Memo to the Planning Commission

HEARING DATE: JULY 28, 2011

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

Reception:

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Information: **415.558.6377**

Date: July 21, 2011

Case No.: 2009.0683D (Demolition), 2009.0685D (New Construction)

2010.0577DD (Publicly Filed DR)

Project Address: 309-311 Eureka Street

Zoning: RH-2 (Residential House, Two-Family)

40-X Height and Bulk District

Block/Lot: 2750/035 Project Sponsor: Patrick Friel

740 Laurel Avenue

Burlingame, CA 94010

Staff Contact: Sophie Hayward – (415) 588-6372

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SUMMARY OF MAY 19, 2011 PUBLIC HEARING

At the May 19, 2011 Planning Commission hearing, the Planning Commission did not take a final action, but rather continued the item to the July 28, 2011 public hearing.¹ Commissioners expressed a variety of opinions about the proposed project. Of particular concern was the compatibility of the proposed new structure with the existing neighborhood character along Eureka Street at this location, as well as the impact of the proposed project to light and air for neighbors lower down the hill to the north.

The Commission made several recommendations at the hearing to help guide the Project Sponsor in making revisions to the proposal, including:

- Consider reducing the mass of the proposed new structure at the rear in order to lessen the impact to light and air for neighbors north of the subject property along 20th Street;
- Reconfigure the roof form and façade treatment in order to make the new structure more contextual;
- Examine methods of reducing the overall height of the proposed new structure.

The Commission also asked that the Project Sponsor continue to work with the DR Requestors to try to come to a compromise.

After the May 19th hearing, the Project Sponsor revised the proposed project by reconfiguring the front elevation and roof form by using more traditional building elements such as an angled bay and sloped roof, lowering the overall height by 14", and reducing the depth of the proposed new structure at each level at the rear.

¹ The Commission's vote on the continuance was +6,-1. Commissioner Miguel voted against.

Memo to the Planning Commission Hearing Date: July 28, 2011

ENCLOSURES

Enclosed with your packets are the revised plans, as well as new information submitted by the DR Requestors and the Project Sponsor. The original case report has also been included in your packets for reference.



SAN FRANCISCO PLANNING DEPARTMENT

Discretionary Review AnalysisResidential Demolition/New Construction

HEARING DATE: MAY 19, 2011

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

Reception:

415.558.6378

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Planning Information: 415.558.6377

Date: May 12, 2011

Case No.: 2009.0683D (Demolition), 2009.0685D (New Construction)

2010.0577DD (Publicly Filed DR)

Project Address: 309-311 Eureka Street

Zoning: RH-2 (Residential House, Two-Family)

40-X Height and Bulk District

Block/Lot: 2750/035 Project Sponsor: Patrick Friel

> 740 Laurel Avenue Burlingame, CA 94010

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Recommendation: Do not take DR and approve demolition.

Do not take DR and approve the new construction project.

| DEMOLITION APPLICAT | ION | NEW BUILDING APPLICATION | | |
|----------------------------------|-----------------|------------------------------------|--|--|
| Demolition Case Number | 2009.0683D | New Building Case Number | 2009.0685D 2010.0577DD (Publicly Filed DR) | |
| Recommendation | Do Not Take DR | Recommendation | Do Not Take DR | |
| Demolition Application Number | 2009.05.04.7631 | New Building Application Number | 2009.05.04.7636 | |
| Number Of Existing Units | 2 | Number Of New Units | 2 | |
| Existing Parking | 1 | New Parking | 2 | |
| Number Of Existing Bedrooms | 4 | Number Of New Bedrooms | 5 | |
| Existing Building Area | ±2425 Sq. Ft. | New Building Area | ±3,945 Sq. Ft. | |
| Public DR Also Filed? | No | Public DR Also Filed? | Yes (2 requests) | |
| 311 Expiration Date | 07/09/2010 | Date Time & Materials Fees Paid | N/A | |

PROJECT DESCRIPTION

The project is to demolish a two-story, two-family dwelling and to construct a new three-story-overgarage two-family dwelling. The existing structure provides one off-street parking space, although it has two curb cuts. The proposed project will eliminate one curb cut, and will provide two off-street parking spaces.

SITE DESCRIPTION AND PRESENT USE

The property at 309-11 Eureka Street is located on the east side of Eureka Street between 20th and 21st Streets. The subject property is located in the Eureka Valley neighborhood, adjacent to Noe Valley, within an RH-2 Zoning District. The property has 25 feet of lot frontage along Eureka Street with a lot depth of 125 feet. The lot contains a two-story, two-family building of approximately 2,425 square feet (according to information from the Assessor's Office). The existing structure, excluding the front stairs, is set back approximately 12'6" from the front property line. The property is within the RH-2 (Residential, House, Two-Family) Zoning District and the 40-X Height and Bulk District. City records indicate that the structure was originally constructed circa 1891.

SURROUNDING PROPERTIES & NEIGHBORHOOD

The surrounding residential neighborhood consists of a mixture of two-, and three-story buildings. Most of the structures closest to the project are single-family and two-unit buildings, and the overall architectural character is mixed. The adjacent parcel north of the subject property is a corner lot that measures 25' wide and 97'6" deep, containing a two-family building that fronts on 20th Street and a detached garage structure that fronts on Eureka Street. The adjacent property to the south is similar to that of the subject property, with 25' of street frontage on Eureka Street and a lot depth of approximately 125', and includes a two-family dwelling with two-stories-over-garage as viewed from the public rightof-way (with four stories above grade at the rear).

Eureka Street at this location slopes down from the south to north, such that the adjacent property to the south (owned by one DR Requestor) is higher than that of the subject building, and the subject building is higher than the adjacent parcels to the north that front on 20th Street (including the property owned by the second DR Requestor). Buildings across the street from the subject building, on the west side of Eureka Street, are higher than those on the east side of Eureka Street.

As noted in the Historic Resource Evaluation Response (HRER) the subject block is "architecturally mixed, is not within a historic district, and does not appear to be a potential historic district. The predominant character is one of low density, Edwardian era, residential buildings. The subject building is the northernmost building in a row of ten that were constructed at the same time by John Anderson." Although originally constructed circa 1891, Staff notes in the HRER that the subject building has undergone extensive alterations to the extent that it does not convey historic significance.

HEARING NOTIFICATION

| ТҮРЕ | REQUIRED PERIOD | REQUIRED NOTICE DATE | ACTUAL NOTICE DATE | ACTUAL PERIOD |
|---------------|--------------------|----------------------|--------------------|---------------|
| Posted Notice | 10 days | May 9, 2011 | May 9, 2011 | 10 days |
| Mailed Notice | 10 days | May 9, 2011 | May 9, 2011 | 10 days |

PUBLIC COMMENT

| | SUPPORT | OPPOSED | NO POSITION |
|--|---------|--------------------------------|-------------|
| Adjacent neighbor(s) | | 1 (DR Filer) | 1 |
| Other neighbors on the block or directly across the street | 5 | 2 (DR Filer + one neighbor) | |
| Neighborhood groups | | | |

REPLACEMENT STRUCTURE

The project proposes a two-unit building with three-stories-over-garage. The replacement structure will provide two dwelling-units with a two-car garage, and would be approximately 32'3" in height at the front façade, rising to a maximum height of 36'2" at the upper story, which is set back approximately 15' from the front building wall. As proposed, the replacement structure would contain two units:

- A two-bedroom unit on the first two levels; and,
- A four-bedroom unit on the upper two levels.

The ground floor will contain a two-car garage (accessed through a garage door that measures approximately 10' wide), as well as two bedrooms and one bathroom for the lower unit. The second floor contains the kitchen, den, rear deck, hall, one full bathroom, one half bathroom and two additional rooms for the lower unit. The third and fourth floors contain the upper unit, including a kitchen, dining room, den, two bedrooms, one full bathroom and one half bathroom on the third floor, and a bedroom, family room, full bathroom and rear deck on the fourth floor. The fourth floor is set back 15' feet from the front façade to minimize its visibility and to address the predominant three-story building scale within the immediate vicinity.

Although modern in design, the overall scale and materials of the proposed replacement structure are compatible with the block-face and are complementary to the residential neighborhood character. The materials for the front façade include stucco, wood, and glass, which are exterior materials found on other residential structures in the area.

PUBLICLY-FILED DR REQUESTS

George Hauser, resident owners of 313 Eureka Street, directly south of the subject property.

Ariel and Durand Ford, resident owners of 4437 20th Street, a property on the subject block, with a rear yard that abuts that of the subject property.

DR REQUESTORS' CONCERNS AND PROPOSED ALTERNATIVES

The two DR Requestors share similar concerns and propose similar alternatives:

Issue #1: Impacts to light, air, and privacy from the rear portion of the proposed new structure. **Alternatives:**

- Set back the upper story at the rear.
- Set back the third story above grade at the rear from the north and south side property lines.
- Excavate in order to lower the overall height of the proposed new structure.

Requestor George Hauser has additional concerns, which include:

Issue #1: The proposed new structure does not comply with the rear yard requirements of the Planning Code.

Issue #2: The proposed new building is not consistent with the character of the neighborhood.

Issue #3: The proposed project would demolish an historically significant building.

Issue #4: The proposed project would significantly impact a significant tree.

Alternatives:

- The existing structure on the subject property should not be demolished.
- The façade should be restored to its original configuration.
- Vertical expansion should be limited to adding dormers to the existing gabled roof behind the parapet.
- Horizontal expansion at the rear should be reduced in size.
- The project sponsor should prepare a landscape plan for the rear yard in consultation with adjacent neighbors.

Please reference the two Discretionary Review Applications for additional information. The Discretionary *Review Applications* are attached.

PROJECT SPONSOR'S RESPONSE

In response to the DR Requestors' concerns, the proposed project has been significantly modified since its original proposal. One garage door has been removed, and two off-street parking spaces are now accessible through a single garage door that measures 10' in width. The fourth floor has been set back 15' from the front building wall, and the overall height of the structure has been reduced. Setbacks at the north and south property lines have been added, as well as at the rear.

Please see the attached *Response to Discretionary Review* for additional information.

PROJECT ANALYSIS

Building scale, massing and design from the street. The front façade of the project is designed to read as a three-story mass, which is the predominant building scale in the immediate vicinity. As currently proposed, the fourth floor is setback 15' in order to minimize the visibility of the fourth floor from the public right-of-way. The front façade design uses traditional building materials such as stucco, wood and glass; however the application of such materials is proposed in a contemporary interpretation.

Building scale and massing from the rear yard/mid-block open space. The rear façade is not flat and is broken up into differing planes at each floor level. Each floor steps further back, such that the second floor is set back 12' from the first floor at the rear, the third floor is set back an additional 6', and the upper story is set back 6' from the third floor at the rear. This series of setbacks at the rear minimizes impacts to adjacent properties and to the midblock open space. The Zoning Administrator has confirmed that the proposal conforms to the rear yard requirements of the Planning Code.

Light access. The project will be taller than the existing building proposed to be demolished; however the proposed height of the building would not cause a significant loss of light to adjacent buildings. Although the existing north facing windows on the adjacent building to the south may be impacted by

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the proposed project, the new building includes side set backs from the north and south property lines to allow sufficient light and air to the adjacent properties.

Impacts to historic structures. The proposed project has been evaluated, and a Categorical Exemption was issued for the project. In reviewing the proposal, Department Staff found that the existing structure is not an historic resource, and that the subject property is not located within a potential historic district.

Impacts to adjacent trees. The proposed project has been modified and includes setbacks from the north property line in order to minimize impacts to the adjacent tree to the north.

PUBLIC COMMENT

The Section 311 period has been completed, and DR notification has occurred. Public comment in opposition to the project resulted in the filing of three public Discretionary Review requests. One of the three Discretionary Review requests was withdrawn based on revisions to the proposed plan. In total, Staff has received one letter in opposition to the proposed project (in addition to the two DRs on file), and six letters in support of the proposed project.

GENERAL PLAN COMPLIANCE

The project is, on balance, consistent with the following Objectives and Policies of the General Plan:

HOUSING ELEMENT Objectives and Policies

OBJECTIVE 1:

TO PROVIDE NEW HOUSING, ESPECIALLY PERMANENTLY AFFORDABLE HOUSING, IN APPROPRIATE LOCATIONS WHICH MEETS IDENTIFIES HOUSING NEEDS AND TAKES INTO ACCOUNT THE DEMAND FOR AFFORDABLE HOUSING CREATE BY EMPLOYMENT DEMAND.

Policy 1.4:

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

The project replaces a two-story, two-family residence with a four-story, two-unit building in a residential district zoned for a dwelling unit density of two units per lot.

SECTION 101.1 PRIORITY POLICIES

Planning Code Section 101.1 establishes eight priority policies and requires review of permits for consistency, on balance, with these policies. The Project complies with these policies as follows:

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

The project will not affect neighborhood-serving retail uses as the project is a residential structure located within a residential zoning district.

Discretionary Review Analysis Hearing Date: May 19, 2011 CASE NOS. 2009.06853D, 2009.0685D, 2010.0577DD 309-311 Eureka Street

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

The existing housing and neighborhood character is protected as the proposed project would maintain two units on the subject property, in a manner that is compatible, both in size and in scale, with the surrounding neighborhood.

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

The project does not affect affordable housing as the existing building is not an affordable housing unit, as defined by the Mayor's Office of Housing.

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

The project provides two required parking spaces in a two-unit building. The proposed unit density is typically not associated with creating significant traffic impacts.

5. 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 does not displace any industrial or service uses.

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

The project proposes new construction, which will be reviewed by the Department of Building Inspection for compliance with the current Building Code.

7. Landmarks and historic buildings be preserved.

The project proposes demolition of a building that is not considered an historic resource.

8. Parks and open space and their access to sunlight and vistas be protected from development.

The project is not located within the vicinity of any protected parks and open spaces.

ENVIRONMENTAL REVIEW

Per Case No. 2008.0682E, the project was issued a Categorical Exemption, Classes 1 and 3 [State CEQA Guidelines] on September 18, 2008.

RESIDENTIAL DESIGN TEAM REVIEW

The Residential Design Team (RDT) has reviewed the proposed project four times. On March 3, 2011, the RDT reviewed the proposed project in light of the two DRs on-file, and the revisions made to the

proposal by the project sponsor. For the full comments provided by the RDT, please see the attached *Residential Design Team Review*, meeting date March 10, 2011.

The project proposal was not found to demonstrate exceptional or extraordinary circumstances particularly as related to issues discussed within the *Project Analysis* section of this report discussed above.

The RDT found that the height of the proposed new building is compatible with the surrounding context, and that the building's raised entry, fenestration, and bays were consistent with the existing character of the neighborhood. In addition, the RDT found that the massing at the rear is consistent with the massing pattern of adjacent structures.

Under the Commission's pending DR Reform Legislation, this project would be referred to the Commission despite its consistency with the Residential Design Guidelines, due to the fact that a Mandatory Discretionary Review is required pursuant to Section 317 of the Planning Code.

BASIS FOR RECOMMENDATION

The Department recommends that the demolition of the existing two-story, two-family residence and the new construction of a three-story-over-garage, two-family building be approved. On balance, the project is consistent with the Objectives and Policies of the General Plan and complies with the Residential Design Guidelines and Planning Code. The Project meets the criteria set forth in Section 101.1 of the Planning Code in that:

- The project will provide two family-sized dwelling units. Although no additional units are being
 added to the site, the existing units will be upgraded and will provide greater access to light and
 air for both units.
- No tenants will be displaced as a result of this Project; each of the two units will be owneroccupied.
- Given the scale of the Project, there will be no significant impact on the existing capacity of the local street system or MUNI.
- The RH-2 Zoning District allows a maximum of two dwelling-units on this lot. While the
 proposed project does not increase the density on the lot, the proposed project provides two
 family-sized units, and is therefore an appropriate in-fill development.
- Although the existing structure is more than 50-years old, a review of the Historic Resource Evaluation resulted in a determination that the existing building is not an historic resource or landmark.

RECOMMENDATION:

Case No. 2009.0683D – Do not take DR and approve the demolition.

Case Nos. 2009. 0685D, 2010.0577DD – Do not take DR and approve the new construction as proposed.

DEMOLITION CRITERIA - ADMINISTRATIVE REVIEW

Existing Value and Soundness

1. Whether the Project Sponsor has demonstrated that the value of the existing land and structure of a single-family dwelling is not affordable or financially accessible housing (above the 80%)

average price of single-family homes in San Francisco, as determined by a credible appraisal within six months);

Project Does Not Meet Criterion

The project sponsor does not claim that the property is valued at or above 80% of the median single-family home prices in San Francisco. The property is considered relatively affordable and financially accessible housing for the purposes of this report and Planning Code Section 317, although the dwelling unit is not considered an affordable unit as defined by the Mayor's Office of Housing.

2. Whether the housing has been found to be unsound at the 50% threshold (applicable to one- and two-family dwellings);

Project Does Not Meet Criterion

The project sponsor does not claim that the subject building is unsound.

DEMOLITION CRITERIA

Existing Building

1. Whether the property is free of a history of serious, continuing code violations;

Project Meets Criterion

A review of the databases for the Department of Building Inspection and the Planning Department did not show any enforcement cases or notices of violation.

2. Whether the housing has been maintained in a decent, safe, and sanitary condition;

Project Meets Criterion

The existing building is free of Housing Code violations and appears to have been maintained in a decent, safe, and sanitary condition.

3. Whether the property is a "historical resource" under CEQA;

Project Meets Criterion

Although the existing structure is more than 50 years old, a review of the Historic Resource Evaluation resulted in a determination that it is not an historic resource for the purposes of CEQA.

4. If the property is a historical resource, whether the removal of the resource will have a substantial adverse impact under CEQA;

Criterion Not Applicable to Project

The property is not an historical resource.

Rental Protection

5. Whether the Project converts rental housing to other forms of tenure or occupancy;

Criterion Not Applicable to Project

The existing building is currently owner-occupied and is not rental housing.

6. Whether the Project removes rental units subject to the Rent Stabilization and Arbitration Ordinance;

Project Meets Criterion

The building is not subject to rent control because each of the two units is owner-occupied.

Priority Policies

7. Whether the Project conserves existing housing to preserve cultural and economic neighborhood diversity;

Project Does Not Meet Criterion

The project does not meet this criterion because the existing dwelling will be demolished. Nonetheless, the project proposes replacing the existing two-family building with a new building that is compatible in size and scale with surrounding structures and that would provide two family-sized units.

8. Whether the Project conserves neighborhood character to preserve neighborhood cultural and economic diversity;

Project Meets Criterion

The project will conserve the neighborhood character by constructing a replacement building that is compatible with regard to massing, scale, glazing pattern and materials with other structures in the surrounding neighborhood, interpreted with a modern design aesthetic. The proposed building does meet the minimum standards of the Residential Design Guidelines. By creating a compatible new, two-unit building in a neighborhood defined by one- and two-family units, the neighborhood's cultural and economic diversity will be preserved.

9. Whether the Project protects the relative affordability of existing housing;

Project Does Not Meets Criterion

Although the existing structure proposed for demolition is not defined as an "affordable dwelling unit" by the Mayor's Office of Housing, the demolition and new construction will likely result in an increase in the relative cost of each of the two units. However, the two new units are, as proposed, reasonable family-sized units.

10. Whether the Project increases the number of permanently affordable units as governed by Section 415;

Criterion Not Applicable to Project.

The project does not include any permanently affordable units, as the construction of two units does not trigger Section 415 review.

