



SAN FRANCISCO PLANNING DEPARTMENT

Discretionary Review Abbreviated Analysis

HEARING DATE: NOVEMBER 3, 2011

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

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

Date: 10/26/11
Case No.: **2011.0891DDDD**
Project Address: **3139-3941 Gough Street**
Permit Application: 201012026003
Zoning: RH-3 [Residential House, Three-Family]
40-X Height and Bulk District
Block/Lot: 0481/004
Project Sponsor: Shadi Aboukhater
3139-3141 Gough Street
San Francisco, CA 94123
Staff Contact: Aaron Starr – (415) 588-6362
aaron.starr@sfgov.org
Recommendation: **Do not take DR and approve as proposed**

PROJECT DESCRIPTION

The proposal includes constructing a two-story vertical addition and a rear horizontal addition that will increase the building's depth by approximately three feet. The proposed partial fourth floor will be set back approximately 10 feet from the front façade to align with the fourth floor of the building to the south. The proposal also includes interior alterations and front façade alterations. The resulting building will be a four-story, two-unit building.

SITE DESCRIPTION AND PRESENT USE

The subject property is located on the west side of Gough Street between Francisco Street and Chestnut Street in the City's Marina District. The subject lot is 25 feet wide by 112.5 feet deep and contains a two-story, two-unit building that covers approximately 60% of the lot.

SURROUNDING PROPERTIES AND NEIGHBORHOOD

The subject property is currently the shortest building on the blockface. The adjacent building to the south is four stories, while the adjacent building to the north is three stories. The blockface is made up of three- and four-story buildings with densities ranging from two units to 20 units. The character of the block is typical for the Marina, with most of the buildings clad in stucco with some form of rounded or angled bays and projecting cornices.

BUILDING PERMIT NOTIFICATION

| TYPE | REQUIRED PERIOD | NOTIFICATION DATES | DR FILE DATE | DR HEARING DATE | FILING TO HEARING TIME |
|------------|-----------------|------------------------------------|--------------------|---------------------|------------------------|
| 311 Notice | 30 days | June 23, 2011- August 11, 2011* | August 11, 2011 | November 3, 2011 | 84 days |

*Notification poster was improperly posted. The ZA extended the 311 notification period.

HEARING NOTIFICATION

| TYPE | REQUIRED PERIOD | REQUIRED NOTICE DATE | ACTUAL NOTICE DATE | ACTUAL PERIOD |
|---------------|-----------------|----------------------|--------------------|---------------|
| Posted Notice | 10 days | October 24, 2011 | October 24, 2011 | 10 days |
| Mailed Notice | 10 days | October 24, 2011 | October 24, 2011 | 10 days |

PUBLIC COMMENT

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

Opposition to the proposal is limited to the DR Requestors, including their respective spouses.

DR REQUESTORS

Lawrence Yuen
3153 Gough Street
Located two properties to the north of the subject property

Cleta Gran
3137 Gough Street
Located directly to the south of the subject property

Russell Smith
3147 Gough Street
Located directly to the north of the subject property

Janet Myers
3149 Gough Street
Located directly to the north of the subject property.

DR REQUESTOR'S CONCERNS AND PROPOSED ALTERNATIVES

See attached *Discretionary Review Applications*, dated August 11, 2011

PROJECT SPONSOR'S RESPONSE TO DR APPLICATION

See attached *Response to Discretionary Review*, dated August 23, 2011

ENVIRONMENTAL REVIEW

The Department has determined that the proposed project is exempt/excluded from environmental review, pursuant to CEQA Guideline Section 15301 (Class One - Minor Alteration of Existing Facility, (e) Additions to existing structures provided that the addition will not result in an increase of more than 10,000 square feet).

RESIDENTIAL DESIGN TEAM REVIEW

- The project is in scale with the blockface with regard to height, the bays and fenestration.
- The existing building was determined not to be a historic resource; the project as proposed is contextual and compatible.
- Property line windows are not protected.
- The proposed northern light-well is longer than required by the Residential Design Guidelines. In addition both the north and south light wells are open to the rear yard at the 4th level.

Under the Commission's pending DR Reform Legislation, this project would not be referred to the Commission as this project does not contain or create any exceptional or extraordinary circumstances.

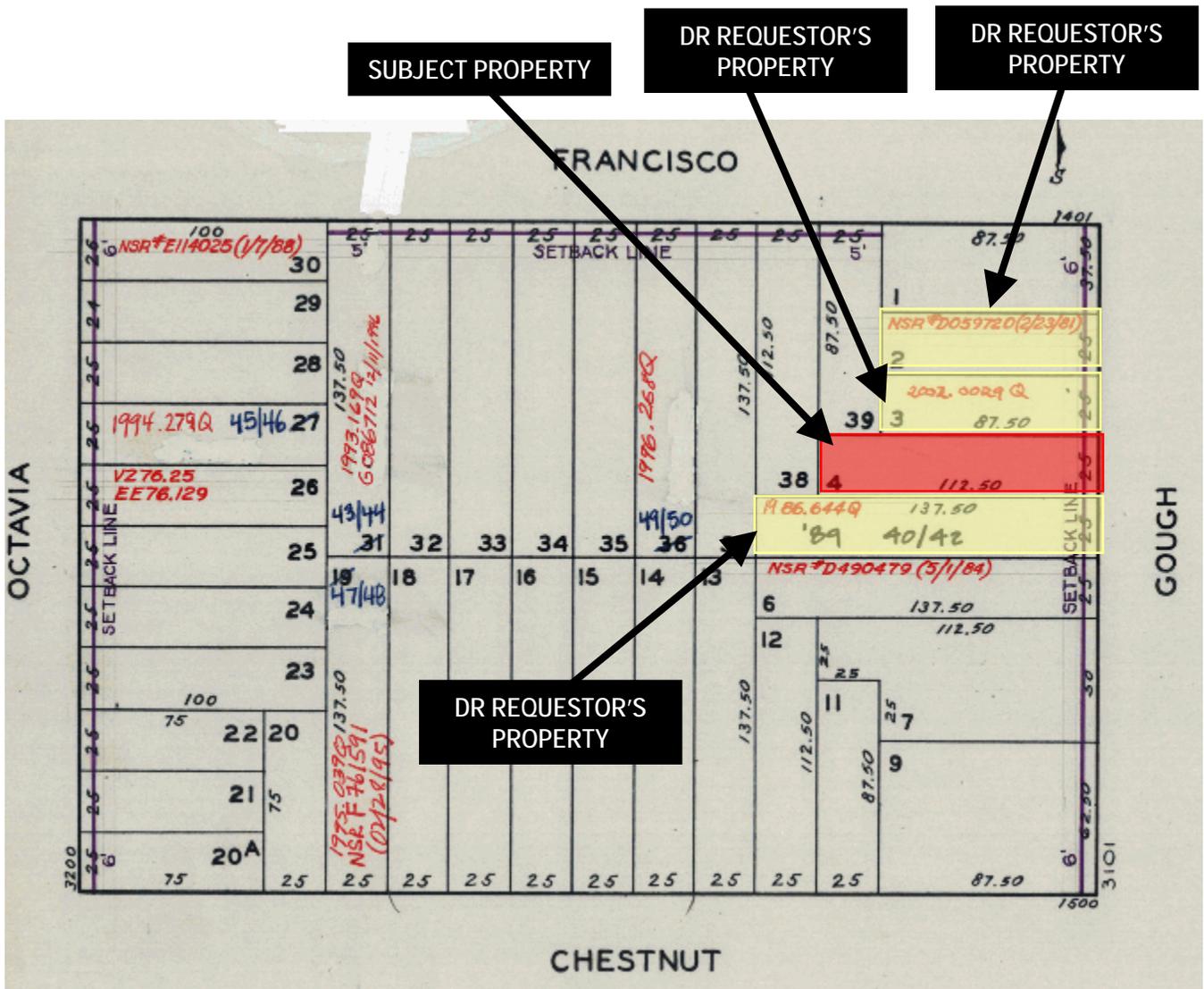
| |
|--|
| RECOMMENDATION: Do not take DR and approve project as proposed |
|--|

Attachments:

Block Book Sanborn Zoning and Maps
Aerial Photographs
Section 311 Notice
Historic Resource Evaluation Response (HRER)
DR Applications
Response to DR Application dated October 1, 2011
Reduced Plans/3D Renderings/Photos

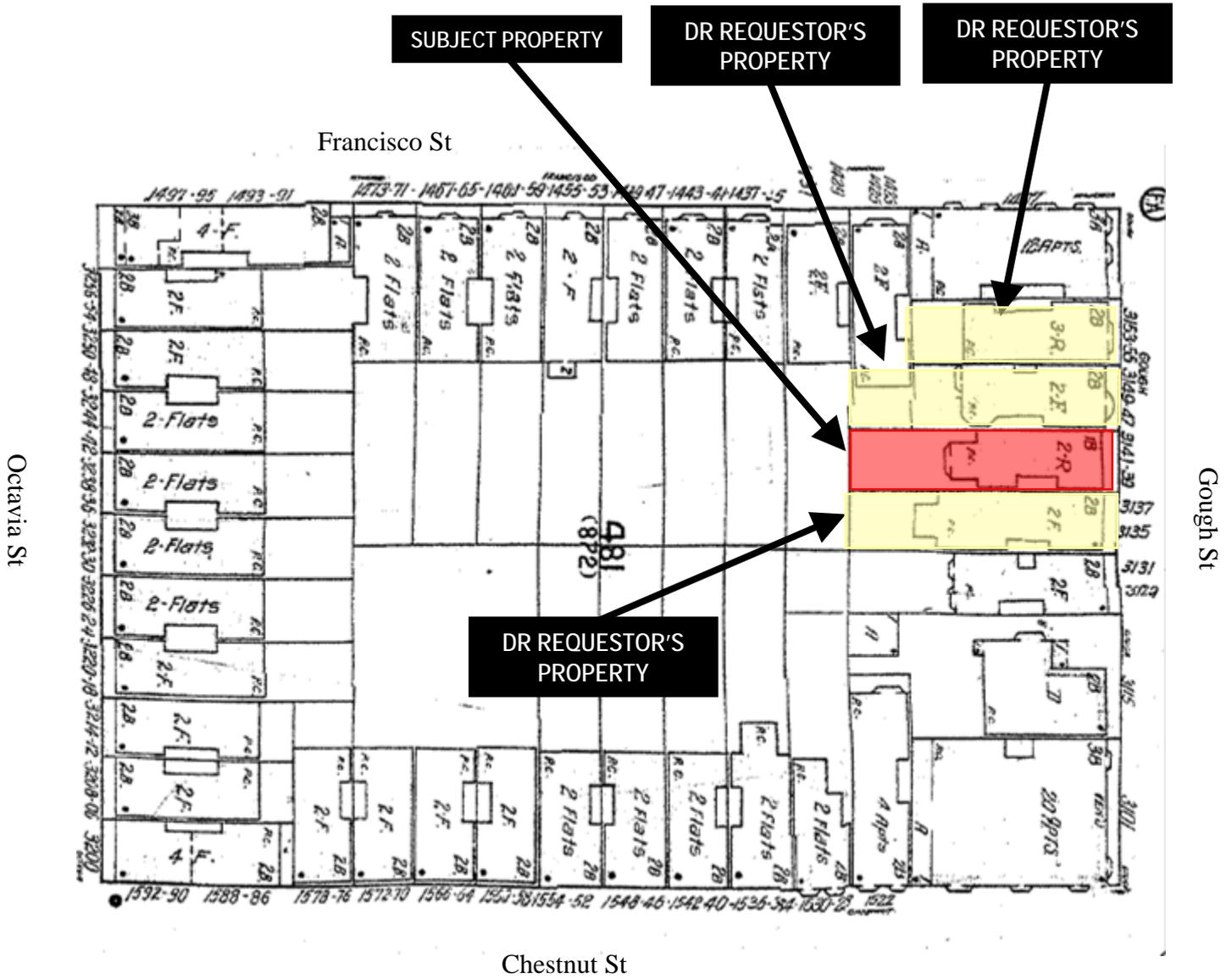
AS: G:\DOCUMENTS\Discretionary Review\3139 Gough Street\3139-3140 Gough.DR - Abbreviated Analysis.doc

Parcel Map



Discretionary Review Hearing
 Case Number 2011.0891DDDD
 Neighbor Initiated DR
 3139-3141 Gough Street

Sanborn Map*

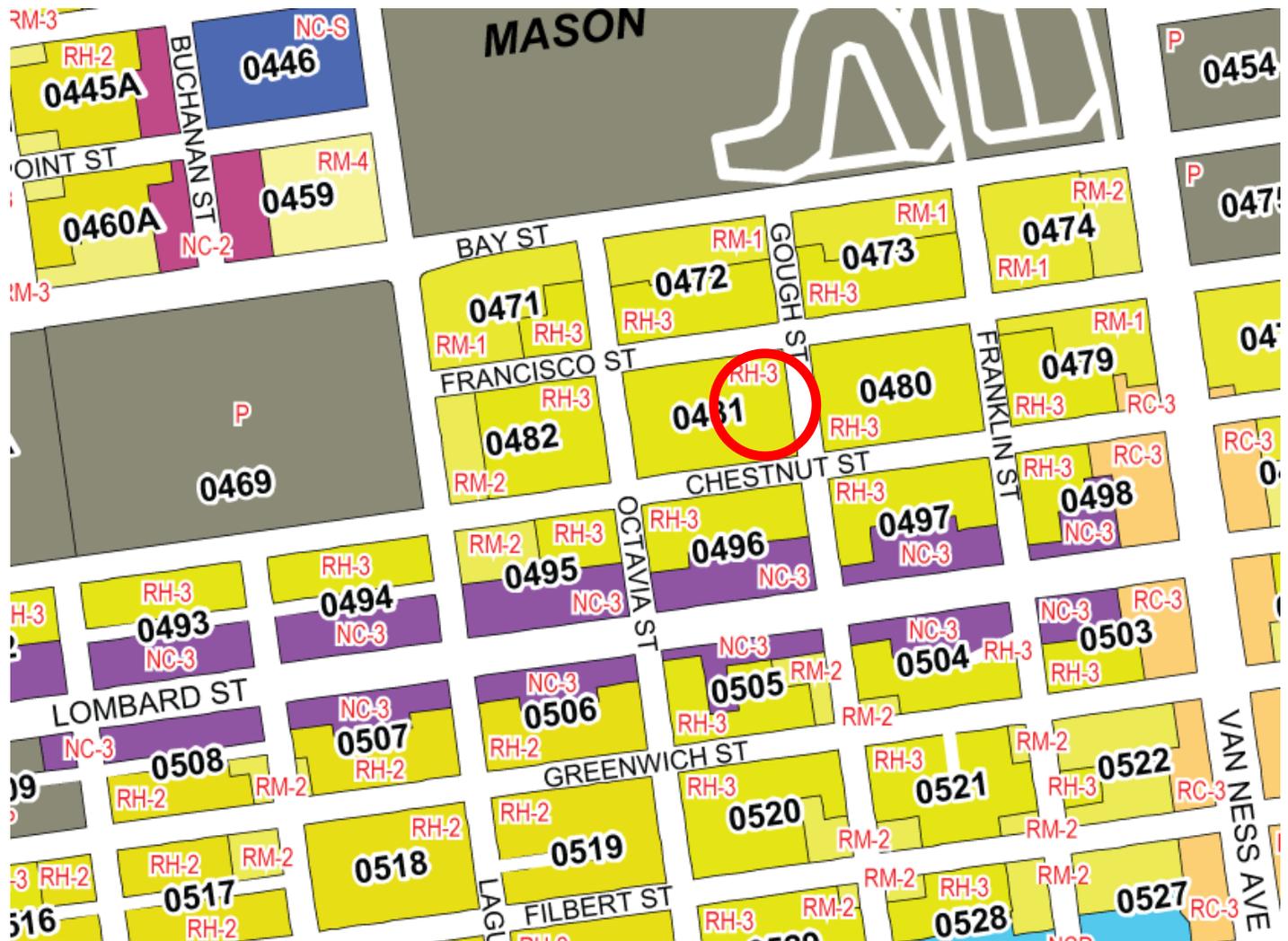


*The Sanborn Maps in San Francisco have not been updated since 1998, and this map may not accurately reflect existing conditions.



Discretionary Review Hearing
Case Number 2011.0891DDDD
Neighbor Initiated DR
3139-3141 Gough Street

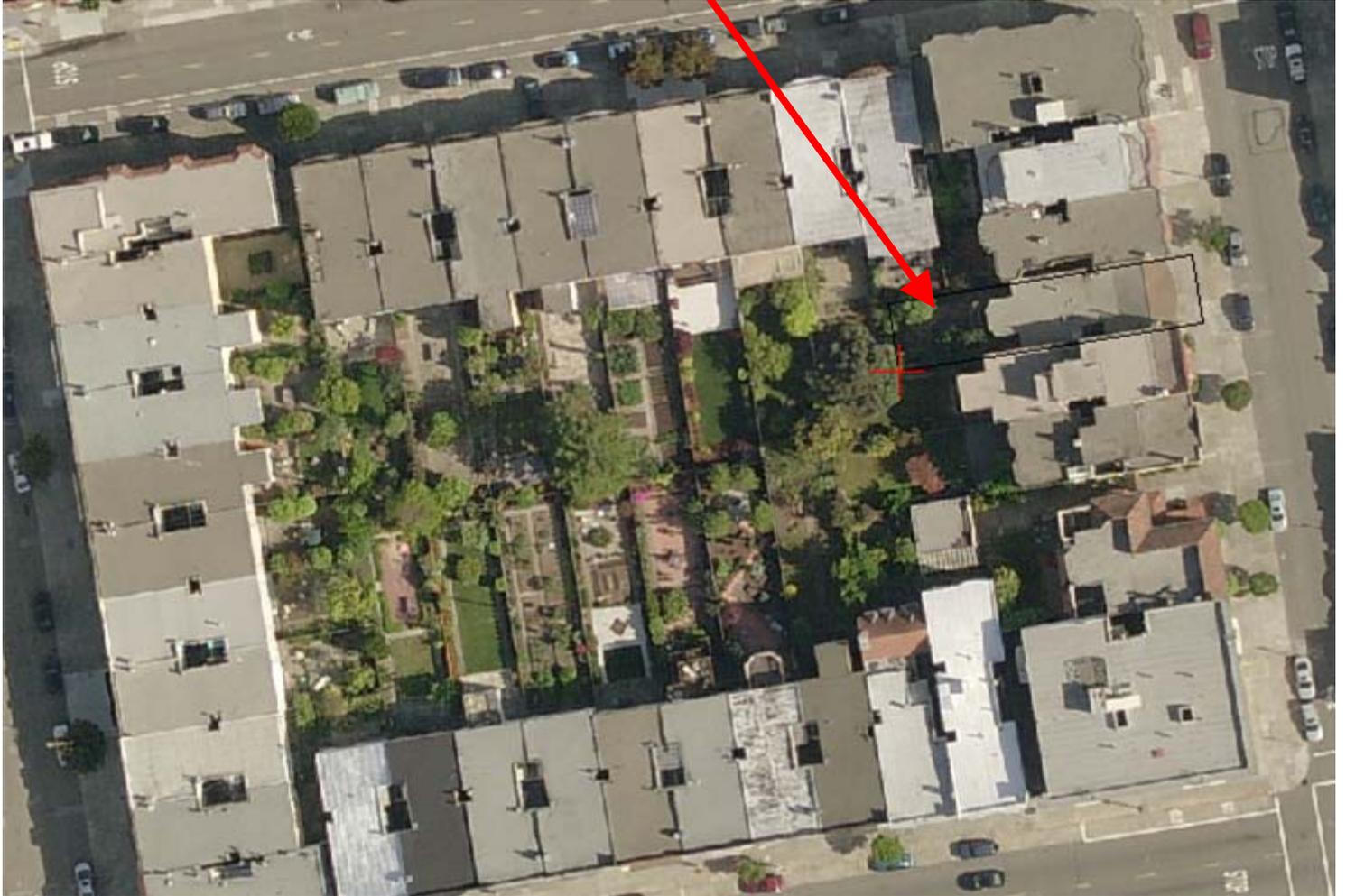
Zoning Map



Discretionary Review Hearing
Case Number 2011.0891DDDD
Neighbor Initiated DR
3139-3141 Gough Street

Aerial Photo

SUBJECT PROPERTY



Aerial Photo

SUBJECT PROPERTY



Aerial Photo



SUBJECT PROPERTY



Discretionary Review Hearing
Case Number 2011.0891DDDD
Neighbor Initiated DR
3139-3141 Gough Street



SAN FRANCISCO PLANNING DEPARTMENT

1650 Mission Street Suite 400 San Francisco, CA 94103

NOTICE OF BUILDING PERMIT APPLICATION (SECTION 311)

On **December 2, 2010**, the Applicant named below filed Building Permit Application No. **2010.12.02.6003** (Alteration) with the City and County of San Francisco.

| CONTACT INFORMATION | | PROJECT SITE INFORMATION | |
|---------------------|--|----------------------------|-----------------------------------|
| Applicant: | Winder Gibson Architects | Project Address: | 3139-3141 Gough Street |
| Address: | 351 9th Street, #301 | Cross Streets: | Francisco St./Chestnut St. |
| City, State: | San Francisco, CA 94103 | Assessor's Block /Lot No.: | 0481/ 004 |
| Telephone: | (415) 318-8634 | Zoning Districts: | RH-3 /40-X |

Under San Francisco Planning Code Section 311, you, as a property owner or resident within 150 feet of this proposed project, are being notified of this Building Permit Application. You are not obligated to take any action. For more information regarding the proposed work, or to express concerns about the project, please contact the Applicant above or the Planner named below as soon as possible. If your concerns are unresolved, you can request the Planning Commission to use its discretionary powers to review this application at a public hearing. Applications requesting a Discretionary Review hearing must be filed during the 30-day review period, prior to the close of business on the Expiration Date shown below, or the next business day if that date is on a week-end or a legal holiday. If no Requests for Discretionary Review are filed, this project will be approved by the Planning Department after the Expiration Date.

| PROJECT SCOPE | | |
|--|--------|--|
| <input type="checkbox"/> DEMOLITION | and/or | <input type="checkbox"/> NEW CONSTRUCTION or <input checked="" type="checkbox"/> ALTERATION |
| <input checked="" type="checkbox"/> VERTICAL EXTENSION | | <input type="checkbox"/> CHANGE # OF DWELLING UNITS <input checked="" type="checkbox"/> FACADE ALTERATION(S) |
| <input type="checkbox"/> HORIZ. EXTENSION (FRONT) | | <input type="checkbox"/> HORIZ. EXTENSION (SIDE) <input checked="" type="checkbox"/> HORIZ. EXTENSION (REAR) |

| PROJECT FEATURES | EXISTING CONDITION | PROPOSED CONDITION |
|---|--------------------|--------------------|
| FRONT SETBACK | 7.5' | No Change |
| SIDE SETBACKS | None | No Change |
| BUILDING DEPTH | 68' | 71' |
| REAR YARD | 38' | 35' |
| HEIGHT OF BUILDING | 20' | 40' |
| NUMBER OF STORIES | 2 | 4 |
| NUMBER OF DWELLING UNITS | 2 | No Change |
| NUMBER OF OFF-STREET PARKING SPACES | 1 | 2 |

PROJECT DESCRIPTION

The proposal includes constructing a 2-story vertical addition and a rear horizontal addition that will increase the building's depth by approximately 3'. The proposed 4th floor will be set back approximately 10' from the front façade to align with the 4th floor of the building to the south (left). The proposal also includes interior alterations and front façade alterations.

PLANNER'S NAME: **Aaron Starr**

PHONE NUMBER: **(415) 558-6362**

DATE OF THIS NOTICE:

EMAIL: **Aaron.starr@sfgov.org**

EXPIRATION DATE: _____

NOTICE OF BUILDING PERMIT APPLICATION GENERAL INFORMATION ABOUT PROCEDURES

Reduced copies of the site plan and elevations (exterior walls), and floor plans (where applicable) of the proposed project, including the position of any adjacent buildings, exterior dimensions, and finishes, and a graphic reference scale, have been included in this mailing for your information. Please discuss any questions with the project Applicant listed on the reverse. You may wish to discuss the plans with your neighbors and neighborhood association or improvement club, as they may already be aware of the project. Immediate neighbors to the project, in particular, are likely to be familiar with it.

Any **general questions** concerning this **application review process** may be answered by the **Planning Information Center at 1660 Mission Street, 1st Floor (415/ 558-6377) between 8:00 a.m. - 5:00 p.m.** Please phone the Planner listed on the reverse of this sheet with **questions specific to this project.**

If you determine that the impact on you from this proposed development is significant and you wish to seek to change the proposed project, there are several procedures you may use. We strongly urge that steps 1 and 2 be taken.

1. Seek a meeting with the project sponsor and the architect to get more information, and to explain the project's impact on you and to seek changes in the plans.
2. **Call the nonprofit organization Community Boards at (415) 920-3820.** They are specialists in conflict resolution through mediation and can often help resolve substantial disagreement in the permitting process so that no further action is necessary.
3. Where you have attempted, through the use of the above steps, or other means, to address potential problems without success, call the assigned project planner whose name and phone number are shown at the lower left corner on the reverse side of this notice, to review your concerns.

