with the character of the community and overwhelming light and air as viewed from the east looking west from Culebra.

We as neighbors ,are not opposed to a reasonable development  
which respects the character of the 1200 block Lombard  
and especially of the Culebra Street corridor.

Unfortunately ,this development does not show a respect for the character of the neighborhood ,  
and we look to you to give some direction to the developer

5- MOST IMPORTANTLY

The Berezin family sold this cottage in November 2007 .

At that time this cottage was "Structurally Sound" when sold to the current owners and developers.  
The attached newspaper article brings some very disturbing issues.to light  
please review it

It states that re the building (,After the sale) in March 2008,

a neighbor complained that the building had been "Left Open" to the elements.

2/8/2011

The inspector ordered Cassidy( the current owner) to board up the building .He said he did several times but that intruders reopened it.

Debra Walker,A building inspector, who toured the building said "it appeared to have been left open to the elements to hasten its demise. in order to get a demolition permit"

Cassidy and Nunermacher (the new owners)denied doing that.

They got a demolition permit and demolished the cottage

Supervisor Chiu, in the interests of San Francisco then drafts a measure to:

"Require vacant building owners to Register them,so city officials can better monitor them,and PROTECT HISTORIC RESOUCES.

Unfortunately this was After the demolition of the 1268 cottage.

Fast forward 2010 January:

Mr. Cassidy and Nunemacher Propse to erect an:  
approx 13,000 sq ft 4 unit development on this lot  
in a neighborhood of 2-3 unit buildings.of 3000 -4500sq ft

Insult goes to great potential injury!

I respectfully ask that our commissioners redirect Mr. Cassidy and Numamacher to look at the community and build something which reflects the character and to pull this massive structure in further to the south ,thereby protecting the loveliness of Culebra terrace looking west.

Respectfully  
Salvatore and Claudia Romano



SAN FRANCISCO

# How bureaucracy doomed house

By Seth Rosenfeld  
CHRONICLE STAFF WRITER

The historic Russian Hill house that was razed last month never received a mandatory review by preservation officials because San Francisco's Department of Building Inspection improperly issued a construction permit two years ago, a Chronicle investigation has found.

The proposed permit to work on the exterior of the Victorian residence at 1268 Lombard St. should have been sent to the Planning Department, where it would have been closely reviewed by a preservation expert and could

have drawn additional official scrutiny to the deterioration of a historic house.

Instead, a building inspection official issued the permit without sending it to planning. That allowed workers to open up the outside of the building. Subsequently, the building's interior was left open to the elements, causing further decay. A city commissioner later said it looked like the building was left to rot on purpose so that it could be demolished.

The home, which withstood the 1906 earthquake and fire, was torn down March 16 because city officials agreed with the owners that the

building was in imminent danger of collapse. Preservationists, however, argued that it could have been refurbished.

But officials and preservationists agree on one thing: This glitch and others in the recent history of the 148-year-old house illustrate larger problems in the city's building inspection process. "I am gravely concerned that permits to alter or demolish historic resources are slipping through the cracks," said Cynthia Servetnick, a member of the San Francisco Preservation Consortium, which advocates for preserving historic resources.

Built in 1861, the house was bought in 1945 by John B. Molinari, who became a state Supreme Court justice. He passed it to a family trust, and it was later officially listed as a historic resource. In 1999, their contractors discovered a crack in the retaining wall and dry rot and deemed the building structurally unsound, the family said in a letter to the city.

Son John L. Molinari, a former supervisor, sought a permit to demolish the home and replace it with a three-story building. But the Planning Department denied his application in 2002, saying the  
*Demolition continues on B2*



Lacy Atkhs / The Chronicle

Crews from Granite Excavation and Demolition go to work on the 19th century Russian Hill home demolished last month.

## ALAMEDA

# Glitches in permit process sent historic home to its doom

*Demolition from page B1*

building was listed as a historic resource.

On Nov. 1, 2007, the Molinari family sold the small, vacant home for \$1.3 million to James Nunemacher, a principal with Vanguard Properties, and Michael Cassidy, a developer.

Yet little more than a month after the sale, Molinari received a notice of violation from the Building Inspection Department ordering him to stop work at the house. The notice surprised him, he said, because he no longer owned it and had taken out no permit.

It turned out that three months earlier — while Molinari still owned the house — a company called West Coast Inc. had taken out the permit to open the building and repair the dry rot by opening up the facade. Permit records variously list the firm as a “lessee” and “agent,” with a post office box for an address. However, postal authorities told *The Chronicle* that the box number does not exist.

Molinari said he was astonished that anyone could receive a permit to work on his home without him knowing of it. “That sure is lax,” he said.

But not unheard of. Ed Sweeney, a deputy director of the Building Inspection Department, acknowledged that in recent years some applicants have obtained building permits without the owners’ authorization.

William Strawn, a spokesman for the building department, confirmed the permit error. Lawrence Badiner, Planning Department zoning administrator, said, “If it wasn’t routed to us, it was a

**The then-owner, former Supervisor John L. Molinari, said he was astonished anyone could receive a permit to work on his home without him knowing of it. “That sure is lax,” he said**

glitch,” he said.

Strawn said the inspector who issued the dry rot permit apparently believed the applicant had the owner’s permission. He noted that state law was changed in January to require further proof that the building owner wants a construction permit.

But that wasn’t the only way the system failed.

A building inspector was supposed to have checked a computer list of historic houses before granting the permit. Applications for permits to work on the facades of historic homes were supposed to be sent to planning before approval.

In such cases, planning officials are supposed to closely review construction plans to enforce preservation rules.

But building inspector Joseph Yu approved the permit without doing so, records show. Yu declined to comment.

In two interviews, Cassidy denied knowing about the dry rot permit or West Coast Inc. *The Chronicle* later obtained a receipt that showed Cassidy paid \$234.15 in cash for the permit.

When told about the receipt, Cassidy said he didn’t recall the matter, but might

have taken out the permit and listed West Coast as a potential contractor for the work. He denied he had tried to hide his role in the permit.

There were more problems.

In March 2008, a neighbor complained that the building had been left open to the elements and intruders. An inspector ordered Cassidy to board up the building. He did several times, he said, but trespassers reopened it.

Earlier this month, Cassidy and Nunemacher sought an emergency demolition permit, saying the building was in imminent danger of collapse. A city engineer concurred.

Yet Debra Walker, a building inspection commissioner who toured the building, said it appeared to have been intentionally left open to the elements to hasten its demise in an effort to get the demolition permit. Cassidy and Nunemacher denied doing that.

An emergency permit allows owners to demolish a building without the rigorous Planning Department review that had blocked the Molinaris from demolishing it.

Supervisors President David Chiu is drafting a measure requiring owners of vacant properties to register them so city officials can better monitor them, prevent safety hazards and protect historic resources.

F. Joseph Butler, an architect who opposed demolishing the house and contended it could have been saved, hailed the proposed measure. But he said official lapses could undermine even the most rigorous rules. “It’s absolutely about enforcement,” he said.

*E-mail Seth Rosenfeld at srosenfeld@sfcchronicle.com.*

F. JOSEPH BUTLER 11 January 2011  
ARCHITECT

Ron Miguel, President  
San Francisco Planning Commission  
1650 Mission Street  
San Francisco, CA 94103

324 Chestnut Street  
San Francisco  
California 94133

Re: 1268 Lombard Street Conditional Use Hearing 20 January 2011

415 533 1048

fjosephbutler@hotmail.com

Dear President Miguel and fellow Commissioners:

The site of the Robert Price Residence, built in 1861, when Abraham Lincoln was President and concerned with the great issues of this Nation, is gone now.

**C** assidy demolished the historic resource for an  
**O** versized proposal;  
**N** unemacher finessed and financed?  
**D** emolition due to  
**I** mminent danger? No, due to  
**T** ricks that were  
**I** ntentional. Sponsors went  
**O** verboard, risking neighbors' homes and lives.  
**N** o longer  
**A**  
**L** andmark. They are  
  
**U** nscrupulous, but are they  
**S** uccessful?  
**E** ach of you will decide.  
**?**

This case boils down to one of public policy, do we as a City need market rate housing so badly that we should sacrifice historic resources to provide it? In 1999, the neighbors thought that the question had been answered. Shortly after Edie Marwadel, a senior citizen and long time

tenant, was evicted for "her own safety " by John Molinari, he then applied for a demolition permit. That application was rejected by Planning Staff, when the owners refused to produce an EIR. The Robert Price House was a National Register and California Register eligible Landmark, one of the ten oldest buildings in San Francisco.

The new owners and current project sponsors, a realtor and the owner of a demolition contracting company bought the home from Molinari in a private sale. They pulled a dry rot repair permit, then opened doors and windows allowing squatters and weather to do their insidious work, hoping for some disaster or other (fire, collapse?) to befall the house.

When after a year that plan had failed, and with absolutely no concern for the neighboring properties, or the life safety issues involved, I am told that several different neighbors observed water under high pressure gushing out of the lower stories of the dwelling. Not even the subsequent February 2009 crawl space collapse was enough however, as the 148 year old dwelling stood for more than three weeks, even though it was reported to be "in imminent danger of collapse". Finally, an EMERGENCY ORDER DEMOLITION was issued 13 March 2009, and on Saint Patricks' Day the Sponsors celebrated with a demolition and began to plan for the bonanza they want you now to approve.

I could tell you a tale of their harassment and perjury in their getting a restraining order which was later "excused without prejudice" by Judge Bush, and of an attempted fraudulent Worker's Compensation Claim, but I digress.

At issue today is whether your Commission will provide a new path to an otherwise prohibited demolition for project sponsors who will buy and leave to rot, vacant, historic buildings. If the City rewards this behavior, it may seal the fate of dozens of vacant buildings in San Francisco that the new vacant building ordinance cannot seem to protect.

The new ordinance came out of this fiasco, but can't possibly outweigh the temptations of current and future owners of historic resources if you approve 14,000 square feet of new construction on five stories for this site. Look how long the vacant building list is, those owners await your vote in this case.

### **Who cares?**

These projects steal our heritage as San Franciscans. This building told a story of the earliest post Franciscan settlement on this part of Russian Hill. It was a survivor. The Fire that followed the 06 Quake was extinguished in this corner of the City thanks to barrels of vinegar from the grocery at Larkin and Greenwich Streets. Who cares?

We should all care. Let's stop demolishing the most affordable housing in established neighborhoods until all that vacant land in Mission Bay and India Basin/Hunter's Point is built upon. Let's actively protect the heritage we should all proudly share as San Franciscans.

The Convention and Visitors Bureau should care as tourism is our largest industry in San Francisco, but with the one by one removal of historic buildings no one seems to notice. Maybe not until the Postcard Row comes down.

### **What can be done?**

Deny this Conditional Use application. Let the Sponsor know that you will only approve a replacement building here that rebuilds the Robert Price House to the "Secretary of the Interior Standards for the Reconstruction of Historic Buildings." In return they can build a more modest 3 story home at the rear of the lot, whose proceeds would fund the Reconstruction. This site can be nearly whole again.

*were* The cliff at the sidewalk, the setback of the original house and its Magnolia tree ~~are~~ all features of this historic site to be preserved. With a reconstructed dwelling one would still see the evidence of the 1880's regrading of Polk and Lombard Streets that put the lower floor of this dwelling below the street level, and allowed the development of the Polk Street Commercial District and the balance of Lombard and Greenwich Street properties, including those which predate the Earthquake and Fire of 1906.

That would be a public policy decision that could prevent the vacant building list from growing.