Replacement Structure

11. Whether the Project located in-fill housing on appropriate sites in established neighborhoods;

Project Meets Criterion.

The project replaces one two-family residence with a four-story, two-unit building in a neighborhood characterized by one-, two- and multi-unit buildings of similar scale. The proposed new structure is compatible in scale with the surrounding area.

12. Whether the Project creates quality, new family housing;

Project Meets Criterion

The project will create an improved family-sized unit at the lower two floors of the project. The upper level unit provides two more bedrooms than the existing two-bedroom, single-family residence. As a result of the proposed project, each of the two units will be better equipped for family housing.

13. Whether the Project creates new supportive housing;

Project Does Not Meet Criterion

The project is not specifically designed to accommodate any particular Special Population Group as defined in the Housing Element.

14. Whether the Project promotes construction of well-designed housing to enhance existing neighborhood character;

Project Meets Criterion

The project is in scale with the surrounding neighborhood and designed with quality materials.

15. Whether the Project increases the number of on-site dwelling units;

Project Does Not Meet the Criterion

The project proposes to maintain the existing number of dwelling units on the site, but to increase the number of bedrooms in each unit.

16. Whether the Project increases the number of on-site bedrooms.

Project Meets Criterion

The project increases the number of bedrooms on the site from four (two bedrooms in each unit) to five (one two-bedroom unit, and one three-bedroom unit).

Design Review Checklist

NEIGHBORHOOD CHARACTER (PAGES 7-10)

| QUESTION | | |
|--------------------------------------|---|--|
| The visual character is: (check one) | | |
| Defined | | |
| Mixed | X | |

SITE DESIGN (PAGES 11 - 21)

| QUESTION | YES | NO | N/A |
|---|----------|----|-----|
| Topography (page 11) | | | |
| Does the building respect the topography of the site and the surrounding area? | X | | |
| Is the building placed on its site so it responds to its position on the block and to the placement of surrounding buildings? | X | | |
| Front Setback (pages 12 - 15) | | | |
| Does the front setback provide a pedestrian scale and enhance the street? | X | | |
| In areas with varied front setbacks, is the building designed to act as transition between adjacent buildings and to unify the overall streetscape? | | | x |
| Does the building provide landscaping in the front setback? | X | | |
| Side Spacing (page 15) | | | |
| Does the building respect the existing pattern of side spacing? | <u> </u> | | X |
| Rear Yard (pages 16 - 17) | | | |
| Is the building articulated to minimize impacts on light to adjacent properties? | X | | |
| Is the building articulated to minimize impacts on privacy to adjacent properties? | X | | |
| Views (page 18) | | | |
| Does the project protect major public views from public spaces? | | | X |
| Special Building Locations (pages 19 - 21) | | | |
| Is greater visual emphasis provided for corner buildings? | | | X |
| Is the building facade designed to enhance and complement adjacent public spaces? | | | x |
| Is the building articulated to minimize impacts on light to adjacent cottages? | | | X |

BUILDING SCALE AND FORM (PAGES 23 - 30)

| QUESTION | YES | NO | N/A |
|---|-----|----|-----|
| Building Scale (pages 23 - 27) | | | |
| Is the building's height and depth compatible with the existing building scale at | v | | |
| the street? | | | |
| Is the building's height and depth compatible with the existing building scale at | v | | |
| the mid-block open space? | • | | |
| Building Form (pages 28 - 30) | | | |
| Is the building's form compatible with that of surrounding buildings? | X | | |

| Is the building's facade width compatible with those found on surrounding | v | |
|--|----|--|
| buildings? | Λ. | |
| Are the building's proportions compatible with those found on surrounding | v | |
| buildings? | Λ. | |
| Is the building's roofline compatible with those found on surrounding buildings? | X | |

ARCHITECTURAL FEATURES (PAGES 31 - 41)

| QUESTION | YES | NO | N/A |
|--|-----|----|-----|
| Building Entrances (pages 31 - 33) | | | |
| Does the building entrance enhance the connection between the public realm of the street and sidewalk and the private realm of the building? | x | | |
| Does the location of the building entrance respect the existing pattern of building entrances? | X | | |
| Is the building's front porch compatible with existing porches of surrounding buildings? | X | | |
| Are utility panels located so they are not visible on the front building wall or on the sidewalk? | x | | |
| Bay Windows (page 34) | | | |
| Are the length, height and type of bay windows compatible with those found on surrounding buildings? | x | | |
| Garages (pages 34 - 37) | | | |
| Is the garage structure detailed to create a visually interesting street frontage? | X | | |
| Are the design and placement of the garage entrance and door compatible with the building and the surrounding area? | x | | |
| Is the width of the garage entrance minimized? | X | | |
| Is the placement of the curb cut coordinated to maximize on-street parking? | X | | |
| Rooftop Architectural Features (pages 38 - 41) | | | |
| Is the stair penthouse designed to minimize its visibility from the street? | | | X |
| Are the parapets compatible with the overall building proportions and other building elements? | x | | |
| Are the dormers compatible with the architectural character of surrounding buildings? | | | x |
| Are the windscreens designed to minimize impacts on the building's design and on light to adjacent buildings? | | | х |

BUILDING DETAILS (PAGES 43 - 48)

| QUESTION | YES | NO | N/A |
|---|-----|----|-----|
| Architectural Details (pages 43 - 44) | | | |
| Are the placement and scale of architectural details compatible with the building | X | | |
| and the surrounding area? | • | | |
| Windows (pages 44 - 46) | | | |
| Do the windows contribute to the architectural character of the building and the | v | | |
| neighborhood? | • | | |
| Are the proportion and size of the windows related to that of existing buildings in | X | | |

| the neighborhood? | | |
|--|---|--|
| Are the window features designed to be compatible with the building's architectural character, as well as other buildings in the neighborhood? | X | |
| Are the window materials compatible with those found on surrounding buildings, especially on facades visible from the street? | X | |
| Exterior Materials (pages 47 - 48) | | |
| Are the type, finish and quality of the building's materials compatible with those used in the surrounding area? | X | |
| Are the building's exposed walls covered and finished with quality materials that are compatible with the front facade and adjacent buildings? | X | |
| Are the building's materials properly detailed and appropriately applied? | X | |

SPECIAL GUIDELINES FOR ALTERATIONS TO BUILDINGS OF POTENTIAL HISTORIC OR ARCHITECTURAL MERIT (PAGES 49 – 54)

| QUESTION | YES | NO | N/A |
|--|-----|----|-----|
| Is the building subject to these Special Guidelines for Alterations to Buildings of Potential Historic or Architectural Merit? | | Х | |
| Are the character-defining features of the historic building maintained? | | | X |
| Are the character-defining building form and materials of the historic building maintained? | | | x |
| Are the character-defining building components of the historic building maintained? | | | x |
| Are the character-defining windows of the historic building maintained? | | | X |
| Are the character-defining garages of the historic building maintained? | | | X |

Attachments:

Parcel Map

Sanborn Map

Aerial Photographs

Zoning Map

Residential Demolition Application/Prop M findings

Residential Design Team comments March 10, 2011

Section 311 Notice

Categorical Exemption/Historical Resource Evaluation Response

Public DR Requests (2)

DR Response Form (2)

Letters in Support of the Project

Letters in Opposition to the Project

Project Sponsor Submittal:

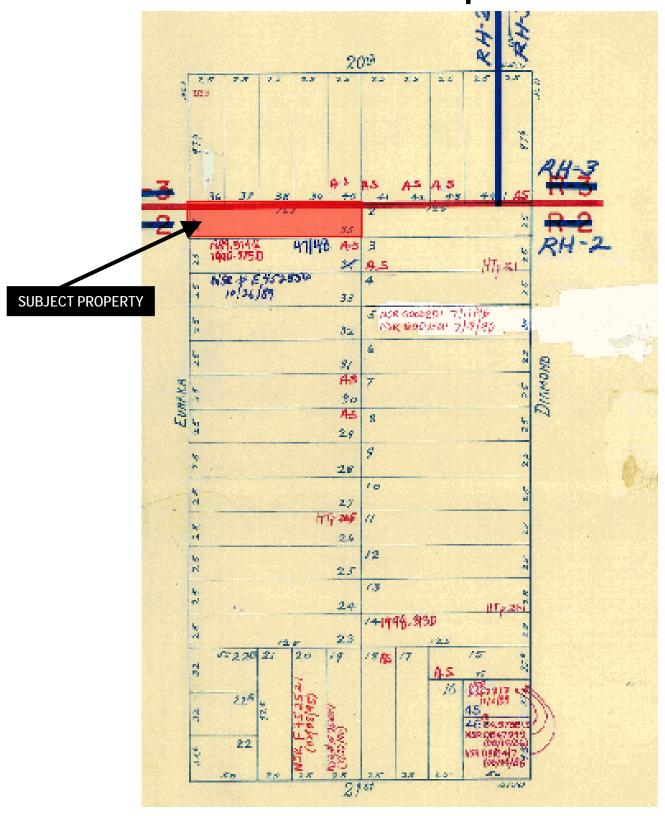
Reduced Plans

Context Photos

Rendering

^{*} All page numbers refer to the Residential Design Guidelines

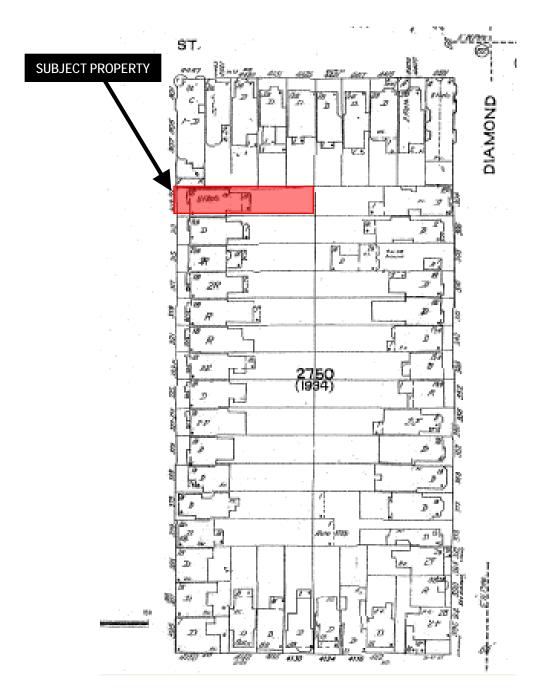
Parcel Map





Discretionary Review Hearing Case Nos. 2010.0577DD, 2009.0683D, 2009.8685D 309-11 Eureka Street

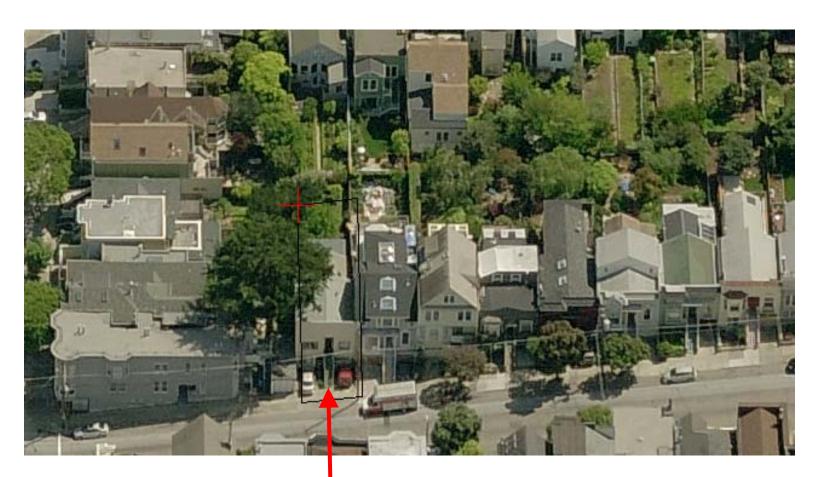
Sanborn Map*



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



Aerial Photo



SUBJECT PROPERTY

Discretionary Review Hearing Case Nos. 2010.0577DD, 2009.0683D, 2009.8685D 309-11 Eureka Street

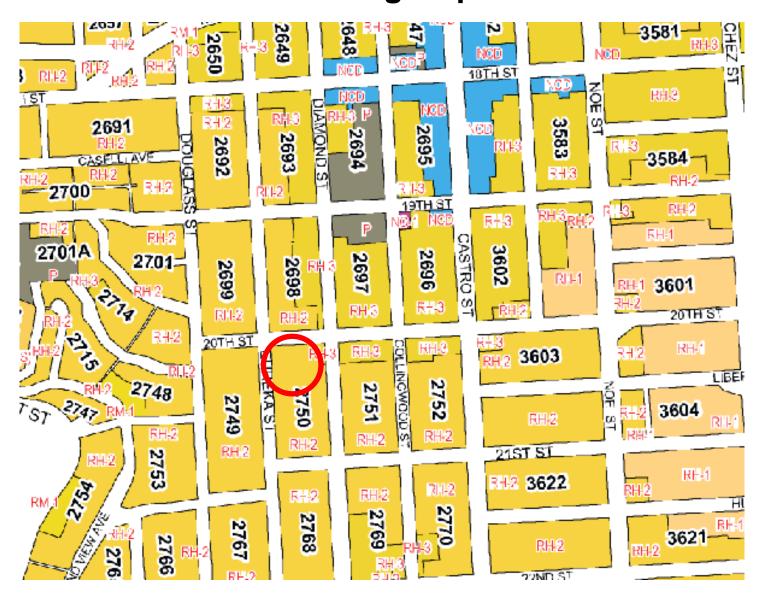
Aerial Photo



SUBJECT PROPERTY

Discretionary Review Hearing Case Nos. 2010.0577DD, 2009.0683D, 2009.8685D 309-11 Eureka Street

Zoning Map





Site Photo



SUBJECT PROPERTY

Discretionary Review Hearing Case Nos. 2010.0577DD, 2009.0683D, 2009.8685D 309-11 Eureka Street

4437 20th Street 313 Eureka Street San Francisco, CA 94114

July 18, 2011

President Christina Olague,
Vice President Ron Miguel
Michael J. Antonini
Gwyneth Borden
Katherine Moore
Hisashi Sugaya
Rodney Fong
San Francisco Planning Commission
1660 Mission Street
San Francisco, CA 94103

Re: 309-311 Eureka Street, DR Application No. 2010.0577DD

Dear President Olague and Fellow Commissioners:

At the May 19, 2011 Planning Commission DR Hearing for 309-311 Eureka Street the Commission continued the hearing until July 28, 2011 and directed the Project Sponsor and the DR applicants to work together to make the project contextually appropriate. The DR applicants regret to inform you that our efforts to reach a compromise with the Project Sponsor were unsuccessful and we were unable to reach agreement on a revised design. The DR applicants put forth 2 designs dated June 1, 2011 that addressed their concerns but the Project Sponsor rejected these designs because they were authored by the DR applicants. The Project Sponsor revised the design considered at the May 19, 2011 hearing but the revised design, dated July 14, 2011, failed to adequately address the contextual issues that were raised by the Commission and that are of concern to the DR applicants.

We respectfully submit the attached *DR Applicants' Brief* stating our objections to the Sponsor's July 14, 2011 Design and documenting the Neighbors' June 1, 2011 Designs that would provide all the programmatic needs of the Project Sponsor and excellent access to light, air and views. The Neighbors' June 1, 2011 Designs would require no excavation. The Neighbors' 4-Level Scheme would result in an increase in the floor area relative to the Sponsor's July 14, 2011 Design.

We are requesting that the Commission exercise their Discretionary Review powers and cause the permit to be modified to conform to the massing of Neighbors' June 1, 2011 Designs.

We look forward to making our presentation before your Commission on July 28, 2011.

Sincerely,

Ariel Ford

Durand Ford

lutia Reichert

George Hauser

Cc. Sophie Hayward

309/311 EUREKA STREET Discretionary Review Applicants' Brief

DR Application No. 2010.0577DD

July 28, 2011 Planning Commission Hearing

Refer to the Exhibits for annotated drawings and renderings supporting this DR application.

1.0 DR APPLICANTS RELATIONSHIP TO THE PROJECT SITE

DR Applicants **Ariel and Durand Ford** live at 4437 20st Street, adjacent, north and downhill from the project site.

DR Applicants **George Hauser and Jutta Reichert** live at 313 Eureka Street, adjacent, south and uphill from the Project Site.

2.0 SUMMARY OF MAY 19, 2011 PLANNING COMMISSION HEARING

At the May 19, 2011 Planning Commission DR Hearing for 309-311 Eureka Street the Commission continued the hearing until July 28, 2011 and directed the Project Sponsor and the DR applicants to work together to make the project contextually appropriate and to:

- a. Examine ways to lower the overall height of the proposed structure to minimize impacts to the Ford's property. Areas to be explored included excavation, a reduction in square footage, lowering the building, removal of the top floor and pulling the upper floor in from the north and south sides
- b. Re-think the context of the proposed new construction and consider making the building more consistent and appropriate for the surrounding neighborhood. Although the full building should be considered, specific points that were brought up were the roof line and the treatment of the bay.

3.0 DR APPLICANTS REQUESTED AN EARLY EXCHANGE OF IDEAS AND DESIGN REVISIONS BUT THE PROJECT SPONSOR'S REFUSED TO PARTICIPATE

On May 25, 2011 the DR Applicants requested a meeting with the Sponsors and their architect to discuss design parameters and goals but the Sponsor responded by stating that they thought such a meeting was unnecessary, that they intended to develop design revisions independent from the DR Applicants that would address the concerns of the neighbors, the Planning Commission and the Planning Department, suggesting that the concerns of the DR Applicants were of secondary importance.

On May 26, 2011 staff restated the importance of design meetings between the DR Applicants and the Project Sponsor and on May 27, 2011 the DR Applicants restated their request for such a meeting but the Sponsor again refused, stating that they intended to make changes to their plans before they would engage in any meetings with the DR Applicants.

See Exhibit 16 for emails correspondence between Neighbors and Sponsors.

4.0 THE DR APPLICANTS PERFORMED A SITE ANALYSIS ESTABLISHING THAT THE TOPS OF THE FOUNDATIONS OF THE EXISTING BUILDING ARE ABOUT 4'-6" BELOW THE PROJECT DATUM PROJECT.

The existing grades at 309-311 Eureka are 4 to 5 feet below datum. Therefore floor levels below datum could be achieved with no excavation. Following are excerpts from a June 2, 2011 email from DR Applicant George Hauser to Project Sponsor Patrick Friel:

On May 30, 2011 I made arrangements with George King, the owner of 4441 21st Street, to measure the base of the tree in his rear yard. I learned that the grade and the top of your existing foundation are about 4'-6" below the project datum, which suggest that there is a crawl space, probably accessible via a door in the wall of the north side yard and visible from George King's rear yard. George King said that you intend to construct a pier and grade beam foundation system at the portion of the building located beneath the tree canopy.

Existing Grade

Your rear yard appears to slope downward from 4' below datum on the south to 5' on the north, and a building level fronting your rear yard with an elevation of 4' to 5' below datum would require minimal or no excavation and receive the benefit of light accorded all properties located at grade with no nearby buildings opposing it.

5.0 THE DR APPLICANTS WERE ABLE TO OBTAIN A MEETING WITH THE SPONSORS ONLY AFTER PUTTING FORTH 2 NEW DESIGNS FOR THE PROJECT.