If, after exhausting the procedures outlined above, you still believe that exceptional and extraordinary circumstances exist, you have the option to request that the Planning Commission exercise its discretionary powers to review the project. These powers are reserved for use in exceptional and extraordinary circumstances for projects, which generally conflict with the City's General Plan and the Priority Policies of the Planning Code; therefore the Commission exercises its discretion with utmost restraint. This procedure is called Discretionary Review. If you believe the project warrants Discretionary Review by the Planning Commission over the permit application, you must make such request **within 30 days of this notice, prior to the Expiration Date shown on the reverse side**, by completing an application (available at the **Planning Department, 1660 Mission Street, 1st Floor**, or **on-line at www.sfplanning.org**). You must submit the application to the **Planning Information Center (PIC) during the hours between 8:00 a.m. and 5:00 p.m.**, with all required materials, and a check, **for each Discretionary Review request payable to the Planning Department.** To determine the fee for a Discretionary Review, please refer to the Planning Department Fee Schedule available at www.sfplanning.org or at the PIC located at 1660 Mission Street, First Floor, San Francisco. For questions related to the Fee Schedule, please call the PIC at (415) 558-6377. If the project includes multi building permits, i.e. demolition and new construction, a **separate request for Discretionary Review must be submitted, with all required materials and fee, for each permit that you feel will have an impact on you. Incomplete applications will not be accepted.**

If no Discretionary Review Applications have been filed within the Notification Period, the Planning Department will approve the application and forward it to the Department of Building Inspection for its review.

BOARD OF APPEALS

An appeal of the approval (or denial) of the permit application by the Planning Department or Planning Commission may be made to the **Board of Appeals within 15 days** after the permit is issued (or denied) by the Superintendent of the Department of Building Inspection. Submit an application form in person at the **Board's office at 1650 Mission Street, 3rd Floor, Room 304.** For further information about appeals to the Board of Appeals, including their current fees, **contact the Board of Appeals at (415) 575-6880.**



SAN FRANCISCO PLANNING DEPARTMENT

MEMO

Historic Resource Evaluation Response

Environmental Planner: Brett Bollinger
(415) 575-9024
brett.bollinger@sfgov.org

Preservation Planner: Matt Weintraub
(415) 575-6812
matt.weintraub@sfgov.org

Project Address: 3139 Gough Street
Block/Lot: 0481/004
Case No.: 2011.0373E

Date of Review: May 12, 2011 (Part I and II)

PART I: HISTORIC RESOURCE EVALUATION

BUILDING(S) AND PROPERTY DESCRIPTION

3139 Gough Street is a single-family dwelling that was constructed in 1923, according to records of the Assessor and the Department of Building Inspection (DBI). In these records, no architect was listed, and the owner (Mayer Bers) was listed as the builder and engineer.¹ 3139 Gough Street is a two-story, wood-frame dwelling with a flat roof, designed with elements that are consistent with Period Revival architectural style. The subject building is located on the west side of Gough Street, between Chestnut and Francisco Streets. The house is set back slightly from the front lot line, with no side yards. The lot is 25 feet wide and 112.5 feet deep. Architectural features include: a sloping parapet with false gable and square chimney; a wide five-sided bay window; cast plaster cartouche ornaments at the upper corners; and entry openings detailed with side brackets and piers.

The property is located within a RH-3 (Residential, House, Three-Family) Zoning District and a 40-X Height and Bulk District.

PRE-EXISTING HISTORIC RATING / SURVEY

The subject property is not included on any historic resource surveys or listed on any local, state or national registries. The subject property is not located within any designated historic districts. The building is considered a "Category B" property (Properties Requiring Further Consultation and Review) for the purposes of the Planning Department's California Environmental Quality Act (CEQA) review procedures due to its age (constructed in 1923 and more than 50 years of age).

¹ Supplemental Information Form for Historical Resource Evaluation dated April 5, 2011.

NEIGHBORHOOD CONTEXT AND DESCRIPTION

The immediate area surrounding the subject property consists of two-, three-, and four-story residential buildings that were constructed during the early and mid-20th century. Residential buildings include single-family dwellings, flats, and apartments. Architectural styles that are present in this area include Period Revival, Classical Revival, and vernacular variations of these styles. The area does not exhibit a single predominant architectural character. The area contains a typical rectangular urban block/lot layout. Residential buildings are typically set back a few feet from the front lot lines, on long narrow lots with no side yards.

CEQA HISTORICAL RESOURCE(S) EVALUATION

Step A: Significance

Under CEQA section 21084.1, a property qualifies as a historic resource if it is "listed in, or determined to be eligible for listing in, the California Register of Historical Resources." Properties that are included in a local register are also presumed to be historical resource for the purpose of CEQA. The fact that a resource is not listed in, or determined to be eligible for listing in, the California Register of Historical Resources or not included in a local register of historical resources, shall not preclude a lead agency from determining whether the resource may qualify as a historical resource under CEQA. (Please note: The Department's determination is made based on the Department's historical files on the property and neighborhood and additional research provided by the project sponsor.)

Based on the California Register of Historical Resources (California Register) criteria, Department staff finds that the subject building (3139 Gough Street) does not appear to be eligible for inclusion in the California Register as an individual historic resource or as a contributor to a historic district.

To assist in the evaluation of the subject property, the Project Sponsor has submitted the following report:

- Supplemental Information Form for Historical Resource Evaluation dated April 5, 2011, and prepared by Geoff Gibson.

Staff has reviewed the report and generally concurs with the findings and analysis. In addition, staff has conducted additional research and analysis in order to complete the evaluation of the property and the project.

Included is an evaluation of the subject property (3139 Gough Street), which is not eligible for the California Register of Historical Resources, based on the following criteria:

- | | | | |
|---|---|--|--|
| Criterion 1 - Event: | <input checked="" type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | <input type="checkbox"/> Unable to determine |
| Criterion 2 - Persons: | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | <input type="checkbox"/> Unable to determine |
| Criterion 3 - Architecture: | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | <input type="checkbox"/> Unable to determine |
| Criterion 4 - Information Potential: | <input type="checkbox"/> Further investigation recommended. | | |
| District or Context: | <input type="checkbox"/> Yes, may contribute to a potential district or significant context | | |

Period(s) of Significance: None

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

Based on the information provided by the Project Sponsor and located in the Planning Department's background files, the subject building at 3139 Gough Street is not eligible for inclusion in the California Register individually or as a contributor to a potential historic district under Criterion 1 (Events). There is no available information to indicate that the subject building was associated with any event that made a significant contribution to the broad patterns of local or regional history or the cultural heritage of California or the United States. Construction of the subject building in 1923, as well as the construction of other similar buildings in the area at approximately the same time, is not known to have been an important event, and it is not known to have been related to any important broad cultural, social, political, or other historical events that occurred at the time in the City, the State, or the nation. The subject building is therefore determined not to be eligible under this Criterion.

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

Based on the information provided by the Project Sponsor and located in the Planning Department's background files, the subject building at 3139 Gough Street is not eligible for inclusion in the California Register individually or as a contributor to a potential historic district under Criterion 2 (Persons). There is no available information to indicate that the subject building was associated with any person(s) who made a significant contribution to the broad patterns of local or regional history or the cultural heritage of California or the United States. The historic owners and occupants of the subject building, including the original owner and builder, are not known to have been important individuals. The subject building is therefore determined not to be eligible under this Criterion.

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

Based on the information provided by the Project Sponsor and located in the Planning Department's background files, the subject building at 3139 Gough Street is not eligible for inclusion in the California Register individually or as a contributor to a potential historic district under Criterion 3 (Architecture). The Supplemental Information Form that was submitted by the Project Sponsor describes the architectural style as "Marina" and states: "There are minor and simple Marina-style details at the eave."² No architect is associated with the subject building. Visual inspection by Department staff indicates that the subject building was the work of a commercial builder who employed standard plans, materials, decoration, and techniques of the period, without innovation or artistic values that would qualify it as an important or representative example of architecture from the period. In addition, visual inspection and DBI permit history indicate that some historic architectural features are no longer present, including original windows and garage doors. The subject building is therefore determined not to be eligible under this Criterion.

² Supplemental Information Form for Historical Resource Evaluation dated April 5, 2011.

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

Based on the information provided by the Project Sponsor and located in the Planning Department's background files, the subject building at 3139 Gough Street is not eligible for inclusion in the California Register individually or as a contributor to a potential historic district under Criterion 4 (Information Potential). This criterion is typically associated with archaeological resources, which are not known or believed to be present at the subject property. Furthermore, the subject property is not an example of a rare construction type that might provide information important to understanding the built environment.

Step B: Integrity

To be a resource for the purposes of CEQA, a property must not only be shown to be significant under the California Register of Historical Resources criteria, but it also must have integrity. Integrity is defined as "the authenticity of a property's historic identity, evidenced by the survival of physical characteristics that existed during the property's period of significance." Historic integrity enables a property to illustrate significant aspects of its past. All seven qualities do not need to be present as long the overall sense of past time and place is evident.

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

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

The subject building at 3139 Gough Street was determined not to be significant under the California Register criteria, and therefore an analysis of integrity is not applicable. However, it may be noted that the historic design, materials, and workmanship of the subject building have been affected by alterations to the front façade that include non-historic replacement of original windows and garage doors.

Step C: Character-defining Features

If the subject property has been determined to have significance and retains integrity, please list the character-defining features of the building(s) and/or property. A property must retain the essential physical features that enable it to convey its historic identity in order to avoid significant adverse impacts to the resource. These essential features are those that define both why a property is significant and when it was significant, and without which a property can no longer be identified as being associated with its significance.

The subject building at 3139 Gough Street was determined not to be significant under the California Register criteria, and therefore an analysis of character-defining features is not applicable.

CEQA HISTORIC RESOURCE DETERMINATION

No Historic Resource Present

If there is no historic resource present, please have the Senior Preservation Planner review, sign, and process for the Environmental Planning Division.

No Historic Resource Present, but is located within a California Register-eligible historic district

FRONT FACADE



Subject property at center.

APPLICATION FOR Discretionary Review

RECEIVED

AUG 11 2011

CITY & COUNTY OF S.F.
PLANNING DEPARTMENT
PTC

1. Owner/Applicant Information

| | | |
|--|--------------------|------------------------------|
| DR APPLICANT'S NAME: Clela Grant and Gerald Barbo | | |
| DR APPLICANT'S ADDRESS: 3137 Gough Street | ZIP CODE: 94123 | TELEPHONE: (415)776-7402 |

| | | |
|--|--------------------|-------------------------------|
| PROPERTY OWNER WHO IS DOING THE PROJECT ON WHICH YOU ARE REQUESTING DISCRETIONARY REVIEW NAME: Shadi Aboukhater | | |
| ADDRESS: 3139 Gough Street | ZIP CODE: 94123 | TELEPHONE: (415) 923-1799 |

| | | |
|--|-----------|-------------------|
| CONTACT FOR DR APPLICATION: Same as Above <input checked="" type="checkbox"/> | | |
| ADDRESS: | ZIP CODE: | TELEPHONE: () |
| E-MAIL ADDRESS: | | |

2. Location and Classification

| | |
|---|--------------------|
| STREET ADDRESS OF PROJECT: 3139 -3141 Gough Street | ZIP CODE: 94123 |
| CROSS STREETS: West side of Gough between Francisco and Chestnut Streets | |

| | | | | |
|---------------------------------|--------------------------------|-----------------------------|--------------------------|----------------------------------|
| ASSESSORS BLOCK/LOT: 481 /04 | LOT DIMENSIONS: 25 x 112.50 | LOT AREA (SQ FT): 2812.5 | ZONING DISTRICT: RH-3 | HEIGHT/BULK DISTRICT: 40 feet |
|---------------------------------|--------------------------------|-----------------------------|--------------------------|----------------------------------|

3. Project Description

Please check all that apply

Change of Use Change of Hours New Construction Alterations Demolition Other

Additions to Building: Rear Front Height Side Yard
Two units

Present or Previous Use:

Proposed Use: Two units

Building Permit Application No. 2010.12.02.6003

Date Filed: 12/2/2010

4. Actions Prior to a Discretionary Review Request

| Prior Action | YES | NO |
|---|-------------------------------------|-------------------------------------|
| Have you discussed this project with the permit applicant? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Did you discuss the project with the Planning Department permit review planner? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| Did you participate in outside mediation on this case? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

5. Changes Made to the Project as a Result of Mediation

If you have discussed the project with the applicant, planning staff or gone through mediation, please summarize the result, including any changes there were made to the proposed project.

We requested a meeting with the staff planner in Jan/Feb and asked him to visit our home. He told us it was "too early" and that he would contact us later for a meeting and site visit. We never heard from him. We received the plans approved by the Dept with the 311 notice and called him to ask why he had not met with us and he promised he would set up a meeting after his vacation. His supervisor Mr. Lindsay also promised we would get a meeting. The never contacted us and the Dept has never seen our home or heard our objections.

Discretionary Review Request

In the space below and on separate paper, if necessary, please present facts sufficient to answer each question.

1. What are the reasons for requesting Discretionary Review? The project meets the minimum standards of the Planning Code. What are the exceptional and extraordinary circumstances that justify Discretionary Review of the project? How does the project conflict with the City's General Plan or the Planning Code's Priority Policies or Residential Design Guidelines? Please be specific and site specific sections of the Residential Design Guidelines.

This is a large and overwhelming addition which adds two floors and rear extension. The building will be more than double in size from its current approximately 2500 sq. ft. to 5500 sq. ft. The new building is out of scale with the neighborhood and changes the configuration of the three buildings (3135-37 & 3139-41 & 3147-49) which were all constructed together in circa 1923 and have not been significantly altered since that time. Windows will be lost as well as access to light and air. This is a commercial enterprise. (See attached.)

2. The Residential Design Guidelines assume some impacts to be reasonable and expected as part of construction. Please explain how this project would cause unreasonable impacts. If you believe your property, the property of others or the neighborhood would be adversely affected, please state who would be affected, and how:

This project causes unreasonable impacts because of the dramatic size of the addition. There are few two-unit buildings in this neighborhood in excess of 5500 sq. ft. The loss of light to the adjacent buildings is unreasonable and additional setbacks and light wells should have been included as part of the project design. Both adjacent properties have window configurations which were minimally accommodated in order to permit the construction of an oversized project. (See attached.)

3. What alternatives or changes to the proposed project, beyond the changes (if any) already made would respond to the exceptional and extraordinary circumstances and reduce the adverse effects noted above in question #1?

The proposed project should be substantially reduced in order to alleviate the devastating impacts to the neighboring buildings. The project appears to be a demolition of the existing small building, which was first turned into condominiums by the current owners, and now is to be used as a commercial online "hotel" to the detriment of the long-term neighboring families. The new 4th floor should be substantially reduced to a master suite or penthouse configuration & there should be additional setbacks at the rear & the sides. (See attached.)

Applicant's Affidavit

Under penalty of perjury the following declarations are made:

- a: The undersigned is the owner or authorized agent of the owner of this property.
- b: The information presented is true and correct to the best of my knowledge.
- c: The other information or applications may be required.

Signature: *Gerald Barbo*

Date: 8-11-2011

Print name, and indicate whether owner, or authorized agent:

Gerald Barbo & Clea Grant

Owner / Authorized Agent (circle one)

Discretionary Review Application Submittal Checklist

Applications submitted to the Planning Department must be accompanied by this checklist and all required materials. The checklist is to be completed and **signed by the applicant or authorized agent.**

| REQUIRED MATERIALS (please check correct column) | DR APPLICATION |
|---|-------------------------------------|
| Application, with all blanks completed | <input type="checkbox"/> |
| Address labels (original), if applicable | <input type="radio"/> |
| Address labels (copy of the above), if applicable | <input type="radio"/> |
| Photocopy of this completed application | <input type="checkbox"/> |
| Photographs that illustrate your concerns | <input checked="" type="checkbox"/> |
| Convenant or Deed Restrictions | <input checked="" type="checkbox"/> |
| Check payable to Planning Dept. | <input type="checkbox"/> |
| Letter of authorization for agent | <input type="checkbox"/> |
| Other: Section Plan, Detail drawings (i.e. windows, door entries, trim), Specifications (for cleaning, repair, etc.) and/or Product cut sheets for new elements (i.e. windows, doors) | <input checked="" type="checkbox"/> |

NOTES:

Required Material.

Optional Material.

Two sets of original labels and one copy of addresses of adjacent property owners and owners of property across street.

For Department Use Only

Application received by Planning Department:

By: _____

Date: _____

ATTACHMENT
TO
APPLICATION REQUESTING DISCRETIONARY REVIEW (D.R.)

| | |
|------------------------|---------------------|
| PROPERTY ADDRESS: | 3139 Gough Street |
| ASSESSOR'S PARCEL NO: | Block 0481, Lot 004 |
| ZONING DISTRICT | RH-3/40-X |
| PERMIT APPLICATION NO. | 2010.12.02.6003 |

D.R. APPLICANT'S RELATIONSHIP TO PROPERTY

We live directly south and adjacent to the subject building. We have lived in the neighborhood for the past 10 years. We have been dedicated to preserving and enhancing the character of our neighborhood including protecting the light and air to surrounding properties even though we have done a fair amount of remodeling of our home, it has been internal. This project is of overarching significance to our neighborhood at large because no one has proposed something so large before. We were shocked when the project sponsor moved in and at first sought to turn the building into condominiums and now proposes to more than double the size of the building. We wanted to resolve our disputes without the need for requesting the Planning Commission to exercise its discretionary review authority. Unfortunately, in this instance, the Project Sponsor would not listen at all to our objections and we were never consulted at all by the Dept. In spite of numerous invitations to the Planner, the Planner has refused to meet together with the affected neighbors. We were literally left with no choice but to request Discretionary Review to have our concerns even heard.

In this instance, we are requesting your review of the proposed replacement of an existing 2-story two-family residential structure located in a quiet Marina neighborhood, with a new 4-story building, which nearly maximizes the building envelope both horizontally and vertically, transforming the charming Marina-style home into a "mini-mansion." The proposed project would also increase the square footage on the lot by more than 100% with the new two story addition. Although presented as an alteration, the Project gives the strong impression of a demolition with such a size increase.

We are asking you to please take discretionary review in this instance because we believe that the design, mass and height of the proposed replacement structure is inconsistent with the City's *Residential Design Guidelines* and inconsistent with the *General Plan* In that it destroys small housing for citizens and replaces it with a commercial vacation rental venture for profit.

A.4. ACTIONS PRIOR TO DISCRETIONARY REVIEW REQUEST

On November 10, 2010, we and many nearby neighbors reviewed and provided comments on a similarly sized version of this project, which was presented by the project sponsor's architect at the community outreach meeting. The discussions quickly became less than constructive as the Project Sponsors insisted on explaining in great detail the "family needs" for such a massive addition—it was our understanding that such discussions were not appropriate and we wanted to discuss the impacts of the project on our home. We did not receive a response to our comments and suggestions. The project sponsor fulfilled the obligation to meet with some of the nearby owners, but there has been no follow up meeting for all neighbors so that a full discussion could be guaranteed to cover all of the neighbor's concerns. The plan was submitted almost immediately after the meeting with minor changes—setbacks which were mandated by the Guidelines anyway and which were completely omitted from the initial plans—presumably so the project sponsor could claim to have "made concessions.". The neighbors then sought to gain the Planner's attention and perhaps meet with him or get him to do a site visit...neither occurred, the neighbors received promises---several times—from the Planner and his supervisor starting in January, but he did not return calls or set up a promised meeting several times and positively refused to meet with the impacted neighbors.

B. DISCRETIONARY REVIEW REQUEST

1. Reasons for Requesting Discretionary Review

We urge the Commission to take Discretionary Review because this is an exceptional and extraordinary circumstance where, despite the project's *technical* compliance with the 40-foot height limit, the resulting new building, which nearly maximizes the building envelope both horizontally and vertically, the new structure would permanently and negatively impact the prevailing scale of the built environment on Gough Street, affecting the livability of the nearby residences. Regarding this issue of nearly maximizing the building envelopment and adding two new floors with a large rear extension, we believe the Project may constitute a demolition under the definition used by the Planning Code and the Building Code.

This is further an exceptional and extraordinary circumstance in that the design, materials and massing of the proposed new structure are out of character with the architecture of the historic Marina neighborhood, and clearly inconsistent with the City's Residential Design Guidelines and Priority Policies---preserving affordable residential housing.

We request that the Dept require the proposed project to be modified to comply with the existing character of the neighborhood 1) Require the height be reduced by eliminating the fourth floor; 2) Reduce the mass of the addition and increase setbacks for light at the rear and sides 3) make the fenestration compatible with surrounding neighborhood character as required by the Residential Design Guidelines.

2. Adverse Effects on the Neighborhood

This Part of the Marina is a special place that should be protected.

This part of the Marina was the first to be build out after 1915 Panama-Pacific International Exposition. The subject block was constructed just eight years later and has not been altered since that time. There is a clear context of two and three-story buildings of the age and design of the historic buildings in this area of the Marina. Although there are other four-story structures in the area, they do not predominate. The prevalent style of the area, consistent with the surrounding area that was reconstructed following the closure of the fair, is Classical "marina" style. Materials are generally wood siding with stucco and wooden windows and cornices. Because of the current heights and building pattern on this section of Gough Street, sun and sky are now available to residents and visitors in what is now a charming and pleasant place for families.



The Subject Project Site (built in 1923) is Located in the Area Where the 1915 Fair Was Held and is the one of Oldest Developed area of the Marina.

A. The height and scale of the proposed project would negatively impact the prevailing scale of the built environment on Gough Street.

The proposed building will be taller than both of the adjacent building. If built as proposed, it will be approximately two feet taller than the building to the south and a full floor taller than the adjacent building to the north. The presently proposed four-story structure, which nearly maximizes the building envelope for this lot, has the same

objectionable features which the neighbors objected to at the “community outreach” meeting. At that meeting, the project sponsor presented plans which were designed as if there were no adjacent buildings and did not depict the windows on the buildings. Obviously we were very upset and windows being blocked and being told we would have to pay to close up windows in our home.

B. The height and scale of the proposed project is inconsistent with the Planning Department’s Residential Design Guidelines

The Department’s Residential Guidelines for San Francisco state that the purpose of the Guidelines is to “Ensure that the building’s scale is compatible with surrounding buildings.” and “Maintain light to adjacent properties by providing adequate setbacks..” (Page 5)

The proposed new building is clearly inconsistent with these guidelines. The proposed 40+-foot high structure takes full advantage of the building envelope, and creates an over-large mass of the proposed building. Given the location of the property next to a small three story building and our building with a penthouse, we feel that this project represents an inappropriate and unreasonable development. Our building is incorrectly depicted as having a massive rear roof deck. **We do not have a roof deck at the rear of the building at all!** This bulky building intrudes in a major way to the unique neighborhood quality of life.

Light and air issues are major concerns for the neighboring buildings to the north and south of the proposed structure, as well as for the scale and feeling of this street. The interesting variation in building lines, which currently allows sunlight to penetrate the side setbacks would be negatively impacted, adding shadows and darkness, especially to lower unit homes on both sides.

C. This is a For-Profit Commercial Enterprise which Violates the City’s Policies

Immediately after the Project Sponsors purchased the home, they entered the condominium lottery to convert these affordable rental units into condos. They were successful and in 2009, converted the building. It has now come to our attention that the neighbors are listing the property for commercial rental as a “hotel” or vacation rental on a national website and that the expansion of the property is not for “family needs” as we were told over and over at the community outreach meeting, but for a profit making venture to turn this residential building into a commercial venture.

The Website “FLIPKEY.com” is part of the large corporation Trip advisor and allowing property owners to list properties for commercial vacation rentals. The website states:

“Key Benefits

- **25 Million Travelers Monthly**

FlipKey is the exclusive provider of vacation rentals on TripAdvisor, which receives over 25 million visitors each month.

- **Unlimited Photos**

Showcase your property with unlimited photos, link to your website, complete property description, guest reviews, and much more.

- **More Bookings**

Our average homeowner property listing is currently receiving more than 75 inquiries annually.

Find an apartment, condo, or home to rent on FlipKey.

Vacation rentals combine the excitement of travel with the comforts of home. With extra space, privacy, and amenities, it's the smartest choice”

The owner of the subject site is offering the property as a commercial vacation rental at a minimum of \$1600 per week.(\$6400 per month) and rented it out for at least several weeks this year. Attached hereto is a printout from the FLIPKEY site with the property at 3139 Gough Street listed as a vacation rental.

One can only presume that the purpose of the massive expansion is not for “family needs” as was presented over and over, but for commercial gain and private profit. While it may not be illegal to turn a private residence into a vacation rental, the spirit of the City policies to protect “affordable housing” and to protect rent controled housing dictate strongly against allowing such commercial exploitation in our residential neighborhoods. It is also abhorrent to the policies of preserving livable neighborhoods to create negative impacts for (4) four families in the adjacent buildings so as to allow profit taking and exploitation in our residential neighborhoods.

D. The Project Appears to be a Demolition

The current building is approximately 2,500 square feet. The new building, after adding two floors and a rear extension will be approximately 5,500 square feet. This is not an “alteration” as that word is generally understood in the English language. The City has strict rules and policies against such hidden demolitions and the Commission should preserve the smaller affordable building for future families and generations. At a minimum the project sponsor should be required to explain the use of the building as a commercial vacation rental (quite enjoyable according to the on-line reviews) and why the need to expand this commercial vacation rental by 100%. An application under Section 317 should be required. The roof of the buildings, each floor, the façade and the rear of the building will be completely removed.

3. Suggested Changes to the Proposed Project

The neighbors would not object to a reasonable development. This current plan is not reasonable for the above-stated reasons.

- (1) **First and foremost, reduce the proposed building to three stories, eliminating the fourth floor completely or cut it back substantially.** The elimination of the fourth floor would open up the property to allow more light to be cast on the both adjacent properties. Reducing the height and mass would further achieve greater compatibility with the neighboring structures on Gough Street and with the scale of this densely developed portion of the Marina.
- (2) **Change the design to make it more compatible with the neighborhood.** Eliminate the large expanses of glass at the front and require a stronger solid to void design approach that features less transparency. Require the use of materials and fenestration pattern that are compatible with the predominant character of the surrounding neighborhood and will not be a hazard to birds.
- (3) **Provide setbacks to existing windows of the adjacent neighbor to the south so that the air and light from those windows are not wiped out completely.** These windows are original and were not added later and so should be respected and preserved to provide light to the interior spaces of the building.