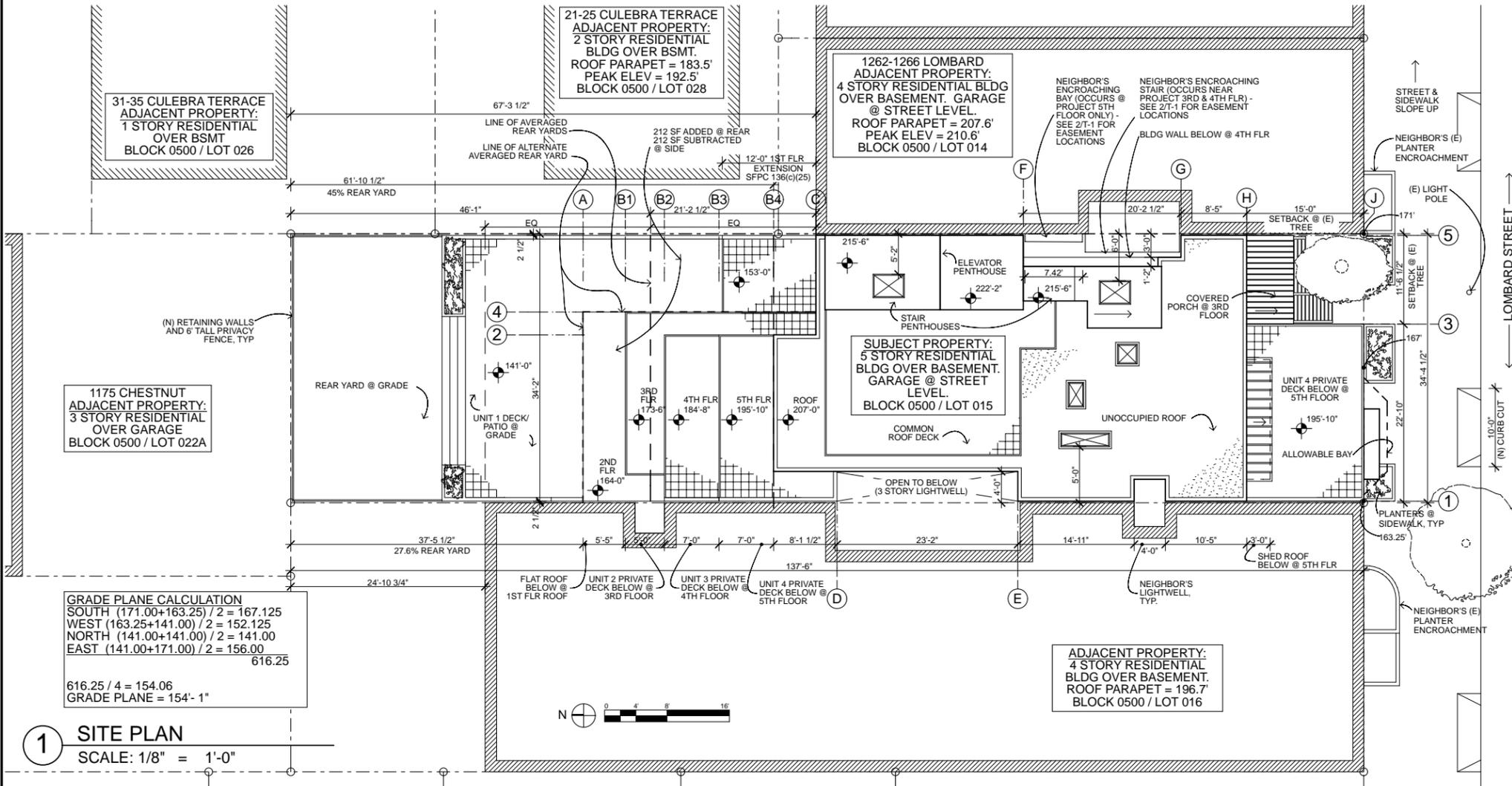
Sincerely,

*F Joseph Butler, AIA*

F. Joseph Butler, AIA  
Little House Committee

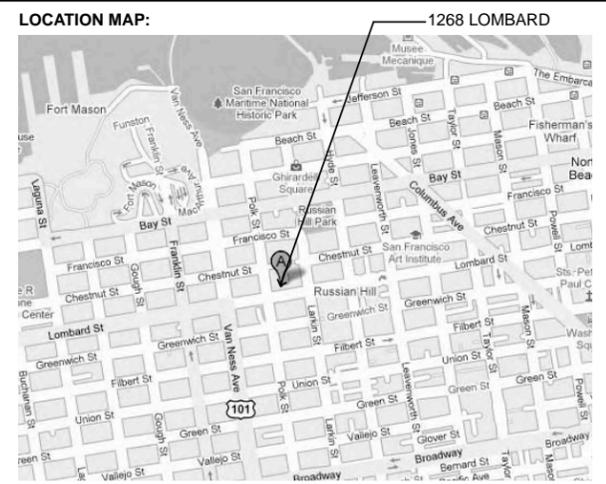
# 1268 LOMBARD STREET

NEW CONSTRUCTION - 4 RESIDENTIAL UNITS



**GRADE PLANE CALCULATION**  
 SOUTH (171.00+163.25) / 2 = 167.125  
 WEST (163.25+141.00) / 2 = 152.125  
 NORTH (141.00+141.00) / 2 = 141.00  
 EAST (141.00+171.00) / 2 = 156.00  
 616.25  
 616.25 / 4 = 154.06  
 GRADE PLANE = 154'-1"

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



**KERMAN MORRIS ARCHITECTS**  
 69A WATER STREET  
 SAN FRANCISCO  
 CALIFORNIA 94133  
 TEL. 415.749.0302  
 FAX. 415.928.5152

Revisions:

EE APP - 10/21/09
CU - 11/17/09
CU/PLNG R1 - 9/8/10
CU/PLNG R2 - 12/3/10
CU/PLNG R3 - 1/10/11
CU/PLNG R4 - 1/24/11
CU/PLNG R5 - 2/8/11

**TITLE 24 COMPLIANCE:**  
 Title-24 Mandatory Measures:  
 All work to comply with Title-24 Mandatory Measures including but not limited to: R-13 min. insulation in all new/rebuilt exterior walls; R-19 min. insulation in all new/rebuilt roofs; R-13 raised floor insulation in all new/rebuilt wood framed floors; double insulated doors and window products with certified U-value and infiltration certification; exterior doors and windows weatherstripped; all joints and penetrations caulked and sealed; 50% minimum high efficacy lighting in kitchens (separately switched); high efficacy lighting in bathrooms, garage, laundry room and utility rooms (or manual-on occupancy sensor); all other rooms, lighting to be high efficacy, manual-on occupancy sensor, or dimmer. All recessed incandescent ceiling fixtures to be IC approved. All recessed fluorescents to be ICAT rated. Outdoor lighting to be high efficacy or motion sensor with photocell. See attached compliance sheets on A-0.2, project notes, product information and drawings for project specific insulation levels and energy efficiency provisions.

**DESCRIPTION OF WORK:**  
 This work consists of a newly constructed 4-unit, 5 story residential building with basement. Basement of Type I-A concrete construction below 5 stories of Type III-A wood construction. Street level parking garage (U occupancy) at the third floor. All units have private decks in addition to sharing common deck at roof level. Project will require a Conditional Use for 4 units on this RH-3 lot.  
 All work to comply with current local and state codes including, but not limited to: the 2007 Edition of the California Building Code, the California Plumbing Code, the California Mechanical Code, the California Electrical Code and the California Fire Code, the current editions of the San Francisco Building and Planning Codes, Title-24 Energy Standards, etc...

**BUILDING DATA:**

OWNERS:	1268 LOMBARD STREET, LLC 2501 MISSION STREET SAN FRANCISCO, CA 94110 TEL: (415) 321-7077
ADDRESS:	1268 LOMBARD STREET SAN FRANCISCO, CA 94109
BLOCK/LOT:	BLOCK 0500/ LOT 015
ZONING DISTRICT:	RH-3/ 40-X
LOT SIZE:	4,726 SQ. FT.
SFBC OCCUPANCY CLASS:	R-2 OVER U OVER R-2
CONSTRUCTION TYPE:	TYPE III-A (5 FLOORS) OVER TYPE I-A (BASEMENT)
DESIGN:	KERMAN MORRIS ARCHITECTS 69A WATER STREET SAN FRANCISCO, CA 94133 T: (415) 749-0302 F: (415)928-5152

**DRAWING INDEX:**

T-1	SITE PLAN
S-1	SURVEY
A-1.1	BASEMENT PLAN
A-1.2	FIRST FLOOR PLAN
A-1.3	SECOND FLOOR PLAN
A-1.4	THIRD FLOOR PLAN
A-1.5	FOURTH FLOOR PLAN
A-1.6	FIFTH FLOOR PLAN
A-1.7	ROOF PLAN
A-2.1	FRONT & REAR ELEVATIONS
A-2.2	EAST ELEVATION
A-2.3	WEST ELEVATION
A-3.1	SECTION (@ WEST END OF SITE)
A-3.2	SECTION (@ EAST END OF SITE)

**PLANNING DEPARTMENT NOTES:**

**PROJECT LOCATION:** 1268 Lombard Street, Block 0500/ Lot 015

**ZONING DISTRICT:** RH-3

**HEIGHT DISTRICT:** 40-X

**LOT SIZE:** 4,726 sf

**CURRENT USE:** Vacant Lot

**PROPOSED USE:** 4-unit residential building with off-street parking (4 spaces) @ street level.

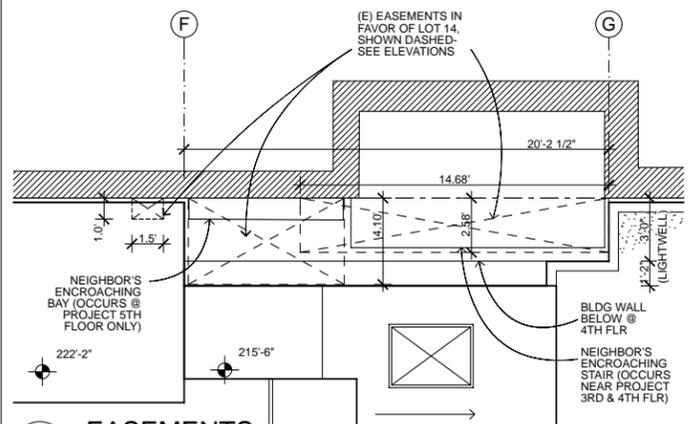
**DENSITY:** Per SFPC Section 209.1, 1-3 units permitted. Per SFPC Section 209.1(h) 1 unit / 1000 sf of lot area allowed with Conditional Use. (4,726 / 1000 = 4.7 units = 4 units allowed) 4 units proposed. *Conditional Use Required.*

**SETBACKS:**  
**Front Setback:** Per SFPC Section 132, average between adjacent neighbors. No setback required.  
**Rear Yard:** 45% of lot depth, but not less than 25%. Per SFPC Section 134 (c)(1), proposed rear yard is averaged between adjacent neighbor's rear yards. 25% rear yard provided at basement level extension per SFPC Section 136(c)(25).

**USABLE OPEN SPACE:** Per SFPC Section 135, 100 sq private or 133 sf common open space required. Unit 1 has private open space at grade and decks > than 100 sf. Units 2-4 all have decks > 100 sf. Though not required, an additional 469 sf of common open space provided at shared roof deck.

**PARKING:** Per SFPC Section 150, 1 space / dwelling unit required. 4 spaces required and provided. (One ADA van accessible space included in count)

**BICYCLE PARKING:** Per SFPC Section 155.5, 1 "Class 1" space / 2 dwelling unit required. 2 parking spaces required and provided.



**2 EASEMENTS**  
 SCALE: 1/4" = 1'-0"

**GENERAL LEGEND:**

	(N) 1-HR WALL
	(N) 2-HR WALL
	(N) 3-HR WALL
	BLDG/WALL SECTION
	EXTERIOR ELEVATION
	COLUMN LINE
	ELEVATION MARKER

**BLDG. SQUARE FOOTAGE (GROSS):**

Use	Square Feet
Residential (R-2)	10,489
Parking Garage (U)	2,015
Residential Storage (S-2)	726
<b>TOTAL</b>	<b>13,230 S.F.</b>

**NET LEASABLE RES'L SQUARE FOOTAGE (BY UNIT):**

Unit Number	Square Feet
Unit 1 (2-Level Townhouse)	2,725
Unit 2 (Flat)	1,688
Unit 3 (Flat)	1,737
Unit 4 (Flat)	1,308
<b>TOTAL</b>	<b>7,458 S.F.</b>

**CU/PLNG R5**  
**2/8/2011**

**NOTE: SPRINKLERS UNDER SEPARATE PERMIT**

DATE: 2/8/2011

SCALE:

DRAWN BY: TTD

CHECKED BY: TM

JOB NO.: 0910

DRAWING

**T-1**

1 of 14 sheets

0910 - 1268 LOMBARD STREET 2/8/2011 - CU/PLNG R5

Revisions:

EE APP - 10/21/09
CU - 11/17/09
CU/PLNG R1 - 9/8/10
CU/PLNG R2 - 12/3/10
CU/PLNG R3 - 1/10/11
CU/PLNG R4 - 1/24/11
CU/PLNG R5 - 2/8/11



1268 LOMBARD STREET

4-UNIT RESIDENTIAL BUILDING

BLOCK 0500/ LOT 015

BASEMENT PLAN

NOTICE

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All attachments, connections, fastenings, etc., are to be properly secured in conformance with best practice, and the Contractor shall be responsible for providing and installing them.

DATE: 2/8/2011

SCALE:

DRAWN BY: TTD

CHECKED BY: TM

JOB NO.: 0910

DRAWING

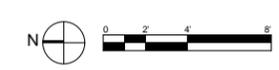
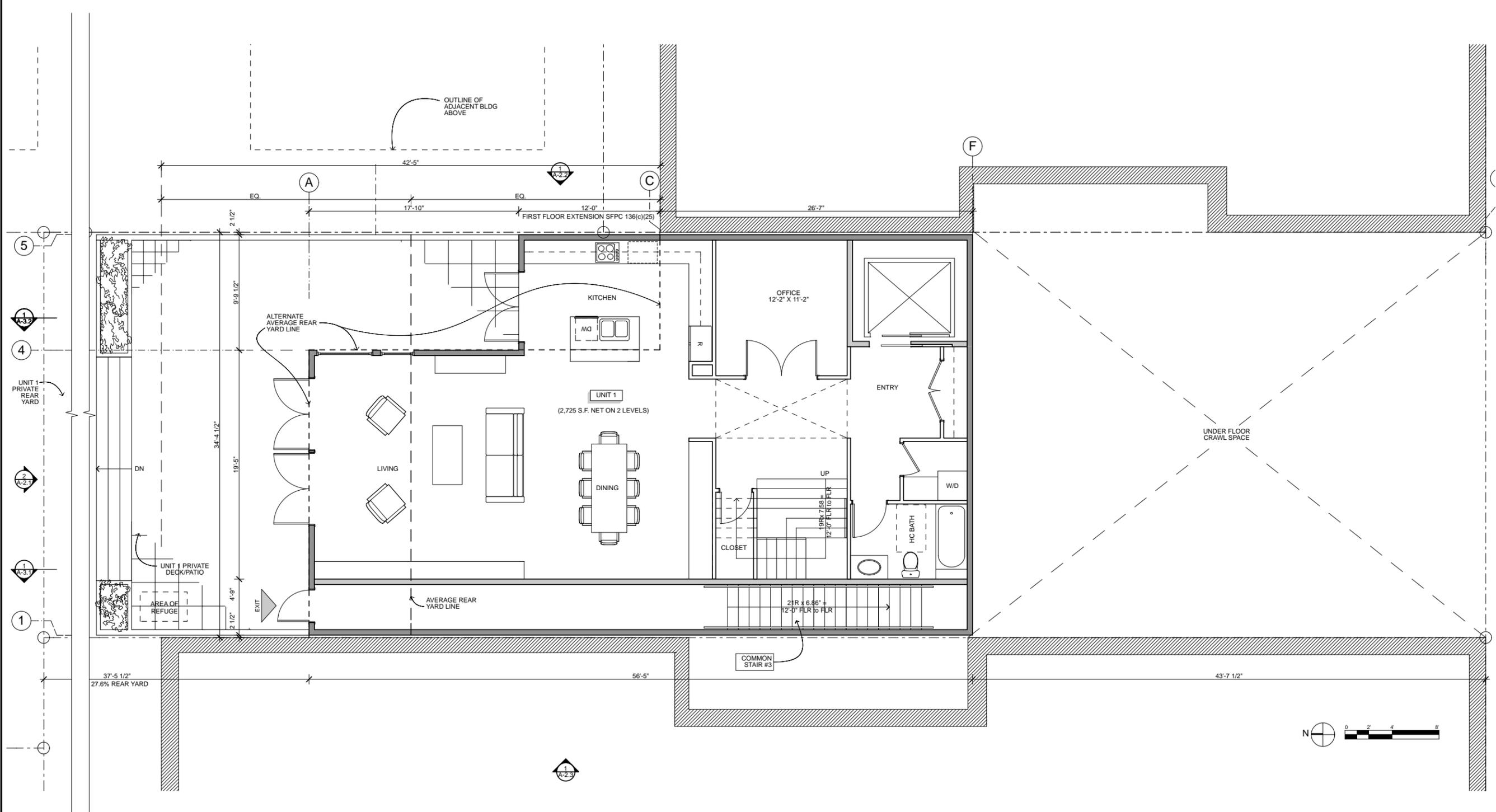
**A-1.1**