In the absence of the Sponsor's willingness to meet the DR Applicants resorted to providing the Sponsor input via design alternatives. On June 2, 2011 the DR Applicants sent the Project Sponsor scaled plans for acceptable massing solutions ("Neighbors' June 1, 2011 Designs"). **See Exhibits 6-9.** These plans included interior layouts that demonstrated that the June 1, 2011 Designs accommodate the Sponsor's programmatic goals. The Neighbors' June 1, 2011 Designs consisted of a 3-Level Scheme that addressed the Sponsor's expressed desire to enter the lowest level of their building at datum and a 4-Level Scheme with the main entry level 4' above datum.

See Exhibit 14 for a Massing Comparison between the Neighbors' Nov 16, 2010 Design and the Neighbors' June 1, 2011 Design.

Upon receipt of these plans the Sponsor again refused a meeting and only consented after another request was made by the DR Applicants. The meeting took place on June 8, 2011.

6.0 IN THE JUNE 8, 2011 MEETING THE PROJECT SPONSOR REJECTED THE CONCEPTS AND IDEAS ADVANCED BY THE DR APPLICANTS VIA THE NEIGHBORS' JUNE 1, 2011 DESIGNS
In the June 8, 2011 meeting the Project Sponsor's rejected the Neighbors' June 1, 2011 Designs because they were authored by the DR applicants. The Project Sponsor provided no specific critique of the Neighbors' Design, although they expressed a need for wheel chair access to 2

rooms and a bath on the lowest level. The DR Applicants subsequently pointed out that such access is provided by the Neighbors' June 1, 2011 3-Level Scheme.

7.0 THE DR APPLICANTS PROVIDED MASSING MODELS OF THE NEIGHBORS' JUNE 1, 2011 DESIGNS
On June 24, 2011 the DR Applicants provided the Project Sponsor with massing models of the
Neighbors' June 1, 2011 Designs. Here is the explanation provided in the accompanying email:

Notwithstanding your rejection of the DR applicants' June 1, 2011, 3 and 4-Level Schemes, we nevertheless took the time to prepare the attached massing models comparing them to the massing of the various schemes that have been advanced over the years. During the development of the models we incorporated a gable roof at the west portion of the dormers in each scheme and we bifurcated the dormer in the 4-Level Scheme. These additional sloped roofs made the massing of the 3 and 4-Level Schemes more contextually appropriate given the preponderance of sloped roofs in the neighborhood

These Schemes are reminiscent of the neighboring buildings that appeared in the photographs we presented at the May 19, 2011 hearing. They also demonstrate an appropriate stepping down between neighboring buildings in relationship to the topography of the block.

See Exhibits 10-12 for Massing Models of the Sponsor's and Neighbors' Design viewed from various vantage points.

8.0 THE PROJECT SPONSOR PRESENTED TOKEN DESIGN REVISIONS IN A MEETING WITH THE DR APPLICANTS ON JUNE 28, 2011

The Project Sponsors' June 27, 2011 Design (subsequently refined in a scheme dated July 14, 2011) retained the blocky massing of its predecessors. It has the following inappropriate features:

- 1. It introduced a false shed roof over the western 4th floor deck, adding mass and height to the design (See Exhibit 13) and further obstructing the lot-line window at 313 Eureka Street but adding no useful space to 309-311. From Eureka Street this roof, which is partially cut away to provide a large deck, reads as a counterfeit contextual gesture (See Exhibit 11). It is a desperate attempt to conceal the massive, blocky structure of the Sponsor's December 2010 Design. The western shed roof is the only sloped roof in the Sponsor's July 14, 2011 Design and it is not visible from the midblock open space (See Exhibit 12). The July 14, 2011 design offers no feeling for the neighborhood context of hipped and gabled roofs punctuated by shed and gabled dormers. The Sponsor's insistence on the blocky massing of their July 14, 2011 Design suggests that they have no respect for context and are headstrong in the desire to insert an alien and awkward form into the existing neighborhood. See Exhibit 10.
- 2. The proposed shed roof appears to be an attempt to mimic the gabled roof at 313 Eureka Street, but it lacks 313's articulation and its gabled/shed dormer form. Also, the roof at 313 Eureka was constructed concurrent with the Craftsman style 3rd floor addition in the 1940's.

- This addition is awkward at best and at odds with the roof forms of the other historic properties on the block face. Thus, the roof at 313 is a poor choice for a formal reference.
- 3. The Sponsor's July 14, 2011 Design is still too tall (See Exhibit 13). It only reduced the height of the Sponsor's December 2010 Design by 1'3" (this was accomplished, notably, by dropping the 1st floor from datum to -1'3") and outstrips the code height of 313 Eureka by 3 feet and of 4437 20th Street by many feet. See Exhibit 5 for a view of the Sponsor's Designs from the 2nd Floor of 4436 20th Street.
- 4. The Sponsor's July 14, 2011 Design added a 15' wide rear deck and stairs of unspecified depth where none existed before.
- 5. The Sponsor's December 2010 Design included transparent glass guardrails on the rear decks. Notwithstanding the DR Applicants' request that the guardrails on the rear decks be of transparent glass, the Sponsor's July 14, 2011 Design altered the guardrails on both the north and south deck faces from glass to solid and incorporated metal guardrails on the other faces, further reducing the light available to neighboring properties.
- 6. The Sponsor's July 14, 2011 Design included non-code compliant bay windows at the 3rd and 4th Floors. These bay windows are in violation of section 136(c)2(G) and require a variance. See Exhibit 15 for excerpted Planning Code section 136(c)2(G).

NOTWITHSTANDING DR APPLICANTS SEARCH FOR A COMPROMISE, SPONSOR'S DESIGN CHANGES ARE MINIMAL AND THE DESIGN REMAINS UNSYMPATHETIC TO THE CONTEXT.

9.0 THE PROJECT DOES NOT COMPLY WITH PLANNING CODE PRIORITY POLICY 101.1(b)2:

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

- 1. 309/311 Does not conform to the topography of the Block.
 - 309/311 Eureka is located on a Eureka Valley hill side that slopes downward from south to north and west to east. 309/311 is the last east-west oriented lot on block 2750. The height of the proposed 309/311 design is inconsistent with the massing of all neighboring buildings and is the source of most of the DR applicants' objections. The substantially increased height (from about 23 feet to 35 feet) and bulk of the proposed 309/311 Eureka would reduce the sunlight and natural light available to its southern and northern neighbors.
 - a. South of 309/311 there are 15 east-west oriented lots with buildings heights that, with the exception of 315 Eureka, are consistently less than 31 feet.
 - b. North of 309/311 Eureka there are 5 north-south oriented lots and the rear walls of these properties have heights less than 24' above adjoining grade.
 - c. The proposed height of Project is 35 feet above its sidewalk and 40 feet above grade at a point 64 feet from the Eureka Street property line.
- 2. 309/311 does not reflect the articulated massing of the buildings on the block.

The proposed 309/311 Eureka would present a generic San Francisco builder's solution for a flat lot. The proposed design does not recognize or respond to the sloped topography of the property and the block. This is demonstrated in Exhibit 13, which shows the profiles of 313 Eureka and the rear walls of the 20th Street properties against the Project Sponsor's December 2010 and July 14, 2011 Designs.

3. 309/311 could conform to its context and achieve the Sponsor's programmatic goals with the massing proposed by the DR Applicants.

The abutting grades of the rear yards on the adjoining lots vary from approximately 2'-6" below (305-307 Eureka) to about 12 feet below (4431-4435 20th) the centerline of the sidewalk at 309/311. The July 14, 2011 Design drawings fail to identify the reality of an enormous retaining wall that would be required along the north property line or the excavation of the site to avoid the cost of such a wall. The space below the proposed ground level of 309/311 could and most-likely would be made habitable, thereby increasing the already sizeable amount of developed space in the proposed building.

Even though the July 14, 2011 Plans are for a new building unencumbered by existing conditions the building's esthetic as viewed from the street and the midblock open space is, at best, utilitarian and lacking charm or scale or a sense of internal/external connection possessed by the neighboring buildings.

10.0 THE PROJECT DOES NOT COMPLY WITH PLANNING CODED PRIORITY POLICY 101.1(b)7:

That landmarks and historic buildings be preserved;

1. 309/311 is one of 8 historic workers cottages.

309/311 Eureka (Lot 35)shares an historical relationship with 8 other buildings located along the east side of Eureka Street between 20th and 21st Street (lots 26-32 and lot 34). When these buildings were constructed in 1891 by John Anderson during a Eureka Valley building boom they were four-room, Victorian workers cottages above garages. A block map from the late 1890's clearly shows the form of these buildings. Except for 309/311, the buildings in this historical grouping have been altered to varying degrees over the years through successive modifications and additions, including the occupation of attic spaces under the gabled roofs and the incorporation of dormers. The modified buildings retain their historic form and present a uniform, consistent character and appeal from the street and from within the mid-block open space. See **Exhibit 1** for photographs for the cottages as they appear today.

2. Project Sponsor has allowed 309/311 to deteriorate.

309/311 is the only building in this historical grouping that retains its original massing, but while the other buildings have been maintained and improved over the years, 309/311 has been allowed to languish and deteriorate during the long ownership of the sponsors. It is inappropriate that the sponsors should be granted a demo permit and allowed to build a

new building that is out of character with the context just because the sponsors have a deteriorated property.

The north and east adjacent properties are also of historic vintage, modest in scale and massing, all have been well maintained and the relatively few expansions have been accomplished through incremental additions of dormers, room and decks. **See Exhibit 3.**

3. The 309/311 Project should reflect the size and scale of its historic neighbors.

In deference to the unique character of this block of Eureka Street the Project Design should be altered to reflect a more sensitively scaled building that is sympathetic to the stepped, intricate massing of its neighbors and that follows the natural contours of its site. In the May 19 .2011 hearing the Planning Commission directed the Project Sponsors to explore changes that would provide a more contextually sensitive design. **See Exhibits 1-4.** The Neighbors' June 1, 2011 Design demonstrated 2 possible approaches. But the Project Sponsor continues to doctor their present design in hopes that the Commission will be persuaded that minor reductions (and some increases) in the mass, the application of a faux Victorian esthetic to the street façade and the addition of a false shed roof will transform their blocky design into the something resembling the more finely articulated Victorian cottages that dominate this block. The massing studies reveal that the changes proposed in the Sponsor's July 14, 2011 Design are unsuccessful and the building is still unsuitable for this location.

11.0 PROJECT DESIGN PRESENTS SEVERE ADVERSE CONSEQUENCES

11.1 Adverse Consequence for 4437 20th and the 20th Street Properties.

1. Reduction in Light

The north side of the proposed 309/311 Eureka would be increased in height from about 19' at the intersection of the existing north wall and north roof to 35'. This increase would significantly reduce the light to the rear yards, kitchen, living quarters and bedrooms of 4437 20th Street and its neighbors. Adjoining these yards are decks and rooms that are important amenities to the inhabitants of these properties. These spaces would suffer from the reduction in direct sunlight and natural light generally. **See Exhibits 4 and 5.**

2. A Massive Presence

The proposed north façade of 309/311 Eureka would have an imposing presence as viewed from 4437 20th. See **Exhibit 5**. The proposed rear massing of 309/311 would be blocky and lacking in character and scale and would disrupt the stepped pattern of the buildings to its south. The proposed 309/311 Eureka would negatively alter the character of the visual landscape of the midblock open space as viewed from 4437 20th. **See Exhibit 12**.

11.2 Adverse Consequences for the 313 Eureka Street

1. Reduction in Light

The proposed July 14, 2011 Design would significantly reduce access to light at 313 Eureka Street, which, being overshadowed by 315 Eureka to the south, relies on its north facing

windows. The 40-foot tall south wall of 309/311 would tower over the 313 Eureka north side yard, a source of light for 7 of its 12 rooms. The proposed building would extend 18 feet beyond the rear of the existing 309/311 building and 9 feet beyond the rear wall of 313 Eureka, further reducing access to light.

2. Alteration of Visual Landscape

The proposal for 309/311 would alter the current textured visual landscape of trees, backyards, roofs, decks and sky to a 309/311 blind wall.

3. Obstruction of Lot Line Windows

The proposed 309/311 Eureka would block 2 important existing, permitted lot line windows on the upper floor of 313 Eureka. The lower window provides light to a kitchen and breakfast area located under a steeply sloped roof on the north side of 313. The upper window opens into a study located under the main 313 roof that is otherwise served only by a skylight because there are no other available exterior walls.

12.0 THE DR APPLICANTS REQUEST THAT THE COMMISSION LIMIT THE MASSING OF THE PROJECT TO THE NEIGHBORS' JUNE 1, 2011 DESIGN.

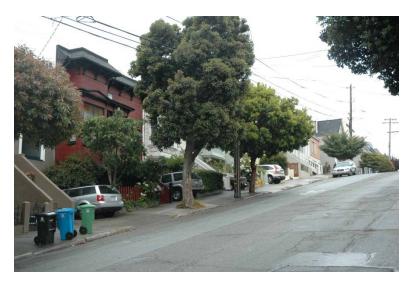
The DR Applicants have provided a massing within which the Project Sponsor can accommodate all their programmatic goals and produce a building of greater area and without the need for any excavation. The DR Applicants request that the Commission cause the Project to be modified to:

- 1. Fit within the massing limits of the Neighbors' June 1, 2011 Design.
- 2. Require that the guardrails on the north, east and south facing walls of all decks be constructed of transparent glass.

Refer to the Exhibits for annotated drawings and renderings supporting this DR application.

EXHIBITS

- 1. EUREKA STREET-A NEIGHBORHOOD OF VICTORIAN COTTAGES
- 2. CONTEXTUAL MASSING
- 3. NEIGHBORHOOD MASSING VIEWED FROM MID-BLOCK
- 4. 4437 20TH STREET
- 5. EXISTING BUILDING VIEWED FROM 2ND FLOOR OF 4437 20TH STREET
- 6. NEIGHBORS' DESIGN-JUNE 1, 2011, 4-LEVEL-Site Plan & Section
- 7. NEIGHBORS' DESIGN-JUNE 1, 2011, 4-LEVEL-Floor Plans
- 8. NEIGHBORS' DESIGN-JUNE 1, 2011, 3-LEVEL-Site Plan & Section
- 9. NEIGHBORS' DESIGN-JUNE 1, 2011, 3-LEVEL-Floor Plans
- 10. COMPARATIVE MASSING STUDIES-View from Northeast
- 11. COMPARATIVE MASSING STUDIES-View from Eureka Street
- 12. COMPARATIVE MASSING STUDIES-View from Mid-Block Open Space
- 13. COMPARATIVE MASSING STUDY-SPONSOR'S DESIGNS
- 14. COMPARATIVE MASSING STUDY-NEIGHBORS' DESIGNS
- 15. PLANNING CODE SECTON 136(c)2(g)
- 16. EMAILS BETWEEN NEIGHBORS AND SPONSORS







Eureka Street-A Neighborhood of Victorian Cottages









Subject 309 Eureka

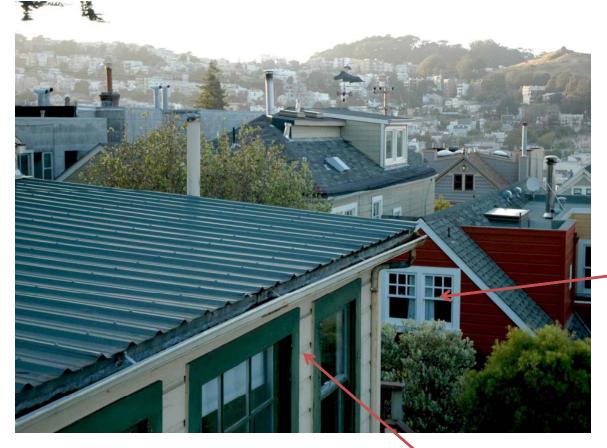




20th Street Properties-Massing from Rear



Midblock-Rear of Subject Block Face









Existing 309-311 Eureka







Rear Facade

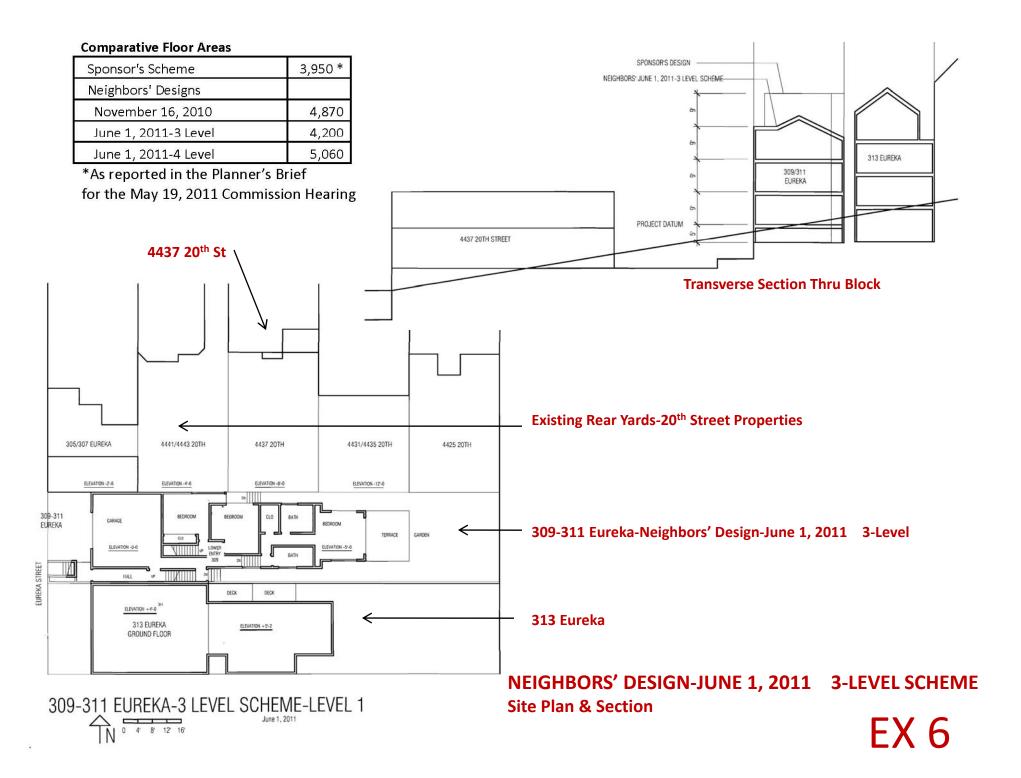
4437 20th STREET

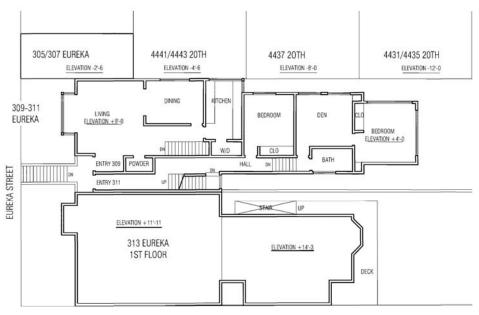


Existing Garden

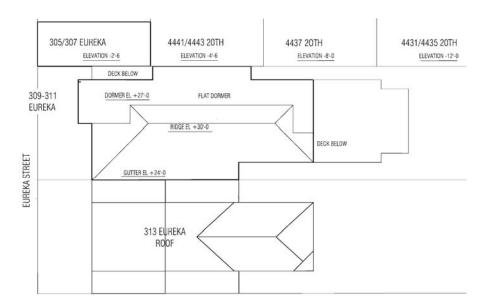


Existing Building-Viewed from 2nd Floor of 4437 20th St Showing Sponsor's Minimal Changes to December 2010 Design