[List your property](#)

[Help](#)

[Register](#)

[Sign in](#)

New to vacation rentals? [Start here.](#)

[Find a Rental](#)

[How it Works](#)

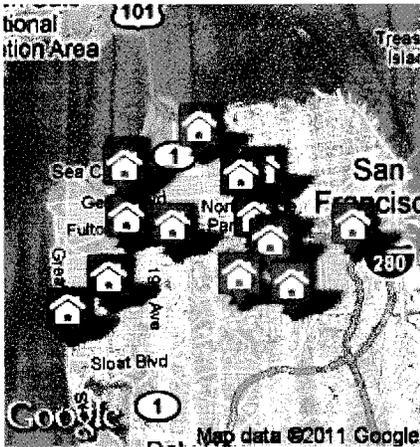
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San Francisco Vacation Rentals



Price Range per night

\$0

\$1,000+

Bedrooms

All

Guests

All

Check rates and availability

Check in:

mm/dd/yyyy

Check out:

mm/dd/yyyy

Update

Popular Filters

- Deal available (8)
- Reviewed (139)
- Book online

[List your property](#)

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Like

Perfect 2bd San Francisco Flat in Prime Location



[View more photos](#)

Details

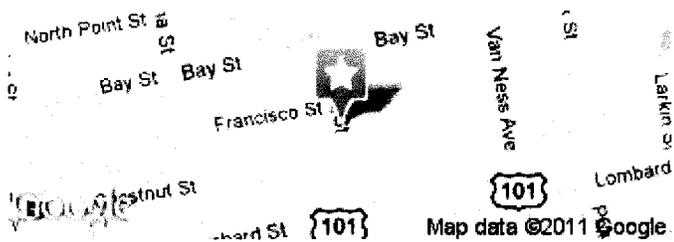
Bedrooms 2

Bathrooms 1

Sleeps 5

Type Apartment / Condominium

- Suitability
- No Pets
- No Smoking
- Suitable for Children
- Not Suitable for Elderly



[View larger map](#)

[2 Guest reviews](#)

[Write a review](#)

[Overview](#)

[Amenities](#)

[Location](#)

[Rates & Availability](#)

[Reviews](#)

[Contact owner](#)

Property Details

Rental type Apartment / Condominium

Minimum Stay 5 nights

Living space 1600 square feet

Bedrooms 2 Total

Bathrooms 1 Total

Sleeps 5

Pet friendly No

Smoking allowed No

Suitability Suitable for children Yes

Suitable for the elderly No

Wheelchair accessible No

Theme Luxury, City

Description from the owner

This 2 bedroom 1 bathroom Flat is recently remodeled with a top of the line appliances and high end furniture. The master bedroom has a king bed and the second bedroom has a queen. There is also a bonus room with a crib in it if necessary. The flat has free wifi, cable TV and one parking spot. The backyard is a great sunny retreat with a propane grill. The flat is located a few blocks from some of the best dining and shopping in the city with chestnut street, union street and polk street. The Marina Green and Crissy Field are all walking distance. One block away is the Fort Mason Park with unbeatable views of the Golden Gate Bridge.

[Overview](#)

[Amenities](#)

[Location](#)

[Rates & Availability](#)

Reviews

Contact owner

Amenities

Kitchen

- Dish Washer
- Freezer
- Clothes Dryer
- Toaster
- Blender
- Washing Machine
- Oven
- Refrigerator
- Gas Grill
- Gas Stove
- Microwave

Phone / Internet

- High Speed Internet
- Telephone
- Wireless Internet

Entertainment

- High Definition TV
- Radio
- Video Game Console
- Cable TV
- DVD Player
- Stereo System
- Books
- Television

Outdoor

- Patio
- Garden
- Outdoor Dining Area

General

- Towels Provided
- Linens Provided
- Fireplace
- Central Heating

Property Features

- Parking

Overview

Amenities

Location

Rates & Availability

Reviews

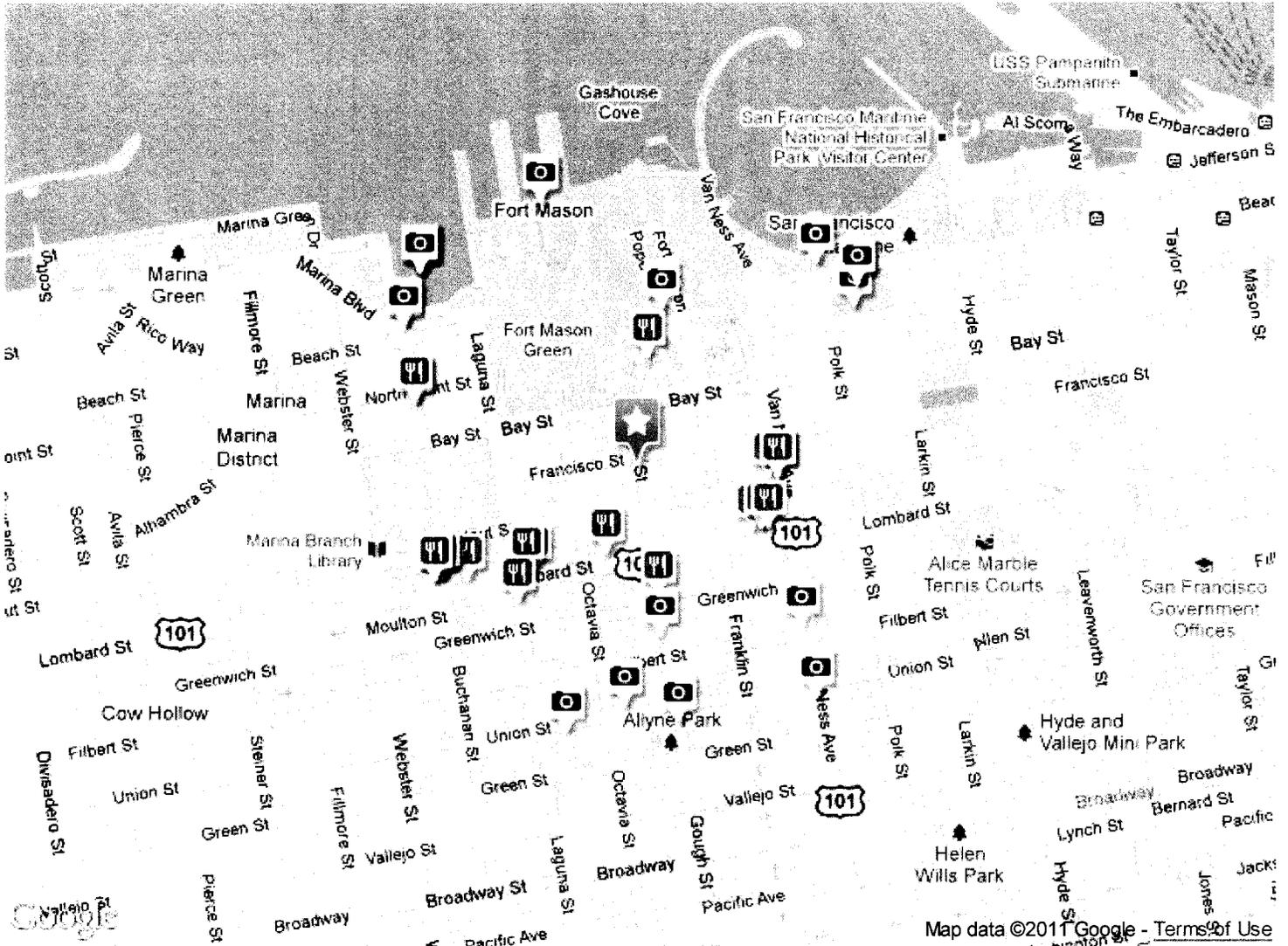
Contact owner

Location

Perfect 2bd San Francisco Flat in Prime Location

What's Nearby:

 Restaurants (20+)  Attractions (20+)  Nearby Rentals



Additional Location Information

The Marina is widely known as one of the best locations in San Francisco. Close to all the main attractions like the Golden Gate Bridge, Fisherman's Wharf, etc. Plus, it is walking distance to the best dining and shopping.

Location Type City

Overview

Amenities

Location
Rates & Availability
Reviews
Contact owner

Rates and availability

Availability Calendar ▼

Available Unavailable Last updated: June 08, 2011 ◀▶

January 2012

S M T W T F S

1 2 3 4 5 6 7
8 9 10 11 12 13 14
15 16 17 18 19 20 21
22 23 24 25 26 27 28
29 30 31

February 2012

S M T W T F S

1 2 3 4
5 6 7 8 9 10 11
12 13 14 15 16 17 18
19 20 21 22 23 24 25
26 27 28 29

March 2012

S M T W T F S

1 2 3
4 5 6 7 8 9 10
11 12 13 14 15 16 17
18 19 20 21 22 23 24
25 26 27 28 29 30 31

April 2012

S M T W T F S

1 2 3 4 5 6 7
8 9 10 11 12 13 14
15 16 17 18 19 20 21

22 23 24 25 26 27 28
~~29 30~~

May 2012

S M T W T F S
1 2 3 4 5
6 7 8 9 10 11 12
13 14 15 16 17 18 19
20 21 22 23 24 25 26
27 28 29 30 31

June 2012

S M T W T F S
1 2
3 4 5 6 7 8 9
10 11 12 13 14 15 16
17 18 19 20 21 22 23
24 25 26 27 28 29 30

Detailed Rate Table ▼

Rates shown in

US Dollar [▼]

| Date | Weeknight | Weekend Night | Weekly | Monthly | Minimum Stay |
|--|------------------|--------------------------|---------------|----------------|-------------------------|
| Rate Summary | \$250 | \$250 | \$1,600 - | | 5 nights |
| May. 15 2011 - Jun. 13 2011 Rates | \$250 | \$250 | \$1,600 - | | 5 nights |

Can't find rates for your travel dates? [Contact the owner](#)

Additional rental fees and policies ▼

Additional fees

- Security Deposit - \$100 / day - Security Deposit
- Cleaning Fee - \$90 / week - Other

The security deposit will be returned promptly if the unit is left undamaged.

Overview

Amenities

Location

[Rates & Availability](#)

[Reviews](#)

[Contact owner](#)

What Past Guests Are Saying

Have you stayed here? [Write a review](#)

2 guest reviews

Charlie

san diego

Felt like home!

Left on 04/14/2011 for a stay in January 2011

This is a fabulous quiet luxury flat in the Marina area of San Francisco. Gorgeous decor and 100% comfort. My husband and I loved staying here! It felt like home. Perfect location near the bus line on Chestnut, shops, restaurants, and Chrissy Field. We will stay here next time we are in SF. Thanks!

[Hide Details ▼](#)

Detailed ratings for this rental

- Check in
- Cleanliness
- Comfort
- Location
- Service
- Value

Would you recommend this vacation rental to a friend? Yes

Was this review helpful? [Yes](#)

Annabelle

Los Gatos

Perfect Getaway

Left on 04/14/2011 for a stay in February 2011

My husband and I wanted a nice place to getaway in the city for a week. This place is beautiful! It is well

decorated, extremely comfortable, and love that it has an outdoor space for bbq. The location was ideal, since we could walk to all the terrific restaurants in the Marina. I highly recommend it. The owners were easy to work with, and extremely friendly. We will definitely come back again.

Hide Details ▼

Detailed ratings for this rental

- Check in
- Cleanliness
- Comfort
- Location
- Service
- Value

Would you recommend this vacation rental to a friend? Yes

Was this review helpful? Yes

Rental pricing

\$250/night

[View Detailed Rates and Availability](#)

Contact the owner:

Shadi Aboukhater - *verified owner* [?]

Your Name *

Email Address *

Phone Number

Total Guests

 ▼

Message to owner



Arrival



Departure



Send Message

[Privacy details](#)

[Similar listings](#)

[Stoddard House ~ Walk to Downtown ~ Great Gardens!](#)



Bedrooms

2

Sleeps

4

\$225-\$325/night

3 Reviews

[3 Bedroom, 2.5 bath - Fast WiFi, free parking, TV](#)



Bedrooms

3

Sleeps

10

\$250-\$350/night

38 Reviews

[\(New!\) Casacalenda at Carneros - Wine country home](#)



Bedrooms

2

Sleeps

5

\$260-\$260/night

3 Reviews

close x

Contact the owner about Perfect 2bd San Francisco Flat in Prime Location

Your Name*

Email Address*

Phone Number

Total Guests 1

Travel dates

Message

Send Message

Privacy details

Who receives my message?

Shadi Aboukhater

verified owner [?] - listed since April 2011

Past Guest Rating: (2)

Popular Destinations

- [Breckenridge](#)
- [Cape Cod](#)
- [Destin](#)
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- [Gatlinburg](#)
- [Gulf Shores](#)

- [Hilton Head](#)
- [Kauai](#)
- [Key West](#)
- [Maui](#)

- [Myrtle Beach](#)
- [Naples](#)
- [Oahu](#)
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- [Outer Banks](#)
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APPLICATION FOR Discretionary Review

1. Owner/Applicant Information

| | | |
|---|--------------------|------------------------------|
| DR APPLICANT'S NAME: Janet Myers and Nathan McFadden | | |
| DR APPLICANT'S ADDRESS: 3149 Gough Street | ZIP CODE: 94123 | TELEPHONE: (415)771-0917 |

| | | |
|--|--------------------|-------------------------------|
| PROPERTY OWNER WHO IS DOING THE PROJECT ON WHICH YOU ARE REQUESTING DISCRETIONARY REVIEW NAME: Shadi Aboukhatir | | |
| ADDRESS: 3139 -3141 Gough Street | ZIP CODE: 94123 | TELEPHONE: (415) 923-1799 |

| | | |
|--|-----------|-------------------|
| CONTACT FOR DR APPLICATION: Same as Above <input checked="" type="checkbox"/> | | |
| ADDRESS: | ZIP CODE: | TELEPHONE: () |
| E-MAIL ADDRESS: | | |

2. Location and Classification

| | |
|---|--------------------|
| STREET ADDRESS OF PROJECT: 3139 Gough Street | ZIP CODE: 94123 |
| CROSS STREETS: West side of Gough between Francisco and Chestnut Streets | |

| | | | | |
|---------------------------------|--------------------------------|-----------------------------|--------------------------|----------------------------------|
| ASSESSORS BLOCK/LOT: 481 /04 | LOT DIMENSIONS: 25 x 112.50 | LOT AREA (SQ FT): 2812.5 | ZONING DISTRICT: RH-3 | HEIGHT/BULK DISTRICT: 40 feet |
|---------------------------------|--------------------------------|-----------------------------|--------------------------|----------------------------------|

3. Project Description

Please check all that apply

Change of Use Change of Hours New Construction Alterations Demolition Other

Additions to Building: Rear Front Height Side Yard
Two units

Present or Previous Use:

Proposed Use: Two units

Building Permit Application No. 2010.12.02.6003

Date Filed: 12/2/2010

RECEIVED
AUG 11 2011
CITY & COUNTY OF S.F.
PLANNING DEPARTMENT
PIC

RECEIVED
AUG 15 2011
CITY & COUNTY OF S.F.
PLANNING DEPARTMENT
PIC
M. Cornette

4. Actions Prior to a Discretionary Review Request

| Prior Action | YES | NO |
|---|-------------------------------------|-------------------------------------|
| Have you discussed this project with the permit applicant? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Did you discuss the project with the Planning Department permit review planner? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| Did you participate in outside mediation on this case? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

5. Changes Made to the Project as a Result of Mediation

If you have discussed the project with the applicant, planning staff or gone through mediation, please summarize the result, including any changes there were made to the proposed project.

We tried desperately to discuss the project & its impacts with the Planner Aaron Starr. He never made himself available to us despite numerous promises during the past 8 months. His supervisor David Lindsay also assured us that he would set up a meeting with us to discuss the project or perhaps visit our home so that he could see first hand the devastating impacts this project will have on us. We can only conclude that the neighborhood/ community input is not valued and is of no consequence to the Planning Department.

Discretionary Review Request

In the space below and on separate paper, if necessary, please present facts sufficient to answer each question.

1. What are the reasons for requesting Discretionary Review? The project meets the minimum standards of the Planning Code. What are the exceptional and extraordinary circumstances that justify Discretionary Review of the project? How does the project conflict with the City's General Plan or the Planning Code's Priority Policies or Residential Design Guidelines? Please be specific and site specific sections of the Residential Design Guidelines.

Our home was constructed at the same time as the other buildings on the block face from 1923-1925. As the Sanborne Maps make clear, in the past 88 years, the homes on this block face have not been altered by exterior additions or extensions. The "footprints" and relative sizes have remained constant for many generations. The addition of TWO new floors and a rear extension on the subject site is startling and of course, has a tremendous negative impact on our home. The Guidelines are (as we understand it) to protect light and air. (see attachment)

2. The Residential Design Guidelines assume some impacts to be reasonable and expected as part of construction. Please explain how this project would cause unreasonable impacts. If you believe your property, the property of others or the neighborhood would be adversely affected, please state who would be affected, and how:

The main source of light to the interior of our home are a series of windows in a large lightwell on the south side of our building. The proposed project will be a full story taller than our building and thus this source of light will be completely blocked from any future direct sunlight. These buildings were originally designed to be compatible with each other and to permit sunlight to pass into the interior rooms of the flats. The proposed addition of two new floors will destroy any sunlight access enjoyed by our home now and into the future.

3. What alternatives or changes to the proposed project, beyond the changes (if any) already made would respond to the exceptional and extraordinary circumstances and reduce the adverse effects noted above in question #1?

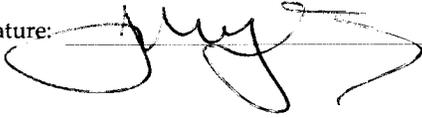
Our building is three stories tall with substantial side setbacks to allow light to pass to the adjacent buildings. We believe the addition should be limited to one floor and should not include a rear extension. In this way the building will be more compatible with ours and will permit much more light. we would like to see the size and depth of the lightwell increased and the fourth floor removed and the third floor reduced on the north side to allow light to our home and to the flat below which will be in total darkness if build as proposed.

Applicant's Affidavit

Under penalty of perjury the following declarations are made:

- a: The undersigned is the owner or authorized agent of the owner of this property.
- b: The information presented is true and correct to the best of my knowledge.
- c: The other information or applications may be required.

Signature: _____



Date: _____

8.11.11

Print name, and indicate whether owner, or authorized agent:

Nathaniel McFadden & Janet Myers

Owner / Authorized Agent (circle one)

Discretionary Review Application Submittal Checklist

Applications submitted to the Planning Department must be accompanied by this checklist and all required materials. The checklist is to be completed and **signed by the applicant or authorized agent.**

| REQUIRED MATERIALS (please check correct column) | DR APPLICATION |
|---|-------------------------------------|
| Application, with all blanks completed | <input type="checkbox"/> |
| Address labels (original), if applicable | <input type="radio"/> |
| Address labels (copy of the above), if applicable | <input type="radio"/> |
| Photocopy of this completed application | <input type="checkbox"/> |
| Photographs that illustrate your concerns | <input checked="" type="checkbox"/> |
| Covenant or Deed Restrictions | <input checked="" type="checkbox"/> |
| Check payable to Planning Dept. | <input type="checkbox"/> |
| Letter of authorization for agent | <input type="checkbox"/> |
| Other: Section Plan, Detail drawings (i.e. windows, door entries, trim), Specifications (for cleaning, repair, etc.) and/or Product cut sheets for new elements (i.e. windows, doors) | <input checked="" type="checkbox"/> |

NOTES:

Required Material.

Optional Material.

Two sets of original labels and one copy of addresses of adjacent property owners and owners of property across street.

For Department Use Only

Application received by Planning Department:

By: 

Date: 8.11.11

ATTACHMENT TO APPLICATION FOR DISCRETIONARY REVIEW (D.R.)

PROPERTY ADDRESS: 3139-3141 Gough Street
 ASSESSOR'S PARCEL NO: Block 0481, Lot 004
 ZONING DISTRICT RH-3/40-X
 PERMIT APPLICATION NO. 201012026003

INTRODUCTION

We live directly south of the proposed project at 3149 Gough Street. Russell Smith owns the flat below ours at 3147 Gough Street. We purchased the building together in 1994 and have all lived here ever since. We have one daughter who is school age and lives with us in our small flat. We both work out of our home.

In this instance, we are requesting your review of the proposed replacement of an existing 2-story two-family residential structure with a new 4-story building, which nearly maximizes the building envelope both horizontally and vertically. The proposed project would increase the square footage of the building at 3139-3141 Gough Street from approximately 2500 square feet to 5500 square feet, more than double. We are asking you to please take discretionary review in this instance because we believe that the design, mass and height of the proposed replacement structure is inconsistent with the character of our neighborhood and this block face of buildings which has remained unchanged for nearly 90 years.

A.4. ACTIONS PRIOR TO DISCRETIONARY REVIEW REQUEST

In 2005, our neighbors, the Aboukhaters purchased the two unit building at 3139-3141 Gough Street. There is a small studio apartment behind the garage at the ground floor level which was added to the building during the Second World War when housing was so scarce. They converted the building into condominiums in 2009 and displaced the long term tenant from the small unit in the rear of the building.

The project was presented to us by their architect (Geoff Gibson of Winder Gibson Architects) on November 10, 2010 at a community meeting. The ten neighbors present all made the neighborhood's objections to the application crystal clear. We consider the project a demolition of the existing home and the proposed 3,000(+or-) square foot addition as far too large and overwhelming for this row of 90 year old homes.

B. DISCRETIONARY REVIEW REQUEST**1. Reasons for Requesting Discretionary Review**

This area of the Marina was built out in the early 1920's following the closure of the 1915 World's Fair. We have reviewed the historic Sanborne maps and the configuration

of these three buildings (3139-3141 Gough –the subject site and the adjacent buildings at 3147-3149 Gough and 3137-3147 Gough) have not changed on the exterior since the original construction. These buildings and the others in the neighborhood were all constructed as multiple family flats, and ours is typical, two floors over a garage level with a separate living unit on each of the two floors above the garage level.



This is the front of the buildings as they appear today. Our home is the top flat of the building on the right side at 3149 Gough Street. Russell Smith lives on the bottom flat at 3147 Gough.

Because these housing units were originally constructed at the same time and as flats for multiple families, the buildings were constructed with setbacks, lightwells and numerous other “considerations” for the adjacent units so that the residences, especially the lower units would have access to light and would be comfortable for all the occupants.

This is an exceptional and extraordinary circumstance in that the design and massing of the proposed new structure are completely out of character with the architecture of the historic neighborhood, and clearly inconsistent with the City’s Residential Design Guidelines. It does away with all of the “consideration” which currently allows light to flow to both our unit and Russell Smith’s lower unit. Four floors of construction is not typical on our block. Three floors is more typical and many buildings, including the subject building and six or seven others, are two floors of occupancy.

We further need the Commission’s review because the Planning Department staff *refused* to meet with anyone in the neighborhood to hear our concerns. When we wrote to him in January, we asked him to meet with us and to come to our home. He refused to meet with any of us, told us to put our objections in writing, and told us if we did not like the findings of the Department to file a DR. here is the neighbors’ e-mail exchange with him in January. In this first e-mail we ask for his help:

Hello Aaron - I understand that you are the planner assigned to the 3139-3141 Gough Street project. We are the neighbors at 3137 Gough Street, on the south side of the proposed addition. Is there a time this week that we could meet with you to discuss our concerns about this project? We would really like your help in understanding what this all means to us; we are very concerned about losing such a significant amount of our light and air circulation as well as the impact of the construction process. Thank you very much. You can reach us by e-mail or at 415-776-7402.

Cleta Grant and Gerald Barbo
3137 Gough Street

He responded by saying he would not meet with us but we could file a DR. It felt very odd that the planner was essentially inviting us to file a DR on the project when it had not even been reviewed yet, and it felt odd that he would not meet with us to hear our concerns or visit the site to see our homes.

Date: Tuesday, January 18, 2011, 6:15 PM

Mr. Grant,

I am assigned the permit, but I have not had an opportunity to review the application. It's currently in my backlog and will probably take me a couple of weeks to get to it. Because of my case load, I generally don't meet with neighbors at this stage of the process. However, please send me your concerns via email and I will take them into consideration when reviewing the permit. You can also send pictures to me if you think that will help.

Once the permit is found to comply with the Planning Code and Residential Design Guidelines, it is sent out for neighborhood notification. At that point you have 30 days to review the plans and, if needed, file a Request for Discretionary Review. If you file a DR, the application will be brought before the Planning Commission for a public hearing. If the Planning Commission finds that there is an exceptional or extraordinary circumstance, they will either modify or deny the application. If they don't make those findings, then the project is approved as noticed.

If you would like to review the plans now, please let me know at least 24 hours in advance and I will make them available for your review.

Sincerely,

Aaron D Starr, LEED AP
Planner, NW Quadrant, Neighborhood Planning

We went to review the plans since they were not available at the community meeting and again asked to meet with Mr. Starr and he again refused to meet with us and told us the if HE felt it was necessary to meet with us, he would let us know.

Sent: Thursday, January 20, 2011 5:04 PM
To: Myers, Janet
Subject: Re: 3139 - 3141 Gough St.

Ms. Myers,

I'll put the plans out for your review tomorrow. You can view them at 1650 Mission Street, 4th Floor between the hours of 8 and 5. Please send me your concerns in writing. If I feel a meeting is necessary after reviewing them and the project, I will let you know.