3 of 14 sheets

0910 - 1268 LOMBARD STREET  
2/8/2011 - CU/PLNG R5

WALL LEGEND:

- (N) 1-HR WALL
- (N) 2-HR WALL
- (N) 3-HR WALL



**1** BASEMENT FLOOR PLAN  
SCALE: 1/4" = 1'-0"

Revisions:

EE APP - 10/21/09
CU - 11/17/09
CU/PLNG R1 - 9/8/10
CU/PLNG R2 - 12/3/10
CU/PLNG R3 - 1/10/11
CU/PLNG R4 - 1/24/11
CU/PLNG R5 - 2/8/11



**1268 LOMBARD STREET**

4-UNIT RESIDENTIAL BUILDING

BLOCK 0500/ LOT 015

**FIRST FLOOR PLAN**

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CHECKED BY:	TM
JOB NO.:	0910

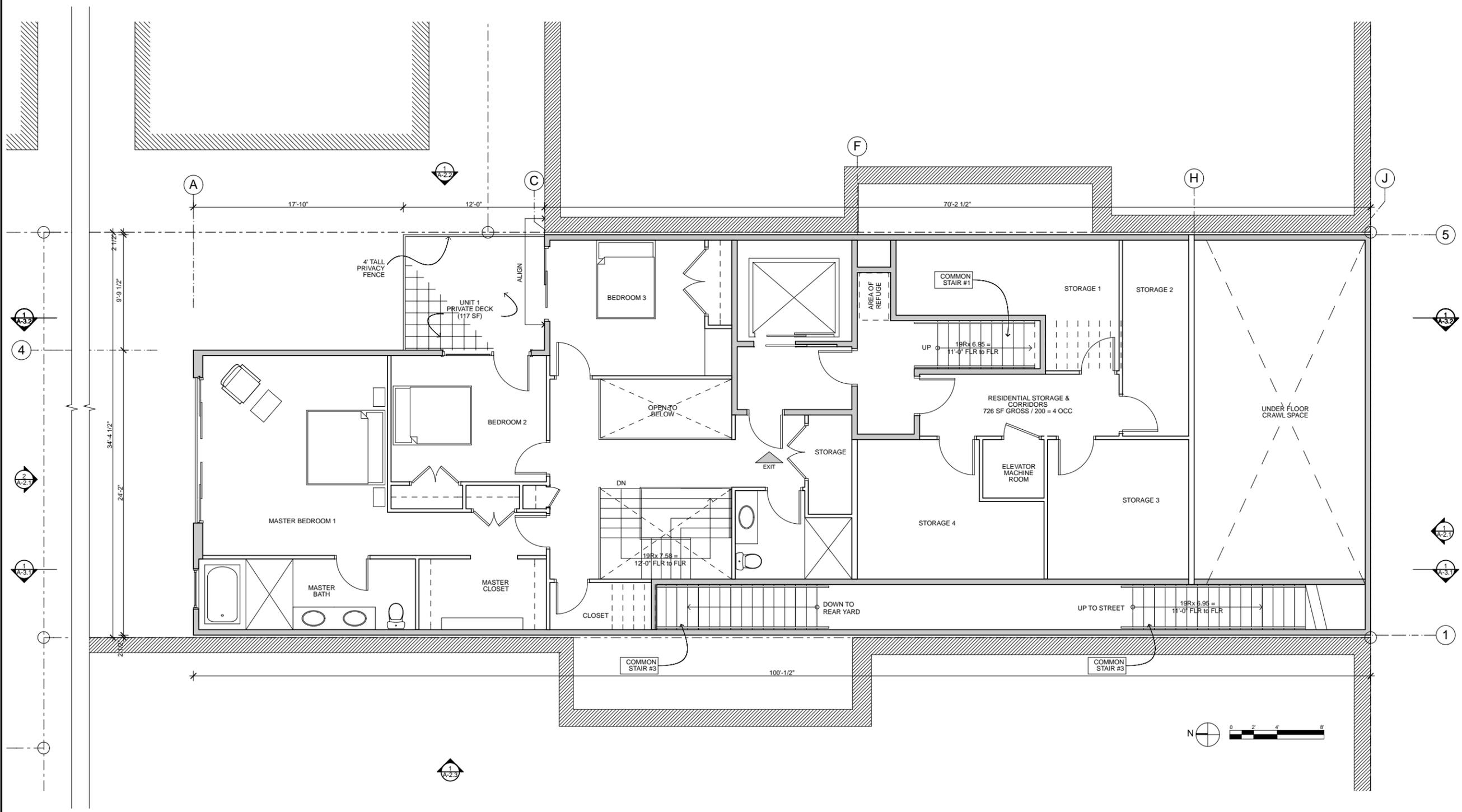
DRAWING

**A-1.2**

4 of 14 sheets

**WALL LEGEND:**

(N) 1-HR WALL
(N) 2-HR WALL
(N) 3-HR WALL



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

0910 - 1268 LOMBARD STREET  
2/8/2011 - CU/PLNG R5

Revisions:

EE APP - 10/21/09
CU - 11/17/09
CU/PLNG R1 - 9/8/10
CU/PLNG R2 - 12/3/10
CU/PLNG R3 - 1/10/11
CU/PLNG R4 - 1/24/11
CU/PLNG R5 - 2/8/11



1268 LOMBARD STREET

4-UNIT RESIDENTIAL BUILDING

BLOCK 0500/ LOT 015

SECOND FLOOR PLAN

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SCALE:

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CHECKED BY: TM

JOB NO.: 0910

DRAWING

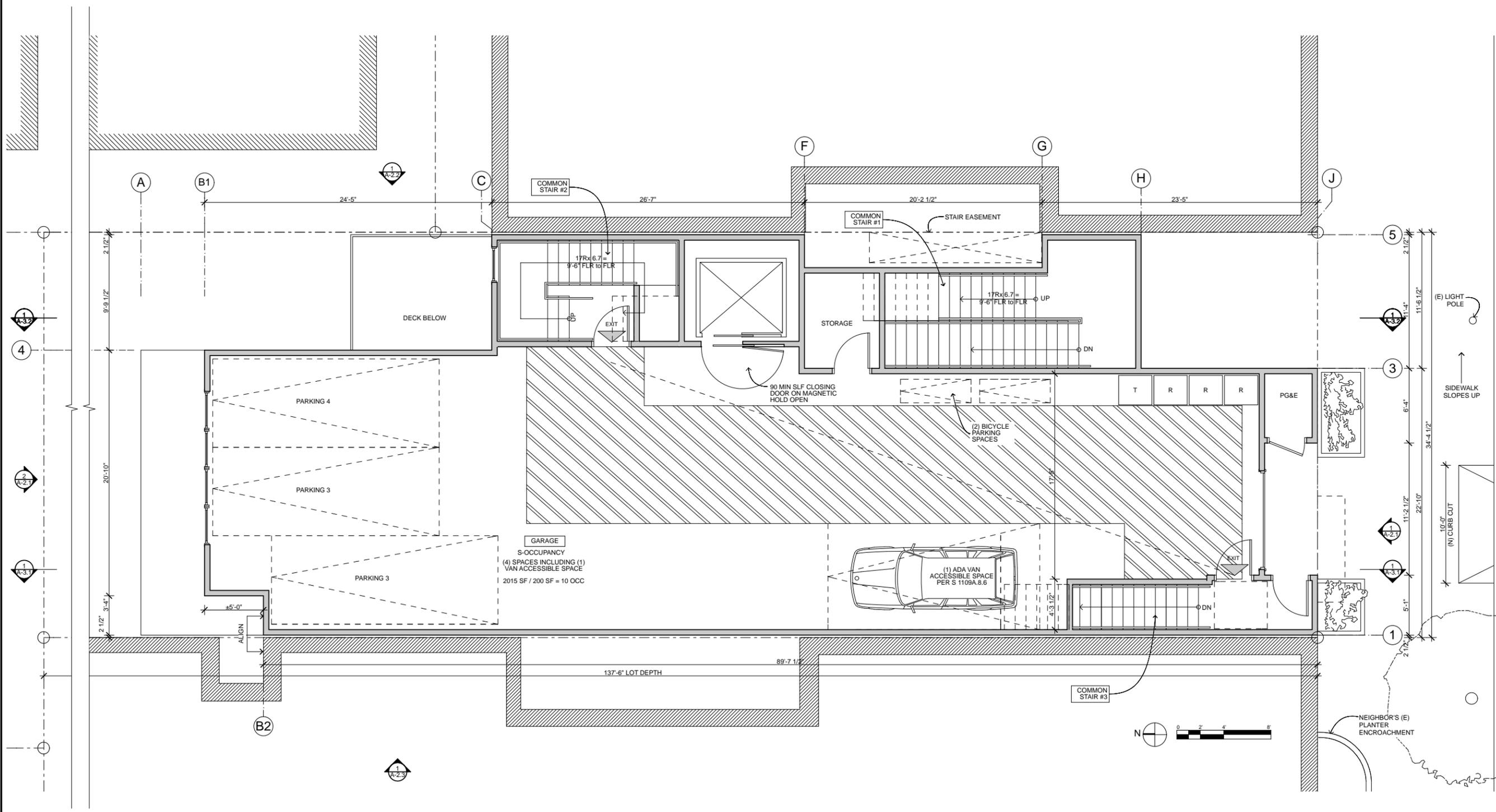
**A-1.3**

5 of 14 sheets

0910 - 1268 LOMBARD STREET  
2/8/2011 - CU/PLNG RS

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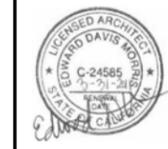
- (N) 1-HR WALL
- (N) 2-HR WALL
- (N) 3-HR WALL



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

Revisions:

EE APP - 10/21/09
CU - 11/17/09
CU/PLNG R1 - 9/8/10
CU/PLNG R2 - 12/3/10
CU/PLNG R3 - 1/10/11
CU/PLNG R4 - 1/24/11
CU/PLNG R5 - 2/8/11



1268 LOMBARD STREET

4-UNIT RESIDENTIAL BUILDING

BLOCK 0500/ LOT 015

THIRD FLOOR PLAN

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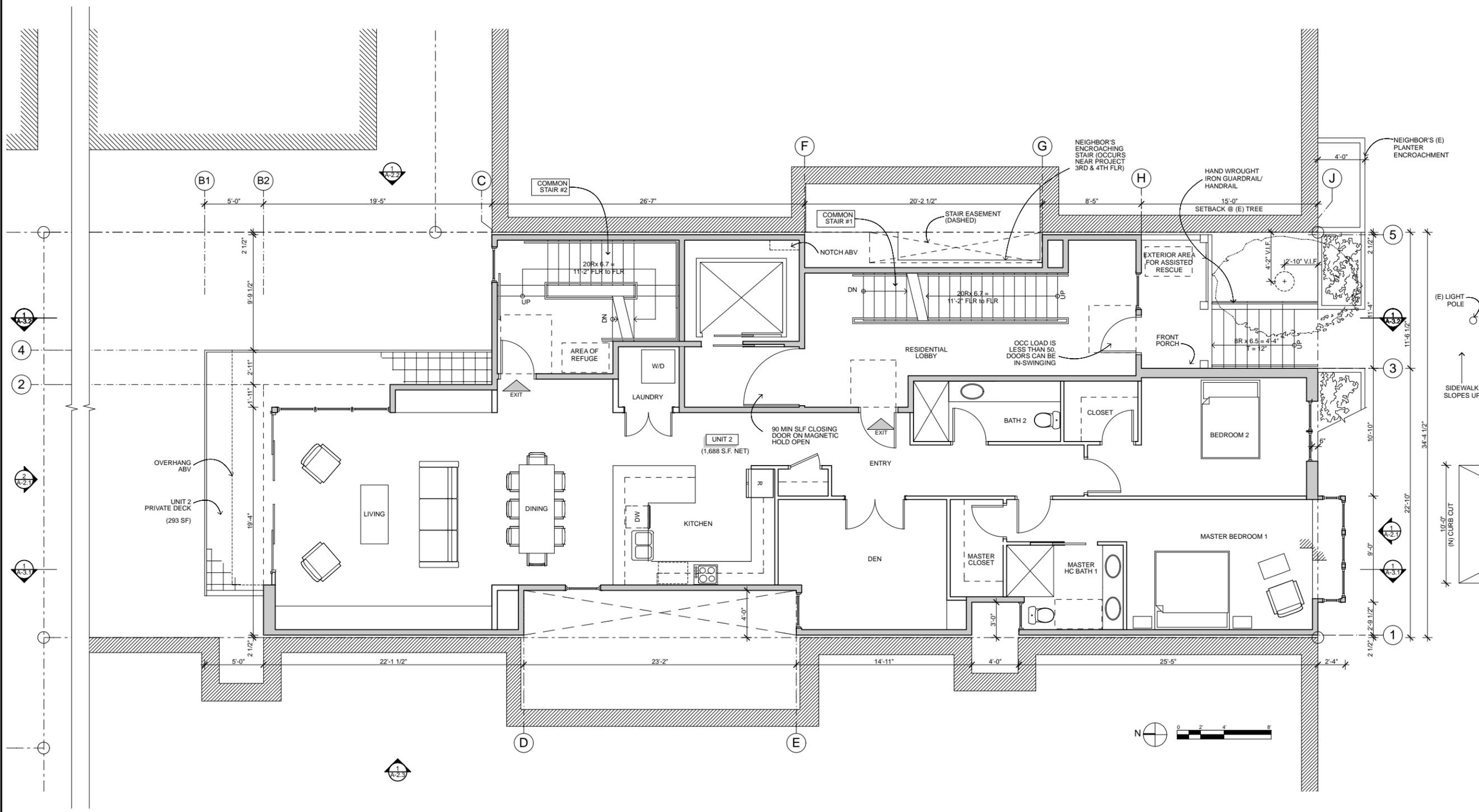
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CHECKED BY:	TM
JOB NO.:	0910