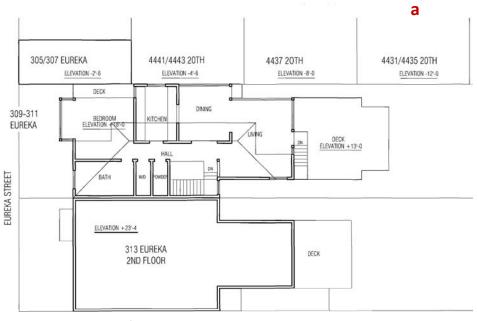




3-Level Scheme-Level 2



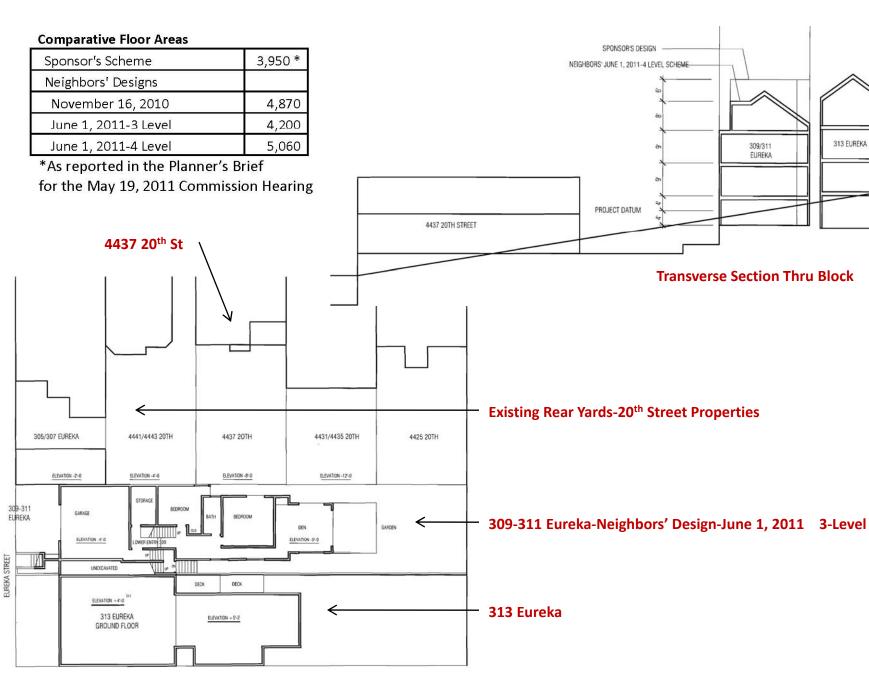
309-311 EUREKA-3 LEVEL SCHEME-ROOF



3-Level Scheme-Level 3

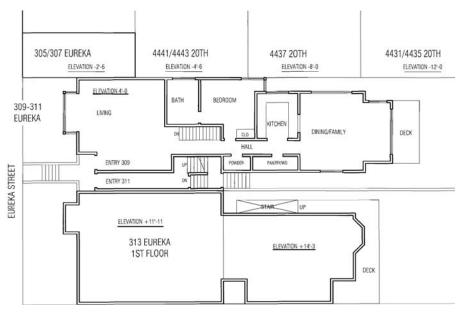
NEIGHBORS' DESIGN-JUNE 1, 2011 3-LEVEL SCHEME Floor Plans

EX 7

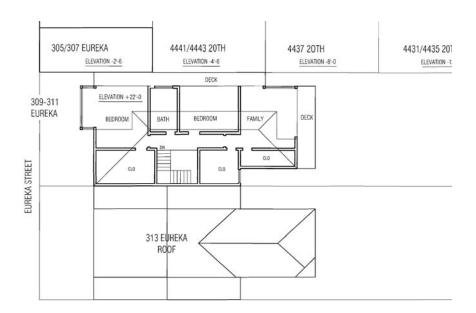


309-311 EUREKA-4 LEVEL SCHEME-LEVEL 1

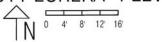
NEIGHBORS' DESIGN-JUNE 1, 2011 4-LEVEL SCHEME
Site Plan & Section EX 8



4-Level Scheme-Level 2

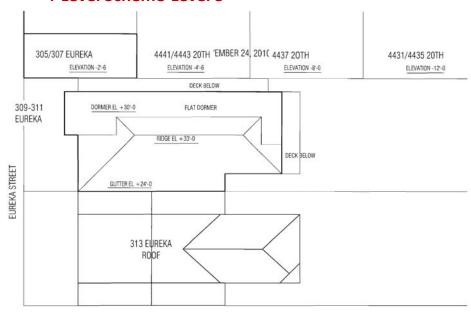


309-311 EUREKA-4 LEVEL SCHEME-LEVEL 4

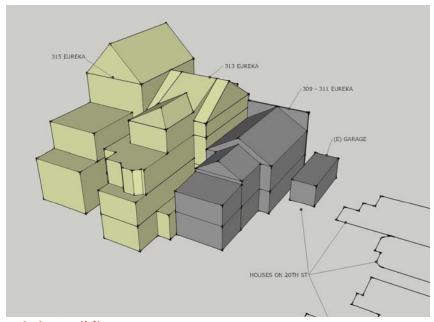


a 305/307 EUREKA 4441/4443 20TH 4437 20TH 4431/4435 207 ELEVATION -2'-6 ELEVATION -4'-6 ELEVATION -8'-0 ELEVATION -12 309-311 KITCHEN DINING LIVING ROOM EUREKA ELEVATION +13'-0 DECK HALL **EUREKA STREET** ELEVATION +23'-4 313 EUREKA DECK 2ND FLOOR

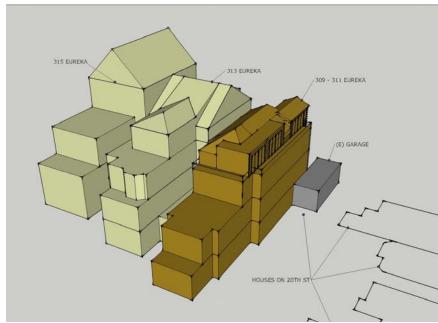
4-Level Scheme-Level 3



4-Level Scheme-Roof NEIGHBORS' DESIGN-JUNE 1, 2011 4-LEVEL SCHEME Floor Plans EX 9



Existing Building

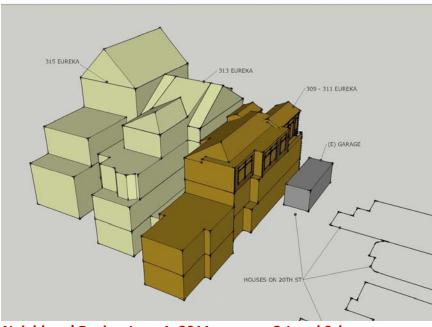


Neighbors' Design-June 1, 2011

4-Level Scheme

315 EUREKA 313 EUREKA 309 - 311 EUREKA (E) GARAGE

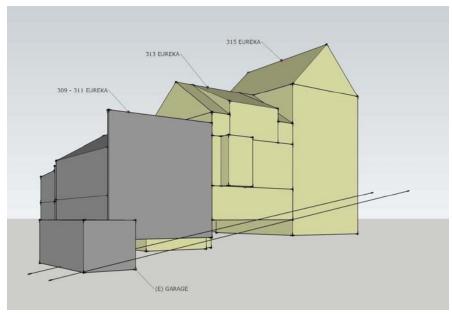
Sponsor's Design-July 14, 2011



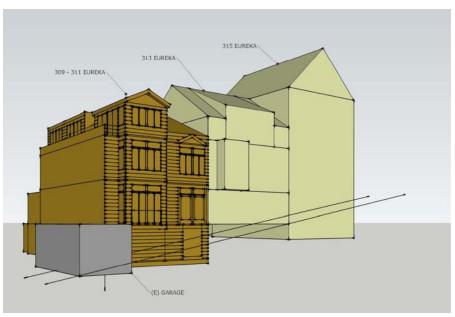
Neighbors' Design-June 1, 2011

3-Level Scheme

EX 10

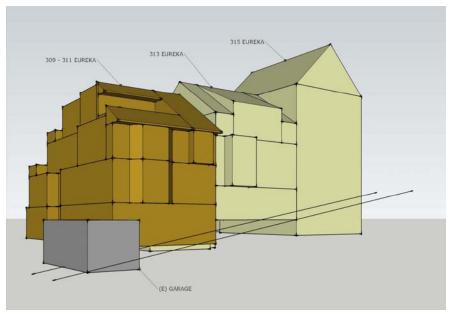


Existing Building

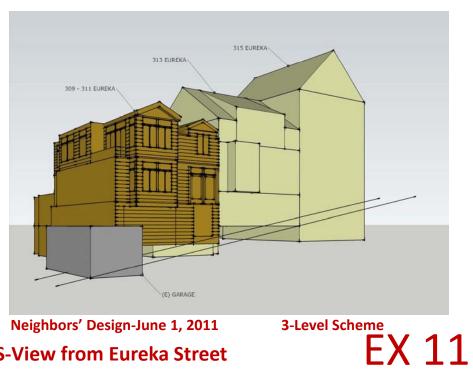


Neighbors' Design-June 1, 2011

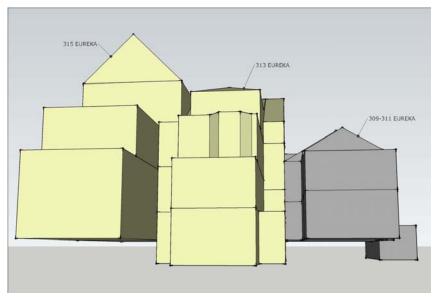
4-Level Scheme



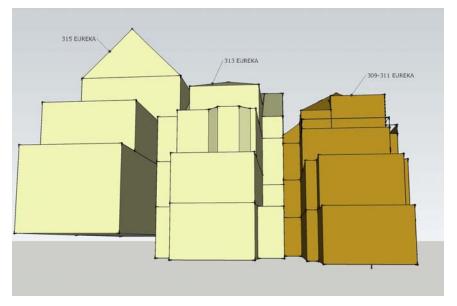
Sponsor's Design-July 14, 2011



Neighbors' Design-June 1, 2011

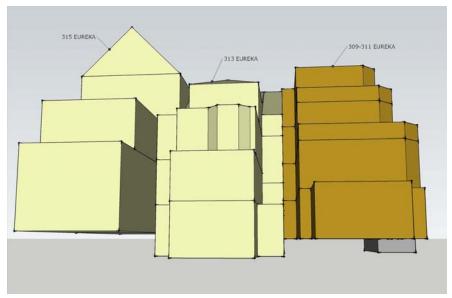


Existing Building



Neighbors' Design-June 1, 2011

4-Level Scheme

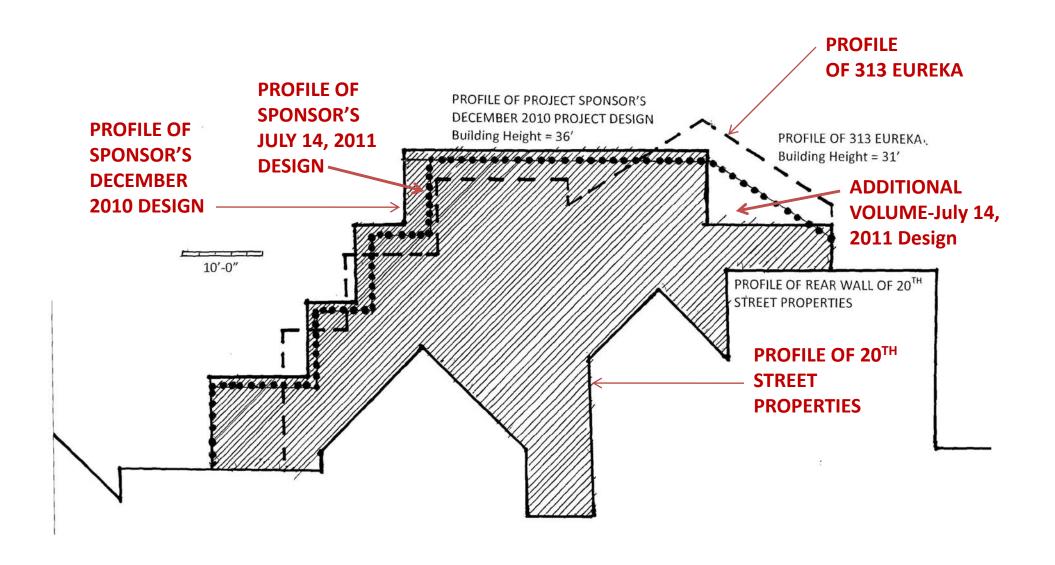


Sponsor's Design-July 14, 2011

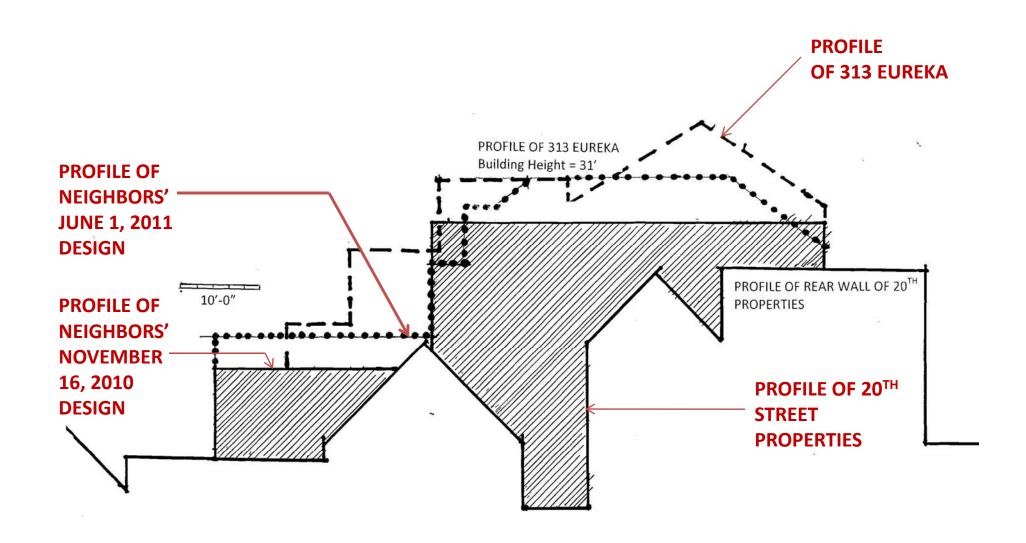


Neighbors' Design-June 1, 2011

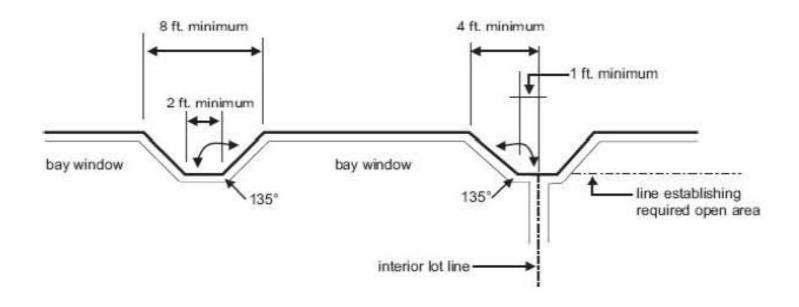
3-Level Scheme



COMPARATIVE MASSING STUDY-SPONSOR'S DESIGNS
Showing Sponsor's Minimal Changes to December 2010 Design EX 13



COMPARATIVE MASSING STUDY-NEIGHBORS' DESIGN



(G) Each bay window or balcony over a street or alley, setback or rear yard shall also be horizontally separated from interior lot lines (except where the wall of a building on the adjoining lot is flush to the interior lot line immediately adjacent to the projecting portions of such bay window or balcony) by not less than one foot at the line establishing the required open area, with such separation increased in proportion to the distance from such line by means of a 135-degree angle drawn outward from such one-foot dimension, reaching a minimum of four feet along a line parallel to and at a distance of three feet from the line establishing the required open area;

PLANNING CODE SECTION 136(c)2(G)-July 14, 2011 Design Requires a Variance

George Hauser

Subject: FW: 309-311 Eureka-Design Meeting

Attachments: 309Eureka-June2011-4-level-11--06-01.pdf; 309Eureka-June2011-3-level-11--06-01.pdf

From: George F Hauser [mailto:ghauser@smhconstruct.com]

Sent: Thursday, June 02, 2011 7:54 AM

To: 'patrick@frieldesigns.com'

Cc: 'Ariel K. Ford'; 'Clare Friel'; 'gabe@frieldesigns.com'; 'John Lum'; 'Myra Friel'; 'Sophie.Hayward@sfgov.org'; Jane Segal (jane@keepturningheads.org); Robert Harris; Joe Quigley; Zahid Sardar; Clare Munn; Durand Ford (durand@durari.com)

Subject: RE: 309-311 Eureka-Design Meeting

Dear Patrick:

On May 30, 2011 I made arrangements with George King, the owner of 4441 21st Street, to measure the base of the tree in his rear yard. I learned that the grade and the top of your existing foundation are about 4'-6" below the project datum, which suggest that there is a crawl space, probably accessible via a door in the wall of the north side yard and visible from George King's rear yard. George King said that you intend to construct a pier and grade beam foundation system at the portion of the building located beneath the tree canopy.

Response to Sponsor's Comments

While I was in George King's yard Clare Friel appeared on her rear stair landing at 309 Eureka and made several unsolicited comments, including one about how dark it was at the level of George King's yard. This comment suggests how little she appreciates the conditions imposed by your project on the neighbors. If George's rear yard is dark now, then it is only going to be made worse by the increased height of your proposal. The same result will be obtained at the Ford's rear yard. Secondly, I note that a 309 Eureka level located at existing north grade would open onto a space that is approximately 38' wide and bounded by a building that is only about 15' above the 309 datum and, except for the tree canopy, is otherwise open to the sky. This compares to the north elevation of 313 Eureka which, under your proposal, would open on to a space that is only 6' wide and would be bounded by a building 32' above the 313 datum. Why does the sponsor team believe the occupants of 313 should willingly tolerate the proposed circumstances for our north side when the project sponsor rejects as intolerable and oppressive a far superior circumstance on the north side of their property?

Existing Grade

Your rear yard appears to slope downward from 4 below datum on the south to 5 on the north, and a building level fronting your rear yard with an elevation of 4' to 5' below datum would require minimal or no excavation and receive the benefit of light accorded all properties located at grade with no nearby buildings opposing it.

Compromise Proposals

Give the short amount of time to discuss alternate designs before the next hearing and your unwillingness to meet with us or advance an alternative proposal in the near term we took the initiative to prepare the attached compromise massing proposals based on the above information.

4-Level Scheme

We developed a 4-level scheme dated June 1, 2011 ("4-Level Scheme") where the west (front) portion of the 1st level is 4' below project datum and the east (rear) portion is 5' below datum. The west side consists of a garage which would utilize your proposed pier and grade foundation to avoid interference with the tree. The

south side of the 1st level could extend to the south property line, but we have held it back 4' to address any possible concerns you may have about conflicts with the foundation of 313 Eureka.

The east side (rear) of the 1st level opens onto existing grade.

We have introduced a hipped roof with dormers at the 4th level. The gutter is at 24' about datum and the ridge is at 33'. There is also a north dormers with a flat roof at 30' above datum. The ceiling height under the dormers is nominally 7'. This is contextually appropriate and consistent with the neighboring roof forms and is offset by a ceiling height of 10' under the ridge.

The 4-level scheme meets all the programmatic requirements of which the DR applicants are aware and provides a more contextually appropriate building form suggested by the Commissioners.