Thank you,
Aaron D Starr, LEED AP
Planner, NW Quadrant, Neighborhood Planning

None of the neighbors heard from Mr. Starr again at all and the next information we received about the project was when the public notice was posted on the building in late June and we received a "Section 311 Notification" with reduced plans in the mail. Because we were out of town, our neighbors Cleta Grant and Gerald Barbo wrote to Mr. Starr and to his supervisors in the Department, David Lindsay and John Rahaim asking why the neighbors had been completely excluded from the process and asking for a meeting with someone (anyone) from the Department. Those letters are attached hereto. We never received any response to our letters

We also notified the planners that the poster for the public notice was placed inside the garage alcove so that it did not face the street and was not visible to the public except from certain difficult angles if you stepped into the garage area. Because Mr. Starr was on vacation, we received a response from his supervisor senior planner David Lindsay. He wrote as follows:

Date: Friday, July 8, 2011, 1:28 PM

Ms. Grant: thank you for your letter. I will review the posting issue with the Zoning Administrator. If he deems that the posting does not meet the required standards, he can extend the notice period - Mr. Starr or I will contact you once we've met with the Zoning Administrator.

I will also speak with Mr. Starr about setting up a meeting and will get back to you early next week.

David Lindsay, Senior Planner
Manager, Northwest Quadrant

It was determined that the poster was not properly placed and so the poster was moved to the front of the building where it could be seen by the general public. Also, as noted above, Mr. Lindsay told us that he would speak to Mr. Starr and contact us about a meeting where the Department could hear the neighbors' concerns. One week later, Mr. Starr wrote to us that he would meet with us when he returned from his vacation:

Date: Friday, July 15, 2011, 4:57 PM

Cleta,

We've had the project sponsor repost the poster in compliance with the Planning Code and extended the 311 notification period by two weeks. The new expiration date is 8/11/11.

David would like to set up a meeting to discuss the project with you when I get back from vacation. I'll contact you after the 25th to set up a time.

Thanks,

Aaron D Starr, LEED AP
Planner, NW Quadrant, Current Planning

We have not heard from Mr. Starr or Mr. Lindsay in the past three weeks or at all and as of this writing, we have never heard back from anyone at the Department and have never had a meeting with any of the planners despite our having requested it since January and received no response to our letters. No one from the Department has come to any of our homes or seen the impacts of the project and the configuration of the buildings. The entire process went forward as if the neighbors and the impacts on their homes were completely irrelevant and some sort of side issue to be skirted, ignored and was of the very least concern. No input was desired and in fact, it was refused over and over. Is this the way the process is supposed to work? In reading the Department website, it over and over again says that the planning process is a community process and that neighborhood concerns are important. Not in this case.

2. Adverse Effects on the Neighborhood From a Commercial Venture

This area of the Marina has a clear context of three-story buildings of the age and design of the historic buildings in "Marina Style" or design. The roof pattern on Gough Street is consistently three stories on the west side and consistently two stories on the east side.

Although there are other four-story structures in the area, they do not predominate and are almost exclusively on the corners. Because of the current heights and building pattern on Gough Street, sun and sky are now available to residents and visitors on what is now a charming and pleasant place for families.



This photo shows the subject street view looking north. Note the clear context of two story buildings on the east side and the context of three story buildings on the west side. The subject property is the brown house to the right side of the photo which will be doubled in size. Such an addition to any home is completely unprecedented on the street and in the neighborhood.

When we met with the project sponsors in November, we tried to explain that the impacts of this giant addition would be overwhelming for our home and for everyone else on the street. They consistently did not want to hear about our concerns and the deprivation of light and air which is certain to occur to our homes, they merely wanted to explain to us their “family needs” that require this large addition. Given the fact that they had turned their building into condominiums, it seemed odd to us that they would be worried about additional space.

We have learned since then that the real reason for the expansion is to place the building for rent as a commercial “vacation rental” on a website known as “Flip Key.” We found the website quite by accident but we were aware that the project sponsors were away for long periods of time and may not be living at the project site on a full time basis.

The website information is attached. A review of the website information shows that the property was leased out as a commercial vacation rental for some week(s) in January

2011 and February 2011 and was being offered for the months of May and June 2011. The project sponsors rent the building out for \$1600 per week with a week's minimum stay required, so it has been rented out as a commercial vacation rental for at least two weeks this year (perhaps much more, those are just what is on the reviews) and is available for additional rental as a vacation "hotel."

We object to the project sponsors turning our block into a commercial enterprise seeking to expand this commercial enterprise at our expense and at our neighbor's expense. We do not know what the law or codes are on such commercial ventures in the residential neighborhoods, but we do not believe the City should allow those attempting to turn a profit in the neighborhoods to create such overwhelming and negative impacts on other homes which are being used only as residences.

Requested Changes to the Proposed Project

The neighbors would not object to a reasonable development. This current plan is not reasonable for the above-stated reasons. We do not believe that a commercial for profit venture should be permitted to destroy the small rent-controlled building. If this expansion is permitted at all it should be reduced significantly to a single floor addition with larger setbacks and cuts.

CASE NUMBER:
For Staff Use only

11.08910

RECEIVED

AUG 11 2011

CITY & COUNTY OF S.F.
PLANNING DEPARTMENT
PIC

APPLICATION FOR Discretionary Review

1. Owner/Applicant Information

| | | |
|--|--------------------|------------------------------|
| DR APPLICANT'S NAME: Lawrence Yuen | | |
| DR APPLICANT'S ADDRESS: 3153 Gough Street | ZIP CODE: 94123 | TELEPHONE: (415)403-6688 |

| | | |
|--|--------------------|-------------------------------|
| PROPERTY OWNER WHO IS DOING THE PROJECT ON WHICH YOU ARE REQUESTING DISCRETIONARY REVIEW NAME: Shadi Aboukhater | | |
| ADDRESS: 3139 -3141 Gough Street | ZIP CODE: 94123 | TELEPHONE: (415) 923-1799 |

| | | |
|--|-----------|-------------------|
| CONTACT FOR DR APPLICATION: Same as Above <input checked="" type="checkbox"/> | | |
| ADDRESS: | ZIP CODE: | TELEPHONE: () |
| E-MAIL ADDRESS: | | |

2. Location and Classification

| | |
|---|--------------------|
| STREET ADDRESS OF PROJECT: 3139 Gough Street | ZIP CODE: 94123 |
| CROSS STREETS: West side of Gough between Francisco and Chestnut Streets | |

| ASSESSORS BLOCK/LOT: | LOT DIMENSIONS: | LOT AREA (SQ FT): | ZONING DISTRICT: | HEIGHT/BULK DISTRICT: |
|----------------------|-----------------|-------------------|------------------|-----------------------|
| 481 /04 | 25 x 112.50 | 2812.5 | RH-3 | 40 feet |

3. Project Description

Please check all that apply

Change of Use Change of Hours New Construction Alterations Demolition Other

Additions to Building: Rear Front Height Side Yard

Two units

Present or Previous Use:

Two units

Proposed Use:

Building Permit Application No. 2010.12.02.6003

Date Filed: 12/2/2010

4. Actions Prior to a Discretionary Review Request

| Prior Action | YES | NO |
|---|-------------------------------------|-------------------------------------|
| Have you discussed this project with the permit applicant? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Did you discuss the project with the Planning Department permit review planner? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| Did you participate in outside mediation on this case? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

5. Changes Made to the Project as a Result of Mediation

If you have discussed the project with the applicant, planning staff or gone through mediation, please summarize the result, including any changes there were made to the proposed project.

The project sponsor would not listen when we voiced our objections and I wanted to meet with the Planner but he refused to meet with our neighborhood group.

Discretionary Review Request

In the space below and on separate paper, if necessary, please present facts sufficient to answer each question.

1. What are the reasons for requesting Discretionary Review? The project meets the minimum standards of the Planning Code. What are the exceptional and extraordinary circumstances that justify Discretionary Review of the project? How does the project conflict with the City's General Plan or the Planning Code's Priority Policies or Residential Design Guidelines? Please be specific and site specific sections of the Residential Design Guidelines.

Our biggest concern is that this new building is simply not compatible with the surrounding homes. This new four-story building, as large as it will be, will completely change the character of our street. Most of the homes on our block were originally built in the early 1920's. They share a similar and distinct design style (Marina-style). They were obviously built so that they would exist harmoniously side-by-side, with some consideration given to scale and lighting. This new building will dominate the street. It will cast a large shadow on my home.

2. The Residential Design Guidelines assume some impacts to be reasonable and expected as part of construction. Please explain how this project would cause unreasonable impacts. If you believe your property, the property of others or the neighborhood would be adversely affected, please state who would be affected, and how:

It will eliminate an original Marina-style home, a style of dwelling that helps to give this neighborhood its character. Once the original building is gone, it is gone forever, of course. Some of this neighborhood and city's history will be permanently lost. As long-term residents of this neighborhood and city, my family and I are very concerned about this. A modern, faux-Marina style that is, in my opinion, out of character with the other homes on our block. This appears to me to be a serious over stepping of the guidelines. Appears to be a Demolition.

3. What alternatives or changes to the proposed project, beyond the changes (if any) already made would respond to the exceptional and extraordinary circumstances and reduce the adverse effects noted above in question #1?

Retain the original facade and the relative small size of the building. The top floor should be removed and the new third floor cut back to allow light to adjacent properties and so that it will better fit in with the character of the block. As I look around at homes in the Marina where additions have been allowed, I see that in almost every case, the original main building was preserved. If you review the plans as I have, I think you will agree that they show a completely new building.

Applicant's Affidavit

Under penalty of perjury the following declarations are made:

- a: The undersigned is the owner or authorized agent of the owner of this property.
- b: The information presented is true and correct to the best of my knowledge.
- c: The other information or applications may be required.

Signature: *[Handwritten Signature]*

Date: AUG 10, 2011

Print name, and indicate whether owner, or authorized agent:

LOUIE TRUST / *[Handwritten Signature]*
 Owner / Authorized Agent (circle one)

Discretionary Review Application Submittal Checklist

Applications submitted to the Planning Department must be accompanied by this checklist and all required materials. The checklist is to be completed and **signed by the applicant or authorized agent.**

| REQUIRED MATERIALS (please check correct column) | DR APPLICATION |
|---|-------------------------------------|
| Application, with all blanks completed | <input type="checkbox"/> |
| Address labels (original), if applicable | <input type="radio"/> |
| Address labels (copy of the above), if applicable | <input type="radio"/> |
| Photocopy of this completed application | <input type="checkbox"/> |
| Photographs that illustrate your concerns | <input checked="" type="checkbox"/> |
| Covenant or Deed Restrictions | <input checked="" type="checkbox"/> |
| Check payable to Planning Dept. | <input type="checkbox"/> |
| Letter of authorization for agent | <input type="checkbox"/> |
| Other: Section Plan, Detail drawings (i.e. windows, door entries, trim), Specifications (for cleaning, repair, etc.) and/or Product cut sheets for new elements (i.e. windows, doors) | <input checked="" type="checkbox"/> |

NOTES:

Required Material.

Optional Material.

Two sets of original labels and one copy of addresses of adjacent property owners and owners of property across street.

For Department Use Only

Application received by Planning Department:

By: _____

Date: _____

APPLICATION FOR Discretionary Review

1. Owner/Applicant Information

| | | |
|--|--------------------|------------------------------|
| DR APPLICANT'S NAME: Russell Smith | | |
| DR APPLICANT'S ADDRESS: 3147 Gough Street | ZIP CODE: 94123 | TELEPHONE: (415)885-2465 |

| | | |
|--|--------------------|-------------------------------|
| PROPERTY OWNER WHO IS DOING THE PROJECT ON WHICH YOU ARE REQUESTING DISCRETIONARY REVIEW NAME: Shadi Aboukhater | | |
| ADDRESS: 3139-3141 Gough | ZIP CODE: 94123 | TELEPHONE: (415) 923-1799 |

| | | |
|---|-----------|-------------------|
| CONTACT FOR DR APPLICATION: Same as Above <input type="checkbox"/> <input checked="" type="checkbox"/> | | |
| ADDRESS: | ZIP CODE: | TELEPHONE: () |
| E-MAIL ADDRESS: | | |

2. Location and Classification

| | |
|--|--------------------|
| STREET ADDRESS OF PROJECT: 3139-3141 Gough Street | ZIP CODE: 94123 |
| CROSS STREETS: Francisco and Chestnut | |

| | | | | |
|----------------------------------|-----------------------------|---------------------------|--------------------------|------------------------------|
| ASSESSORS BLOCK/LOT: 481 /004 | LOT DIMENSIONS: 25 x112. | LOT AREA (SQ FT): 2807 | ZONING DISTRICT: RH-3 | HEIGHT/BULK DISTRICT: 40X |
|----------------------------------|-----------------------------|---------------------------|--------------------------|------------------------------|

3. Project Description

Please check all that apply

Change of Use Change of Hours New Construction Alterations Demolition Other

Additions to Building: Rear Front Height Side Yard
Vacation Rental/Residence

Present or Previous Use: _____

Proposed Use: same

Building Permit Application No. 2010.12.026003

Date Filed: 12-2-10

RECEIVED

AUG 11 2011

CITY & COUNTY OF S.F.
PLANNING DEPARTMENT
P.I.C.

M. Conetta

4. Actions Prior to a Discretionary Review Request

| Prior Action | YES | NO |
|---|-------------------------------------|-------------------------------------|
| Have you discussed this project with the permit applicant? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Did you discuss the project with the Planning Department permit review planner? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| Did you participate in outside mediation on this case? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

5. Changes Made to the Project as a Result of Mediation

If you have discussed the project with the applicant, planning staff or gone through mediation, please summarize the result, including any changes there were made to the proposed project.

I requested a meeting with staff and tried for months to gain an audience with the planning staff but the staff simply was not interested in meeting or discussing the project or visiting the site. This form asks the question, "Did you discuss the project with the Planning Department permit review planner?", but that presupposes the planner will enter into such discussions. In this case he absolutely refused to discuss the case or to meet with the neighbors. I wrote a letter to staff which was never answered.

Discretionary Review Request

In the space below and on separate paper, if necessary, please present facts sufficient to answer each question.

1. What are the reasons for requesting Discretionary Review? The project meets the minimum standards of the Planning Code. What are the exceptional and extraordinary circumstances that justify Discretionary Review of the project? How does the project conflict with the City's General Plan or the Planning Code's Priority Policies or Residential Design Guidelines? Please be specific and site specific sections of the Residential Design Guidelines.

My flat is on the lower level immediately north of the proposed project. Currently, due to the large light wells i have and my upstairs neighbors have and due to the setbacks on the project site, I receive direct sunlight into my home. The addition of two full floors will have a devastating affect on my home. The Guidelines state that their purpose is to preserve light and air to adjacent properties with sufficient setbacks. In this case, the addition is too large and the setbacks are too small to allow light to reach my home on the ground floor.

2. The Residential Design Guidelines assume some impacts to be reasonable and expected as part of construction. Please explain how this project would cause unreasonable impacts. If you believe your property, the property of others or the neighborhood would be adversely affected, please state who would be affected, and how:

The project causes unreasonable impacts because of the dramatic size of the addition. Creating a two unit building of 5,500 square feet is out of character with our neighborhood. The setbacks are the minimal required under the guidelines and the Department practice and in this instance, given the overwhelming size fo the addition, more is needed. The window configurations have existed between these buildings for 88 years and it is unfair and unreasonable to have that drastically altered for a commercial vacation rental venture.

3. What alternatives or changes to the proposed project, beyond the changes (if any) already made would respond to the exceptional and extraordinary circumstances and reduce the adverse effects noted above in question #1?

It is exceptional and extraordinary to have such a dramatic change in the configuration of the buildings. The owner should be required to file for a commercial licence to turn this former residence into a vacation rental for commercial profit. He should not be permitted to demolish the building for a commercial profit at our expense. If built, the fourth floor should be eliminated entirely and the new third floor should be setback to allow light to my home and to the upper floors of of our building.

Applicant's Affidavit

Under penalty of perjury the following declarations are made:

- a: The undersigned is the owner or authorized agent of the owner of this property.
- b: The information presented is true and correct to the best of my knowledge.
- c: The other information or applications may be required.

Signature: Russell Smith

Date: 8/11/2011

Print name, and indicate whether owner, or authorized agent:

Russell Smith, owner

Owner / Authorized Agent (circle one)

Discretionary Review Application Submittal Checklist

Applications submitted to the Planning Department must be accompanied by this checklist and all required materials. The checklist is to be completed and **signed by the applicant or authorized agent.**

| REQUIRED MATERIALS (please check correct column) | DR APPLICATION |
|---|-------------------------------------|
| Application, with all blanks completed | <input type="checkbox"/> |
| Address labels (original), if applicable | <input type="radio"/> |
| Address labels (copy of the above), if applicable | <input type="radio"/> |
| Photocopy of this completed application | <input type="checkbox"/> |
| Photographs that illustrate your concerns | <input checked="" type="checkbox"/> |
| Covenant or Deed Restrictions | <input checked="" type="checkbox"/> |
| Check payable to Planning Dept. | <input type="checkbox"/> |
| Letter of authorization for agent | <input type="checkbox"/> |
| Other: Section Plan, Detail drawings (i.e. windows, door entries, trim), Specifications (for cleaning, repair, etc.) and/or Product cut sheets for new elements (i.e. windows, doors) | <input checked="" type="checkbox"/> |

NOTES:

Required Material.

Optional Material.

Two sets of original labels and one copy of addresses of adjacent property owners and owners of property across street.

For Department Use Only

Application received by Planning Department:

By: _____

Date: _____

GENERAL NOTES

1. THE CONTRACTOR SHALL VISIT THE SITE AND BE FULLY COGNIZANT OF ALL EXISTING CONDITIONS PRIOR TO SUBMITTING ANY PROPOSITIONS OR BIDS.
IF ANY ASBESTOS, KNOWN MATERIALS CONTAINING ASBESTOS OR ANY MATERIALS CLASSIFIED BY THE EPA AS HAZARDOUS MATERIALS ARE DISCOVERED, THEN THE CONTRACTOR SHALL BE RESPONSIBLE TO COORDINATE WITH THE OWNER, AS REQUIRED, FOR THE REMOVAL OF THESE CONDITIONS, PRIOR TO THE BEGINNING OF THIS PROJECT. IF THE CONTRACTOR PARTICIPATES IN ANY PORTION OF THE REMOVAL PROCESS IN HIS COORDINATION WITH THE OWNER, THEN THE CONTRACTOR SHALL PROVIDE THE OWNER WITH A WRITTEN STATEMENT RELEASING THE OWNER OF ANY FUTURE LIABILITY FROM THE CONTRACTOR, HIS EMPLOYEES AND ANY SUBCONTRACTORS HIRED BY THE CONTRACTOR RELATED TO THIS WORK.
THESE DRAWINGS AND SPECIFICATIONS DO NOT REPRESENT AN ASSESSMENT OF THE PRESENCE OR AN ASSESSMENT OF THE ABSENCE OF ANY TOXIC OR HAZARDOUS MATERIALS ON THIS PROJECT SITE. THE OWNERS ARE SOLELY RESPONSIBLE FOR SUCH AN ASSESSMENT AND SHOULD BE CONSULTED FOR ANY QUESTIONS THEREIN. IF THE CONTRACTOR DISCOVERS ANY TOXIC OR HAZARDOUS MATERIALS, AS DEFINED BY THE APPROPRIATE GOVERNING AUTHORITIES, IN THE COURSE OF HIS WORK, HE MUST NOTIFY THE OWNERS IN WRITING, AS PER THE GUIDELINES BY ALL GOVERNING AUTHORITIES. THE CONTRACTOR SHALL RESOLVE THE APPLICABLE REGULATIONS AND PROCEDURES WITH THE OWNER AT THE TIME OF DISCOVERY.

2. ALL WORK IS TO BE PERFORMED IN ACCORDANCE WITH ALL APPLICABLE CODES, LAWS, ORDINANCES AND LOCAL MUNICIPAL REGULATIONS AND AMENDMENTS RELATED TO THIS PROJECT, INCLUDING BUT NOT LIMITED TO: STATE OF CALIFORNIA ADMINISTRATIVE CODE TITLE 24, THE 2007 CALIFORNIA BUILDING CODE (CBC) INCLUDING THE HISTORICAL BUILDING CODE, THE LATEST EDITION OF THE UNIFORM FEDERAL ACCESSIBILITY STANDARDS INCLUDING THE FEDERAL FAIR HOUSING ACT, THE 2007 CALIFORNIA FIRE CODE, THE 2007 CALIFORNIA ENERGY CODE, THE 2007 CALIFORNIA ELECTRICAL CODE, THE 2007 CALIFORNIA MECHANICAL CODE, THE 2007 CALIFORNIA PLUMBING CODE, THE 2007 NFPA 72 FIRE ALARMS AND THE 2007 NFPA 1313R SPRINKLERS). IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO NOTIFY THE ARCHITECT AT ONCE UPON DISCOVERY OF ANY CONFLICTS OR DISCREPANCIES BETWEEN THE AFOREMENTIONED AND THE WORK CONTRACTED FOR THIS PROJECT OR A CHANGE OF AN APPLICABLE CODE OR STATUTE BY LOCAL AUTHORITIES.

3. THE CONTRACTOR SHALL COORDINATE AND BE RESPONSIBLE FOR ALL WORK BY HIS SUBCONTRACTORS AND THEIR COMPLIANCE WITH ALL THESE GENERAL NOTES. THE CONTRACTOR SHALL IDENTIFY ANY CONFLICTS BETWEEN THE WORKS OF THE SUBCONTRACTORS, AS DIRECTED BY THESE DRAWINGS, DURING THE LAYOUT OF THE AFFECTED TRADES. THE CONTRACTOR SHALL REVIEW THESE CONDITIONS WITH THE ARCHITECT FOR DESIGN CONFORMANCE BEFORE BEGINNING ANY INSTALLATION.

4. THE CONTRACTOR SHALL FIELD VERIFY ALL EXISTING AND PROPOSED DIMENSIONS AND CONDITIONS. IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO NOTIFY UPON THE DISCOVERY OF ANY CONFLICTS OR DISCREPANCIES BETWEEN THE AFOREMENTIONED AND THE DRAWINGS AND SPECIFICATIONS OF THIS PROJECT. THE CONTRACTOR SHOULD FOLLOW DIMENSIONS AND SHOULD NOT SCALE THESE DRAWINGS. IF DIMENSIONS ARE REQUIRED BUT NOT SHOWN, THEN THE CONTRACTOR SHALL REQUEST THE DIMENSIONS FROM THE ARCHITECT BEFORE BUILDING ANY PART OF THE PROJECT, WHICH REQUIRES THE MISSING DIMENSIONS.

5. ANY CHANGES, ALTERNATIVES OR MODIFICATIONS TO THESE DRAWINGS AND SPECIFICATIONS MUST BE APPROVED IN WRITING BY THE ARCHITECT AND OWNER, AND ONLY WHEN SUCH WRITTEN APPROVAL CLEARLY STATES THE AGREED COST OR CREDIT OF THE CHANGE, ALTERNATIVE OR MODIFICATION TO THIS PROJECT. FOR INFORMATION, DRAWINGS OR OTHER DOCUMENTS, NOT SHOWN OR INCLUDED IN THE PERMIT OR CONSTRUCTION DRAWINGS OR SPECIFICATIONS, THE CONTRACTOR SHALL REQUEST THE MISSING INFORMATION, DRAWINGS OR DOCUMENTS FROM THE ARCHITECT BEFORE STARTING OR PROCEEDING WITH THE CONSTRUCTION AFFECTED BY THE MISSING INFORMATION, DRAWINGS OR DOCUMENTS.

6. THE INTENT OF THESE DRAWINGS AND SPECIFICATIONS IS TO PROVIDE THE DESIGN GUIDANCE FOR THE CONTRACTOR TO REASONABLY PLAN FOR ALL ITEMS NECESSARY FOR A COMPLETE JOB. IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO PROVIDE ALL MATERIALS, LABOR AND EXPERTISE NECESSARY TO ACHIEVE A COMPLETE JOB AS INTENDED IN THESE DRAWINGS AND SPECIFICATIONS. THE CONTRACTOR IS FULLY RESPONSIBLE FOR ALL CONSTRUCTION MEANS, METHODS, TECHNIQUES, SEQUENCES, FINAL DIMENSIONS AND PROCEDURES FOR THE WORK SHOWN ON THESE DRAWINGS AND SPECIFICATIONS. IT IS THE CONTRACTOR'S RESPONSIBILITY TO ENACT THE AFOREMENTIONED IN COMPLIANCE WITH GENERALLY ACCEPTED STANDARDS OF PRACTICE FOR THE CONSTRUCTION INDUSTRY FOR THE TYPE OF WORK SHOWN ON THESE DRAWINGS AND SPECIFICATIONS.
THE ARCHITECT RESERVES THE RIGHT OF REVIEW FOR ALL MATERIALS AND PRODUCTS FOR WHICH NO SPECIFIC BRAND NAME OR MANUFACTURER IS IDENTIFIED IN THESE DRAWINGS AND SPECIFICATIONS. THE CONTRACTOR SHALL VERIFY WITH THE ARCHITECT THE NEED FOR SHOP DRAWINGS OR SAMPLES OF MATERIALS OR PRODUCTS, WHICH WERE NOT IDENTIFIED IN THESE DRAWINGS OR SPECIFICATIONS, AS WELL AS ANY MATERIAL, PRODUCT OR EQUIPMENT SUBSTITUTIONS PROPOSED IN PLACE OF THOSE ITEMS IDENTIFIED IN THESE DRAWINGS AND SPECIFICATIONS.