DRAWING

**A-1.4**

WALL LEGEND:

- (N) 1-HR WALL
- (N) 2-HR WALL
- (N) 3-HR WALL



**1** THIRD FLOOR PLAN  
SCALE: 1/4" = 1'-0"

Revisions:

EE APP - 10/21/09
CU - 11/17/09
CU/PLNG R1 - 9/8/10
CU/PLNG R2 - 12/3/10
CU/PLNG R3 - 1/10/11
CU/PLNG R4 - 1/24/11
CU/PLNG R5 - 2/8/11



1268 LOMBARD STREET

4-UNIT RESIDENTIAL BUILDING

BLOCK 0500/ LOT 015

FOURTH FLOOR PLAN

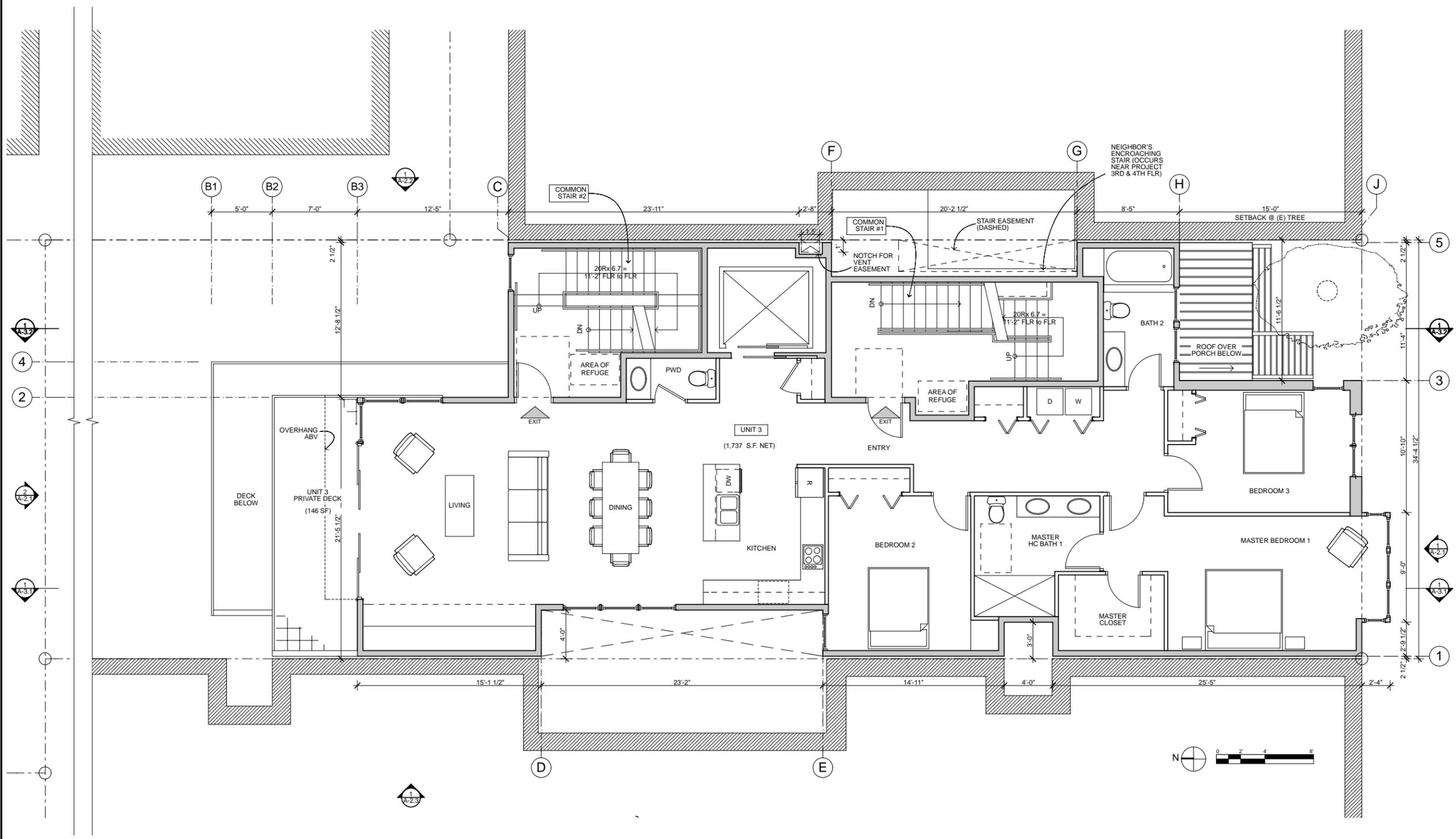
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DATE:	2/8/2011
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JOB NO.:	0910

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**A-1.5**

**WALL LEGEND:**

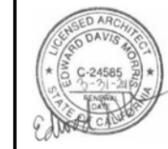
- (N) 1-HR WALL
- (N) 2-HR WALL
- (N) 3-HR WALL



**1** FOURTH FLOOR PLAN  
SCALE: 1/4" = 1'-0"

Revisions:

EE APP - 10/21/09
CU - 11/17/09
CU/PLNG R1 - 9/8/10
CU/PLNG R2 - 12/3/10
CU/PLNG R3 - 1/10/11
CU/PLNG R4 - 1/24/11
CU/PLNG R5 - 2/8/11



1268 LOMBARD STREET

4-UNIT RESIDENTIAL BUILDING

BLOCK 0500/ LOT 015

FIFTH FLOOR PLAN

NOTICE

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DRAWN BY: TTD

CHECKED BY: TM

JOB NO.: 0910

DRAWING

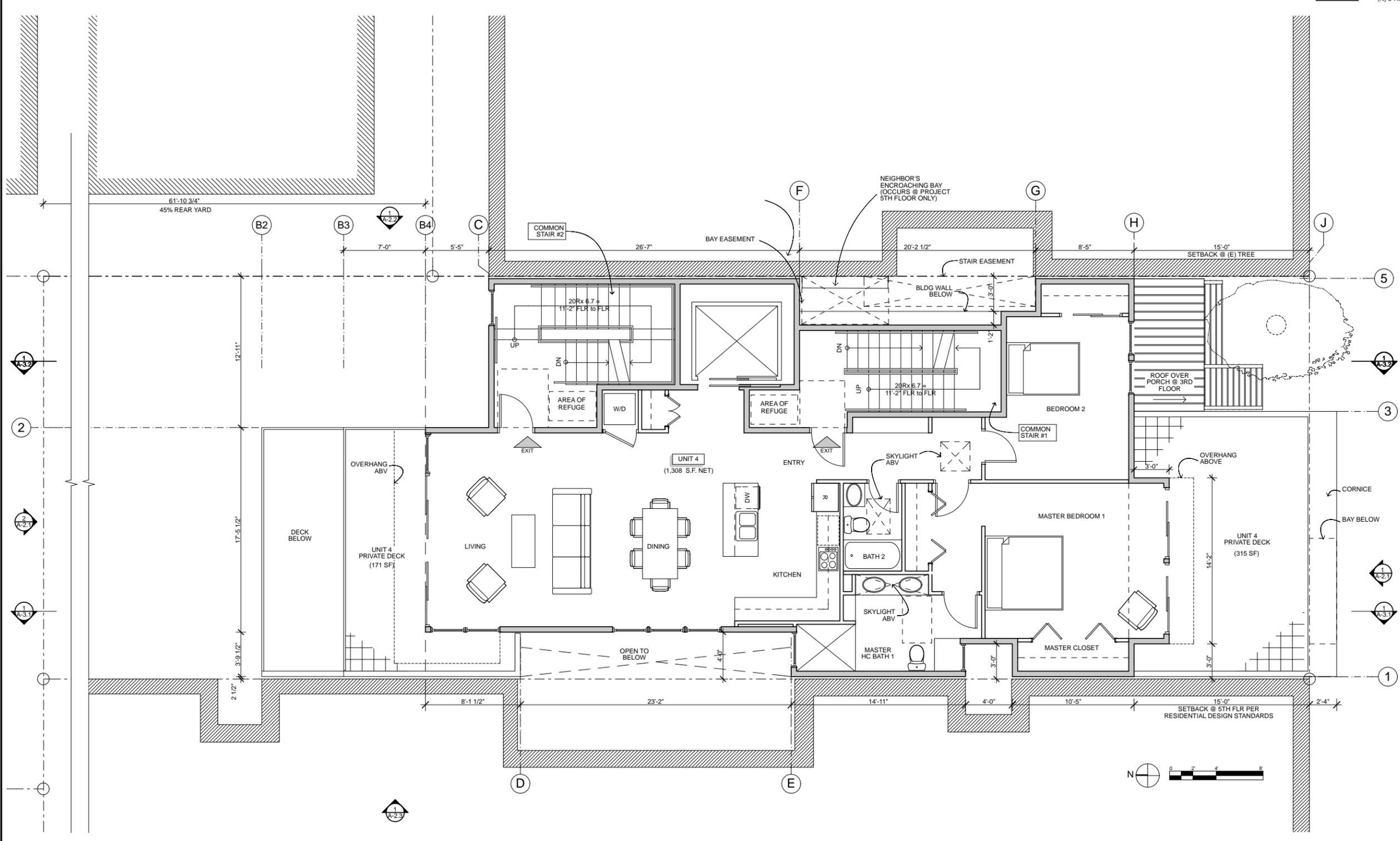
**A-1.6**

8 of 14 sheets

0910 - 1268 LOMBARD STREET  
2/8/2011 - CU/PLNG R5

WALL LEGEND:

- (N) 1-HR WALL
- (N) 2-HR WALL
- (N) 3-HR WALL



**1 FIFTH FLOOR PLAN**  
SCALE: 1/4" = 1'-0"

Revisions:

EE APP - 10/21/09
CU - 11/17/09
CU/PLNG R1 - 9/8/10
CU/PLNG R2 - 12/3/10
CU/PLNG R3 - 1/10/11
CU/PLNG R4 - 1/24/11
CU/PLNG R5 - 2/8/11



1268 LOMBARD STREET

4-UNIT RESIDENTIAL BUILDING

BLOCK 0500/ LOT 015

ROOF PLAN

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DRAWING

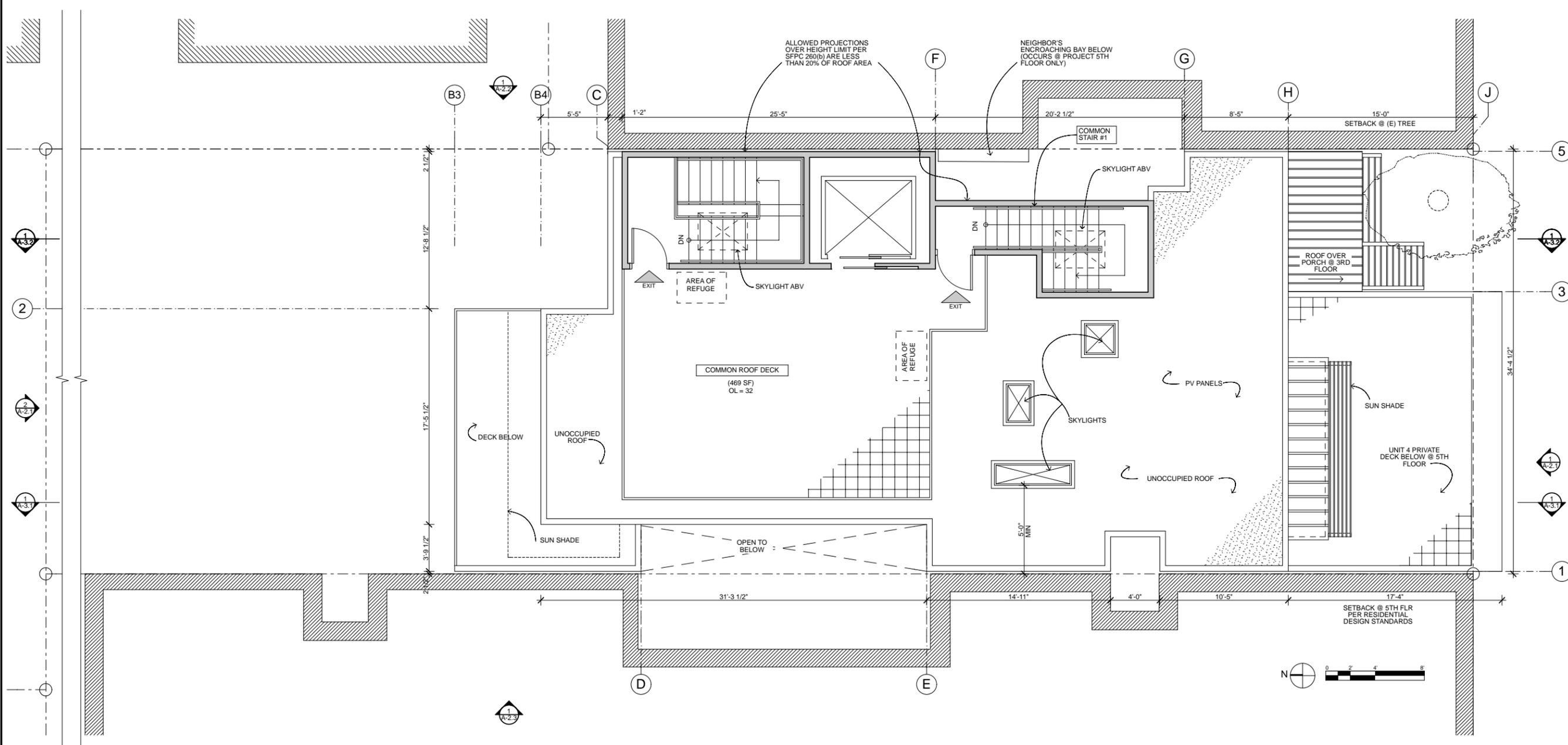
**A-1.7**

9 of 14 sheets

0910 - 1268 LOMBARD STREET  
2/8/2011 - CU/PLNG R5

WALL LEGEND:

- (N) 1-HR WALL
- (N) 2-HR WALL
- (N) 3-HR WALL



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

Revisions:

EE APP - 10/21/09
CU - 11/17/09
CU/PLNG R1 - 9/8/10
CU/PLNG R2 - 12/3/10
CU/PLNG R3 - 1/10/11
CU/PLNG R4 - 1/24/11
CU/PLNG R5 - 2/8/11



**1268 LOMBARD STREET**

**4-UNIT RESIDENTIAL BUILDING**

BLOCK 0500/ LOT 015

**FRONT & REAR ELEVATIONS**

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DATE: 2/8/2011

SCALE:

DRAWN BY: TTD

CHECKED BY: TM

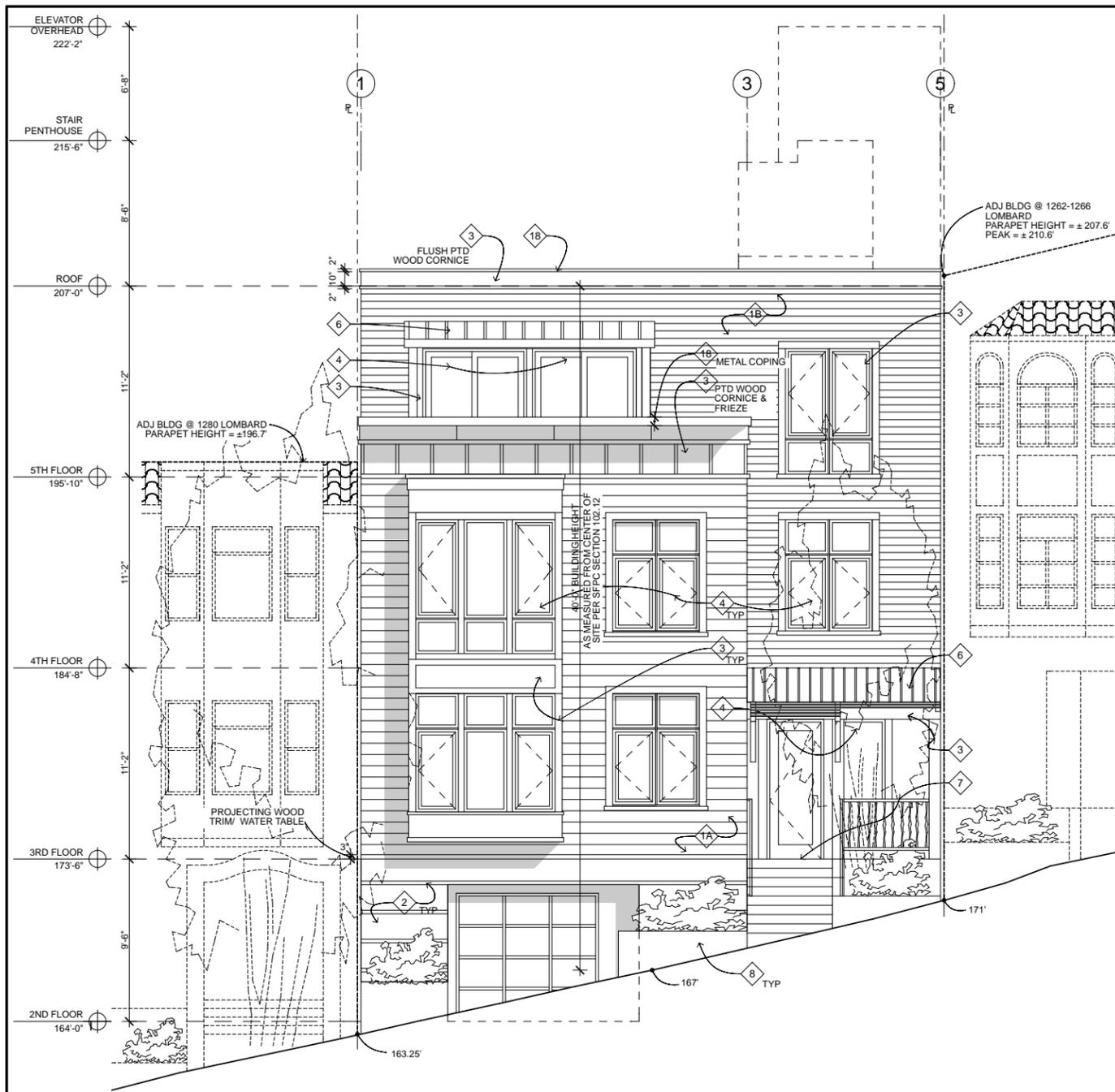
JOB NO.: 0910

DRAWING

**A-2.1**

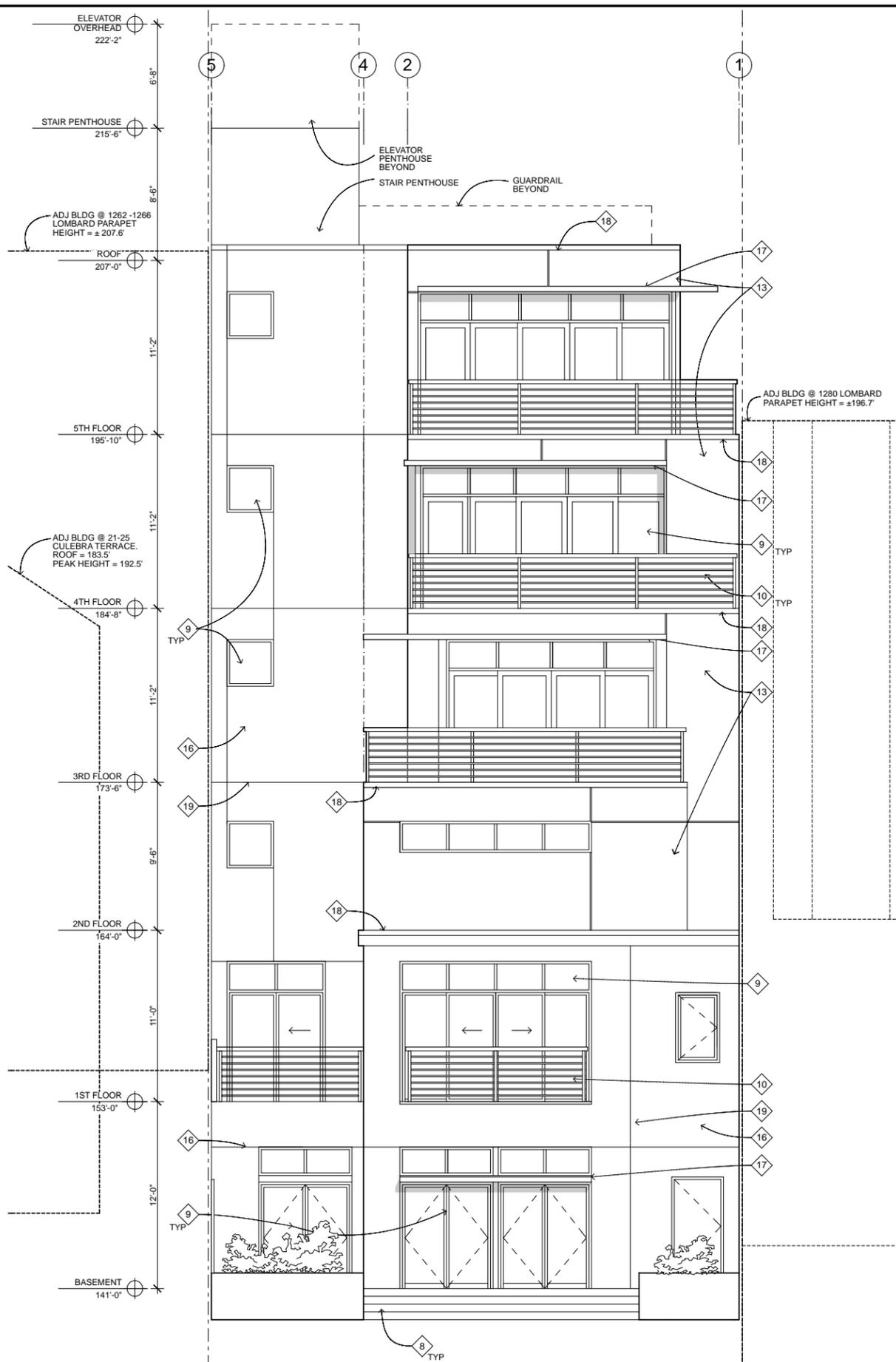
10 of 14 sheets

0910 - 1268 LOMBARD STREET  
2/8/2011 - CU/PLNG R5



ELEVATION KEY NOTES					
1A	PTD. HORIZ. WOOD LAP SIDING - 3/8" REVEALS, 8" CENTERS	6	STANDING SEAM METAL ROOF	13	CEMENTITIOUS BOARD
1B	PTD. HORIZ. WOOD LAP SIDING - 3/8" REVEALS, 5" CENTERS	7	METAL GUARDRAIL - HAMMER FINISH; STONE FINISHED STAIRS OR TERRAZZO	14	BLINDWALL
2	STONE TILE BASE	8	PLANTER BOX	15	PERVIOUS DECK MATERIALS
3	PTD. WOOD TRIM / FASCIA	9	METAL WINDOWS & DOORS	16	STUCCO
4	PTD WOOD WINDOWS/ DOORS	10	42" TALL METAL GUARDRAIL	17	METAL OVERHANG
5	NOT USED	11	42" 1-HR RATED GUARDRAIL	18	PTD SHEET METAL COPING
		12	BREAK METAL CLADDING	19	3/8" REVEAL @ STUCCO

**1 SOUTH (FRONT) ELEVATION**  
SCALE: 1/4" = 1'-0"



**2 NORTH (REAR) ELEVATION**  
SCALE: 1/4" = 1'-0"

Revisions:

EE APP - 10/21/09
CU - 11/17/09
CU/PLNG R1 - 9/8/10
CU/PLNG R2 - 12/3/10
CU/PLNG R3 - 1/10/11
CU/PLNG R4 - 1/24/11
CU/PLNG R5 - 2/8/11



**1268 LOMBARD STREET**

**4-UNIT RESIDENTIAL BUILDING**

BLOCK 0500/ LOT 015

**EAST ELEVATION**

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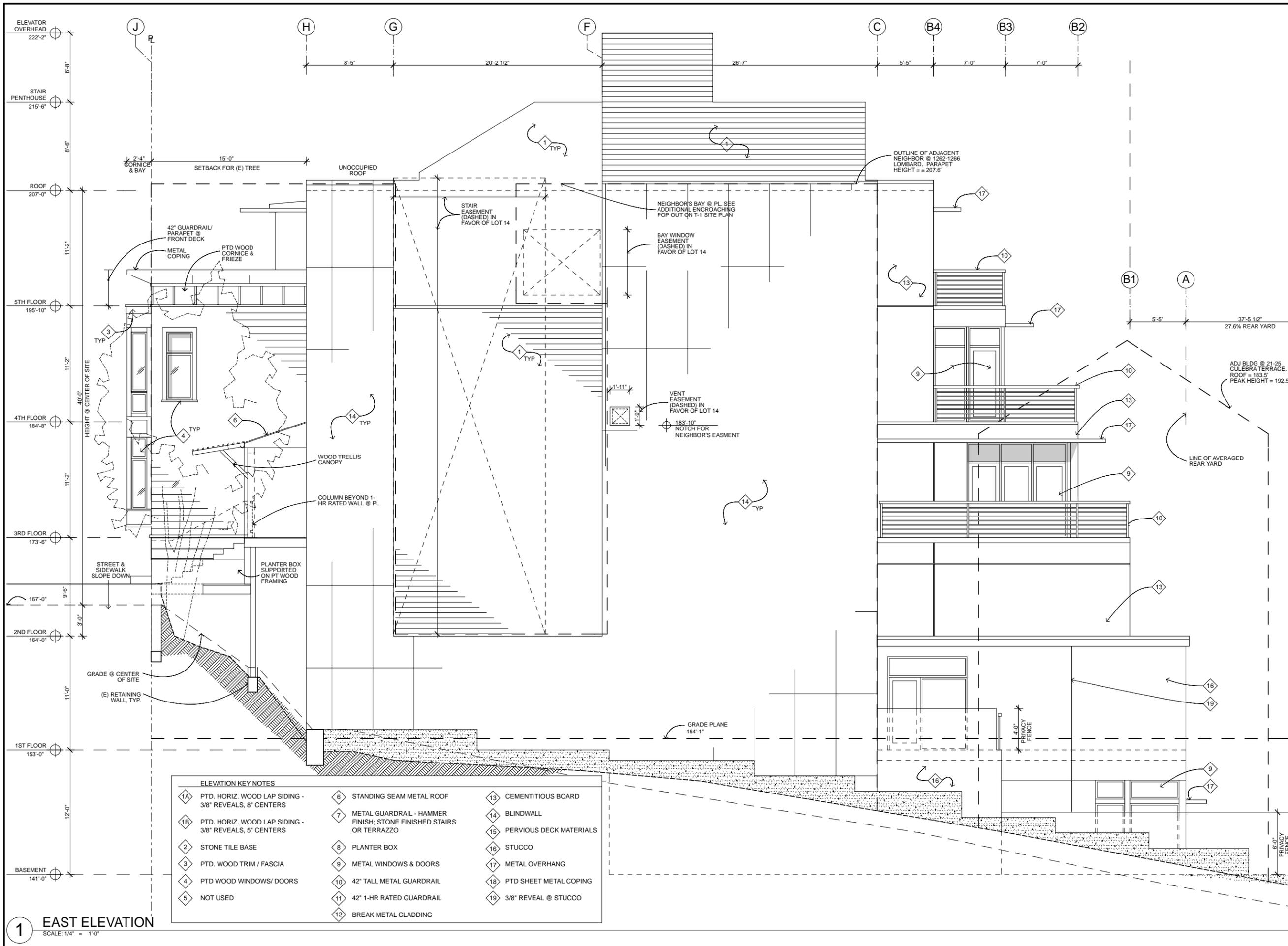
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DATE:	2/8/2011
SCALE:	
DRAWN BY:	TTD
CHECKED BY:	TM
JOB NO.:	0910