3-Level Scheme

Having acquired a hypersensitivity to your desire to keep the building at datum we also developed a 2nd, 3-level scheme dated June 1, 2011 ("3-level scheme") with all but the east portion of the 1st level located at project datum. The massing of the 3-level scheme conforms closely to the massing of the 4-level scheme and includes a hipped roof with a north dormer for contextual consistency. It also meets the entire programmatic requirements of which the DR applicants are aware, albeit by using a split plan and resulting in a proportionally smaller floor area than the 4-level scheme. Here is a comparison of respective floor areas:

Comparative Floor Areas

| Sponsor's Scheme | 3,950 * |
|----------------------|---------|
| Neighbors' Designs | |
| November 16, 2010 | 4,870 |
| June 1, 2011-3 Level | 4,200 |
| June 1, 2011-4 Level | 5,060 |

As reported in the Planner's Brief for the May 19, 2011 Commission Hearing

This comparison demonstrates that all of the Neighbors' proposals exceed the floor area of your proposal and 2 by 23% and 28% respectively.

Massing Limits

As in the past these designs delineate a compromise massing limit. The interior layouts are not prescriptive and are only meant to demonstrate that your program can be reasonably accommodated. We request that you search for an acceptable interior layout within these proposed massing limits.

Request for a Meeting

Please let us know when we can meet to discuss the design of your project.

As always, the DR applicants stand ready to meet with you to discuss a mutually acceptable massing for your project. We hope that the sponsors and the DR applicants can agree on a solution that will eliminate the need for another Commission hearing.

Sincerely,

George F. Hauser 313 Eureka Street San Francisco, CA 94114 Office 415-701-0554 Ext 11 Fax 415-889-6026 Cell 415-519-5398

From: George F Hauser [mailto:ghauser@smhconstruct.com]

Sent: Friday, May 27, 2011 7:34 AM

To: 'patrick@frieldesigns.com'

Cc: 'Ariel K. Ford'; 'Clare Friel'; 'gabe@frieldesigns.com'; 'John Lum'; 'Myra Friel'; 'Sophie.Hayward@sfgov.org'

Subject: RE: 309-311 Eureka-Design Meeting

Patrick:

We are looking for an opportunity to discuss ideas and goals rather than solutions. If you come to the meeting with a fixed solution then the meeting will be focused on that rather than our respective goals and needs. So far I think we have been pretty transparent about our needs for a lower, less massive building. But your goals are less clear to us. We know you want 2 units on 2 levels each and that you want both units to have stair access to the yard and to the garage and to have some frontage on both Eureka and the rear yard. We thought you wanted 3 bedrooms in each unit but apparently there is flexibility on the issue? We know nothing about the kinds of programmatic adjacencies you require, the relative size of spaces, what constitutes adequate light to a particular room, what functions the garden must fulfill, etc. We respect your right to privacy but we can't help find solutions if we don't understand these things and we are especially frustrated because our inability to appropriately address these issues seems to be the basis for rejecting our proposals. If views are a goal then we are prepared to accommodate these as well and would agree to a mutual prohibition on discussing view goals at any Commission hearing.

We don't understand why you are so resistant to accepting help from us. It's free, there is no obligation to adopt anything we propose, and it has the prospect of advancing your thinking about your design. We are putting our ideas forward in the hopes that you will find them useful and that this will result in a compromise and will allow us to move forward cooperatively rather than adversely. This isn't a contest to see who is the best designer nor are we trying to tell you how you should live in your future building. We aren't trying to impose any constraints on what happens inside your building. We just want to get to a lower mass and it is nearly impossible to propose anything that you will find meaningful if we don't understand how you want the interior to function.

So, once again, we request a meeting in the next few days and for the purposes stated above.

Sincerely,

George F. Hauser 313 Eureka Street San Francisco, CA 94114 Office 415-701-0554 Ext 11 Fax 415-889-6026 Cell 415-519-5398

From: patrick@frieldesigns.com [mailto:patrick@frieldesigns.com]

Sent: Friday, May 27, 2011 6:56 AM

To: George F Hauser; patrick@frieldesigns.com

Cc: 'Ariel K. Ford'; 'Clare Friel'; gabe@frieldesigns.com; 'John Lum'; 'Myra Friel'; Sophie.Hayward@sfgov.org

Subject: Re: 309-311 Eureka-Design Meeting

George,

Sophies email includes the comment "that should include a meeting in which the revisions are presented and feedback is received". As my earlier email mentions, we have already made several changes to the drawings and we are currently working on more possible changes based on the comments by the Commission at our May 19 hearing.

Early next week is too soon for us to make the changes to the plans and present them. Again, if you have specific ideas based on the commissioners comments as they pertain to our current set of drawings, please email them to me. That would be helpful as we

continue to work on our project. Then when we have material to present, we will set up a time and a place for a meeting with you, Ariel and my team.

Thanks again,

Patrick Friel

----Original Message-----

From: George F Hauser [mailto:ghauser@smhconstruct.com]

Sent: Thursday, May 26, 2011 05:08 PM

To: patrick@frieldesigns.com

Cc: "Ariel K. Ford", "Clare Friel", gabe@frieldesigns.com, "John Lum", "Myra Friel",

patrick@frieldesigns.com, Sophie.Hayward@sfgov.org

Subject: RE: 309-311 Eureka-Design Meeting

Patrick:

In light of Sophie's comments in her email below the DR requestors restate their proposal for a meeting with your architect to discuss the project design. We would like to do this as soon as possible-early next week at the latest. We think it would be best to limit the number of people at the meeting to 2 from each side. That way we can focus on an exchange of information and then each side can take any ideas or suggestions back to their respective group for consideration. Ariel and I would represent our group. Please let us know when and where we can meet. If John Lum is continuing in the capacity of your architect and he is willing to host a meeting at his office then Ariel and I would be willing to meet there.

Sincerely,

George F. Hauser 313 Eureka Street San Francisco, CA 94114 Office 415-701-0554 Ext 11 Fax 415-889-6026 Cell 415-519-5398

----Original Message----

From: Sophie.Hayward@sfgov.org [mailto:Sophie.Hayward@sfgov.org]

Sent: Thursday, May 26, 2011 1:25 PM

To: patrick@frieldesigns.com

Cc: 'Ariel K. Ford'; Clare Friel; gabe@frieldesigns.com; George F Hauser; John Lum; Myra Friel;

patrick@frieldesigns.com

Subject: Re: 309-311 Eureka-Design Meeting

Hello, all -- I would like to chime in here to clarify the outcome of last week's Planning Commission, and to sort out what everyone's next steps should be. As you know, no action was taken, and the item was continued to Thursday, July 28. Because the continuation was announced by the Commission Secretary at the public hearing, there is no additional notice that will be required for the second hearing. No mailed notices, no new poster.

The Planning Commission continued the item, and asked the project sponsor to consider further addressing the concerns expressed by the DR requestors. In addition, the Planning Commission encouraged the project sponsor to continue to work with the DR Requestors, including George, who is an architect. The Commission specifically did not require that the project sponsors work with George Hauser as their architect. It is not uncommon for the Commission to recommend that a project sponsor work with DR Requestors to revise a plan

to the extent that a compromise can be reach. In this case, our hope is that the project sponsor will, with the help of an architect (presumably John Lum, but there is no requirement that it be John, or George for that matter), address the following points:

Examine ways in which to lower the overall height of the proposed structure in order to minimize impacts to the Ford's property. This may be through excavation or through a reduction in square footage. There was not a specific requirement that the building be lowered, rather, a recommendation that lowering the building be explored. There was not a requirement that the top floor be removed. Consider pulling the upper floor in from the sides (north and south sides).

Re-think the context of the proposed new construction in, and consider making the building more consistent and appropriate for the surrounding neighborhood. Although the full building should be considered, specific points that were brought up were the roof line and the treatment of the bay.

The Commission did ask that the project sponsor continue to work with the DR Requestors -- that should include a meeting in which the revisions are presented and feedback is received. There is sufficient time for several meetings to take place among all of you in advance of the July 28 hearing. Please note that no specific protocol for "working together" was outlined at the hearing; I encourage you all to use your best judgement.

In terms of logistics for the hearing, here are some points to keep in mind:

Please make sure that the plans that are submitted as the "final" plans for the hearing are distributed to neighbors, filed as revisions at DBI, and submitted to me by July 7. That gives all of us two weeks prior to the distribution of packets to review the final set and to prepare remarks for the hearing. I am very hopeful that you will have been working together on your ideas, or at least to have been in open communication throughout the process -- this is the "last set" deadline. Please -- everyone -- provide me your packet material (18 sets) by Monday, July 18. I will need to distribute packets on Thursday, July 21.

The public hearing has not been closed -- so the hearing will follow the same format as last week's, and neighbors/interested parties may present.

I hope that this is helpful information as you move forward.

Best, Sophie

Sophie Middlebrook Hayward, LEED AP 1650 Mission Street, Suite 400 San Francisco, CA 94103 (415) 558-6372 ph (415) 558-6409 fax

I am in the office Mondays, Tuesdays, and Thursdays

----Original Message-----

From: patrick@frieldesigns.com Sent: 05/26/2011 07:44 AM,

To "George F Hauser"

Cc Sophie.Hayward@sfgov.org, "'Ariel K. Ford'", "Clare Friel", gabe@frieldesigns.com, "Myra Friel", "John

Lum"

Subject Re: 309-311 Eureka-Design Meeting

George,

Thank you for sending your email. While we have made several changes already, we are currently working to make more changes to the submitted plans based on the comments by the Commissioners and the Planning Department. With the help of my family and John Lum and his staff, we have a good handle on the design and goals for 309-311 Eureka and do not think a meeting is necessary at this time. I appreciate and am interested in the new ideas you have developed as they pertain to the current design and if you would like to email them to me, I am very happy to include them in our discussions. We will continue to address the concerns of the neighbors, the Planning Commission and Planning Departments as well as our family. We will be in touch, and thanks again,

Patrick

----Original Message----

From: George F Hauser [mailto:ghauser@smhconstruct.com]

Sent: Wednesday, May 25, 2011 09:44 AM

To: patrick@frieldesigns.com

Cc: Sophie.Hayward@sfgov.org, "Ariel K. Ford"

Subject: 309-311 Eureka-Design Meeting

Patrick:

I am writing to suggest a meeting between John Lum and me to discuss possible design directions for your 309-311 Eureka project. The Commissioners made numerous suggestions at the hearing on May 19 and, based on their input, I have developed a some ideas. If John and I were to meet we might be able to establish some design parameters and goals that could suggest solutions. Let me know if a meeting is acceptable to you and, if so, when John and I could meet. Devising a scheme to implement the Commissioner?s suggestions is going to take some effort and I would like to proceed quickly so that we aren?t scrambling just before the July 28 hearing. Thanks for your cooperation.

Sincerely,

George F. Hauser 313 Eureka Street San Francisco, CA 94114 Office 415-701-0554 Ext 11 Fax 415-889-6026 Cell 415-519-5398



Project Sponsor Information

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Dear President Olaque and fellow Planning Commissioners.

Our family came before you on May 19th to review our project at 309/311 Eureka St. If you remember, this is a new construction project to replace a 2-unit building that our family has owned since 1964. It is currently owner-occupied and when completed, will again be owner-occupied by sisters Myra and Clare Friel and their partners.

At that hearing, we were asked to revisit our design to find something that fit more within the context of the neighborhood. The Commission also requested that we continue to work with our neighbors and investigate whether we could possibly lower the building and reduce the massing at the rear.

Since our May 19th hearing, we have met with our neighbors to again ask their input on how our proposed design could be modified to address their concerns. Following this, we then met to review the changes we made which incorporated both the comments from the Commission and direct input from the neighbors. Since our last meeting with the neighbors at the end of June we haven't received any suggestions for additional alterations, despite soliciting their feedback on our updated plans.

To summarize the modifications made in direct response to specific comments by the Commissioners and the DR applicants, we have redesigned the building to be more responsive to the neighborhood and made it more modest and understated.

Specific to Planning Commission and neighbor comments, we have

- Redesigned the front of the building to be more harmonious with character of the neighborhood.
- Changed the roof pattern by incorporating a sloped roof to the front of the building
- Modified the proposed square bay to a more traditional angled bay.
- Softened the rear of the building by
 - Clipping wall corners on the 2nd, 3rd and 4th floors.
 - o Added additional windows and trim detail.

Regarding massing and neighbor concerns:

- We have lowered the overall building height by 14"
- We stepped the rear of the building 12" on the 1st and 2nd floors
- We stepped the rear of the 3rd floor 2'-6"
- We stepped the rear of the 4th floor 3'-6"

To date, these modifications and our original concessions result in a 25% bulk reduction of our original plans.

In addition, we explored the possibility of excavation as suggested by Commissioner Sugaya. We consulted with a structural engineer and a certified arborist on the feasibility of this option. Their findings confirmed that excavation is not a viable option for us. Please see their enclosed letters

We appreciate the input and direction provided by the Commission and our neighbors. We ask that you approve our project with the submitted modifications.

Thank you, The Friel Family

311 / 309 Eureka Street History of Project Meetings with Neighbors

Following May 19th Hearing

- May 19, 2011- Planning Commission Hearing
- June 8 Follow up meeting with Ariel Ford and George Hauser to request input.
- June 22 Follow up meeting with Ariel Ford to see project from their yard again.
- June 28 Follow up meeting with Ariel Ford and George Hauser to review changes
- No additional comments or feedback provided by either DR applicant after June 28 meeting

Prior to May 19th Hearing

Multi-neighbor meeting hosted at project site

- Required neighbor meeting held 12/10/2008
- Second optional neighbor meeting held 07/06/2010

Meetings with 313 Eureka St. resident George Hauser and Jutta Reitchert

- 12/10/2008 Attended neighborhood meeting
- 01/19/2009 Met with Mr. Hauser and Ms Reitchert in our home to review his 1st alternative proposal
- 07/06/2010 Jutta attended neighborhood meeting in person, George by phone
- 09 /29/2010 3 hour Mediation session at Community Boards to review 2nd alternative proposal, first of two sessions
- 11/15/2010 3 hour Mediation session at Community Boards, second session
- Multiple project-related email exchanges since 2008

Meetings with the 4437 20th St. residents Durand and Arial Ford

- Invited to but did not attend neighbor meeting 12/10/2008
- 06/24/2010 In person meeting at their home in response to 311 notification feedback. Initiated discussion about ideas for modifications to plans.
- 07/01/2010 In person meeting at their home to review plans with modifications made.
- 07/06/2010 Neighbor meeting at our home to review plans with modifications.
- 09/30/2010- In person meeting at their home to review shade study additional modifications
- 11/18/2010 Meeting w/ Ford's and George King at George King's to review final set of modifications
- Multiple project-related email exchanges since June 2010

Meetings with 4441 20th St. resident George King

- 12/10/2008- Attended neighborhood meeting
- 01/03/2009- Patrick and Myra visited George to see project from his yard. Plan was revised following meeting to remove balconies.
- 07/02/2010- Meeting at George's to discuss modifications
- 10/11/2010- Meeting at George's to discuss modifications to side set back, light well, removal of decks
- 11/18/2010- Meeting w/ Ford's and George King to review final set of modifications
- 12/22/2010 Meeting at Myra's to discuss issues and limitations with alternate proposal that requires excavation.
- Multiple project-related email exchanges since 2008

Email Communication with Neighbors for Project

All together, there were over 150 email exchanges with our neighbors regarding the project.

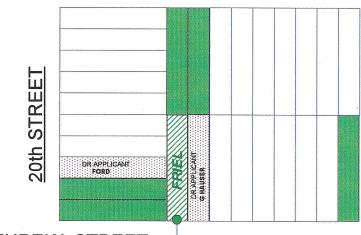
LOCAL PROJECT SUPPORT

VICINITY/NEIGHBOR SUPPORT MAP



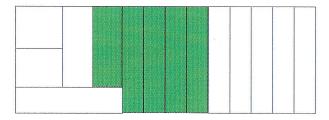


DIAMOND STREET



EUREKA STREET

SUBJECT BUILDING



NORTH



ADDITIONAL EUREKA VALLEY RESIDENTS NOT ON THIS MAP THAT SUPPORT

MAUREEN PHALON
LIZ NOTEWARE
ANGIE DALFEN
WHITNEY PETERSON
ELENA OLZARK
RICK BACON
ANTHONY DUARTE
C COCHRANE
LUCY WOHLTMAN
MICHELLE SWEENEY
JASEN DOUGLAS

To President Olague and Fellow Commissioners,

I have lived at 183 Eureka St for the last year and a half and have known the Friel family for over five years, and would like to express my support for the proposed project at 309/311 Eureka St.

I believe that the plans submitted to the City are a wise and thoughtful solution to provide the Friel family with two equal sized units while reasonably responding to their neighbor's concerns, and will result in a structure that will greatly enhance the visual appeal of the structure from the street, thereby benefitting the neighborhood as a whole. I understand that the family has worked actively with their neighbors during this 2 ½ year process, including working to successfully remove one DR on the property. I feel that it is unfair to expect the Friels to compromise their rights on their property and be further subjected to administrative review when they prepared plans specifically tailored to meet the building requirements set forth by the Planning Code and have already spent a considerable amount of time and effort to address the concerns voiced regarding the project.

The new building will be a welcome improvement to the neighborhood and will fit in nicely on a block with diverse architectural styles. I am requesting that you support the project as submitted and do not take DR.

Kind Regards,

Whitney Peterson

183 Eureka Street, #3 San Francisco, CA 94114 TO: Planning Commission

FROM: Lucy Wohltman, Michele Sweeney (neighbors)

RE: 309 and 311 Eureka Street, SF CA 94114

To Whom It May Concern:

We are writing this letter in support of our neighbors realizing their long term plan of renovating the family home at 309/311 Eureka Street. We have carefully and thoroughly reviewed the plans and see no extraordinary or unusual requests. Furthermore, we do not agree with the opposing neighbors' request that the family build underground in order to accommodate his concerns for light and air boundaries. The planning commission should allow for this project to go through.

While it is true that our home is by no means impacted directly, we do empathize with those neighbors whom the renovation would impact. We ourselves purchased a home that had been completely renovated by the previous owners and we have to suspect that the process was stressful for the neighbors. However, we believe they would all agree that any renovation is good for the neighborhood and drives up the comps of all of our homes. And, whatever initial concerns that they might have had were easily eradicated by working together for an agreed upon solution.

It seems that the family of 309/311 Eureka Street has already made many adjustments to their original plans in the spirit of working together with the neighbors and recognizing their needs. These are goo d people who have owned this home since 1964 and can only now pursue their lifelong dream of leaving the family home in better shape for the next generations.

We hope that our support as well as those that have already lifted their DR will be recognized and that the renovation can begin immediately on this house.

Thank you

121=

Lucy Wohltman and Michele Sweeney

<u>To</u>:
San Francisco Planning Department Attn: Thomas Wang 1650 Mission Street, Suite 400 San Francisco, CA 94103-2479

Regarding:
Proposed project at 309/311 Eureka Street, San Francisco
Building Permit Application No: 2009.05.04.7636

Name

Address

San Francisco Planning Department Attn: Sophie Hayward 1650 Mission St, Suite 400 San Francisco, CA 94103-2479

Regarding:

Proposed project at 309/311 Eureka St, San Francisco Building Permit Application No: 2009.05.04.7636

We support the proposed project at 309-311 Eureka. As neighbors and homeowners we Value all improvements to the reighborhood. We are raising our children in San Francisco and think it is vital that families make their property appropriate to their needs so that they too Can Stay in this wonderful heighborhood.