7. IT IS THE CONTRACTOR'S RESPONSIBILITY TO VERIFY AND COORDINATE ALL UTILITY CONNECTIONS, UTILITY COMPANIES' REQUIREMENTS AND INCLUDE ANY RELATED COSTS ASSOCIATED WITH THIS RESPONSIBILITY IN THE PROPOSAL OR BID. THE CONTRACTOR IS ALSO RESPONSIBLE FOR WRITING LETTERS OF CONFORMANCE REGARDING OPERATIVE AGREEMENTS FOR THIS PROJECT BETWEEN THE CONTRACTOR AND THE LOCAL FIRE DEPARTMENT, THE LOCAL WATER AGENCY, THE LOCAL NATURAL OR PROPANE GAS PROVIDER, THE LOCAL ELECTRICITY PROVIDER, THE LOCAL TELEPHONE SERVICE PROVIDERS, THE LOCAL CABLE TV PROVIDER, THE OWNER'S SECURITY SERVICE PROVIDER AND ANY UNNAMED UTILITY TYPE SERVICE PROVIDER. THE CONTRACTOR SHALL PROVIDE COPIES OF ANY SUCH AGREEMENTS TO THE ARCHITECT AND OWNER, IF REQUIRED OR REQUESTED.

8. THE CONTRACTOR IS FULLY RESPONSIBLE TO ENACT THE APPROPRIATE SAFETY PRECAUTIONS REQUIRED TO MAINTAIN A SAFE WORKING ENVIRONMENT. THE CONTRACTOR SHALL ALSO INDEMNIFY AND HOLD HARMLESS THE OWNER, THE ARCHITECT, THEIR CONSULTANTS AND EMPLOYEES FROM ANY PROBLEMS, WHICH RESULT FROM THE CONTRACTOR'S PERFORMANCE OF THE WORK RELATED TO THE SAFETY OF THE CONSTRUCTION SITE.
THE CONTRACTOR SHALL CARRY THE APPROPRIATE WORKMAN'S COMPENSATION AND LIABILITY INSURANCE, AS REQUIRED BY THE LOCAL GOVERNMENT AGENCY HAVING JURISDICTION FOR THIS ISSUE, AS WELL AS COMPLY WITH THE GENERALLY ACCEPTED INDUSTRY STANDARDS OF PRACTICE FOR A PROJECT OF THIS SCOPE. IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO VERIFY WITH THE OWNER, IF HE WILL BE REQUIRED TO CARRY FIRE INSURANCE OR OTHER TYPES OF INSURANCE, AS WELL AS, MAKING THE OWNER AND/OR THE ARCHITECT ADDITIONALLY INQUIRED BY THEIR POLICIES FOR THE DURATION OF THE PROJECT. HE SHOULD ALSO ASSIST THE OWNER IN IDENTIFYING THE AMOUNT OF COVERAGE REQUIRED FOR THEIR CO INSURANCE NEEDS.

9. THE CONTRACTOR SHALL MAINTAIN A CLEAN AND ORDERLY JOB SITE ON A DAILY BASIS. THE CONTRACTOR SHALL NOT UNREASONABLY ENCLUMBER THE SITE WITH MATERIALS OR EQUIPMENT. THE CONTRACTOR SHALL NOT ENDANGER EXISTING STRUCTURE AND ANY NEWLY CONSTRUCTED STRUCTURE BY OVERLOADING THE AFOREMENTIONED WITH MATERIALS OR EQUIPMENT. THE CONTRACTOR SHALL PROTECT ALL EXISTING CONSTRUCTION TO REMAIN AND NEW CONSTRUCTION AFTER IT IS INSTALLED. THE CONTRACTOR SHALL BE RESPONSIBLE TO PROVIDE TEMPORARY ENCLOSURES OR PROTECTION, AS NEEDED, TO PROTECT THE EXISTING STRUCTURE AND ANY NEWLY CONSTRUCTED STRUCTURES FROM THE ILL EFFECTS OF WEATHER FOR THE DURATION OF THE ENTIRE CONSTRUCTION PROCESS.

10. THE CONTRACTOR IS FULLY RESPONSIBLE FOR ANY DAMAGE INCURRED BY HIM OR HIS SUBCONTRACTORS TO ANY EXISTING STRUCTURE OR WORK, ANY STRUCTURE OR WORK IN PROGRESS, UNUSED MATERIAL INTENDED FOR USE IN THE PROJECT, OR ANY EXISTING SITE CONDITION WITHIN THE SCOPE OF WORK INTENDED BY THESE DRAWINGS AND SPECIFICATIONS. THIS RESPONSIBILITY WILL INCLUDE ANY MATERIALS AND LABOR REQUIRED TO CORRECT SUCH DAMAGE TO THE OWNER'S SATISFACTION AT NO COST TO THE OWNER UNLESS AGREED TO BY THE OWNER IN WRITING.

11. THE CONTRACTOR SHALL WARRANTY ACCORDING TO STATE CONSTRUCTION LAW ALL WORK DONE BY HIM, HIS EMPLOYEES AND HIS SUBCONTRACTORS AGAINST ALL VISIBLE DEFECTS OR ERRORS THAT BECOME APPARENT WITHIN THE FIRST YEAR AFTER THE COMPLETION OF THE PROJECT, AS ACCEPTED BY THE OWNER. THE CONTRACTOR SHALL, ADDITIONALLY, WARRANTY ALL DEFECTS AND ERRORS NOT VISIBLE, BUT CONTAINED WITHIN CONSTRUCTED WORK, FOR A PERIOD OF TEN YEARS FROM THE COMPLETION OF THE PROJECT, ALSO ACCORDING TO STATE CONSTRUCTION LAW. ANY AND ALL DEFECTS AND ERRORS THAT DO BECOME APPARENT SHALL BE PROMPTLY REPAIRED BY THE CONTRACTOR TO THE OWNER'S SATISFACTION AT NO COST TO THE OWNER FOR MATERIALS OR LABOR. ALTERATIONS OR CHANGES TO THIS WARRANTY MUST BE MUTUALLY AGREED TO IN WRITING BY BOTH THE CONTRACTOR AND THE OWNER.

12. IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO VERIFY THE APPROPRIATENESS OF THE APPLICATION OF ALL THE PRODUCT SELECTIONS SHOWN OR INTENDED IN THESE DRAWINGS AND SPECIFICATIONS. THE INTENDED MEANING OF "APPROPRIATENESS" IS THE PROPER SYSTEM, MODEL AND SPECIFICATION REQUIRED FOR THE INTENDED USE AS SHOWN ON THESE DRAWINGS AND SPECIFICATIONS. THE CONTRACTOR IS RESPONSIBLE TO VERIFY THE MOST CURRENT MODEL NAME OR NUMBER FROM THE SELECTED MANUFACTURER. THE CONTRACTOR IS RESPONSIBLE TO VERIFY THAT ANY INSTALLERS, WHICH HE SELECTS FOR THE VARIOUS PRODUCTS WILL FOLLOW ALL THAT PRODUCT MANUFACTURER'S REQUIRED AND RECOMMENDED METHODS AND PROCEDURES TO ACHIEVE THE DESIRED RESULTS CLAIMED BY SUCH MANUFACTURERS FOR THEIR PRODUCTS.
IN ADDITION, THESE DRAWINGS AND SPECIFICATIONS IDENTIFY SOME REQUIRED SYSTEMS AND PRODUCTS IN GENERIC TERMS. THE CONTRACTOR IS RESPONSIBLE TO MAKE SPECIFIC SELECTIONS FOR THESE SYSTEMS AND PRODUCTS THAT SATISFY THE SAME CONDITIONS OUTLINED ABOUT THE IDENTIFIED MANUFACTURED ITEMS.

13. IT IS THE INTENT OF THESE DRAWINGS AND SPECIFICATIONS TO IDENTIFY THE SCOPE OF WORK FOR A DESIGN AND BUILD TYPE OF ELECTRICAL INSTALLATION. IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO PROVIDE: THE NECESSARY LABOR FAMILIAR WITH THIS TYPE OF INSTALLATION; ALL NECESSARY MATERIALS, TOOLS, EQUIPMENT, TRANSPORTATION, TEMPORARY CONSTRUCTION, AND ANY SPECIAL OR OCCASIONAL SERVICES REQUIRED TO INSTALL A COMPLETE WORKING ELECTRICAL SYSTEM AS DIAGRAMMATICALLY DESCRIBED AND SHOWN IN THESE DRAWINGS AND SPECIFICATIONS. THE CONTRACTOR SHALL ALSO BE RESPONSIBLE TO VERIFY ANY INFORMATION THAT IS NOT INDICATED IN THESE DRAWINGS AND SPECIFICATIONS BUT IS REQUIRED FOR THE PERFORMANCE OF THE INSTALLATION.

14. IT IS THE INTENT OF THESE DRAWINGS AND SPECIFICATIONS TO IDENTIFY THE SCOPE OF WORK FOR A DESIGN AND BUILD TYPE OF MECHANICAL AND PLUMBING INSTALLATION. IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO PROVIDE: THE NECESSARY LABOR FAMILIAR WITH THIS TYPE OF INSTALLATION; ALL NECESSARY MATERIALS, TOOLS, EQUIPMENT, TRANSPORTATION, TEMPORARY CONSTRUCTION; AND ANY SPECIAL OR OCCASIONAL SERVICES REQUIRED TO INSTALL COMPLETE WORKING MECHANICAL AND PLUMBING SYSTEMS, AS DIAGRAMMATICALLY DESCRIBED AND SHOWN IN THESE DRAWINGS AND SPECIFICATIONS. THE CONTRACTOR SHALL ALSO BE RESPONSIBLE TO VERIFY ANY INFORMATION THAT IS NOT INDICATED IN THESE DRAWINGS AND SPECIFICATIONS BUT IS REQUIRED FOR THE PERFORMANCE OF THE INSTALLATION.

15. IT IS THE INTENT OF THESE DRAWINGS AND SPECIFICATIONS TO IDENTIFY THE SCOPE OF WORK FOR A DESIGN AND BUILD TYPE OF FIRE SPRINKLER INSTALLATION THROUGHOUT THE ENTIRE STRUCTURE. IT WILL BE THE RESPONSIBILITY OF THE CONTRACTOR TO PROVIDE: THE NECESSARY LABOR FAMILIAR WITH THIS TYPE OF INSTALLATION; ALL NECESSARY MATERIALS, TOOLS, EQUIPMENT, TRANSPORTATION, TEMPORARY CONSTRUCTION; AND ANY SPECIAL OR OCCASIONAL SERVICES, INCLUDING THE PROCUREMENT OF ALL PERMITS REQUIRED TO INSTALL A COMPLETE WORKING SYSTEM. THE CONTRACTOR WILL ALSO BE RESPONSIBLE TO VERIFY ANY INFORMATION THAT IS NOT INDICATED IN THESE DRAWINGS AND SPECIFICATIONS BUT IS REQUIRED FOR THE PERFORMANCE OF THE INSTALLATION.

16. IF THE CONTRACTOR FINDS FAULT WITH, DISAGREES WITH, OBJECTS TO, OR WOULD LIKE TO CHANGE THE SCOPE OF THESE GENERAL NOTES OR HIS STATED RESPONSIBILITIES, AS OUTLINED IN THESE GENERAL NOTES, THEN THE CONTRACTOR MUST RESOLVE SUCH CHANGES WITH THE OWNER IN WRITING BEFORE SIGNING A CONTRACT. FAILURE TO DO SO SHALL CONSTITUTE AN UNDERSTANDING OF THESE GENERAL NOTES AND THEIR ACCEPTANCE BY THE CONTRACTOR.

17. THE CONTRACTOR SHALL IDENTIFY IN HIS PROPOSAL OR BID, WHICH PERMITS HE EXPECTS TO OBTAIN AND WHICH PERMITS AND APPLICATION FEES HE EXPECTS THE OWNER TO PROVIDE.

18. THE CONTRACTOR IS RESPONSIBLE TO IDENTIFY ANY CONFLICTS BETWEEN HIS CONTRACT WITH THE OWNER AND THESE DRAWINGS. THE ARCHITECT, THE CONTRACTOR AND THE OWNER SHALL REVIEW THESE CONFLICTS IN ORDER TO AMEND ONE OF THESE DOCUMENTS BEFORE THE START OF THE CONSTRUCTION. IF A CONFLICT IS DISCOVERED WITHOUT THIS PRIOR RESOLUTION, THEN THESE DRAWINGS SHALL TAKE PRECEDENCE OVER ANY OTHER DOCUMENTS IN RESOLVING A CONFLICT.

19. THE CONTRACTOR SHALL ASSUME THAT SITE MEETINGS WITH THE OWNER, THE ARCHITECT AND THE CONTRACTOR PRESENT SHALL BE HELD ONCE EVERY WEEK, UNLESS THEY ARE MUTUALLY CHANGED OR CANCELLED. THE CONTRACTOR SHALL KEEP WRITTEN NOTES OF ALL RELEVANT INFORMATION DISCUSSED AT THESE MEETINGS AND PROVIDE COPIES TO THE OWNER AND THE ARCHITECT, UNLESS DIFFERING ARRANGEMENTS ARE RESOLVED WITH THE ARCHITECT AND THE OWNER. THE ARCHITECT SHALL PROVIDE ANY REQUESTED SKETCHES OR ANY REQUESTED INFORMATION THAT IS REQUIRED AND REQUESTED DURING THESE MEETINGS. THE OWNER AND THE CONTRACTOR SHALL ALSO PROVIDE ANY REQUESTED INFORMATION THAT IS REQUIRED DURING THESE MEETINGS.

20. THE ARCHITECT OR THE OWNER CAN WRITE AND ISSUE FIELD ORDERS FOR CHANGES TO THE DRAWINGS AND SPECIFICATIONS, AS REQUESTED BY OWNER OR THE CONTRACTOR. IF ADDITIONAL OR DELETION OF COST TO THE PROJECT IS REQUIRED, THEN THESE FIELD ORDERS SHALL BECOME THE BASIS OF A CHANGE ORDER.

21. THE CONTRACTOR SHALL WRITE AND ISSUE ALL CHANGE ORDERS, WHICH SHALL INCLUDE A COST BREAKDOWN FOR ALL THE WORK DESCRIBED IN SUCH A CHANGE ORDER. ANY CHANGE ORDER WILL NOT BE BINDING TO THE OWNER UNTIL BOTH THE CONTRACTOR AND THE OWNER HAVE SIGNED IT.

22. UPON SUBSTANTIAL COMPLETION THE CONTRACTOR SHALL NOTIFY THE ARCHITECT, WHO SHALL COORDINATE A WALK-THROUGH OF THE PROJECT WITH THE OWNER AND THE CONTRACTOR AND THEN PROVIDE A PUNCH LIST OF ITEMS TO COMPLETE. ARRANGEMENTS FOR FINAL PAYMENT WILL BE MADE AT THAT TIME.

DEMOLITION NOTES

1. THE DEMOLITION WORK SHOWN ON THESE DRAWINGS MAY NOT BE THE COMPLETE DEMOLITION REQUIRED TO ACCOMMODATE THE NEW WORK, WHICH IS SHOWN ELSEWHERE. THE INTENT OF THESE DRAWINGS IS TO GENERALLY SHOW THE DEMOLITION SCOPE OF WORK EXPECTED OF THE CONTRACTOR. THE CONTRACTOR WILL BE RESPONSIBLE TO COORDINATE ANY ADDITIONAL DEMOLITION WORK AND VERIFY THE EXTENT OF DEMOLITION REQUIRED IN ORDER TO ACCOMMODATE ANY NEW WORK.

2. ALL THE DIMENSIONS SHOWN, OR NOT SHOWN BUT REQUIRED, MUST BE VERIFIED IN THE FIELD BY THE CONTRACTOR. THE INFORMATION SHOWN ON THESE DRAWINGS WAS DERIVED BY THE ARCHITECT WITHOUT ANY SURVEYING OR ENGINEERING EQUIPMENT AND IS INTENDED TO BE HELPFUL, BUT NOT NECESSARILY ACCURATE.

3. ALL BIDS OR PROPOSALS MUST CLEARLY IDENTIFY WHAT WORK WILL BE PERFORMED AND WHAT WORK WILL NOT BE PERFORMED. THE CONTRACTOR WILL ALSO IDENTIFY ANY ALLOWANCES FOR WORK TOO UNCERTAIN TO BID FROM THE INFORMATION SHOWN ON THESE DRAWINGS.

4. THE CONTRACTOR WILL COORDINATE THE CAPPING AND PATCHING OF ALL EXISTING PLUMBING FIXTURES, SPRINKLER SYSTEMS AND RELATED EQUIPMENT SHOWN TO BE REMOVED WITH THE EXISTING ROUGH-IN SYSTEM TO REMAIN. THE CONTRACTOR WILL VERIFY THE WORK REQUIRED FOR INSTALLING AND CONNECTING NEW PLUMBING FIXTURES AND RELATED EQUIPMENT, AS SHOWN ON THE NEW WORK PLANS, TO THE REMAINING EXISTING SYSTEM. THE CONTRACTOR WILL REVIEW WITH THE ARCHITECT IN THE FIELD ANY CONDITIONS THAT WILL CONFLICT WITH THIS INTENT.

5. THE CONTRACTOR WILL COORDINATE THE CAPPING AND PATCHING OF THE MECHANICAL SYSTEM AND RELATED DEVICES SHOWN TO BE REMOVED WITH THE EXISTING SYSTEM TO REMAIN. THE CONTRACTOR WILL VERIFY THE WORK REQUIRED FOR INSTALLING ANY NEW MECHANICAL SYSTEM AND RELATED EQUIPMENT, AS SHOWN ON THE NEW WORK PLANS, TO THE REMAINING EXISTING SYSTEM OR EQUIPMENT. THE CONTRACTOR WILL REVIEW WITH THE ARCHITECT IN THE FIELD ANY CONDITIONS THAT WILL CONFLICT WITH THIS INTENT.

6. THE CONTRACTOR WILL COORDINATE THE CAPPING AND PATCHING OF ALL EXISTING ELECTRICAL FIXTURES AND RELATED EQUIPMENT SHOWN TO BE REMOVED WITH THE EXISTING SYSTEM TO REMAIN. THE CONTRACTOR WILL VERIFY THE WORK REQUIRED FOR INSTALLING AND CONNECTING NEW ELECTRICAL FIXTURES AND RELATED EQUIPMENT, AS SHOWN ON THE NEW WORK PLANS, TO THE REMAINING EXISTING SYSTEM. THE CONTRACTOR WILL REVIEW WITH THE ARCHITECT IN THE FIELD ANY CONDITIONS THAT WILL CONFLICT WITH THIS INTENT.

7. THE CONTRACTOR WILL PROTECT EXISTING MATERIALS TO REMAIN, AS REQUIRED. DAMAGE TO EXISTING MATERIALS TO REMAIN, BECAUSE OF INADEQUATE PROTECTION SHALL BE FIXED, REPAIRED OR REPLACED, AS REQUIRED BY THE ARCHITECT, AT THE SOLE EXPENSE OF THE CONTRACTOR INCLUDING BUT NOT NECESSARILY LIMITED TO LABOR AND MATERIALS.

8. THE CONTRACTOR IS SOLELY RESPONSIBLE FOR OBTAINING ANY ADDITIONAL PERMITS, ENGINEERING, SHORING AND ANY CONSTRUCTION DOCUMENTS BY OTHERS RELATED TO THIS WORK, WHETHER OR NOT THEY ARE REQUIRED, FROM THE LOCAL AUTHORITIES.

9. THE CONTRACTOR IS RESPONSIBLE TO PROPERLY STORE AND PROTECT ANY MATERIAL DESIGNATED ON THE DRAWINGS TO BE SALVAGED AND RE-INSTALLED AS PART OF THE NEW WORK INTENT.

CONSTRUCTION NOTES

1. THE CONTRACTOR WILL BE RESPONSIBLE TO MAINTAIN THE SECURITY OF THE JOB SITE DURING THE CONSTRUCTION PROCESS UNTIL FINAL ACCEPTANCE BY THE OWNER OR UNTIL AN ALTERNATE DATE, AS MUTUALLY AGREED BETWEEN THE OWNER AND THE CONTRACTOR.

2. THE CONTRACTOR WILL VERIFY THE ROUGH-IN DIMENSIONS AND REQUIREMENTS FROM THE APPROPRIATE MANUFACTURER OR FABRICATOR FOR DOORS, WINDOWS, EQUIPMENT, CABINETS, PLUMBING FIXTURES, ELECTRICAL FIXTURES, APPLIANCES AND ANY OTHER DEVICES BEFORE PROCEEDING TO LAY OUT AREAS WHERE SUCH ITEMS ARE LOCATED.

3. ALL CONNECTIONS AND FASTENERS ARE INTENDED TO BE CONCEALED, UNLESS OTHERWISE NOTED. WHERE SUCH DEVICES CAN NOT BE CONCEALED AS INTENDED NOTIFY THE ARCHITECT FOR REVIEW OF DESIGN CONFORMANCE.

4. FIREBLOCKING SHALL BE PROVIDED IN ALL LOCATIONS IDENTIFIED IN SECTION 717.2 OF THE CALIFORNIA BUILDING CODE (CBC) AND IN ANY ADDITIONAL LOCATIONS IDENTIFIED BY THE LOCAL AUTHORITIES OR LOCAL ORDINANCES.

5. THE CONTRACTOR WILL VERIFY ALL ROOF AND FRAMING SPACES REQUIRED TO BE VENTILATED WITH THE LOCAL FIELD INSPECTOR OR BY THE CBC AND PROVIDE THE APPROPRIATE NET FEE VENTILATION AREA, BUT IN NO CASE SHALL IT BE LESS THAN 1/50TH OF THE AREA OF THE SPACE TO BE VENTILATED. WHEN THE MEANS OF THE VENTILATION IS VISIBLE FROM A COMMONLY USED SPACE, PASSAGEWAY, YARD OR PUBLIC RIGHT OF WAY, THE CONTRACTOR SHALL REVIEW THIS SITUATION WITH THE ARCHITECT FOR DESIGN CONFORMANCE BEFORE INSTALLING SUCH DEVICES, EQUIPMENT OR MATERIALS.

6. THE CONTRACTOR WILL VERIFY AND PROVIDE THE REQUIRED BLOCKING AND BACKING FOR ALL CABINETS, WALL-MOUNTED ACCESSORIES, BUILT-IN EQUIPMENT, LIGHT FIXTURES OR OTHER DEVICES REQUIRING BLOCKING OR BACKING.

7. THE CONTRACTOR WILL VERIFY AND PROVIDE ALL CODE REQUIRED FIREPROOFING AT ALL PENETRATIONS INTO AND THROUGH A FIRE RATED FLOOR, WALL, CEILING OR ROOF ASSEMBLY.

8. ALL CHANGES OR OFFSETS IN FLOOR FINISH MATERIAL WILL OCCUR UNDER A THRESHOLD, WHEN PROVIDED, OR AT THE CENTERLINE OF A DOOR TRANSITION UNLESS OTHERWISE INDICATED ON THE DRAWINGS. OTHER LOCATIONS OF THESE CONDITIONS SHALL BE VERIFIED WITH THE ARCHITECT IN THE FIELD FOR DESIGN CONFORMANCE BEFORE INSTALLING ANY MATERIAL.

9. THE SEALANT, CAULKING AND FLASHING LOCATIONS SHOWN ON THESE DRAWINGS ARE NOT INTENDED TO COVER ALL CONDITIONS REQUIRING THESE PRODUCTS. IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO IDENTIFY ALL CONDITIONS REQUIRING THESE PRODUCTS, SIMILAR PRODUCTS AND REVIEW THESE CONDITIONS NOT IDENTIFIED IN THE DRAWINGS WITH THE ARCHITECT FOR DESIGN CONFORMANCE.

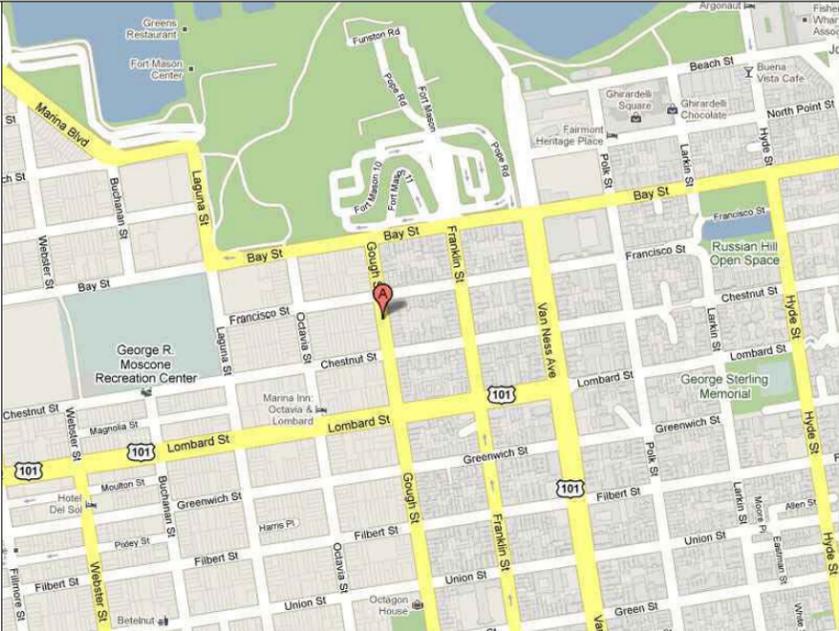
10. COMPLETE ALL WORK REQUIRED TO MEET THE STATE OF CALIFORNIA ENERGY CONSERVATION REQUIREMENTS IDENTIFIED IN THE TITLE 24 REPORT SUBMITTED FOR THIS PROJECT INCLUDING BUT NOT LIMITED TO ALL MANDATORY AND SPECIAL FEATURES, AS WELL AS ANY LOCAL ORDINANCES (CECD AND RECD) AND ANY NEW REQUIREMENTS IDENTIFIED BY THE LOCAL BUILDING FIELD INSPECTOR. IF A TITLE 24 REPORT WAS NOT REQUIRED FOR THIS PROJECT, THEN THE CONTRACTOR SHALL PROVIDE ALL MEASURES REQUIRED BY THE STATE APPROVED MANDATORY FEATURES REGULATIONS IDENTIFIED IN TITLE 24.