DRAWING

**A-2.2**



**ELEVATION KEY NOTES**

1A PTD. HORIZ. WOOD LAP SIDING - 3/8" REVEALS, 8" CENTERS	6 STANDING SEAM METAL ROOF	13 CEMENTITIOUS BOARD
1B PTD. HORIZ. WOOD LAP SIDING - 3/8" REVEALS, 5" CENTERS	7 METAL GUARDRAIL - HAMMER FINISH; STONE FINISHED STAIRS OR TERRAZZO	14 BLINDWALL
2 STONE TILE BASE	8 PLANTER BOX	15 PERVIOUS DECK MATERIALS
3 PTD. WOOD TRIM / FASCIA	9 METAL WINDOWS & DOORS	16 STUCCO
4 PTD WOOD WINDOWS/ DOORS	10 42" TALL METAL GUARDRAIL	17 METAL OVERHANG
5 NOT USED	11 42" 1-HR RATED GUARDRAIL	18 PTD SHEET METAL COPING
	12 BREAK METAL CLADDING	19 3/8" REVEAL @ STUCCO

**1 EAST ELEVATION**  
SCALE: 1/4" = 1'-0"

Revisions:

EE APP - 10/21/09
CU - 11/17/09
CU/PLNG R1 - 9/8/10
CU/PLNG R2 - 12/3/10
CU/PLNG R3 - 1/10/11
CU/PLNG R4 - 1/24/11
CU/PLNG R5 - 2/8/11



**1268 LOMBARD STREET**

4-UNIT RESIDENTIAL BUILDING

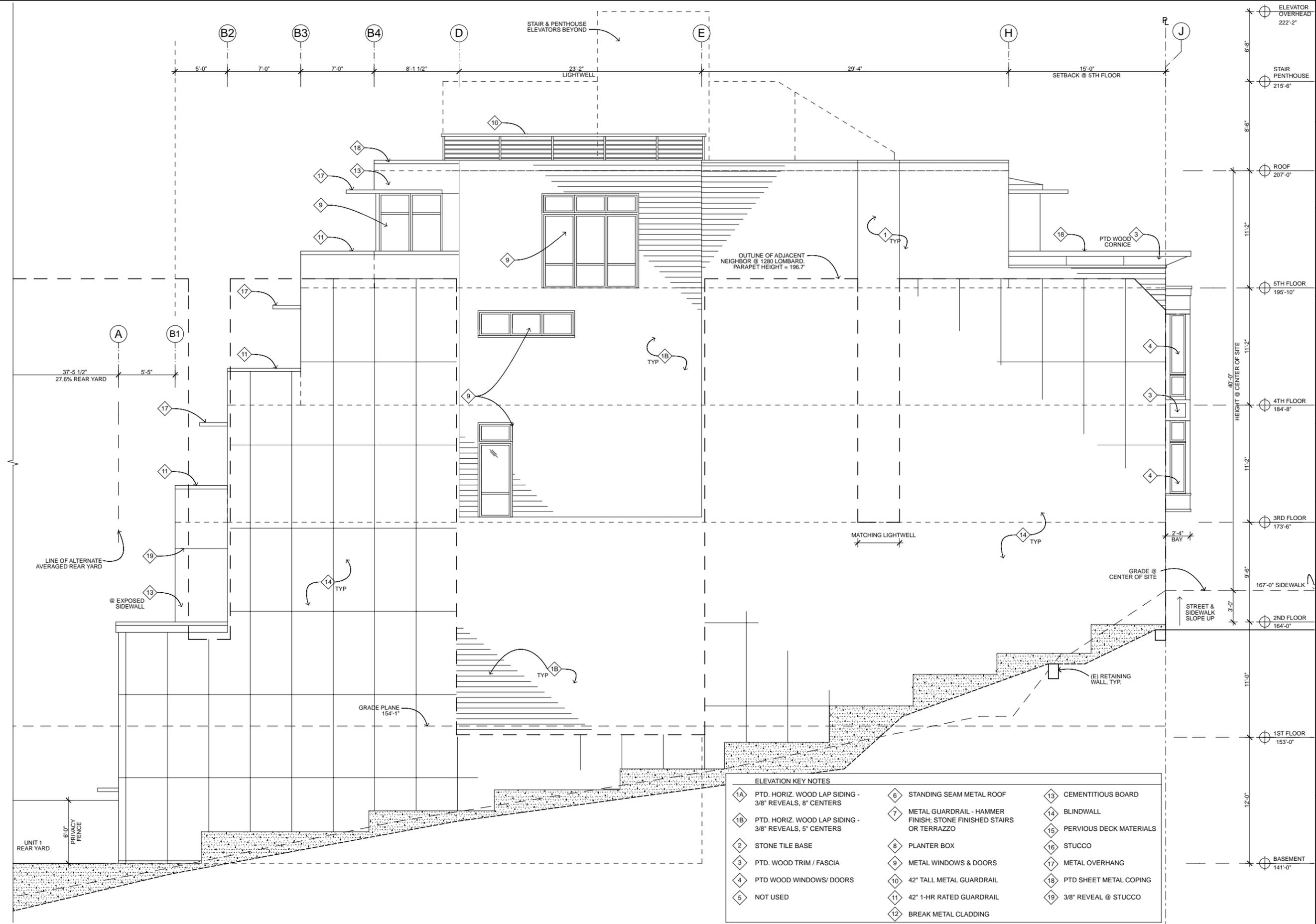
BLOCK 0500/ LOT 015

WEST ELEVATION

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DATE:	2/8/2011
SCALE:	
DRAWN BY:	TTD
CHECKED BY:	TM
JOB NO.:	0910

DRAWING  
**A-2.3**



**ELEVATION KEY NOTES**

1A PTD. HORIZ. WOOD LAP SIDING - 3/8" REVEALS, 8" CENTERS	6 STANDING SEAM METAL ROOF	13 CEMENTITIOUS BOARD
1B PTD. HORIZ. WOOD LAP SIDING - 3/8" REVEALS, 5" CENTERS	7 METAL GUARDRAIL - HAMMER FINISH; STONE FINISHED STAIRS OR TERRAZZO	14 BLINDWALL
2 STONE TILE BASE	8 PLANTER BOX	15 PERVIOUS DECK MATERIALS
3 PTD. WOOD TRIM / FASCIA	9 METAL WINDOWS & DOORS	16 STUCCO
4 PTD WOOD WINDOWS/ DOORS	10 42" TALL METAL GUARDRAIL	17 METAL OVERHANG
5 NOT USED	11 42" 1-HR RATED GUARDRAIL	18 PTD SHEET METAL COPING
	12 BREAK METAL CLADDING	19 3/8" REVEAL @ STUCCO

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

0910 - 1268 LOMBARD STREET  
2/8/2011 - CU/PLNG R5

Revisions:

EE APP - 10/21/09
CU - 11/17/09
CU/PLNG R1 - 9/8/10
CU/PLNG R2 - 12/3/10
CU/PLNG R3 - 1/10/11
CU/PLNG R4 - 1/24/11
CU/PLNG R5 - 2/8/11



1268 LOMBARD STREET

4-UNIT RESIDENTIAL BUILDING

BLOCK 0500/ LOT 015

SECTION (@ WEST END OF SITE)

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DATE: 2/8/2011

SCALE:

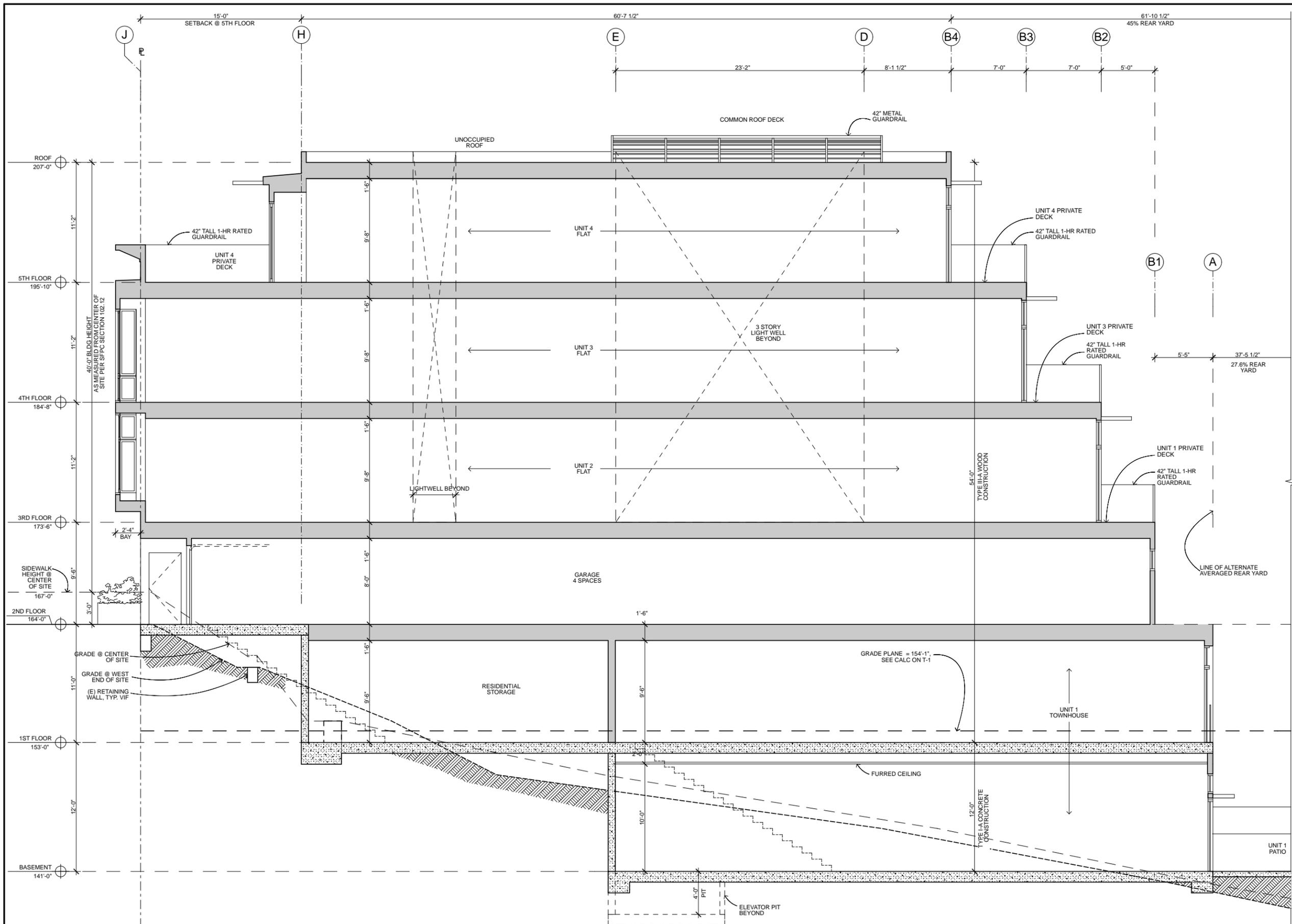
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CHECKED BY: TM

JOB NO.: 0910

DRAWING

**A-3.1**



**1 SECTION (@ WEST END OF SITE)**  
SCALE: 1/4" = 1'-0"

Revisions:

EE APP - 10/21/09
CU - 11/17/09
CU/PLNG R1 - 9/8/10
CU/PLNG R2 - 12/3/10
CU/PLNG R3 - 1/10/11
CU/PLNG R4 - 1/24/11
CU/PLNG R5 - 2/8/11



1268 LOMBARD STREET

4-UNIT RESIDENTIAL BUILDING

BLOCK 0500/ LOT 015

SECTION (@ EAST END OF SITE)

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SCALE:

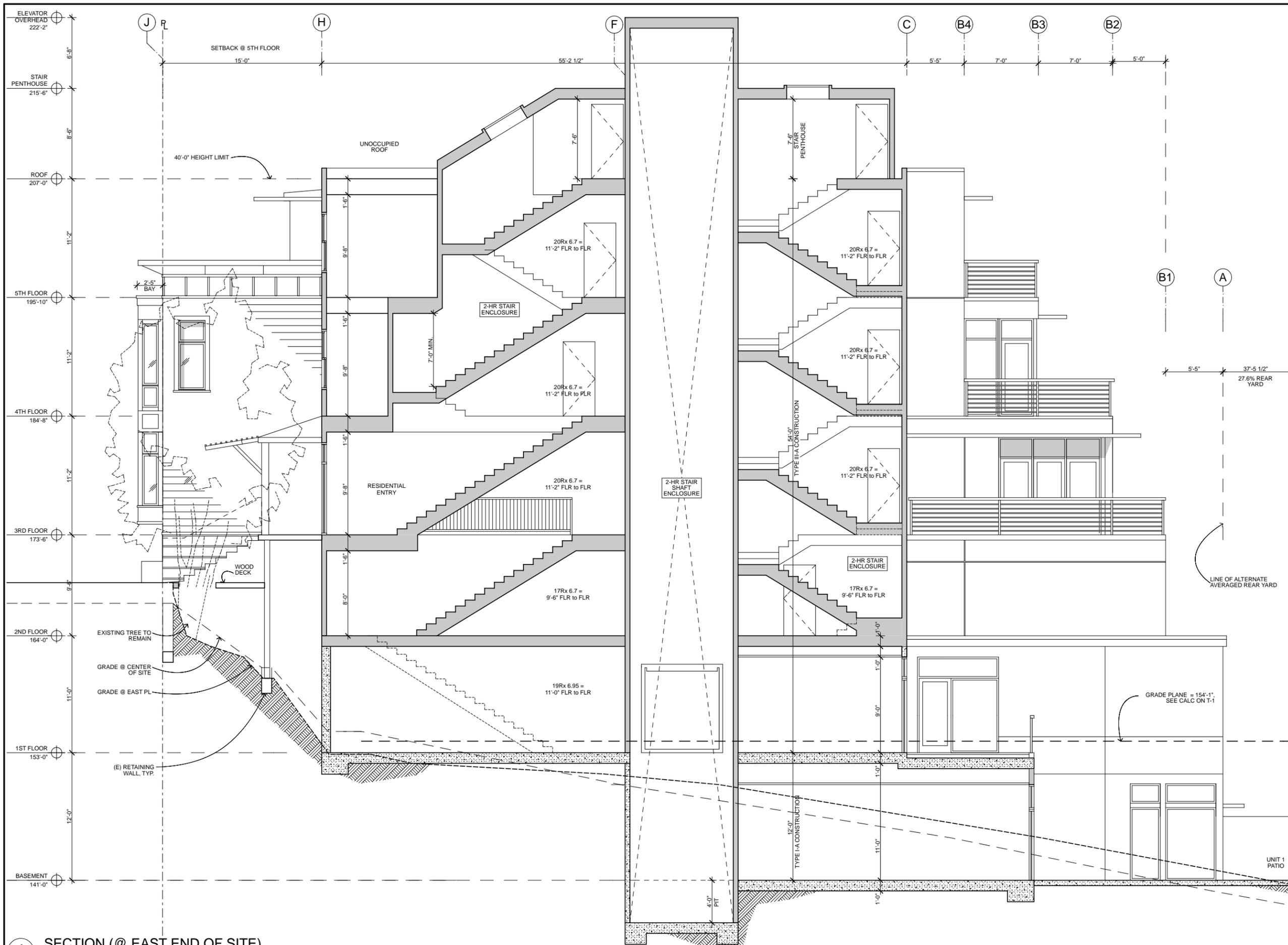
DRAWN BY: TTD

CHECKED BY: TM

JOB NO.: 0910

DRAWING

**A-3.2**



**1 SECTION (@ EAST END OF SITE)**  
SCALE: 1/4" = 1'-0"

0910 - 1268 LOMBARD STREET  
2/8/2011 - CU/PLNG R5

Revisions:



1268 LOMBARD STREET

4-UNIT RESIDENTIAL BUILDING

BLOCK 0500/ LOT 015

STAIR PENTHOUSE ALT

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DATE:	2/8/2011
SCALE:	
DRAWN BY:	TTD
CHECKED BY:	TM
JOB NO.:	0910

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**SK-1**

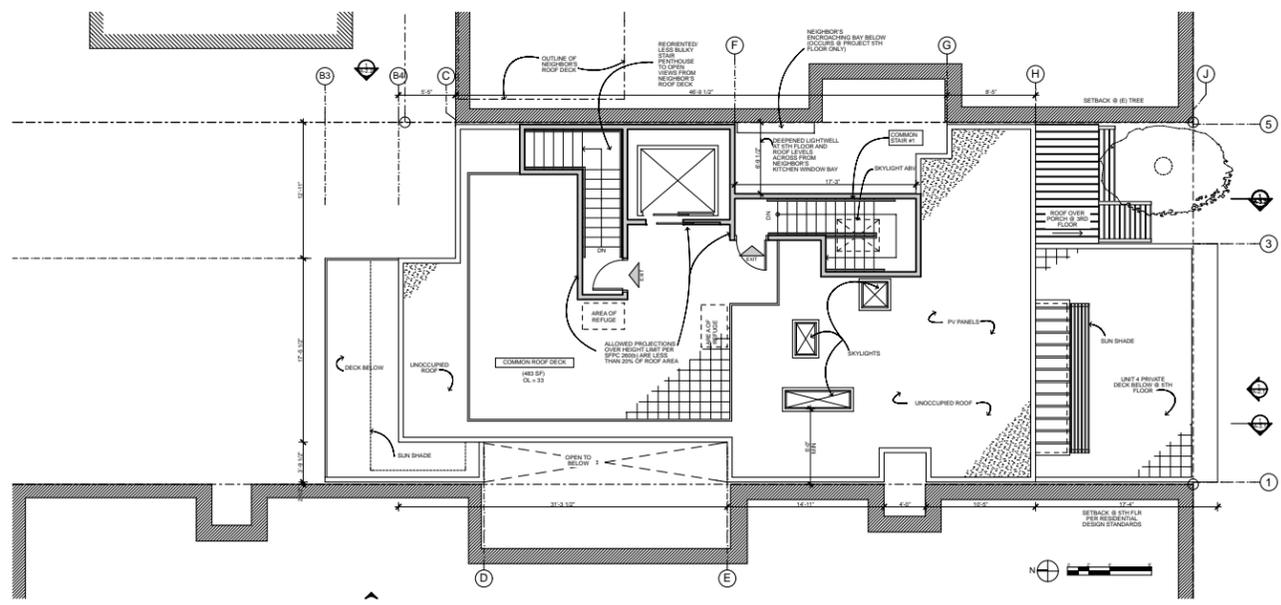
0910 - 1268 LOMBARD STREET  
2-8-2011

**MODIFICATION PROPOSAL: REJECTED BY NEIGHBOR (2-8-11)**

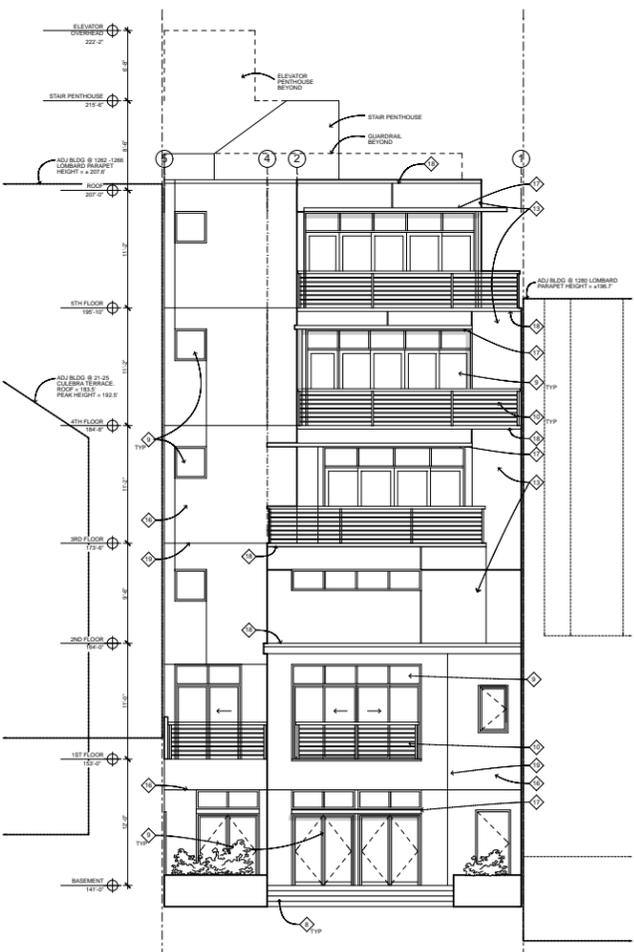
NOTE: THIS MODIFICATION WAS PRESENTED ON 2-8-11 TO STEVE BEREZIN (1262-66 LOMBARD), HIS ARCHITECT AND ATTORNEY AS A COMPROMISE TO ADDRESS SOME OF HIS CONCERNS. IT

- 1) REDUCES THE SIZE OF THE REAR PENTHOUSE ENABLING VIEWS FROM MR. BEREZIN'S ROOF DECK TO BE PRESERVED, AND
- 2) DEEPENS THE LIGHTWELL ACROSS FROM HIS ENCROACHING KITCHEN BAY TO INCREASE LIGHT ACCESS TO HIS UNIT.

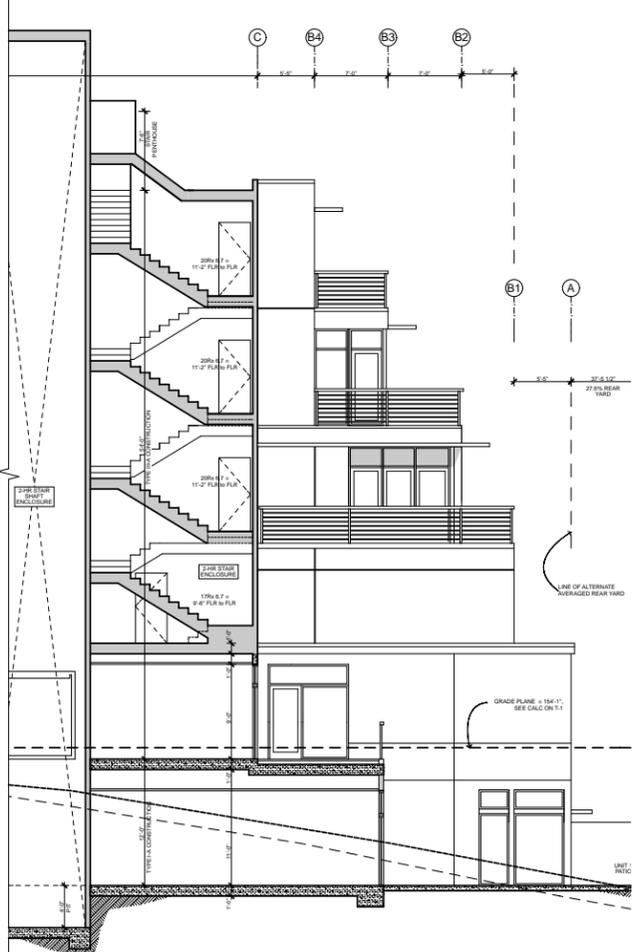
THIS PROPOSAL WAS REJECTED ON THE GROUNDS THAT IT DOES NOT PROVIDE LIGHT AND VIEWS FROM TWO EXISTING PROPERTY LINE WINDOWS AT A DINING ROOM OF THE TOP FLOOR OF 1262-66 LOMBARD. THESE WINDOWS WILL BE COVERED OVER BY THE ELEVATOR AT THE SUBJECT PROPERTY, WHICH ENABLES CODE REQUIRED DISABLED ACCESS TO THE COMMON ROOF DECK.



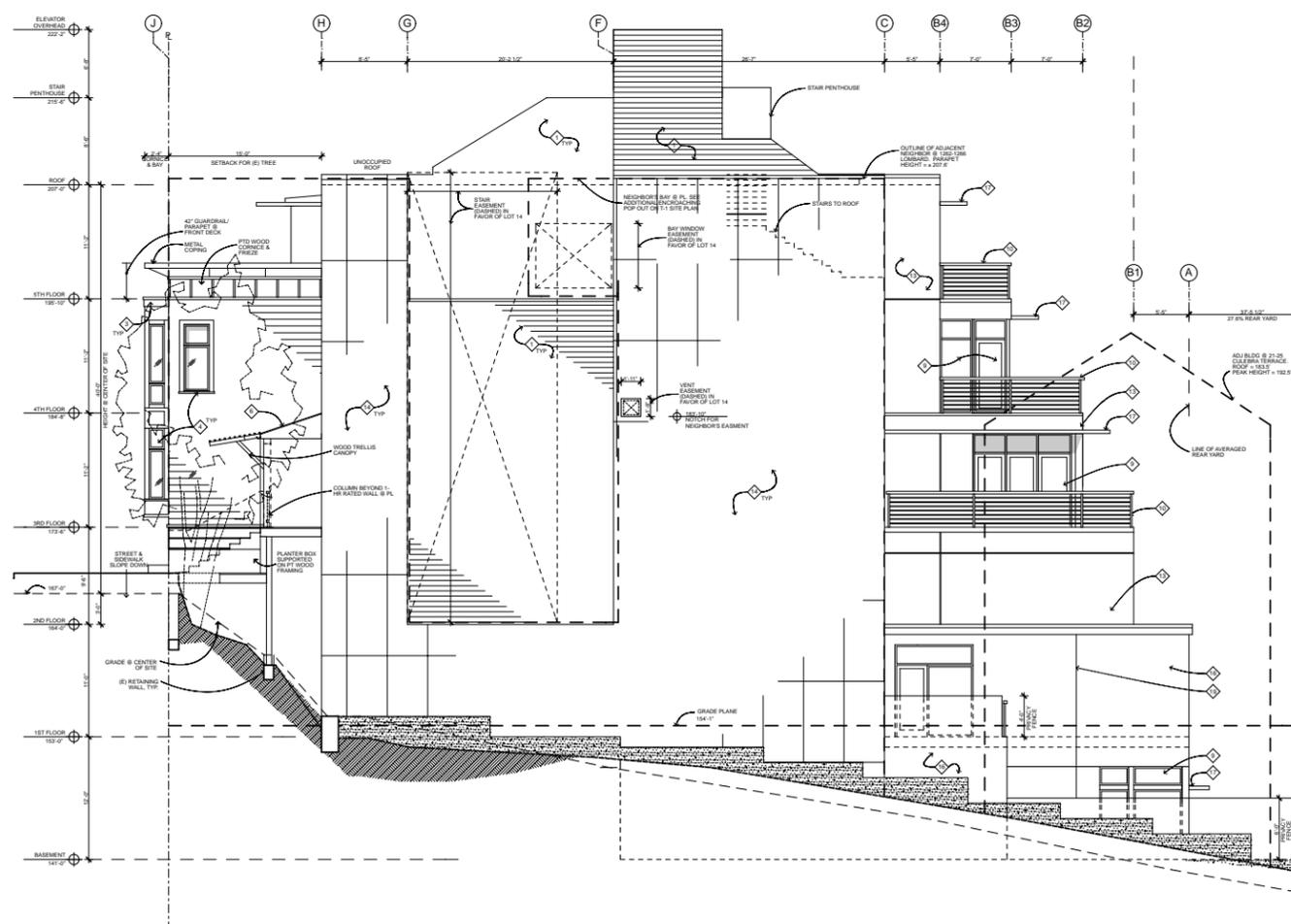
**1 ROOF PLAN**  
SCALE: 1/8" = 1'-0"



**4 NORTH (REAR) ELEVATION**  
SCALE: 1/8" = 1'-0"



**3 SECTION (@ EAST END OF SITE)**  
SCALE: 1/8" = 1'-0"



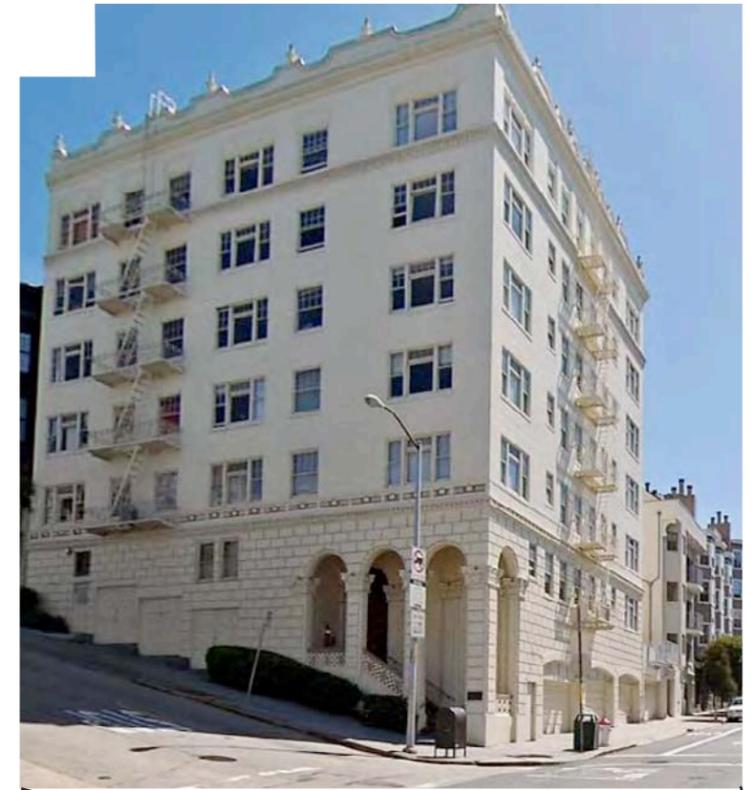
**2 EAST ELEVATION**  
SCALE: 1/8" = 1'-0"