Thank You,

| Andre | °a | and | anis | Dehner | |
|---------|----|------|------|--------|--|
| Name | | | | • | |
| 321 | Q | reka | | | |
| Address | | | | | |

Derek Myers 48 Haight Street #10 San Francisco, CA 94102 derek.mvers@gmail.com

May 17, 2011

Dear President Christina Olague and Fellow Commissioners:

I strongly support the improvement project proposed at 309/311 Eureka Street by the Friel family. I respectfully request that the Planning Commission approve this much-needed project and avoid the Discretionary Review process.

I have known the Friel family for over 30 years. I am and have been a San Francisco resident for the majority of the past 10 years. I attended high school and law school in San Francisco. During the past 4 years, I managed 30 apartment units in San Francisco. I actively practice law in San Francisco. Frankly, I passionately love the many aspects and nuances that make San Francisco one of the most unique cities in the world. I can say with certainty that this proposed project would be a significant improvement to the neighborhood and would be completed with the upmost professionalism and care.

Improvement To The Neighborhood

I live approximately 5 minutes away from 309/311 Eureka Street am familiar with the neighborhood. The property's potential has not been maximized and its aesthetic value would be greatly enhanced by this proposed project. Improvement to this property would unquestionably improve the value of the surrounding neighborhood.

Consistent with Planning Code Requirements - Not Exceptional or Extraordinary

The project proposed by the Friel family is consistent with the requirements set forth by the Planning Code and does not present any exceptional and extraordinary circumstances. A simple viewing of the neighborhood indicates that other neighbors have made improvements to their homes. This project gives the Friel family the opportunity to bring their property up-to-date in a way that enhances the neighborhood character in the same fashion as the surrounding homes.

There is nothing exceptional or extraordinary in this proposed project. The project would be similar to and consistent with work done in the neighborhood. This project does not involve complex topography, irregular lot configuration, or other unusual conditions. Alternative suggestions, such as excavating and building underground, would be unreasonable. They have actively worked to resolve the concerns of their neighbors and they were successful with the removal of one DR. I believe Discretionary Review is unnecessary for this project.

Incidentally, a large tree stands in the yard just adjacent to the Friel's property and towers 20+feet above both properties to the right and left of 309/311 Eureka. The natural light of the neighbors to the right and left of 309/311 Eureka Street is naturally obstructed by this tree. Thus,

this proposed project would not encroach on the neighbor's natural light or otherwise interfere with their property.

Highest-Quality Work

As a property manager, I have overseen a large number of remodel projects in San Francisco and the related permit process. As a result, I have dealt with my fair share of tradesmen and women who truly care about the quality of their work.

I can say emphatically and without hesitation that Gabriel and Patrick Friel are the gold standard for superior craftsmanship and professionalism. They place an emphasis on quality, efficiency and practicality that is second to none. They would oversee this project from beginning to end to ensure it is completed in a professional, timely manner and with regard to their neighbors.

I cannot speak highly enough about the Friel family. Approving this project would allow a hardworking, honest family to utilize their property in a way that is reasonable and consistent with the usage of their neighbors. If Discretionary Review is granted, this already lengthy and costly process will continue to put a strain on progress and thus prevent the enhancement and preservation of the neighborhood.

For the reasons stated above, I respectfully ask the Planning Commission to approve the project at 309/311 Eureka Street.

Thank you for your consideration. If I can provide any other information, please do not hesitate to contact me at (650) 773-0230.

Best regards,

Derek Myers

San Francisco Planning Department Attn: Thomas Wang 1650 Mission Street, Suite 400 San Francisco, CA 94103-2479

Regarding:

Proposed project at 309/311 Eureka Street, San Francisco Building Permit Application No: 2009.05.04.7636

We would like to add our voice of support to the project at 309/311 Eureka St. although relative newcomers to the neighborhood (Ayears) we have come to appreciate the rene sense of neighbookhood in this area. We are very supportive of any neighbor's plans to tastefully, and with sensitivity to the neighbors, to plan an improvement to the property as proposed! We believe it will be a positive impart to our neighborbood and we support, and would ask that you approve, the project. We appreciate your consideration of our Thanks you,

| TERR | Y BETTERLY | AND | VICTOR | TONES |
|------|------------|-----|--------|-------|
| Name | | | | |
| 306 | DIAMOND | 51. | | |

Address

San Francisco Planning Department Attn: Thomas Wang 1650 Mission Street, Suite 400 San Francisco, CA 94103-2479

Regarding:

Proposed project at 309/311 Eureka Street, San Francisco Building Permit Application No: 2009.05.04.7636

Coll Potton and Chris Potton of 322 Eurebra Street support

the Zunit building planned by the

Friel Family at 30/311 Eurebra Street.

Friel Family at 30/311 Eurebra Street.

Was feel that the proposed plans building will support the property and the reignborhood.

Name Town Tolk

322 Furela St

Address

(415/550-8105

San Francisco Planning Department Attn: Thomas Wang 1650 Mission Street, Suite 400 San Francisco, CA 94103-2479

Regarding:

Proposed project at 309/311 Eureka Street, San Francisco Building Permit Application No: 2009.05.04.7636

Pear Mr. Wang.

We like forward to collaborations with Myrathiel and family towards their renovation. We sincerely appreciate their proactive efforts to include the neighborhood during this process.

Please don't hosilate to contact us with questions or to assist Enther in the process.

This renovation will certainly upgrade the existing condition and add to the valve and texture of our neighborhood.

Many Manks,

Michael Jones, Joyce Engabretsen

328A Eureka St.

Address

809.878.7944

Jonosarh@gmail.com

San Francisco Planning Department Attn: Thomas Wang 1650 Mission Street, Suite 400 San Francisco, CA 94103-2479

Regarding:

Proposed project at 309/311 Eureka Street, San Francisco Building Permit Application No: 2009.05.04.7636

I support the above project, as a neighbor and resident in this area.

Katherine Iheda Name 308A Eureka St., SF, CA 94114

San Francisco Planning Department Attn: Thomas Wang 1650 Mission Street, Suite 400 San Francisco, CA 94103-2479

Regarding:

Proposed project at 309/311 Eureka Street, San Francisco Building Permit Application No: 2009.05.04.7636

A TIRED OLD HOUSE AND RAISE PROPERTY VALUE ON THE ENTINE BLOCK.

I SEE NO PROBLEMS WITH THE PROPOSED CHANGES.

| DAVID | WBONShy |
|-------|---------|
| Name | |
| 228 | EUREKA |

Address



Mayne Tree Expert Company, Inc.

ESTABLISHED 1931 CERTIFIED FORESTER

CERTIFIED ARBORISTS

STATE CONTRACTOR'S LICENSE NO. 276793

PEST CONTROL •

ADVISORS AND OPERATORS

RICHARD L. HUNTINGTON PRESIDENT

JEROMEY INGALLS
CONSULTANT/ESTIMATOR

September 22, 2010 (revised June 28, 2011)

535 BRAGATO ROAD, STE. A SAN CARLOS, CA 94070-6228

TELEPHONE: (650) 593-4400 FACSIMILE: (650) 593-4443

EMAIL: info@maynetree.com

Mr. Patrick Friel 311 Eureka St. San Francisco, CA 94114

Dear Mr. Friel.

On September 3, 2010, I visually inspected the north neighbor's Monterey cypress, *Cupressus macrocarpa*. The tree has an estimated diameter at 54 inches above grade of 30 inches.

The existing house is to be removed and a new structure will replace it. The purpose of this inspection was to visually determine general tree health and structure. The tree is about 12 feet from the fence/property line, but still overhangs the property by 15 feet or more. The tree forks at about 18 feet into three tops which are thick and heavy. Trees with multiple tops and heavy canopies are more at risk of failure.

There are two main concerns regarding construction impacts to the cypress. The first will be to the roots from foundation excavation. A general recommended foundation that is root friendly is a pier-and-grade beam system. I do not know if this is accepted in San Francisco and/or how deep the grade beams need to be to be earthquake proof. Hand dig the upper 18 inches of the pier hole and move position if roots 3 inches in diameter or larger are encountered.

Prevailing winds generally come from the north or west. This means that minor root cutting on the south side will not have significant impact to tree support, as root cutting will be at least 10 feet away from the trunk. The existing foundation is only brick and may not have deflected roots from below the existing house. Therefore, placing a new foundation deeper, for a below-grade floor/basement/parking, than described in paragraph 3 is not recommended.

The second concern is with overhanging limbs. It appears that 2 to 4 limbs may require removing. This, of course, depends on the actual roof height and slope. There may also be the need for some minor small limb removal for clearance.

I recommend that extreme care be taken so that tree impacts are reduced from demolition of the existing building. Placing lumber around the trunk can reduce physical bark damage from falling debris.

Have all excavation inspected within the dripline of the tree. After the existing building and foundation have been removed and we know the type and location of the new foundation, discuss it with the onsite arborist.

I recommend two follow up inspections; the first midway through the project and then at the end of the project. At that time, a final letter can be written with recommendations and conclusions.

I think this report is accurate and based on sound arboricultural principles and practices.

Sincerely,

Richard L. Huntington

Certified Arborist WE #0119A

Certified Forester #1925

RLH:pmd







July 12, 2011

Mr. Gabriel Friel 740 Laurel Avenue Burlingame, Ca 94010

Dear Mr. Friel,

After reviewing the drawings of the current proposal as well as visiting the site, I offer the following comments. As you mentioned, it was suggested at the last Planning Commission hearing to explore the possibility of lowering the structure by excavating below the sidewalk level. Since the site topography slopes transverse downhill (South to North) and downhill longitudinally (West to East) a need for retaining walls would be required. A lowered foundation with the use of retaining walls would most likely be detrimental to the root system of the large Monterey Cypress on the adjacent property to the North.

Issues arise that translate to increasing the cost of construction when excavating below the sidewalk level. The incurred added fees due to excavation, shoring, waterproofing, sand traps, sewer ejection pumps, underpinning adjacent footings and added structural framing all add costs that are not considered for a standard perimeter foundation. An excavation described with the mentioned issues would add additional costs on the order of \$200,000.

I believe excavating below sidewalk level to further lower the building where there has already been significant bulk, light & air concessions (approx. 25% bulk reduction) by you should ameliorate the concerns of your neighbors. Given the conditions described above and understanding the site conditions I do not believe excavation would be a viable option.

Thank you for considering my engineering experience to add technical expertise for planners & commissioners to consider in their decision process. Please call me at the number below if you have any further questions or need further insight for this project.

Very truly yours,

Andy Forrest, P.E.

Cc: Sophie Hayward

1539 TARAVAL ST., SUITE 203, SAN FRANCISCO, CA 94116 (415) 566-2215, FAX: (415) 566-2262 EMAIL: andy@seismiczone.net

HISTORICAL RESOURCE EVALUATION

309-311 EUREKA STREET SAN FRANCISCO, CALIFORNIA

MAY, 2008



KELLEY & VERPLANCK
HISTORICAL RESOURCES CONSULTING
2912 DIAMOND STREET #330
SAN FRANCISCO, CA 94131
415.337-5824
TIM@KVPCONSULTING.COM

I. SUMMARY

This building is one of a group of ten structures originally similar to each other. However, due to loss of integrity, the original grouping no longer conveys its unity, so does not appear to be a potential historic district. The subject building has suffered the most severe loss of integrity of the original group. Thus, it is not an historical resource. Even if the overall group were to be considered an intact district, this building would not be a contributor to it. Therefore, its demolition would not result in a substantial adverse change to an Historical Resource.

II. INTRODUCTION

The proposed project would demolish an altered one story over garage 1891 residential building and replace it with a new multi-family residence. This report examines the existing building to determine if it is a historical resource; and evaluates the impact of the proposed project on historical resources.

III. CURRENT HISTORIC STATUS

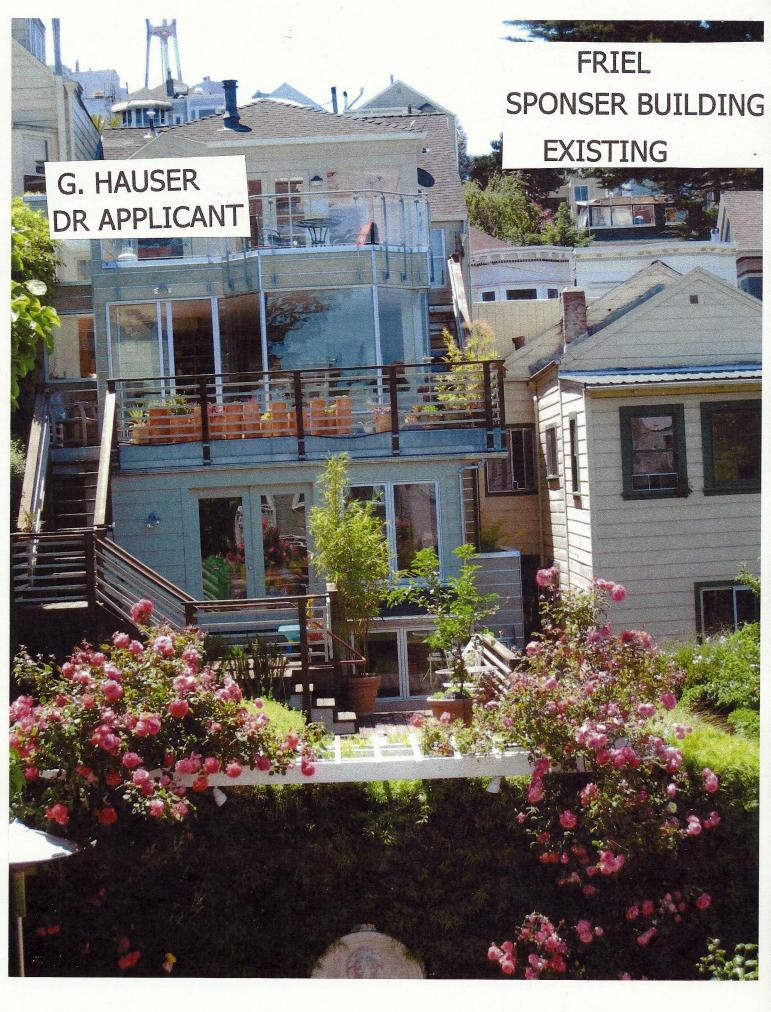
The Planning Department database was searched to determine whether the property was currently identified in any recognized register of historical resources. The specific registers included are listed below.

A. Here Today

Here Today: San Francisco's Architectural Heritage is one of San Francisco's first architectural surveys. Undertaken by the Junior League of San Francisco and published in 1968, the survey did not assign ratings to buildings. However, the survey does provide brief historical and biographical information for what the authors believed to be significant buildings. The Board of Supervisors adopted the survey in 1970. The survey files, on file at the San Francisco Public Library's San Francisco History Room, contain information on approximately 2,500 properties. This property is not included in either the published book or the survey files.

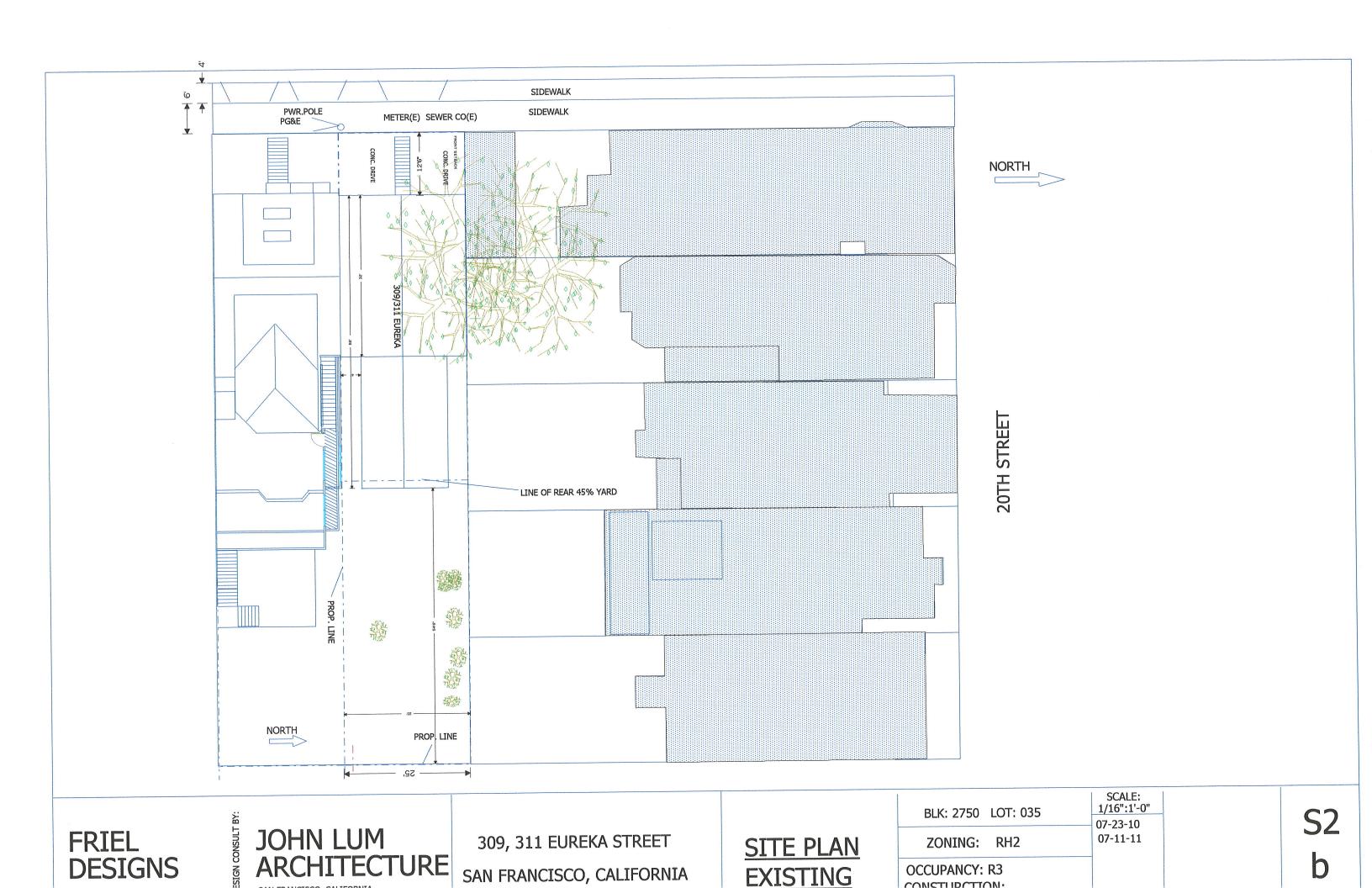
B. Department of City Planning Architectural Quality Survey