11. THE CONTRACTOR SHALL IDENTIFY IN HIS PROPOSAL WHICH UTILITY TYPE (WATER, ELECTRICITY, TELEPHONE, INTERNET, ETC.) CONNECTIONS, USE AND RELATED COSTS WILL BE INCLUDED IN HIS OVERHEAD AND WHICH COSTS HE EXPECTS THE OWNER TO PROVIDE. ANY UTILITY TYPE COST WHICH IS NOT IDENTIFIED, AS AN OWNER PROVIDED ITEM, WILL BE ASSUMED TO BE INCLUDED IN THE CONTRACTOR'S OVERHEAD COST.

12. THE CONTRACTOR SHALL IDENTIFY AND PROVIDE THE REQUIRED SIDEWALK AND PUBLIC PASSAGE ENCLOSURE PROTECTION AT ANY AFFECTED RIGHT-OF-WAY AREAS OR PUBLIC ACCESS LOCATIONS. THE CONTRACTOR WILL REVIEW ALL INTENDED SIGNAGE WITH THE ARCHITECT FOR DESIGN CONFORMANCE.

13. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ALL MEANS AND METHODS OF CONSTRUCTION AND ANY DIRECTION FROM THE OWNER OR THE ARCHITECT SHALL NOT BE CONSTRUED TO OVER-RIDE THIS RESPONSIBILITY UNLESS MUTUALLY AGREED TO IN A WRITTEN DOCUMENT IDENTIFYING A SPECIFIC AREA OF WORK FOR WHICH THE CONTRACTOR WILL NOT BE RESPONSIBLE.

VICINITY MAP



ABBREVIATIONS

| | |
|--------|--|
| A.F.F. | ADJUST FINISH FLOOR |
| ALUM. | ALUMINUM |
| BD. | BOARD |
| BLDG. | BUILDING |
| BLCK. | BLOCKING |
| BSM. | BEAM |
| B.O. | BOTTOM OF |
| CLG. | CEILING |
| CLR. | CLEAR |
| CONC. | CONCRETE |
| DTL. | DETAIL |
| DWG. | DRAWING |
| EX. | EXISTING |
| ELEC. | ELECTRICAL |
| ELEV. | ELEVATION |
| EQ. | EQUAL |
| EXT. | EXTERIOR |
| F.F. | FINISH FLOOR |
| GA. | GAUGE |
| GSM. | GALVANIZED SHEET METAL |
| GYP. | GYPSUM |
| HDR. | HEADER |
| HVAC. | HEATING, VENTILATING, AND AIR CONDITIONING |
| HW. | HOT WATER HEATER |
| INT. | INTERIOR |
| LAM. | LAMINATE |
| MAX. | MAXIMUM |
| MECH. | MECHANICAL |
| MIN. | MINIMUM |
| MTL. | METAL |
| NI. | NEW |
| N.I.C. | NOT IN CONTRACT |
| O.C. | ON CENTER |
| PL. | PLASTIC |
| P.LY. | PLYWOOD |
| REQ'D. | REQUIRED |
| SIM. | SIMILAR |
| SHTG. | SHEATHING |
| S.S.D. | SEE STRUCTURAL DRAWINGS |
| STL. | STEEL |
| T.B.D. | TO BE DETERMINED |
| T.O. | TOP OF |
| TYP. | TYPICAL |
| U.O.N. | UNLESS OTHERWISE NOTED |
| V.I.F. | VERIFY IN FIELD |
| W. | WITH |
| W.C. | WATER CLOSET |
| WOOD. | WOOD |
| WP. | WATERPROOF |

DRAWING INDEX

| | |
|------|---|
| A0.0 | COVER SHEET |
| A1.0 | EXISTING SITE PLAN |
| A1.1 | EXISTING FLOOR PLANS |
| A1.2 | EXISTING EAST/WEST SECTION SHOWING SOUTH NEIGHBOR |
| A1.3 | EXISTING EAST/WEST SECTION SHOWING NORTH NEIGHBOR |
| A2.0 | PROPOSED SITE PLAN |
| A2.1 | PROPOSED FIRST AND SECOND FLOOR PLANS |
| A2.2 | PROPOSED THIRD AND FOURTH FLOOR PLANS |
| A3.0 | PROPOSED FRONT (EAST) ELEVATION |
| A3.1 | PROPOSED REAR (WEST) ELEVATION |
| A3.2 | PROPOSED SOUTH SIDE ELEVATION |
| A3.3 | PROPOSED NORTH SIDE ELEVATION |
| A3.4 | PROPOSED EAST/WEST LONG SECTION |
| A3.5 | PROPOSED EAST/WEST LONG SECTION |
| A3.6 | PROPOSED NORTH/SOUTH SHORT SECTIONS |

PROJECT DESCRIPTION

VERTICAL ADDITION OF A NEW FULL THIRD FLOOR AND PARTIAL FOURTH FLOOR AND REAR ADDITION BESIDE EXISTING SUNROOM. EXISTING BUILDING IS TWO STORIES AND TWO-UNIT RESIDENTIAL. PROPOSED BUILDING WILL BE FOUR STORIES AND TWO-UNIT RESIDENTIAL.

(E) AREA (INC GARAGE) = 2921 S.F.
TOTAL AREA AFTER PROJECT = 5490 S.F.
MAXIMUM AREA PER PLANNING ENVELOPE = 7312 S.F.

PROJECT DATA

| | |
|--------------------|--|
| PARCEL: | 3139-41 GOUGH STREET |
| BLOCK: | 0481 |
| LOT: | 004 |
| ZONING: | RH-3 |
| INTERSECTION: | CHESTNUT / FRANCISCO |
| LOT SIZE: | 25'-0" wide x 112'-6" long |
| OCCUPANCY TYPE: | R3 |
| CONSTRUCTION TYPE: | V-B SPRINKLERS THROUGHOUT |
| CODE USED: | 2007 CALIFORNIA BUILDING CODE & SF AMENDMENTS 2007 CALIFORNIA MECHANICAL CODE & SF AMENDMENTS 2007 CALIFORNIA PLUMBING CODE & SF AMENDMENTS 2007 CALIFORNIA ELECTRICAL CODE & SF AMENDMENTS 2007 CALIFORNIA ENERGY CODE 2007 CALIFORNIA FIRE CODE & SF AMENDMENTS 2007 SF HOUSING CODE 2007 NFPA 72 (FIRE ALARMS) 2007 NFPA 1313R (SPRINKLERS) |

PROJECT DIRECTORY

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SITE PERMIT

| | |
|-------------|-------|
| COVER SHEET | _____ |
| _____ | _____ |
| _____ | _____ |
| _____ | _____ |
| _____ | _____ |
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| _____ | _____ |
| _____ | _____ |
| _____ | _____ |

A0.0

DATE 03.21.11
SCALE AS NOTED
DRAWN GG

WALL TYPES

-  (E) WALL TO BE REMAIN
-  (E) WALL TO BE REMOVED

DEMO SHEET NOTES

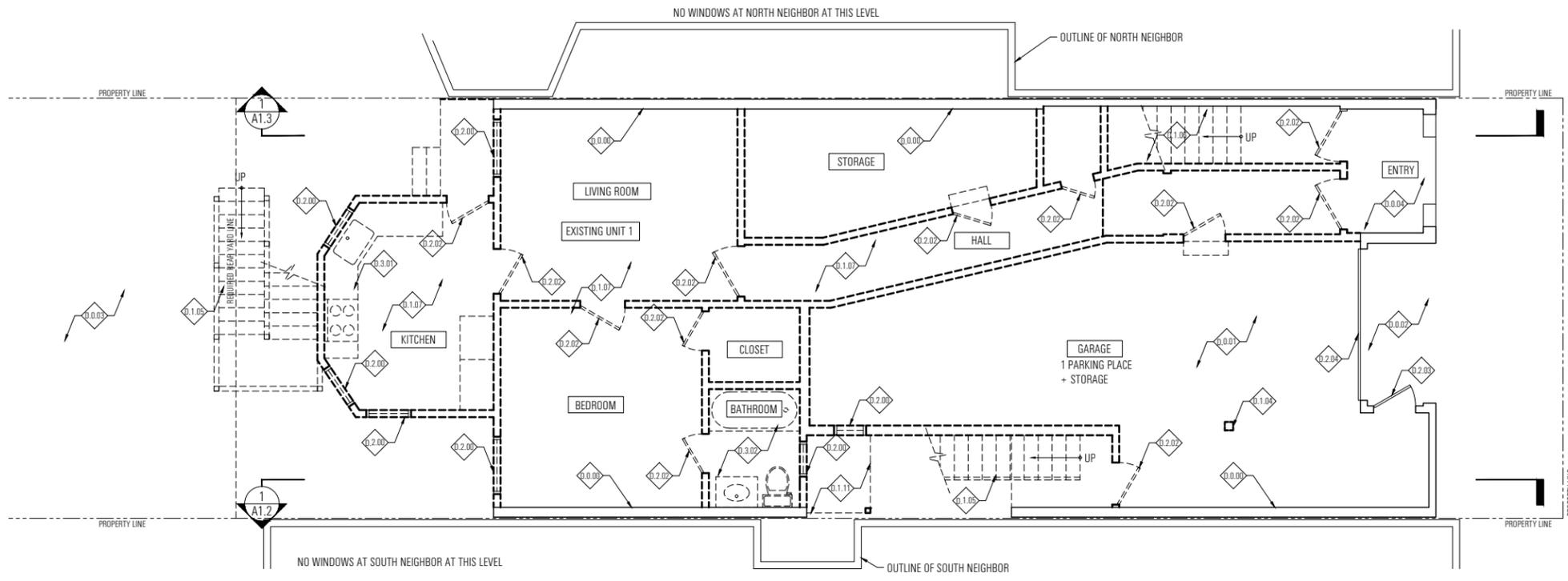
- 0.00 REMOVE EXISTING CONCRETE FOUNDATION S.S.D
- 0.01 RETAIN EXISTING CONCRETE SLAB
- 0.02 RETAIN EXISTING CONCRETE DRIVEWAY
- 0.03 RETAIN EXISTING PAVERS AND LANDSCAPING
- 0.04 RETAIN EXISTING CONCRETE LANDING
- 1.00 REMOVE EXISTING EXTERIOR WALL
- 1.01 RETAIN EXISTING EXTERIOR WALL, EXISTING EXTERIOR SIDING AND EXISTING INTERIOR SHEETROCK/PLASTER
- 1.02 REMOVE EXISTING INTERIOR WALL
- 1.03 RETAIN EXISTING INTERIOR WALL AND EXISTING SHEETROCK/PLASTER
- 1.04 REMOVE EXISTING COLUMN
- 1.05 REMOVE EXISTING EXTERIOR STAIRCASE AND COLUMNS
- 1.06 REMOVE EXISTING INTERIOR STAIRCASE
- 1.07 REMOVE EXISTING RAISED WOOD-FRAMED FLOOR
- 1.08 RETAIN EXISTING FLOOR FRAMING
- 1.09 CUT NEW OPENING IN EXISTING FLOOR FRAMING FOR NEW STAIRCASE
- 1.10 RETAIN EXISTING CEILING FRAMING, COVE CEILINGS AND SHEETROCK
- 1.11 REMOVE EXISTING EXTERIOR WALLS AND FLOOR/ROOF FRAMING TO ENLARGE EXISTING LIGHTWELL
- 2.00 REMOVE EXISTING WINDOW
- 2.01 RETAIN EXISTING WINDOW
- 2.02 REMOVE EXISTING DOOR
- 2.03 RETAIN EXISTING DOOR
- 2.04 RETAIN EXISTING ROLL-UP GARAGE DOOR
- 2.05 REMOVE EXISTING SKYLIGHT
- 3.00 RETAIN EXISTING KITCHEN CABINETS, APPLIANCES, FIXTURES AND FINISHES
- 3.01 REMOVE EXISTING KITCHEN CABINETS, APPLIANCES, FIXTURES AND FINISHES
- 3.02 REMOVE EXISTING FIXTURES AND FINISHES AT EXISTING BATHROOM
- 3.03 RETAIN EXISTING HARDWOOD FLOORING AND PROTECT DURING CONSTRUCTION
- 3.04 REMOVE EXISTING HARDWOOD FLOORING
- 4.00 RETAIN EXISTING MASONRY WOOD-BURNING FIREPLACE

SITE PERMIT

EXISTING AND DEMOLITION FLOOR PLANS

A 1.1

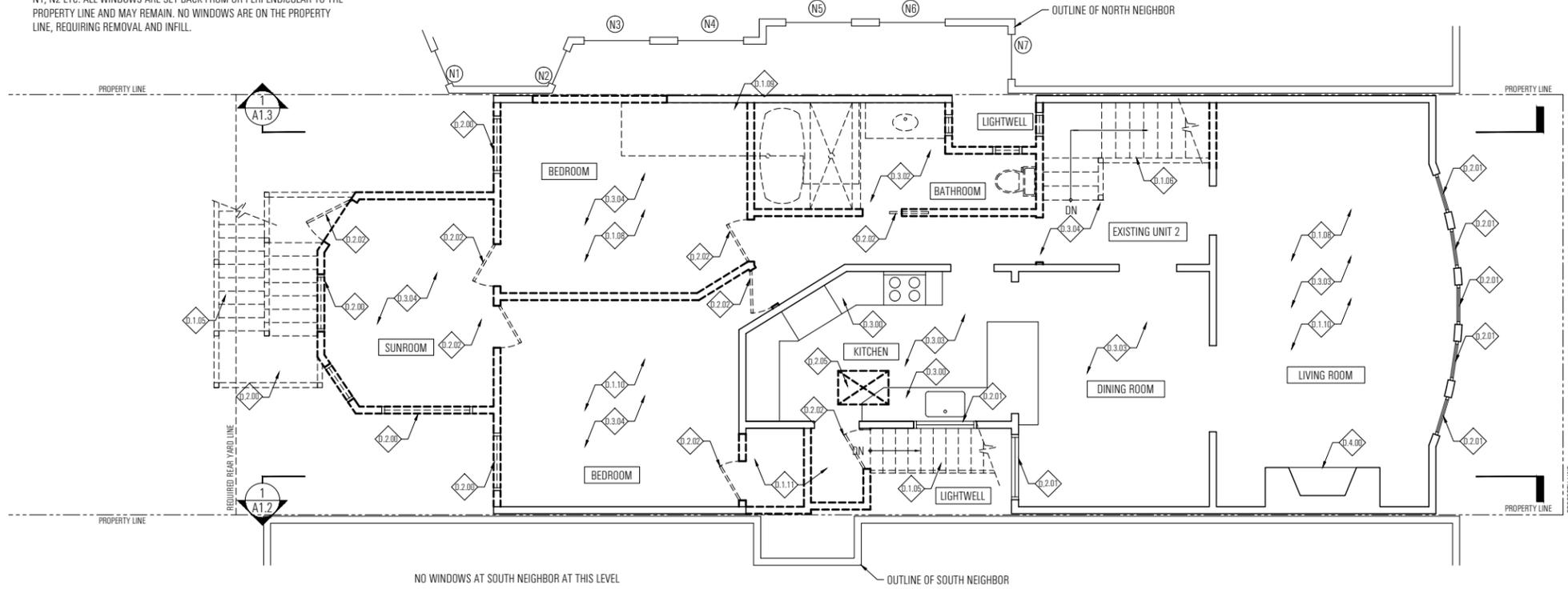
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EXISTING/DEMO SECOND FLOOR PLAN

1/4" = 1'-0"

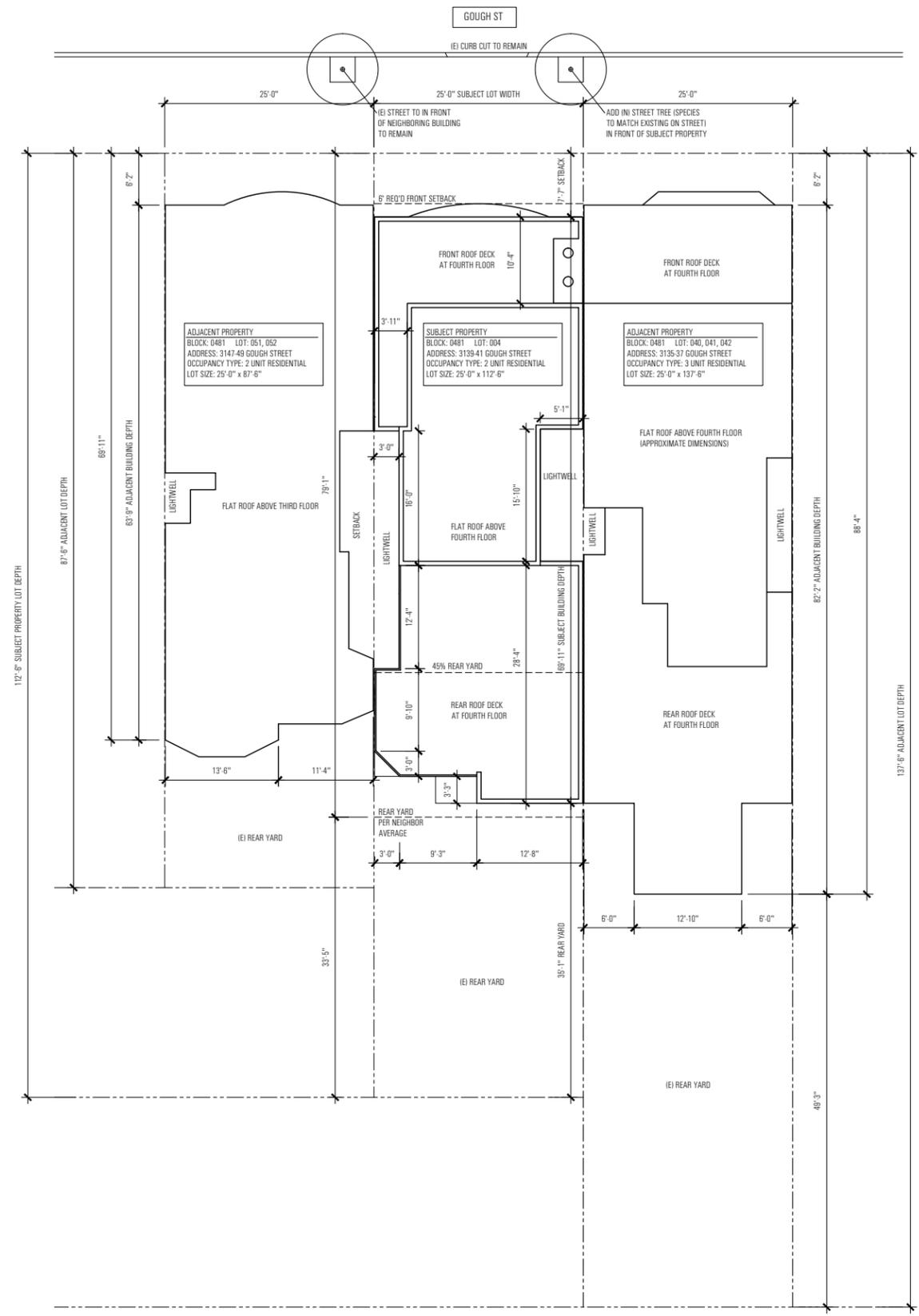
FOR DISCUSSION PURPOSES, WINDOWS AT NORTH NEIGHBOR ARE LABELED N1, N2 ETC. ALL WINDOWS ARE SET BACK FROM OR PERPENDICULAR TO THE PROPERTY LINE AND MAY REMAIN. NO WINDOWS ARE ON THE PROPERTY LINE, REQUIRING REMOVAL AND INFILL.



EXISTING/DEMO FIRST FLOOR PLAN

1/4" = 1'-0"





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3139-41 GOUGH STREET
SAN FRANCISCO, CA 94123

SITE PERMIT

PROPOSED SITE PLAN

A2.0

PROPOSED SITE/ROOF PLAN
1/8" = 1'-0"