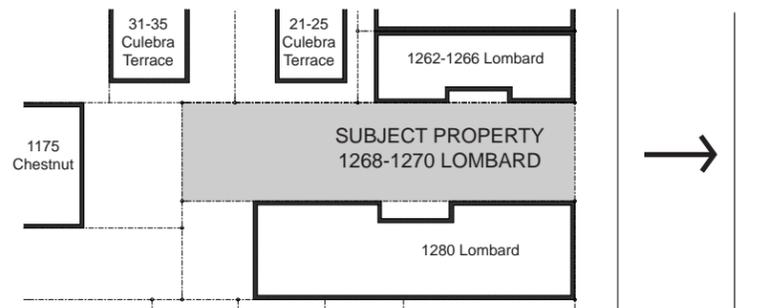
SUBJECT PROPERTY: 1268-1270 LOMBARD STREET  
KERMAN MORRIS ARCHITECTS 1/10/2010



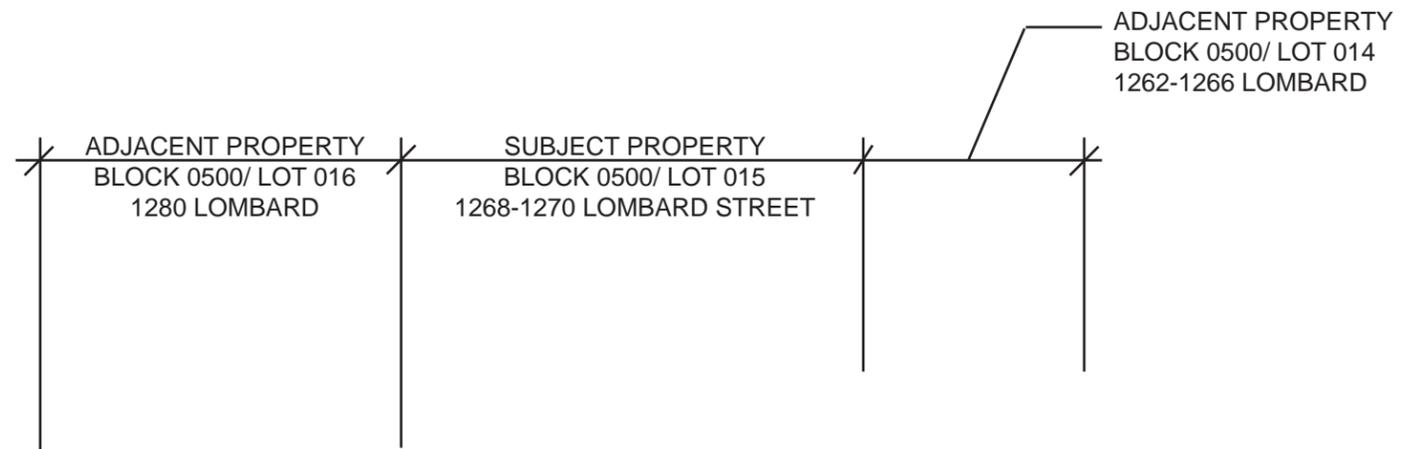
SUBJECT PROPERTY: 1268-1270 LOMBARD STREET  
KERMAN MORRIS ARCHITECTS 1/10/2010



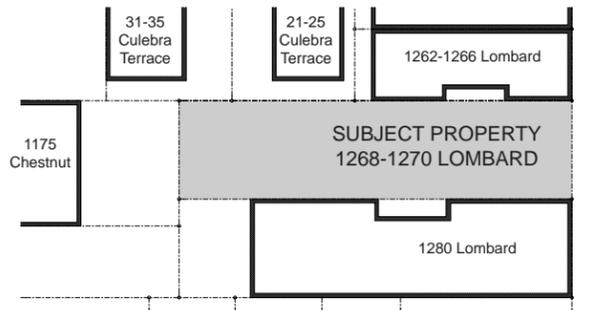
BUILDINGS ACROSS THE STREET

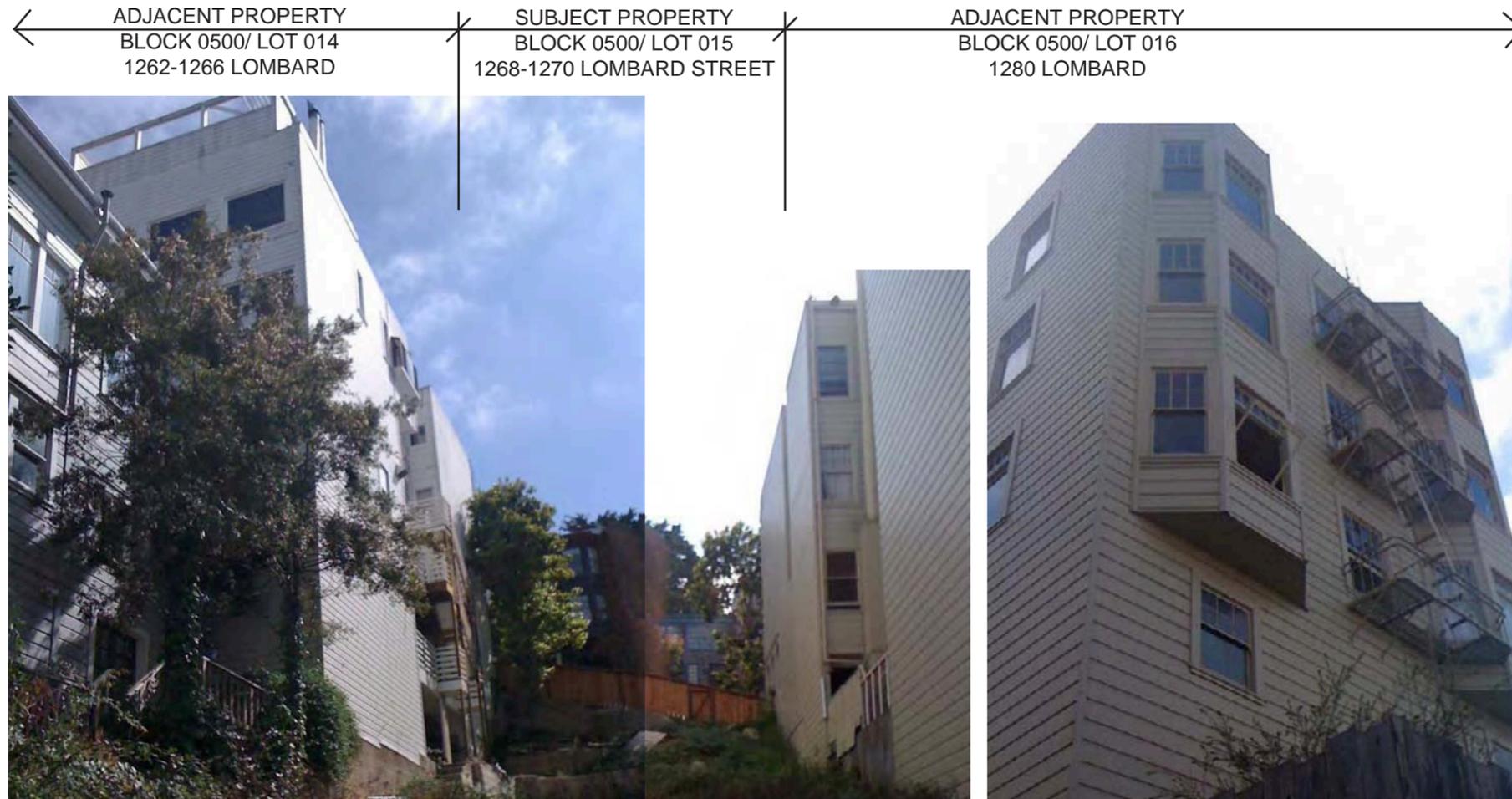


PROPERTY ACROSS STREET BLOCK 0501/ LOT 024 1263-1267 LOMBARD	PROPERTY ACROSS STREET BLOCK 0501/ LOT 023 1269 LOMBARD	PROPERTY ACROSS STREET BLOCK 0501/ LOT 071 1271-1275 LOMBARD
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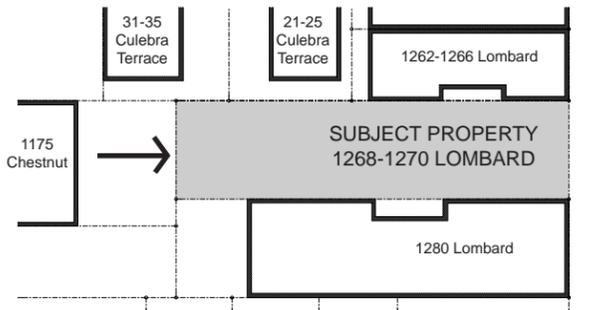


BUILDINGS ON SAME BLOCK



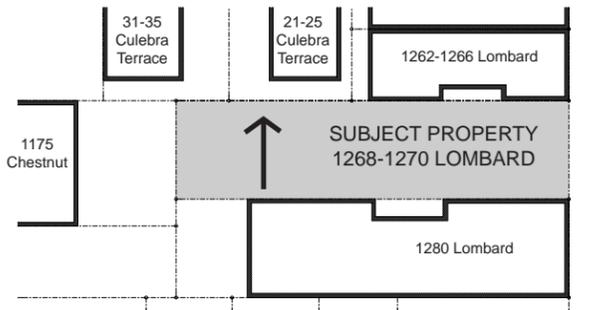


REAR VIEW



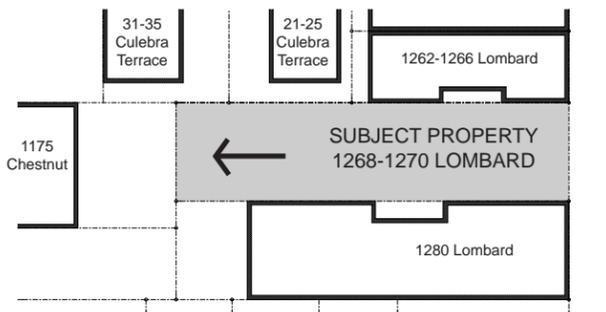


SIDE VIEW





VIEW TOWARDS REAR PROPERTY LINE



## **1268 Lombard: Summary of Neighborhood Outreach**

Kerman/Morris Architects: Prepared 2/9/11

**9/21/09: Pre-Application Meeting** held on site with neighbors. About 15 attendees. Most neighbor concerns relate to if and how the proposed project may affect neighbors' views.

**9/09 and 10/09: Several phone conversations and face to face meetings held with abutting neighbors** Bill Hutcheson (21/25 Culebra Terrace) and Steve Berezin (1262/66 Lombard) to learn of their concerns (massing, light and views).

**3/17/10: Meeting on site** with Planners Glenn Cabrerros, Shelley Caltagirone, neighbor Bill Hutcheson, architect Toby Morris (KMA) and project sponsors to discuss massing.

**4/10 to 1/11:** Revisions of the drawings (reductions to massing at rear and façade modifications) per input from Planning Department (Residential Design Team) and Historic Preservation Commission.

**1/7/11: Marvin Frankel of Russian Hills Neighbors Association (RHN) calls to request a copy of our plans to review.**

**1/11/11: KMA emails our latest plans to Mr. Berezin and Mr. Frankel (RHN).**

**1/18/11: SF Planning Dept. suggests continuance of our scheduled 1/20/11 Planning Commission Hearing** on the CU to 2/3/11, due missed deadline for signed Categorical Exemption.

**1/18-1/20/11: Several phone conversations and emails exchanged between KMA and neighbors** (Steve Berezin of 1262/66 Lombard, Sal Romano of 1242 Lombard) who request a continuance to 2/17/11 to allow for more neighborhood discussions and review.

**1/20/11: Toby Morris (KMA) requests continuance to 2/17/11 at Planning Commission to allow additional time to meet with neighbors.** Continuance granted.

**1/24/11: Toby Morris (KMA) presents the project to the Russian Hills Neighbors Association (RHN).** Approximately 20 attendees. Issues raised by neighbors are height, bulk and density.

**1/25/11: Phone conversations with Mr. Romano and Mr. Frankel about the project.** Primary objections appear to be our stair and elevator penthouses which neighbors fear will block views from their roof decks and homes.

**1/31/11: Phone call with Mr. Romano** who suggests we remove our penthouses and lower the building a few feet. He also suggests we reach out to Jeff Glavan (1256 Lombard) to hear his issues.

**1/31/11: Toby Morris (KMA) emails Mr. Berezin to suggest a face to face** meeting to look at possible modifications we could make to the proposed building. Toby Morris also phones Jerry Kler (Steve Berezin's Architect) who supports such a meeting.

**2/1/11: Phone conversation with Mr. Glavan (1256 Lombard)** who is concerned about views from his roof.

**2/8/11: Meeting held with Mr. Berezin, his architect and attorney, the project sponsors of 1268 Lombard and architect Toby Morris (KMA). Modifications are proposed by Kerman/Morris Architects** which reduce the rear stair penthouse and open up views from Mr. Berezin's roof deck, as well as increase the size of the light well providing light to his kitchen bay window. **The proposal is rejected**, as it does not address Mr. Berezin's requirement that his property line windows' light and views be honored (these windows are against our elevator and stair shafts).

**2/8/11: Russian Hills Neighbors' Association meets and sends Kerman/Morris Architects an email stating that they cannot support the project as designed.** They object to the four units on the site, the building height, stair and elevator penthouses and roof deck.