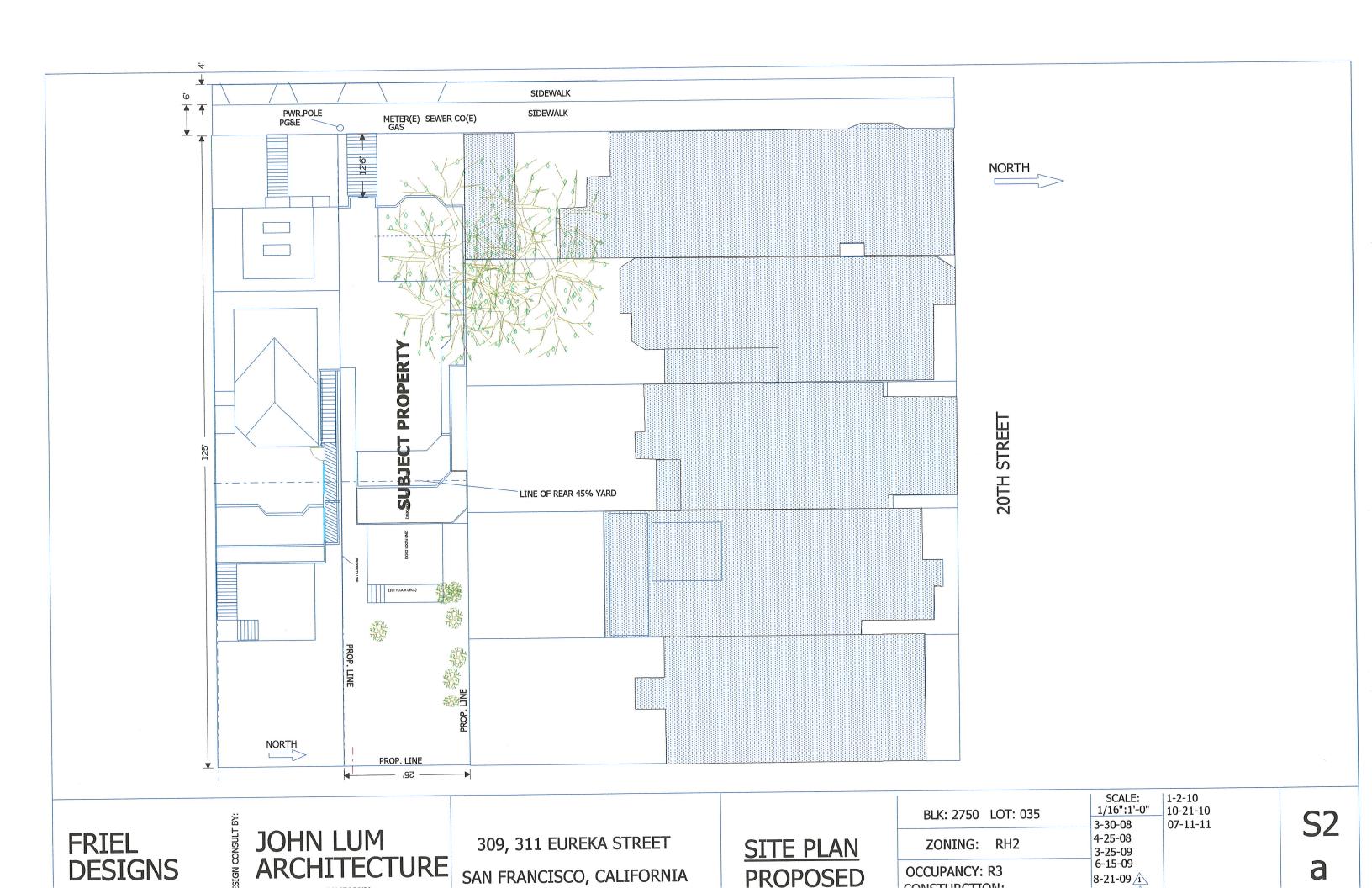
The Department of City Planning's Architectural Quality Survey, or 1976 Survey, was a reconnaissance survey that examined the entire City of San Francisco to identify and rate, on a scale of "0" (contextual) to "5" (extraordinary), architecturally significant buildings and structures.

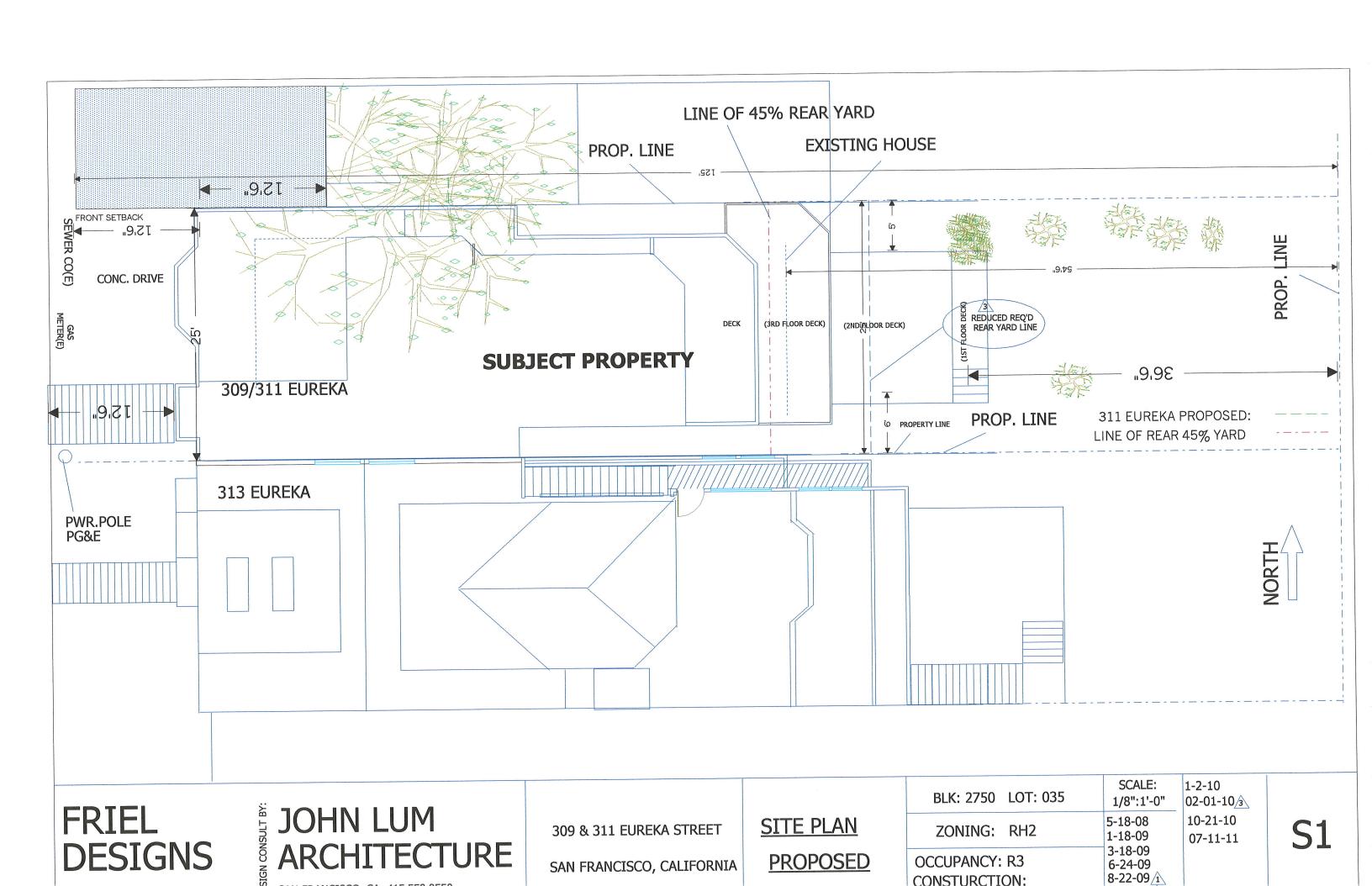


Declaration of Use Limitation signed by George Hauser for property line windows at 313 Eureka St filed with 2006/0614/4094, a revision to 200505313801.

| ## ANNINGER CONCINTS PANNINGER CONCINTS Panninger and panning panning and panning panning and pan | 94103 F: (415) 701-0564 |
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| DIVISION DECLARATION OF USE LIMITATION DECLARATION OF USE LIMITATION OF USE LIMIT | O, CALIFORNIA 94 |
| In the event that the property located at | NCISC |
| Connet troday in herse | SAN FRA |
| personally known to me (or proved to me on the besis of satisfactory evidence) to be the person(s) whose name(s) is/are substraited to the within instrument and acknowledged to me that beisholthey executed the same in his/brother authorized expansiving(s) and that by his/theriter signature(s) on the instrument. WITNESS my hand and official seal. Signature (Seal) (Seal | AN FR |













LOOKING AT 309/311 EUREKA STREET









LOOKING ACROSS THE STREET FROM 309/311 EUREKA ST

WEST SIDE OF EUREKA

FRIEL DESIGNS

REDWOOD CITY, CA 650.759.1900

309/311 EUREKA SAN FRANCISCO, CALIFORNIA

PICTURES - CURRENT

| BLK: 2750 LOT: 035 | SCALE: | 0/-1/-08 | |
|-----------------------|--------|----------|--|
| ZONING: RH-2 | NA | | |
| OCCUPANCY: R3 | | | |
| CONSTURCTION: TYPE IV | | | |
| | | | |

P1



LOOKING SOUTH

FRIEL DESIGNS

REDWOOD CITY, CA 650.759.1900

309 & 311 EUREKA STREET SAN FRANCISCO, CALIFORNIA PICTURES - CURRENT

| BLK: 2750 LOT: 035 | SCALE: NTS | |
|-----------------------------|---------------|--|
| ZONING: RH3 | 6-18-09 | |
| OCCUPANCY: R3 CONSTURCTION: | | |
| CONSTORCTION. | | |

P5



| FRIEL | |
|----------------|--|
| DESIGNS | |

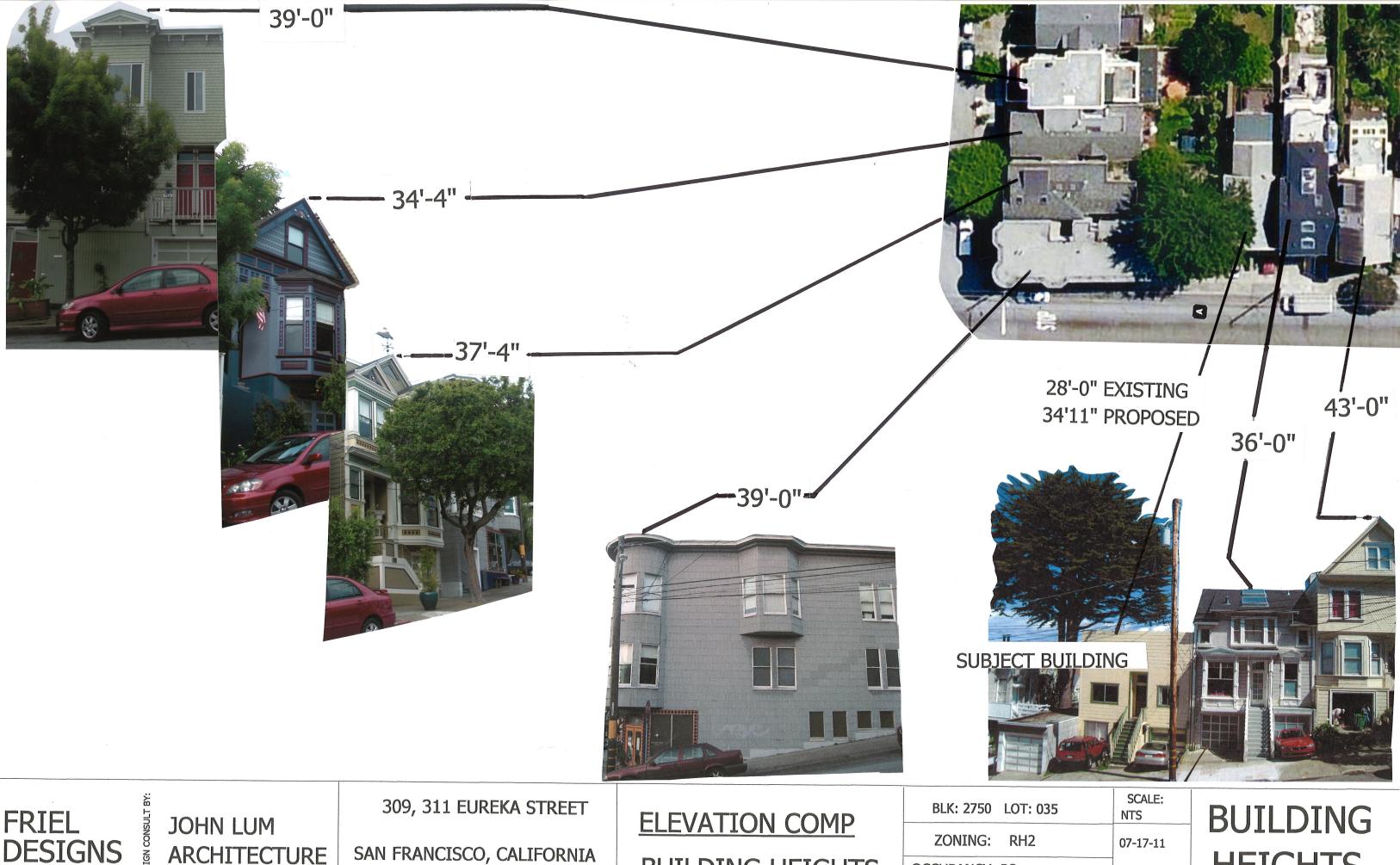
REDWOOD CITY, CA 650.759.1900

309 & 311 EUREKA STREET
SAN FRANCISCO, CALIFORNIA

PICTURES - CURRENT

| BLK: 2750 LOT: 035 | SCALE: NTS |
|--------------------------------|---------------|
| ZONING: RH3 | 6-18-09 |
| OCCUPANCY: R3 CONSTURCTION: | |