A2.0

DATE 06.15.11
SCALE AS NOTED
DRAWN AK, GG



SOUTH
NEIGHBOR

SUBJECT
PROPERTY

NORTH
NEIGHBOR

3139-41 GOUGH STREET
FRONT FACADE

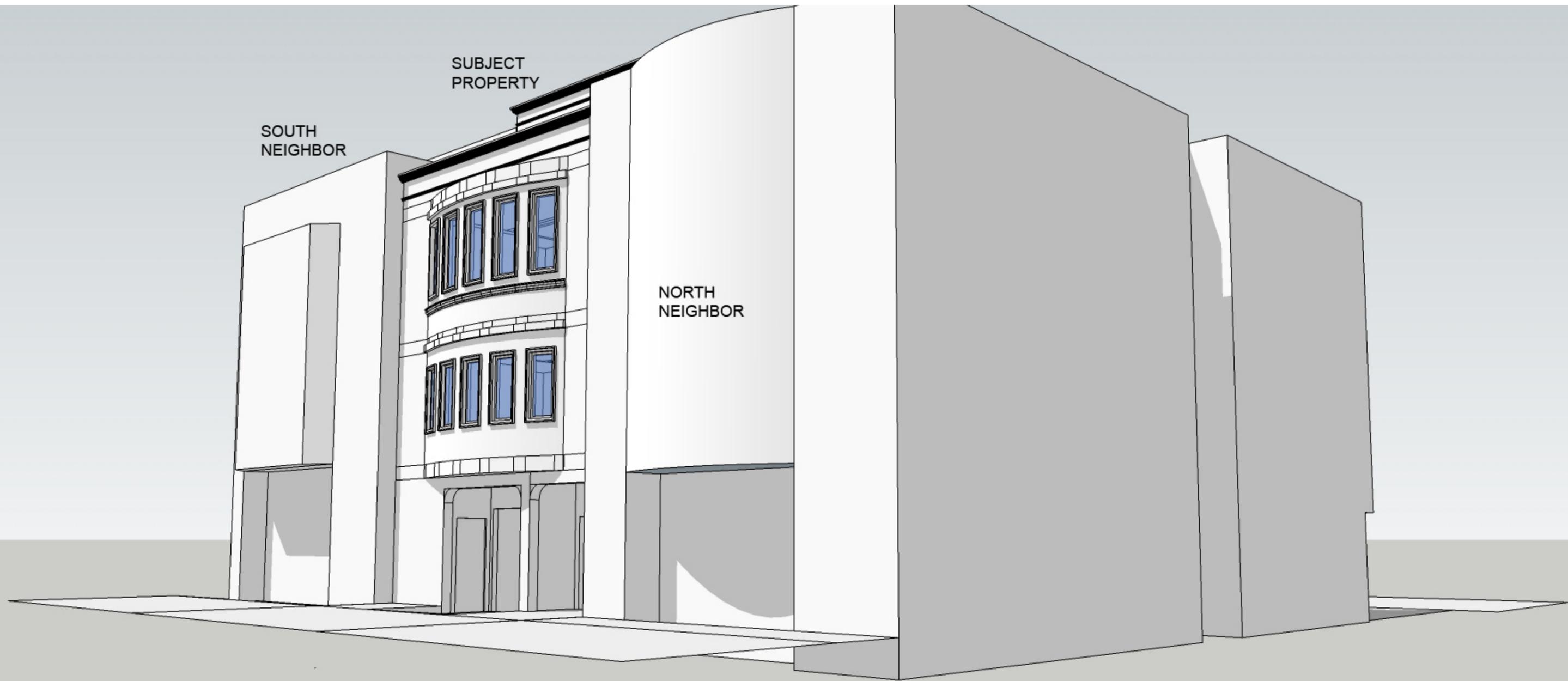


SUBJECT
PROPERTY

NORTH
NEIGHBOR

SOUTH
NEIGHBOR

3139-41 GOUGH STREET
STREET VIEW, LOOKING NORTH



SUBJECT
PROPERTY

SOUTH
NEIGHBOR

NORTH
NEIGHBOR

3139-41 GOUGH STREET
STREET VIEW, LOOKING SOUTH

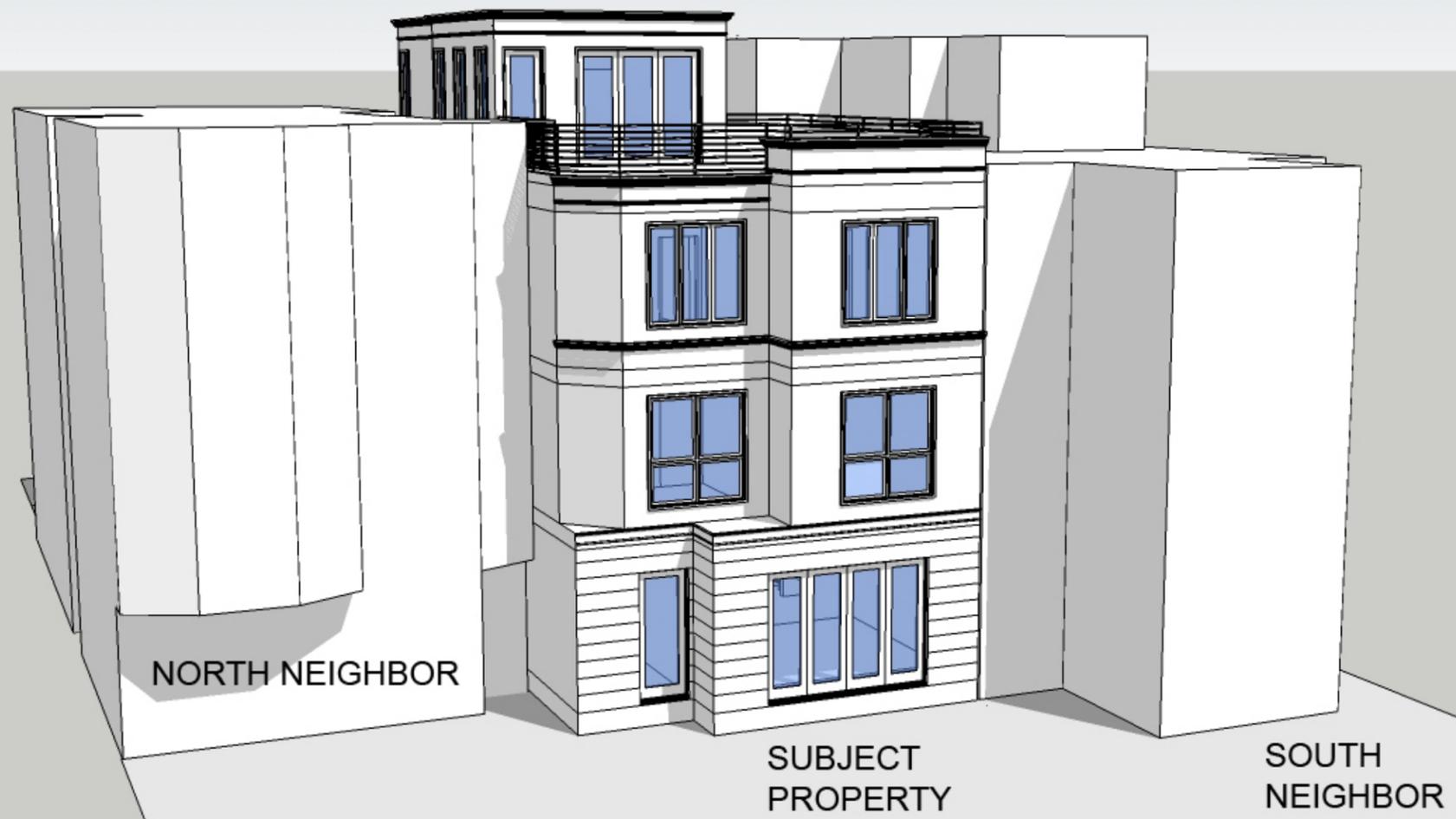


NORTH
NEIGHBOR

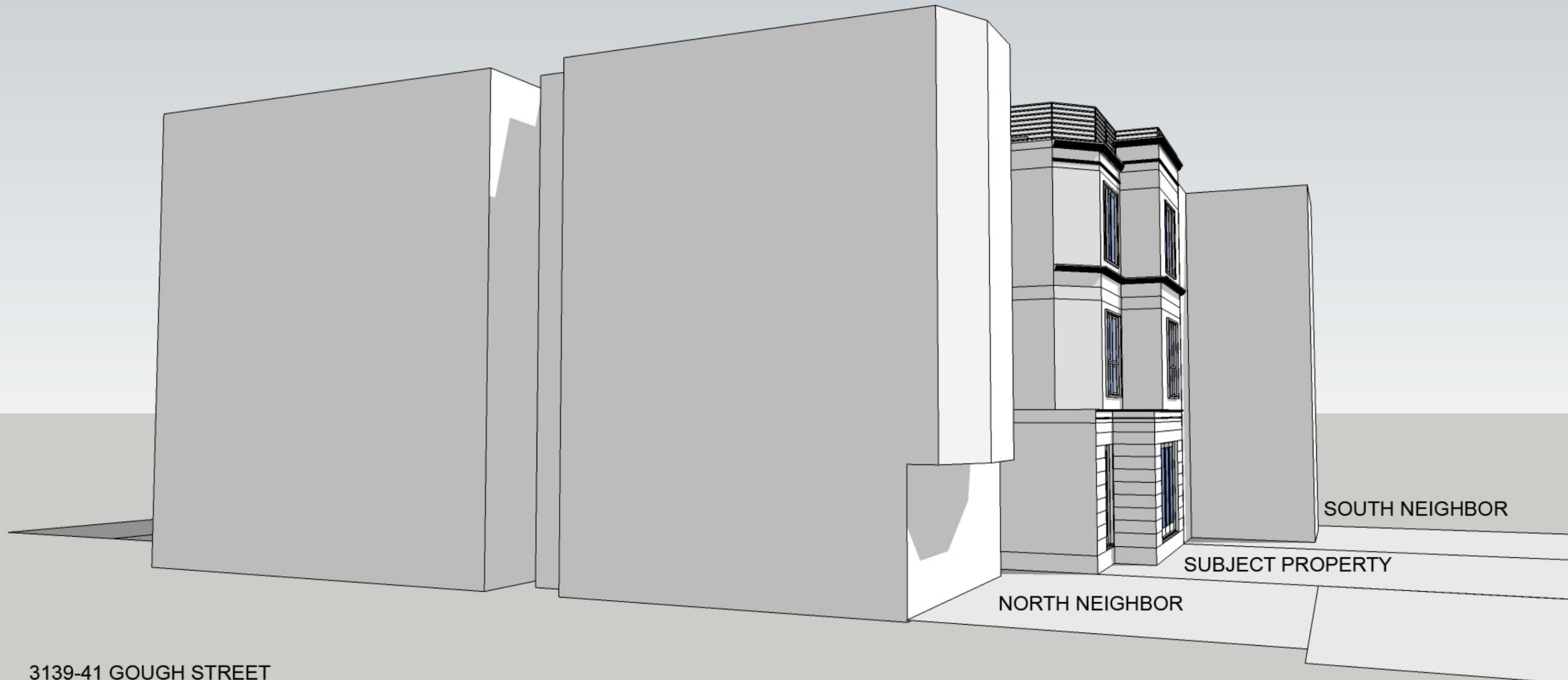
SUBJECT
PROPERTY

SOUTH NEIGHBOR

3139-41 GOUGH STREET
REAR YARD, LOOKING NORTH



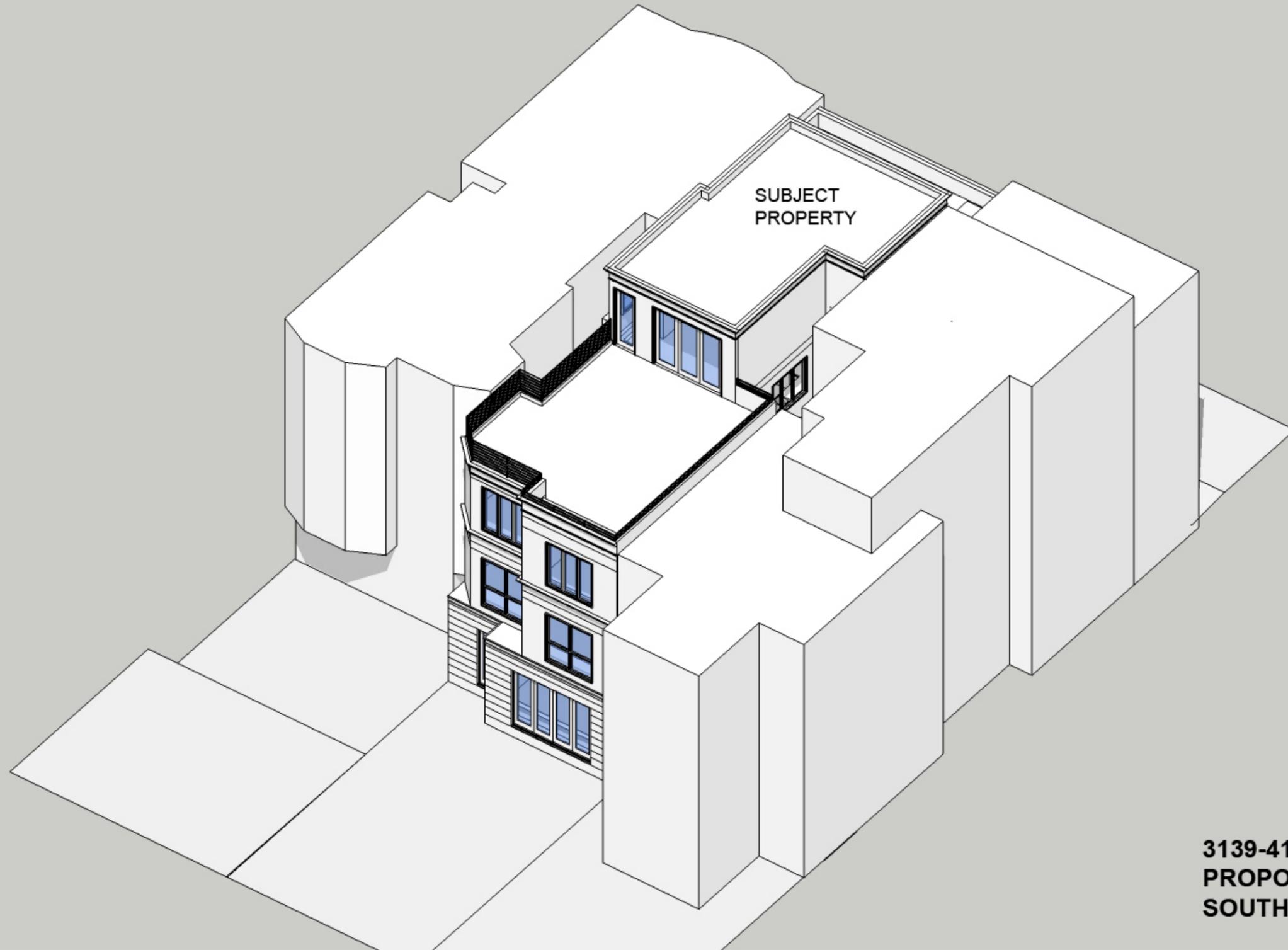
3139-41 GOUGH STREET
PERSPECTIVE AT REAR



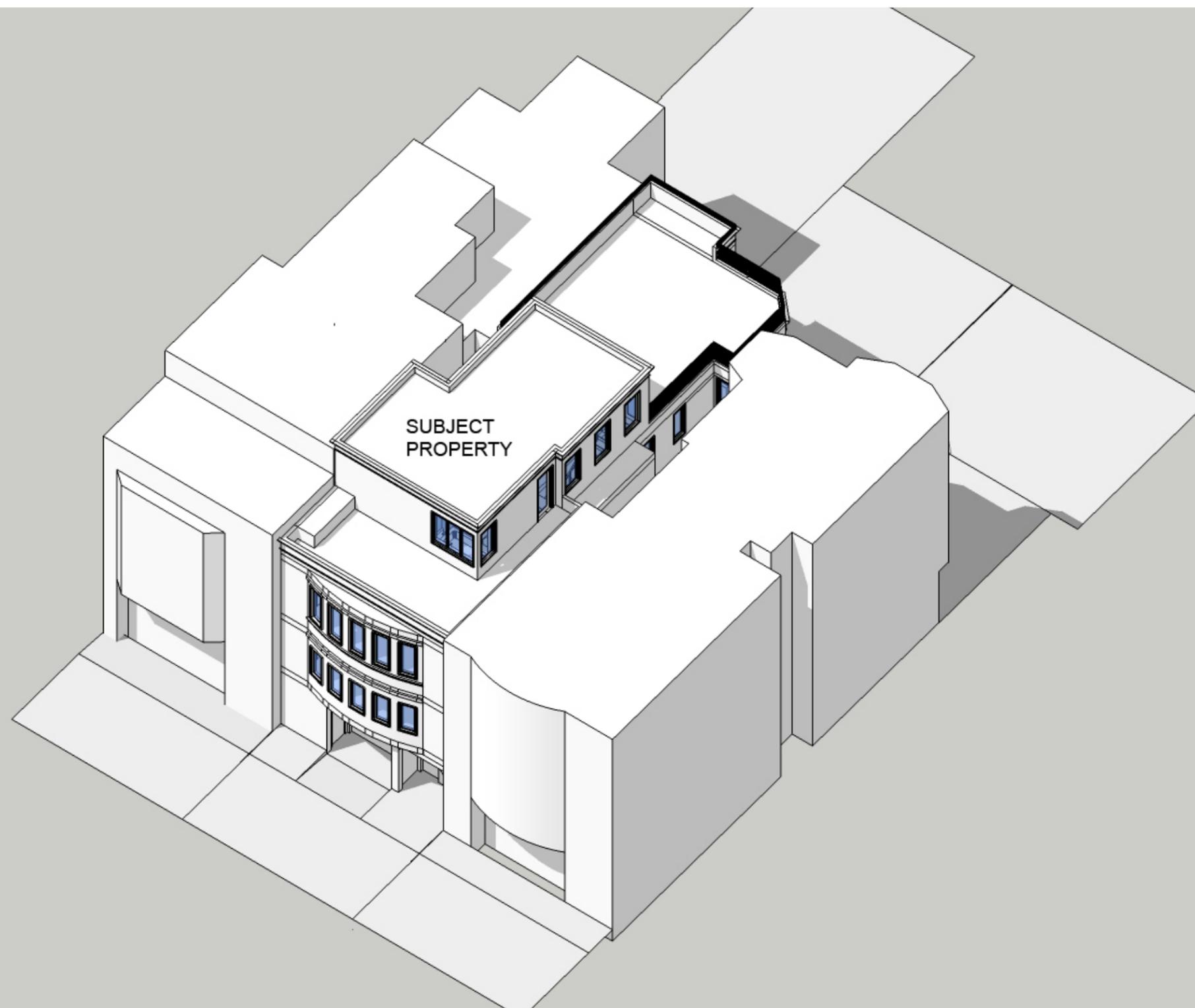
3139-41 GOUGH STREET
REAR YARD, LOOKING SOUTH



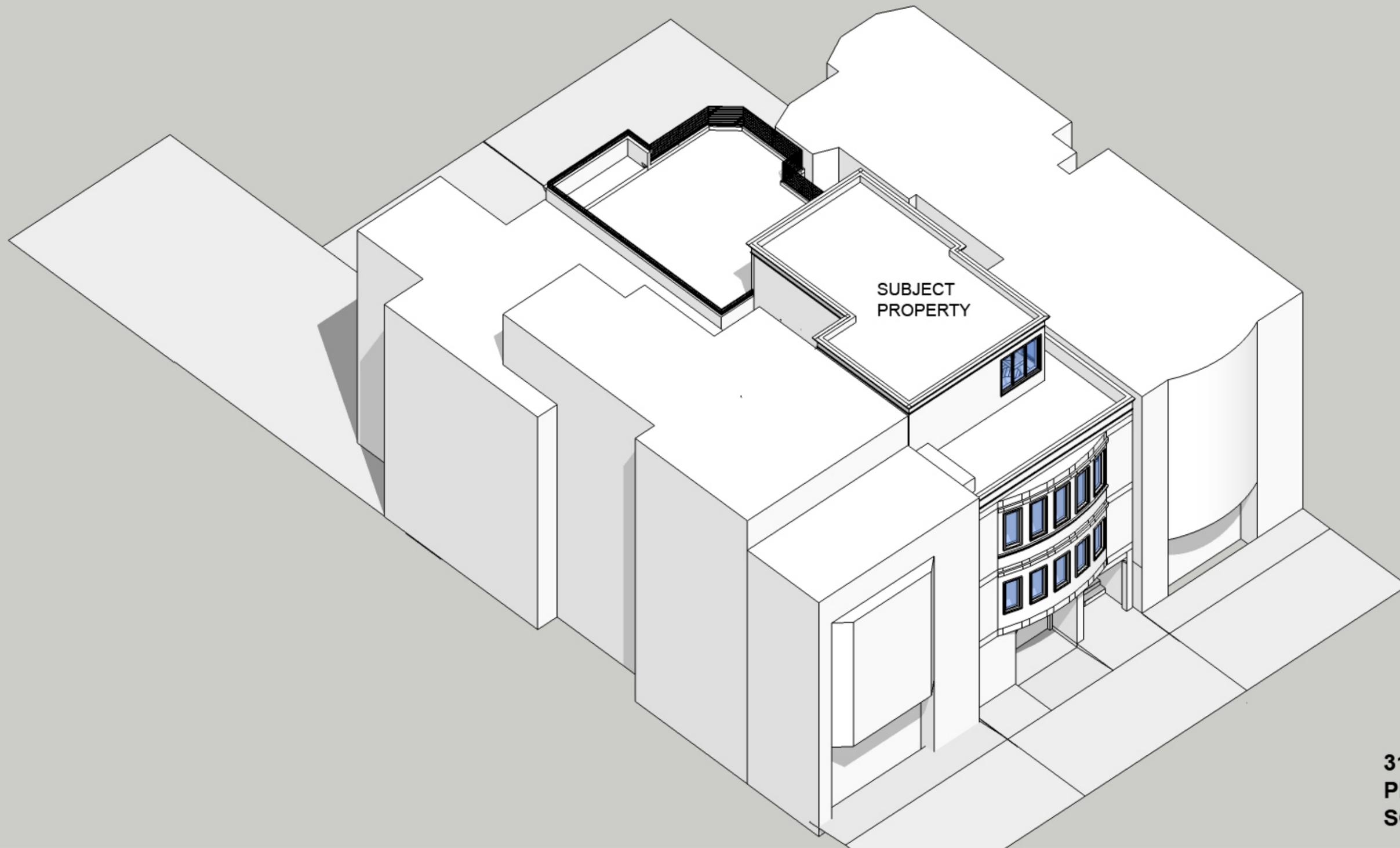
**3139-41 GOUGH STREET
PROPOSED PROJECT FROM
NORTHWEST (REAR) CORNER**



**3139-41 GOUGH STREET
PROPOSED PROJECT FROM
SOUTHWEST (REAR) CORNER**

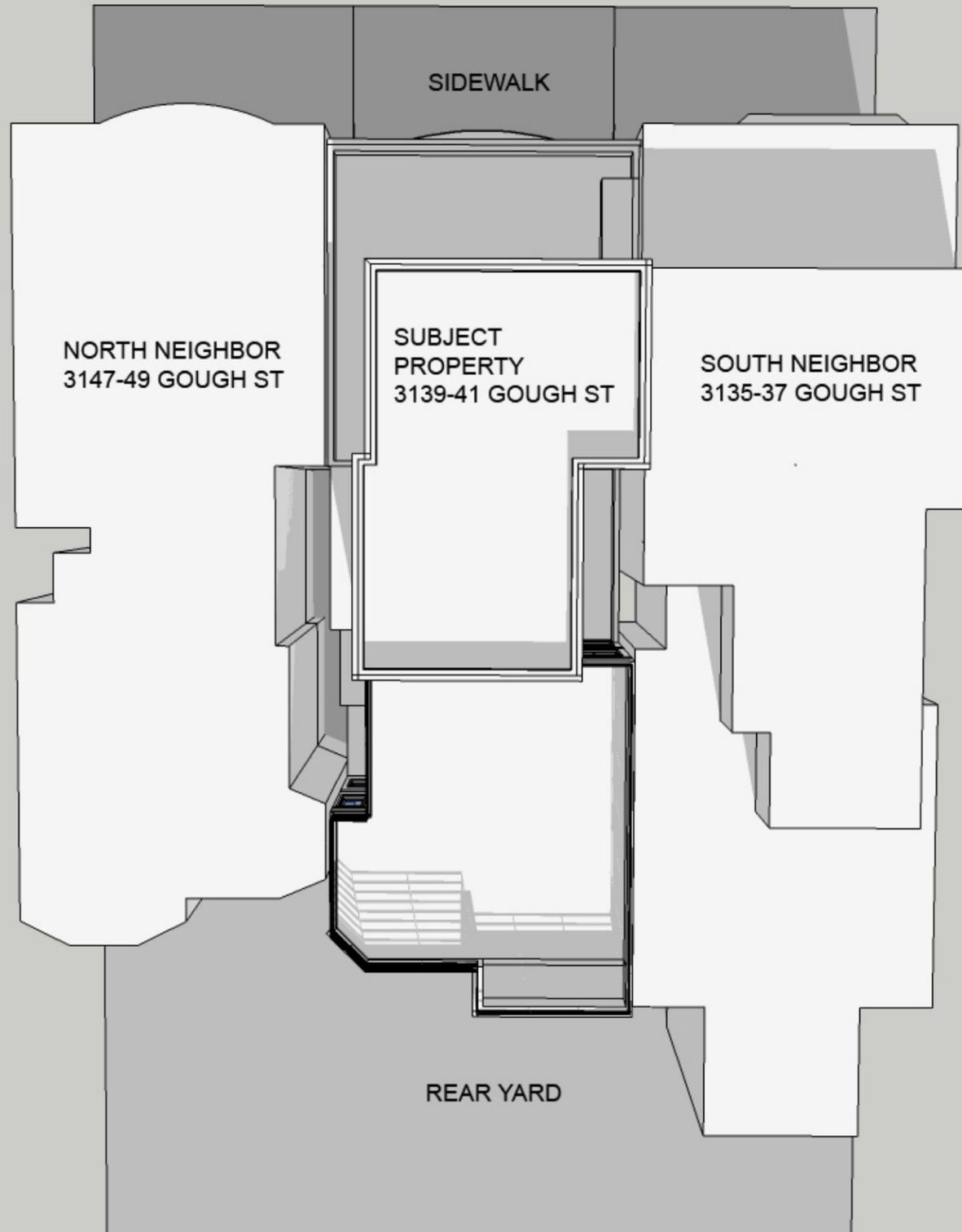


**3139-41 GOUGH STREET
PROPOSED PROJECT FROM
NORTHEAST (FRONT) CORNER**

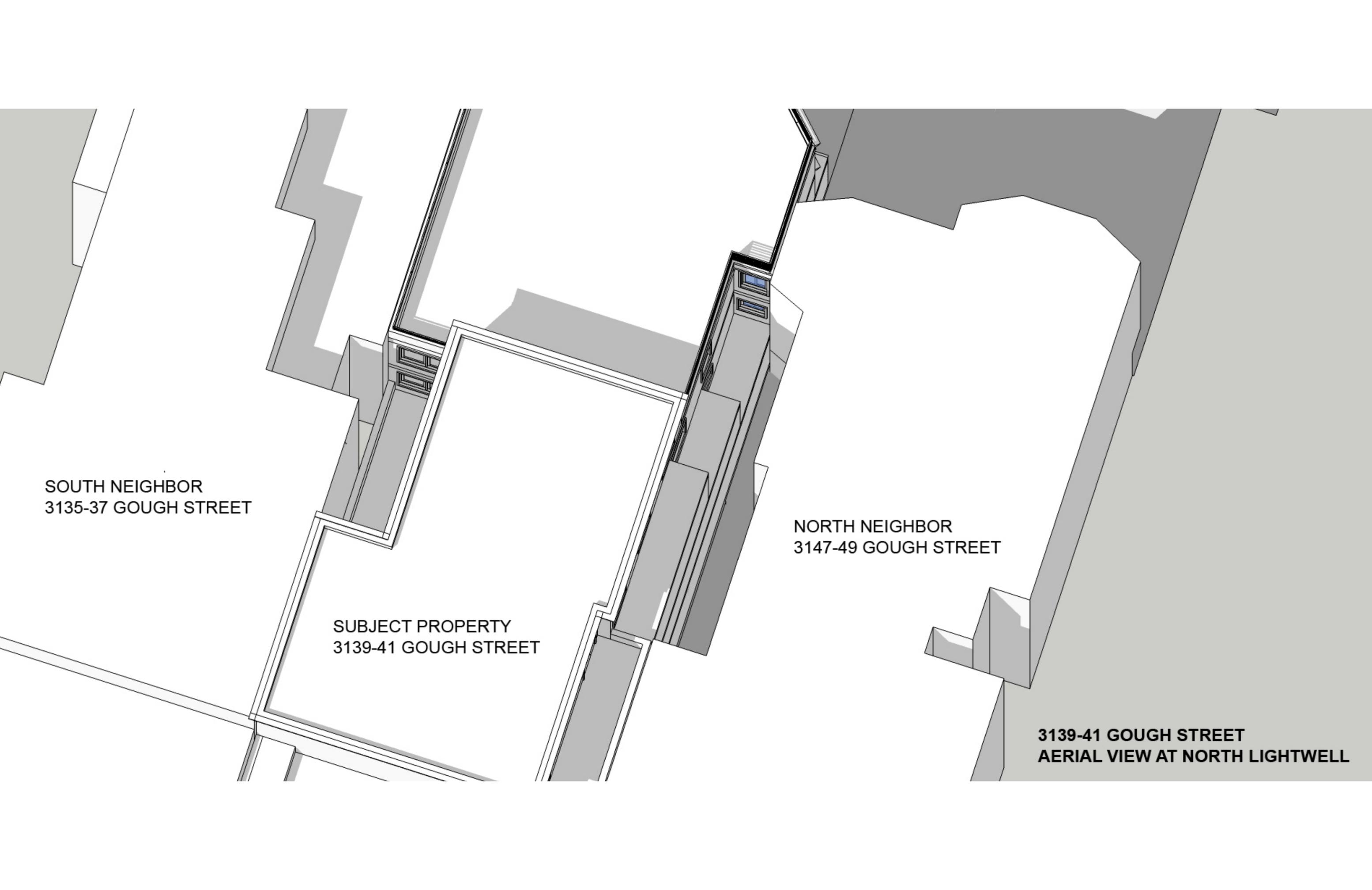


SUBJECT
PROPERTY

**3139-41 GOUGH STREET
PROPOSED PROJECT FROM
SOUTHEAST (FRONT) CORNER**



3139-41 GOUGH STREET
RENDERING FROM DIRECTLY ABOVE



**SOUTH NEIGHBOR
3135-37 GOUGH STREET**

**SUBJECT PROPERTY
3139-41 GOUGH STREET**

**NORTH NEIGHBOR
3147-49 GOUGH STREET**

**3139-41 GOUGH STREET
AERIAL VIEW AT NORTH LIGHTWELL**

PROJECT : 3139-3141 Gough street

TO : San Francisco Planning Department
VIA : hand

DATE : 08.23.11

FROM : Geoff Gibson

To Whom it May Concern,

We have reviewed the issues and requests in the four DR packets filed by Yuen, Grant/Barbo, Smith and Myer/McFadden. The following is a point-by-point response to their issues.