P7

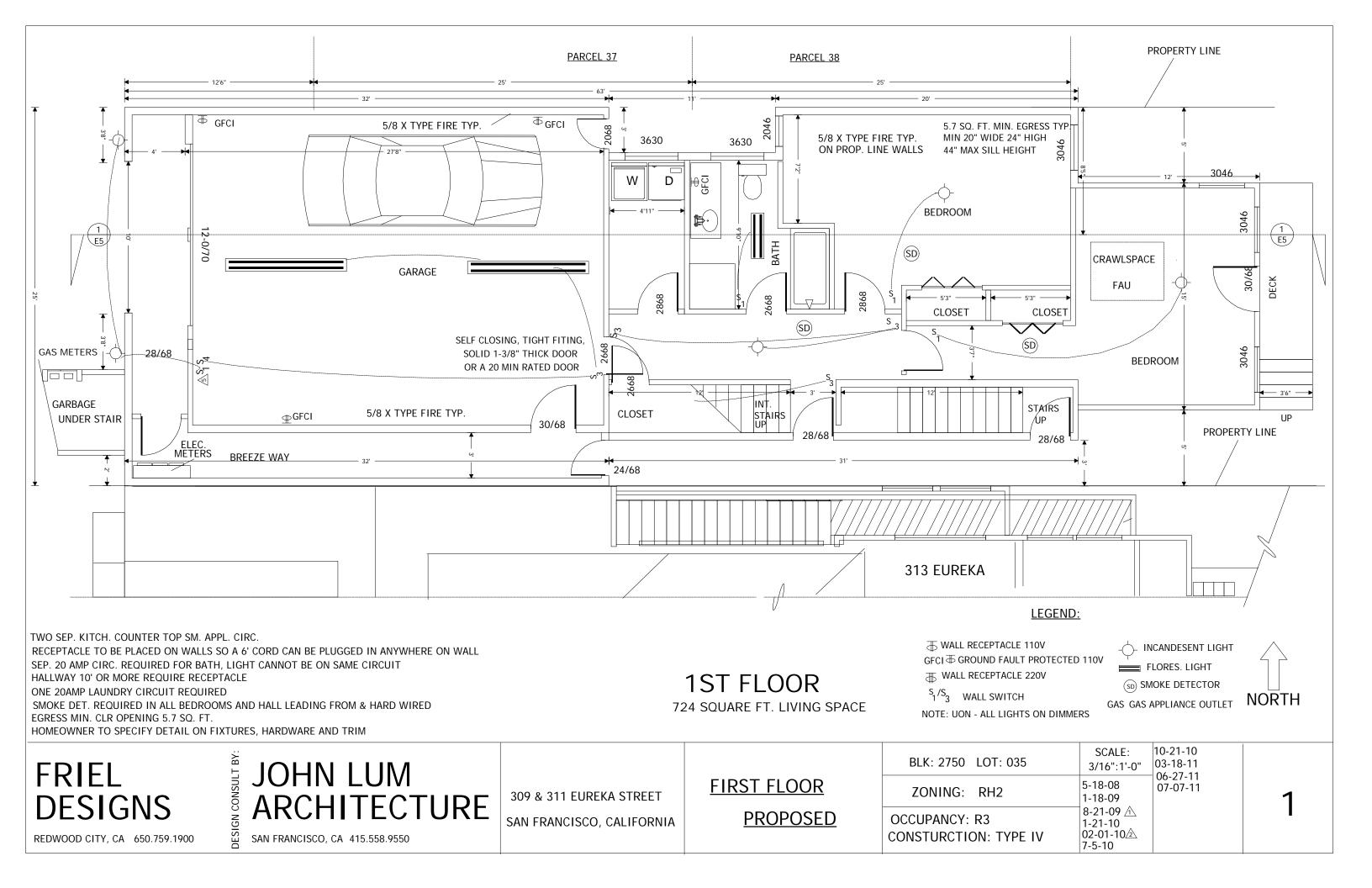


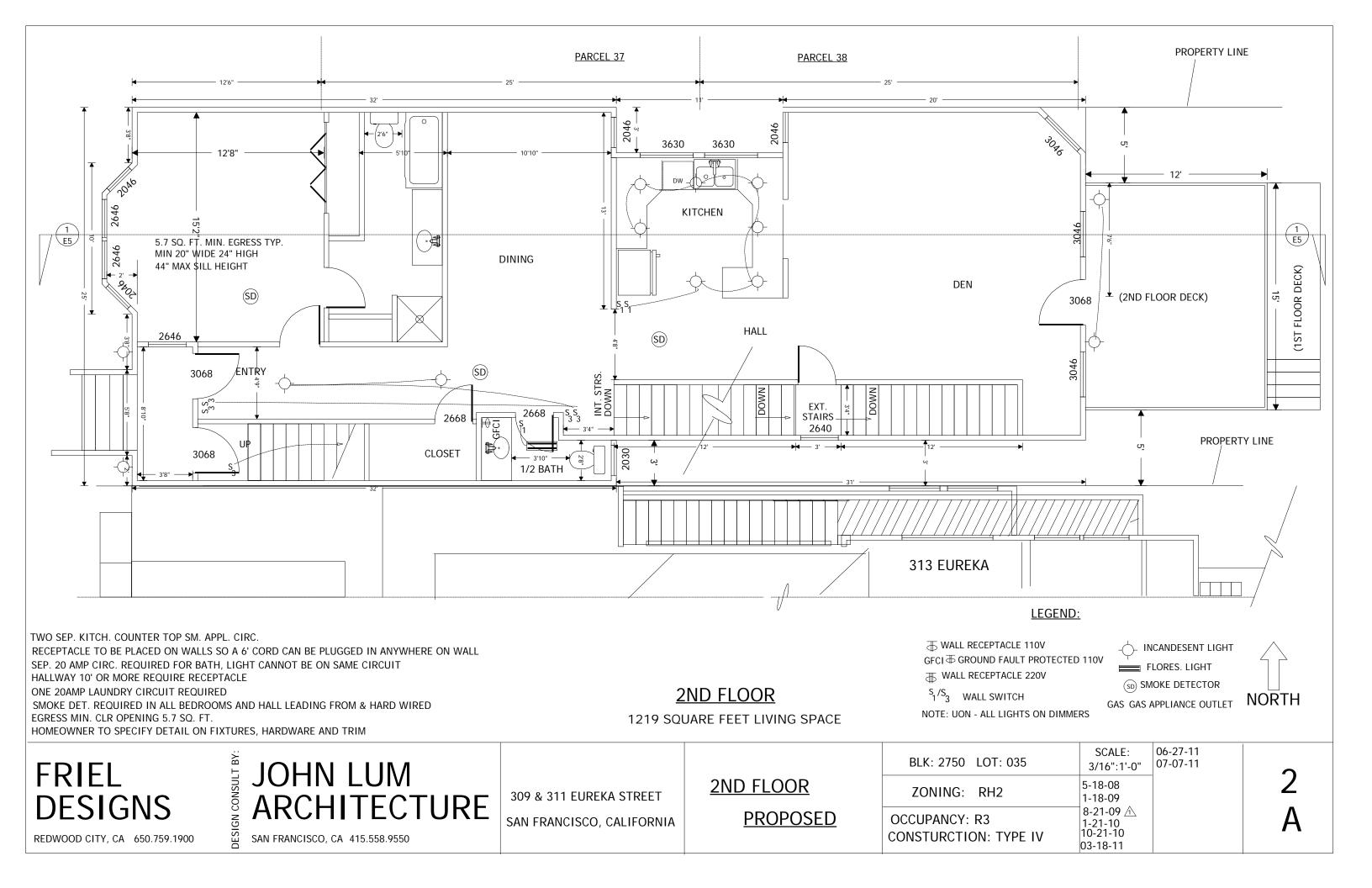
FRIEL DESIGNS REDWOOD CITY, CA

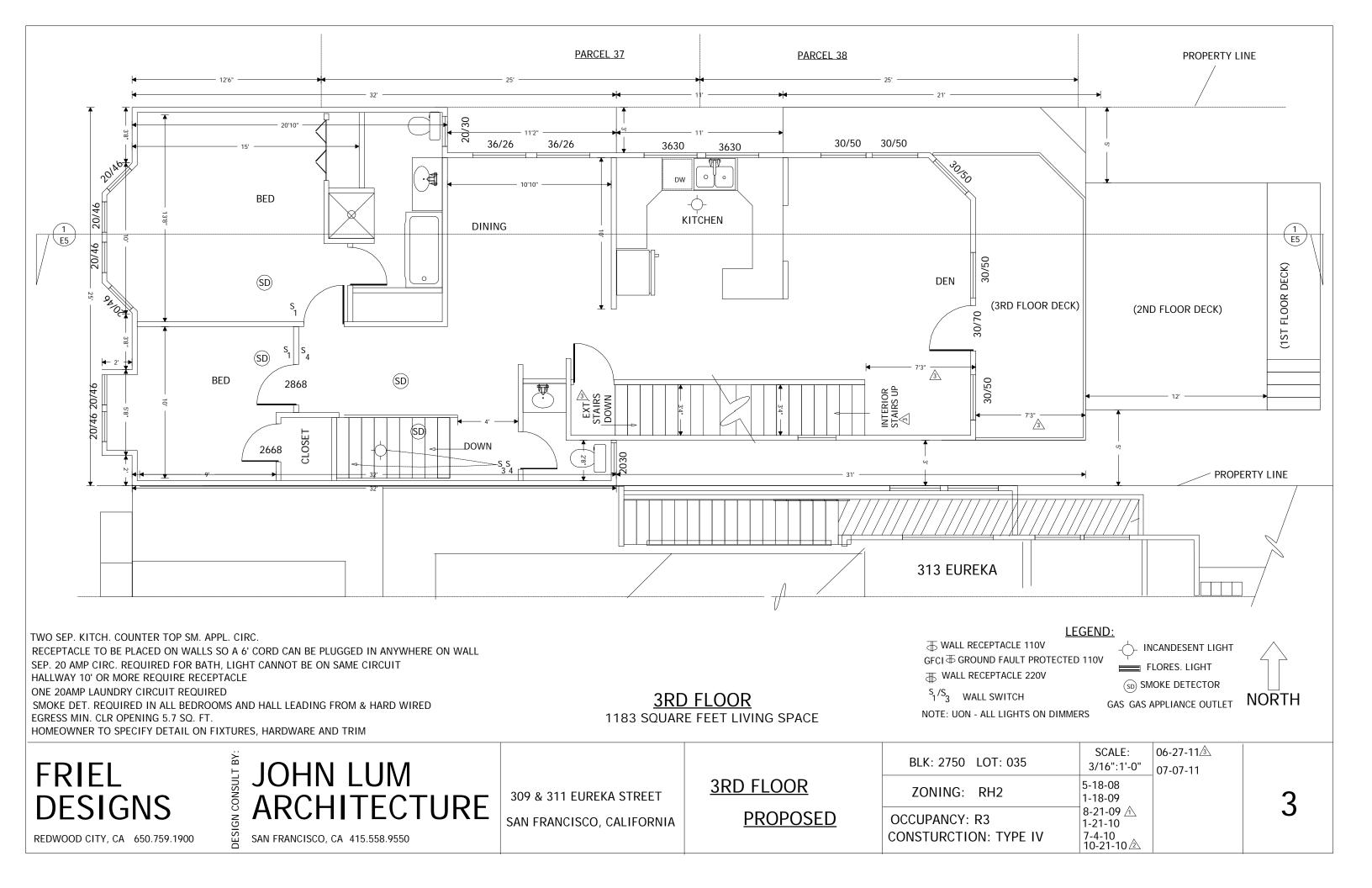
ARCHITECTURE SAN FRANCISCO, CALIFORNIA

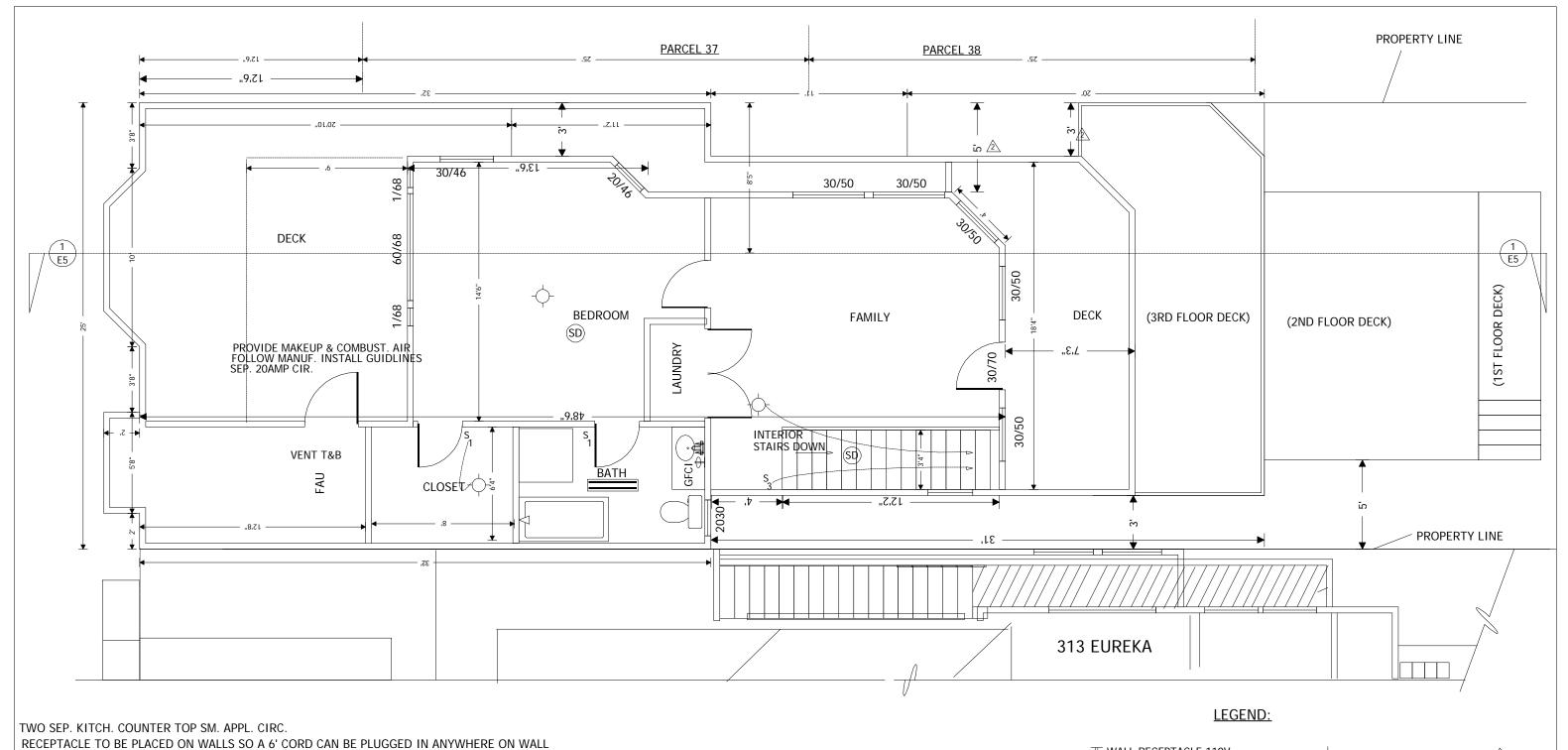
BUILDING HEIGHTS

OCCUPANCY: R3 CONSTURCTION: **HEIGHTS**









SEP. 20 AMP CIRC. REQUIRED FOR BATH, LIGHT CANNOT BE ON SAME CIRCUIT

HALLWAY 10' OR MORE REQUIRE RECEPTACLE

ONE 20AMP LAUNDRY CIRCUIT REQUIRED

SMOKE DET. REQUIRED IN ALL BEDROOMS AND HALL LEADING FROM & HARD WIRED

EGRESS MIN. CLR OPENING 5.7 SQ. FT.

HOMEOWNER TO SPECIFY DETAIL ON FIXTURES, HARDWARE AND TRIM

<u>PENTHOUSE</u>

562 SQUARE FEET LIVING SPACE

₩ WALL RECEPTACLE 110V GFCI → GROUND FAULT PROTECTED 110V

₩ WALL RECEPTACLE 220V

S₁/S₃ WALL SWITCH NOTE: UON - ALL LIGHTS ON DIMMERS - INCANDESENT LIGHT

FLORES. LIGHT

SD SMOKE DETECTOR

GAS GAS APPLIANCE OUTLET

NORTH

FRIEL DESIGNS

REDWOOD CITY, CA 650.759.1900

JOHN LUM ARCHITECTURE

SAN FRANCISCO, CA 415.558.9550

309 & 311 EUREKA STREET
SAN FRANCISCO, CALIFORNIA

PENTHOUSE PROPOSED

| BLK: 2750 LOT: 035 | | 6-27-11 07-07-11 | |
|--|---|---------------------|--|
| ZONING: RH2 | 5-18-08 1-18-09 | | |
| OCCUPANCY: R3 CONSTURCTION: TYPE IV | 8-21-09 <u> </u> | | |



date: issues/ revisions: 07.14.2011 311 submittal revision 1

REDUCED SET SCALE = 50%

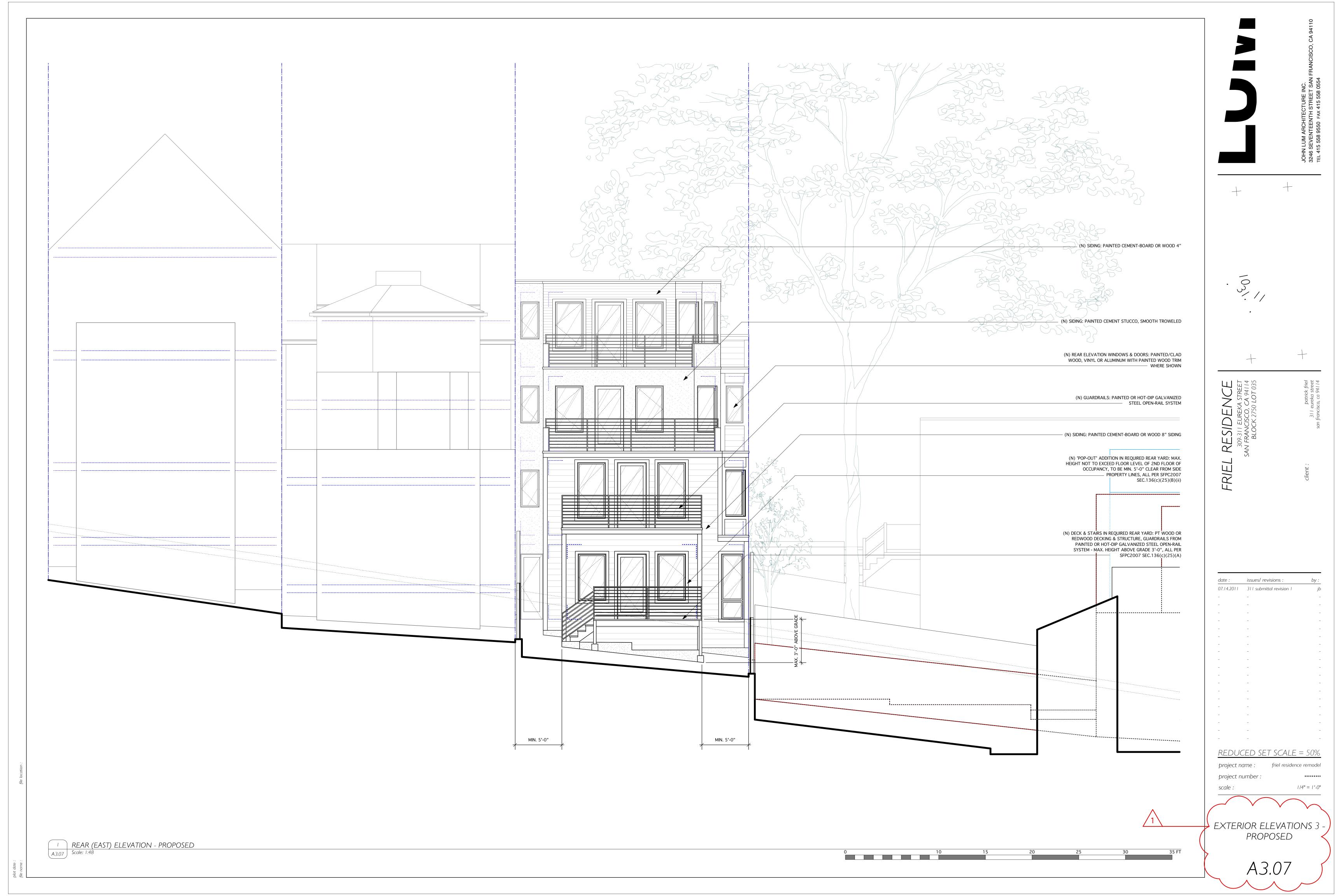
project name : friel residence remodel 1/4" = 1'-0"

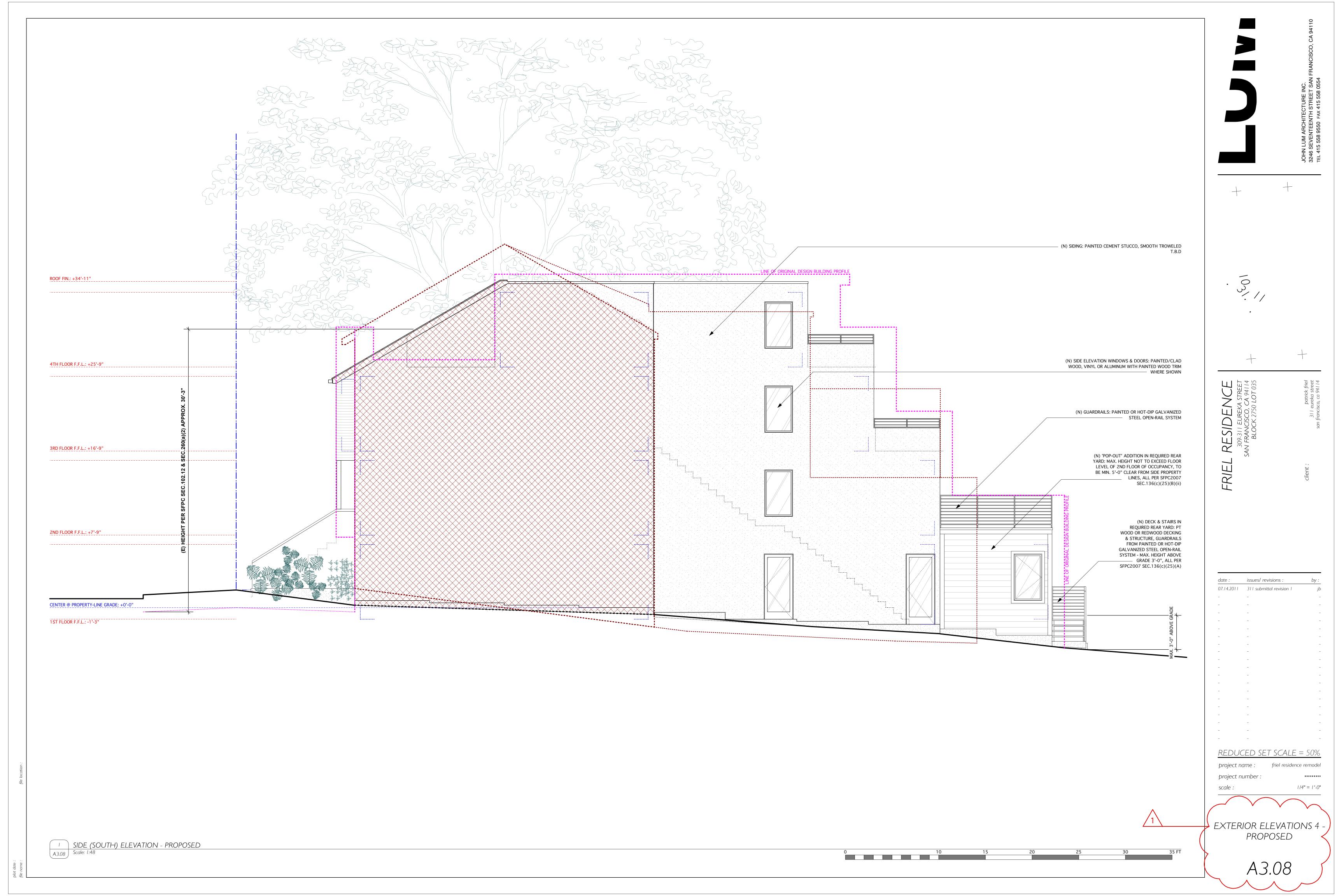
EXTERIOR ELEVATIONS I -PROPOSED <



friel residence remodel 1/4" = 1'-0"

EXTERIOR ELEVATIONS 2





EUREKA STREET ISCO, CA 94114 K 2750 LOT 035

309-311 EUREKA STREE SAN FRANCISCO, CA 9411 BLOCK 2750 LOT 03

ate: issues/ revisions

project name : friel residence remodel

project number :

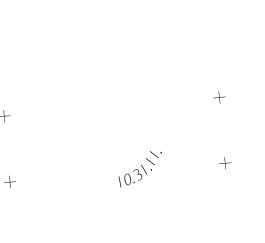
scale :

EXTERIOR ELEVATIONS -STREETSCAPE

A310

PROPOSED





project name :

3-D MODEL RENDERINGS - PROPOSED



FRONT PERSPECTIVE - PROPOSED

A3.11 Scale: 1:96