We are sympathetic to the fact that change is difficult and know that this project came as a surprise to everyone. Their surprise was a surprise to us and we were unprepared for the level of anger and aggression presented at the original pre-application meeting. If you were to show anyone a photo of the west side of this block and ask them which house they thought was getting the addition, every single person would point to the subject property. It is the only two story building on a block of mostly four story buildings. It is the missing tooth. It is the anomaly. The neighbors have come to believe that the additional light and air for their properties made possible by this anomaly is a right and will last in perpetuity. Cities change and grow and the time has come to bring this property up to scale with its neighbors. This is not a leap-frog project. The proposed project is still only 85% as large as the south neighbor, only 23% larger than the north neighbor and on par other buildings on the block. Please read through the attached summary of the pre-application meeting we originally submitted with the permit.

During the excellent and detailed review of the project by Planner Aaron Starr and the Residential Design Team, we made significant changes to the building. These changes included:

- Reducing the scale of the fourth floor, aligning it with the front of south neighbor's penthouse to ensure it does not overwhelm the south neighbor's front roof deck.
- Lowering the stucco enclosed chimney at the front section of the south property line to ensure it does not overwhelm the south neighbor's front roof deck.
- Setting the fourth floor penthouse back from the north property line by 3' to allow increased light and air to the north neighbor.
- Inserting a 15'-0" x 3'-0" lightwell at the third floor at the north property line, aligned with the north neighbor's side setback to allow increased light and air to the north neighbor.
- Inserting a 7'-7" x 3'-0" lightwell at the second floor at the north property line, aligned with the north neighbor's side setback to allow increased light and air to the north neighbor.
- Chamfering the north-west corner of the building at a 45 degree angle (3' x 3' removed) at the second and third floors to allow increased light and air to the rear wall of the north neighbor.
- Changes to the railing and parapet design to allow increased light to the north neighbor.

Please read through the attached transmittal sent along with the proposed changes during the RDT review to understand our analysis of the system. In spite of the fact that the side setback at the north neighbor is a totally atypical to the existing residential design pattern and neighborhood character, we opted to follow the RDT's requests to respond to this condition.

Collectively these changes produced a significant negative impact on the interior planning of the proposed project and were of no measurable benefit to the project sponsor. They were all done to benefit the adjacent properties and ensure good neighborly relations.

The project in its current state is already a compromise from the project sponsor's original intent. To compromise upon a compromise is unfair and unreasonable. Furthermore, the changes made as a result of the RDT's review of the project significantly benefit the neighbors and address their primary concerns. Further changes such as additional setbacks or elimination of the fourth floor destroy the usability and viability of the project. The project as designed complies with the Planning Code and the Residential Design Guidelines and is absolutely typical and average for the west side of this block of Gough Street. To deny the ability to develop this property as proposed is to deny the project sponsor the right to a code-compliant building already enjoyed by the majority of the property owners on the block, including two of the parties actually filing a DR.

For these reasons, we are unwilling to make further changes to the building in response to these DR filings.

List of issues in DR filings.

1) Changes were not made after pre-application meeting. (Yuen, Grant/Barbo, Myers/McFadden)

The position of all adjacent windows were measured and adjacent buildings were modeled. No changes were made at permit submission as it made more sense to compile the Planning Department's comments along with the neighbor concerns, rather than changing the project twice. The original submission was in compliance with Planning Code. Substantial changes were made during Planning review, all of which directly positively impacted the neighbors.

2) Building not compatible with surrounding homes or character of the street. It eliminates a Marina-style home. (Yuen)

Project will be a 'typical' Marina-style 2 unit building with a front bow window and three story street façade. It will be substantially similar to the two adjacent houses in style and street façade massing. The current building is not compatible with the adjacent homes and appears to be the 'missing tooth' on the block. Once completed, the building will be indistinguishable from others two-unit buildings. This project is transforming a typical two-story Marina-style building into a typical three-story + penthouse Marina-style building. The Historic Resource Evaluation Report reviewed during the Environmental Evaluation by Planner Brett Bollinger concluded that this building does not constitute a significant historic resource requiring specific protection.

3) This building will dominate the street. Four story buildings are no typical. (Yuen, Grant/Barbo, Myers/McFadden)

This building will be typical for the west side of the street. There are 8 buildings on the west side of the block including the subject property. Of these, 5 are four stories, 2 are three stories and only the subject property is two stories. Mr Yuen's and Grant/Barbo's own buildings are four stories tall. The fourth story of Yuen's building appears to have a lesser front setback than our proposed project. This project does not create a 'mini-mansion' as stated by Grant/Barbo. It creates two much-needed family-appropriate

residential units, each around 2,200 s.f. with some outdoor space and parking. This is a typical and reasonable size for a residential unit in the Marina. This is not a single-family dwelling. Buildings on the east side of the block are a variety of heights. 4 are two stories, 5 are three stories and 2 are four-stories.



4) The project will cast a large shadow on Mr Yuen's home at 3153 Gough Street. (Yuen)

3153 Gough Street is two lots over from the subject property, so no significant shadow will be cast to this building. 3153 Gough Street appears to have only one window in the south wall of the fourth floor which is below a large roof overhang already shading it.

5) This project constitutes an effective demolition of the existing building. (Yuen, Grant/Barbo, Myers/McFadden)

All vertical addition projects involve substantial alterations to the existing building due to current structural/seismic codes. This project maintains as much of the existing building as possible, including the entire front façade and side facade at both floors, the floor framing of the second floor and many of the interior walls and finishes at the second floor including flooring, the fireplace and the kitchen. Obviously the roof must be removed in order to construct the vertical addition. The project has been reviewed by the Planning Department and not found to constitute a demolition.

6) The building will double in size. (Grant/Barbo, Myers/McFadden)

Please see the attached spreadsheet detailing the total sizes of the existing, proposed, Planning envelope and adjacent buildings. This project increases the existing building area by 87%.

7) This building maximizes the buildable area. (Grant/Barbo, Myers/McFadden)

Please see the attached spreadsheet detailing the total sizes of the existing, proposed, Planning envelope and adjacent buildings. The total building envelope per provisions in the San Francisco Planning Code is 7,050 s.f. The proposed building is 5,461 s.f., which is 77% of the maximum buildable area. The project does not require a variance and complies with the Planning Code in both height and setbacks. If the neighbors are unhappy with the allowable height limit or required setbacks as stipulated in the Planning Code, they should address this concern with senior staff at the Planning Department. It is unfair to fight those provisions in the forum of a DR for one specific project.

8) There are few two-unit buildings in this neighborhood in excess of 5,500 s.f. (Grant/Barbo)

Grant/Barbo's own building at 3137 Gough Street is 6,455 s.f., with a much larger floor area at all four levels than the subject property. The proposed project is only 85% as large as 3137 Gough Street.

9) Lightwells and setbacks should have been included in the project (Grant/Barbo, Myers/McFadden)

Oversized lightwells are included on both side of the subject property. In both cases, these lightwells far exceed the dimensions of typical lightwells in the area and respond directly to the window locations and lightwell positioning of the neighbors, despite the fact that those properties do not conform with typical Marina typology.

10) Property line window are being covered (Grant/Barbo)

Between the south and north buildings, there are currently 22 windows facing the subject property at or near the property line. Of these, only two windows will need to be removed and infilled due to the proposed project. As we were not able to gain access to the neighboring property, we are unsure what rooms these windows serve, but they appear to be a storage closet and, per Grant/Barbo's DR filing, a bathroom. Both windows belong to the south neighbor and have textured, frosted/colored glass. Artificial lighting and ventilation is common for bathrooms as these are not considered 'habitable spaces' or a skylight could be installed. Furthermore, property line windows are a luxury, not a right and it is unreasonable for them to be significant factors in the design of our project. We have done what we can to maintain the important windows at both neighbors in spite of the fire-risk associated with such non-rated openings.

11) The buildings at 3137, 3139-41 and 3147-49 were all built at the same time, c 1923-25, with no significant changes made. (Myers/McFadden)

While these three buildings may have been built at approximately the same time, they do not represent a single coherent development and their inter-reliance is circumstantial more than intentional. Most likely, the developer of 3139-41 Gough had only the funds to build a two story building at that time and perhaps planned to add additional stories later. It is unlikely that 3139-41 Gough was kept low for the specific benefit of the two adjacent properties. It is unclear when the fourth floor penthouse was added to 3137 Gough Street but it does not appear to be original to the house. The fact that a certain urban condition has existed for an extended amount of time is not a justification for preventing change. Without growth, our cities cannot absorb growing populations and changing needs. We understand that the owners of the adjacent buildings have come to see their access to light, air and view across the roof of our atypically low

roof as a right but it is not. Nor it is our right to access light, air and view across their properties, which is why we are not requesting that they remove their fourth floor penthouse or carve out additional lightwells.

12) This property is a commercial venture as vacation rental (Grant/Barbo, Smith, Myers/McFadden)

Please see the attached explanation from the owner regarding the vacation rental issue. This is not a commercial venture and will not be used for short-term rental or vacation rental.

13) Loss of property value. (Grant/Barbo)

Property value impacts are not a DR concern and are impossible to determine. The construction of this project may actually improve property values on the street by setting a new contemporary comparable sales figure for the sold unit. Significant views are not impacted by this project and are not protected by the Planning Code anyway.

List of requests in DR filings

A) Retain the original façade (Yuen)

The existing façade at the first and second floors is being retained. The existing window types and bow-window shape is being extended to create the new third floor. The new fourth floor is set back significantly from the front façade and barely visible from the street.

B) Eliminate the fourth floor and set back the third floor (Yuen)

Every building on the west side of the block has at least a three story street façade. The two corner buildings have four story street facades. Two other buildings have fourth stories set back from the front façade. It conflicts with the street pattern to set the third story back. Eliminating the fourth story denies the owner a property right enjoyed by other buildings on the block, consistent with the block pattern and fully in compliance with the Planning Code. It is unreasonable for Mr Yuen at 3153 Gough Street to require these changes while occupying a four story building himself.

C) The fourth floor should be reduced to a master suite and there should be additional setbacks at the rear and the sides. (Grant/Barbo)

The fourth floor is only a master suite as design, including a bedroom, walk-in closet and bathroom. The fourth floor of Grant/Barbo's home is approximately 845 s.f.. The proposed fourth floor for the subject property is 588 s.f. It is unreasonable for Grant/Barbo to require a further reduction given the scale of their fourth floor. The proposed project includes a substantial lightwell adjacent to several of Grant/Barbo's property-line windows and undersized lightwell, ensuring continued access to light and air for their home in spite of the ongoing fire-risk to the subject property. Additional setbacks at the rear or sides are unreasonable and unproductive. Large side setbacks on a typical 25' wide lot make the interior planning of a home impossible. If Grant/Barbo require additional light and air at the center of their home, they should achieve this by cutting in lightwells on their own property. It is unreasonable to require your neighbor to provide such a benefit at great cost to themselves.

D) Make the fenestration compatible with the surrounding neighborhood (Grant/Barbo)

The existing fenestration at the second floor will be retained and is typical for the Marina district with a bow-window shape. The new fenestration at the third floor will match that at the second floor and is again typical for the Marina district. The majority of two unit buildings in the Marina are three floors or three floors

plus a penthouse, set back from the façade, as feature a consistent two-story bow or bay window as seen in the proposed design.

E) The fourth floor should be eliminated and the third floor should be set back from the north side to allow light into 3147-49 Gough Street. (Grant/Barbo , Smith, Myers/McFadden)

Both the third floor and fourth floor were set back from the property line during Residential Design Team review of the project to provide light to the adjacent property. Additionally, a 7'-7" portion of the second floor was voluntarily set back, though not required. It is unfortunate that the light reaching 3147-49 Gough Street will be impacted by this project but wide-open views and light at such side setbacks are atypical for San Francisco and it is unreasonable to expect an adjacent property owner to provide such an amenity to their own detriment. In San Francisco, on typical 25' wide lots with full-width buildings, the primary light and air must come from the front and rear facades, with a minor augmentation from side lightwells. It is unreasonable for Grant/Barbo at 3137 Gough Street to require these changes while occupying a four story building themselves.

Thank you for your careful review of our project and these issues. Significant compromises have already been made to address the neighbors' issues. The project is in full compliance with the Planning Code and the Residential Design Guidelines. It has the approval of Planner Aaron Starr and the Residential Design Team. We trust that you will agree this is an appropriate and reasonable project for this site and it should be approved without further changes.

Sincerely,
Geoff Gibson
Winder Gibson Architects

WINDER
GIBSON

architects

351 Ninth Street suite 301
San Francisco, CA, 94103
tel 415.318.8634, fax 415.318.8638

3139-41 Gough Street Discretionary Review

Project Areas

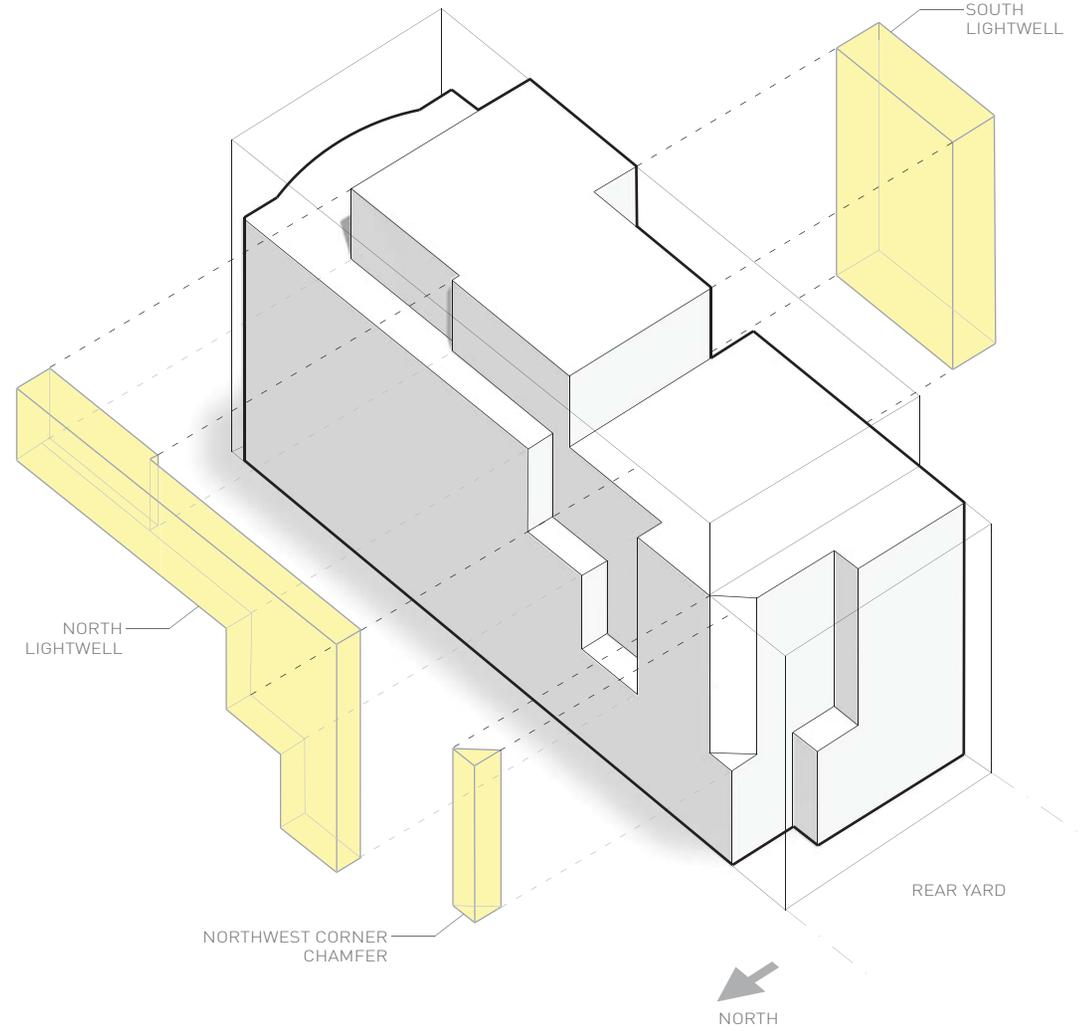
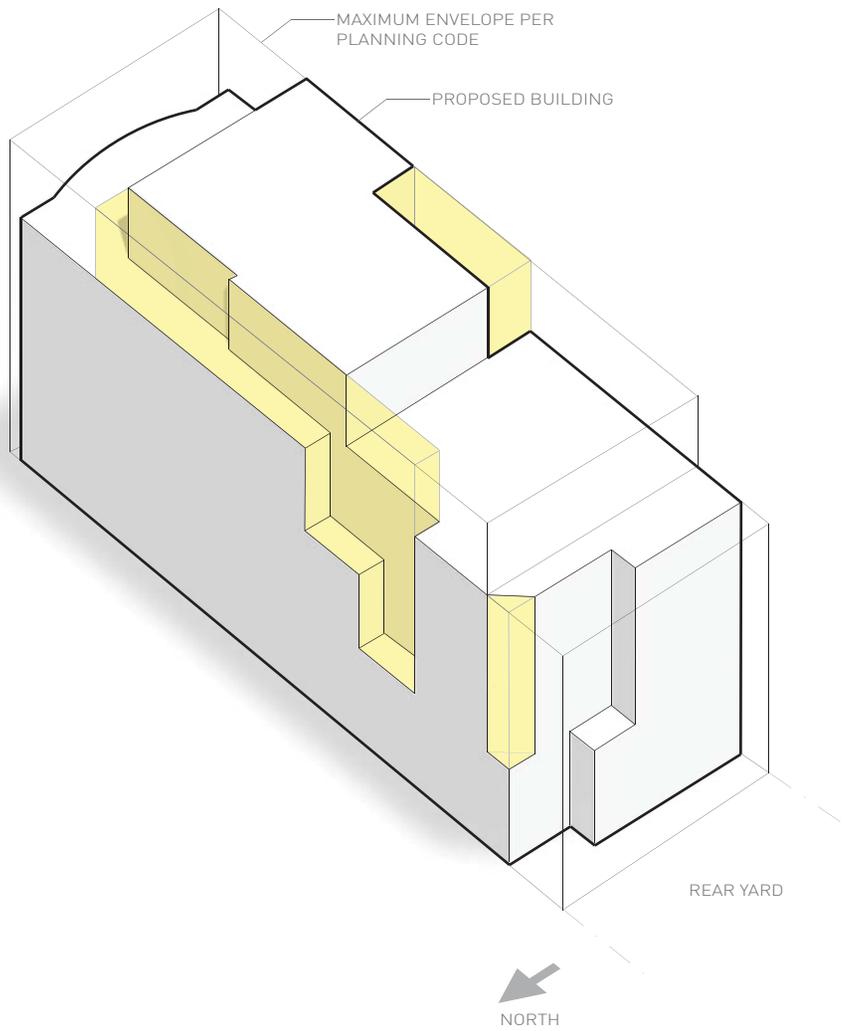
08.23.11

| <u>areas (square feet)</u> | EXISTING BUILDING | PROPOSED PROJECT | MAXIMUM ENVELOPE | 3135-37 GOUGH ST. | 3147-49 GOUGH ST. |
|----------------------------|---|------------------|--|--|--|
| first floor | 1437 | 1675 | 1825 | 1870 | 1475 |
| second floor | 1484 | 1610 | 1825 | 1870 | 1475 |
| third floor | | 1588 | 1825 | 1870 | 1475 |
| fourth floor | | 588 | 1575 | 845 | |
| TOTAL | 2921 | 5461 | 7050 | 6455 | 4425 |
| ratio to proposed project | 187% | 100% | 77% | 85% | 123% |
| | proposed project is 87% larger than existing building | | proposed project is 77% of maximum envelope | proposed project is 85% as large as 3135-37 Gough Street | proposed project is 23% larger than 3147-49 Gough Street |

note: includes req'd 10'
rear setback at fourth
floor per Planning Code
134(c)(4)

note: areas are
approximate as physical
access to adjacent sites
was not possible

note: areas are
approximate as physical
access to adjacent sites
was not possible



AXONOMETRIC VIEWS OF PROPOSED LIGHTWELLS

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fax: 415.318.8638
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351 NINTH STREET, SUITE 301
SAN FRANCISCO, CA 94103

3139-41 GOUGH STREET SAN FRANCISCO, CA 94123

PROJECT : 3139-3141 Gough street

TO : San Francisco Planning Department
VIA : hand

DATE : 03.24.11

FROM : Geoff Gibson

ORIGINAL CONSTRUCTION

The original building permit for 3139 Gough Street was dated December 12, 1923. No architect was listed. The builder and engineer were noted as Mayer Bers, 603 First National Bank Bldg.

The original listed construction cost for the building is \$4,000.

The building was constructed on the 25'x112'-6" lot as a single family house. The Sanborn Maps from 1936, 1964, 1974, 1988 and 1990 show that overall size 25'x 56' and shape of the building envelope has not changed since the original construction.

The building was constructed in wood with a concrete foundation. The wood studs are listed as 2x6 at 16" o.c. at the basement and 2x4 at 16" o.c. at the first floor. The joists are listed as 2x10 at 16" o.c. The roof rafters are listed as 2x6 at 32" o.c. The foundation is listed as 8" thick concrete. The building height is listed as 20' from curb to the top of ceiling beams. No original plans are available.

No mention of this building is found in the book "Here Today" or the Planning Department's Cultural Resources Database. This building is not listed in or determined to be eligible for the National Register of Historic Places or the California Register of Historical Places.

PERMIT HISTORY:

On December 12, 1923, the original building permit was issued. No architect was listed. The builder was Mayer Bers with a business address 603 First National Bank Bldg.

In 1944, a building permit was issued for Joseph P Dito to add a new flat (residential apartment) behind the present garage, converting this to a two-unit building. The contractor was Ragmond Mores with license No. 38792 and located at 3142 Buchanan Street. The cost was listed \$1800.

On June 7, 1996, a building permit was issued for Theresa Cancilla to remove existing built-up roof and install a new built-up roof.

On June 11, 1970, a building permit was issued for Theresa Cancilla to make repairs including installing 16 aluminum windows to existing frames.

On November 13, 1974, a building permit was issued to replace rear wood stairs due to dry rot.

On March 7, 1979, a building permit was issued for Frank Cancilla to repair foundation. The contractor was listed as Foremost Termite Control Co.

On May 4, 2004, a building permit was issued to remodel the kitchen, enlarge bath and add a new closet. The architect for this remodel was listed as Susan Templer from Templers Interiors located at 1539 39th Ave in San Francisco. The contractor was unknown.

On December 13, 2007, a building permit was issued for work to comply with the physical inspection report, including electrical and plumbing work. This permit was associated with the condominium conversion. The designer is listed as Devinson Design Group, 2639 E. 9th Street, Oakland, CA.

ASSESSOR'S OFFICE HISTORY

| | |
|------------|--|
| 11.21.1923 | building sold from G.P Ida Near Susan amd Christiane J. McNab Jessie to William B. Larkins |
| 4.5.1938 | building sold from William B. and E. Larkins to Joseph P and Anna M. Dito |
| 1938-1978 | history unknown |
| 4.24.1978 | building sold from Frank Cancilla to Theresa Cancilla |
| 1999 | building sold from Theresa Cancilla to Peter Acworth |
| 2005 | building sold from Peter Acworth to Shadi P and Paige L. Aboukhater and Dawn Mattheiesen (current owners). |
| 3.25.2009 | Conversion to two residential condominium units recorded with DPW. No change in ownership. |

BUILDING HISTORY:

Library and internet research turn up no historical records related to this building. The building was built in 1923. From 1923-1944, the two story building was used as a single family house. In 1944, the building was converted to two apartments: 3139 Gough and 3141 Gough. No significant historical tenants, users or events are associated with this building to the best of our knowledge and research. The building is typical Marina-style architecture. It does not appear in any historical recourse surveys of the city. No historical photos of the building were found.

PROPERTY DESCRIPTION

The existing current building is stucco front façade over wood structure with wood windows. There are minor and simple Marina-style details at the eave. The scope of the current project is to add 2 stories to the existing structure and to retain the front façade. The new third story will be continuation of the existing second story with the same bay window and window trim detail. The new fourth story will be set back over ten feet from the front facade. The addition is designed in accordance with the San Francisco Residential Design Guidelines. The adjacent properties are three and four stories.

FRONT FACADE



Subject property at center.

PROJECT : San Francisco Planning Department

TO : Summary of Discussion from the Pre-Application Meeting
VIA :

DATE : 11.10.10

FROM : Geoff Gibson

The following is a summary of the neighbor pre-application meeting held at 3141 Gough Street, November 10, 2010, regarding the proposed project at 3139-41 Gough Street.

Question/Concern #1: Janet Myers and Nate McFadden, 3149 Gough Street

3149 Gough Street is the third floor unit in the building immediately north of the subject property.

The residents are concerned about their existing side windows being blocked and closed in.

Project Sponsor Response: We requested access to their unit to measure and locate their windows in relation to our proposed project. As the neighbors were not comfortable with this, we will gain access to our roof and attempt to locate their windows from there. We will draw the windows onto our floor plans and elevations to allow a careful window-by-window review of the impact.

Question/Concern #2: Russell Smith, 3147 Gough Street

3147 Gough Street is the second floor unit in the building immediately north of the subject property. The resident is concerned about the loss of light to their existing side windows which currently face the side wall of the second story of the existing subject property.

Project Sponsor Response: We requested access to their unit to measure and locate their windows in relation to our proposed project. As the neighbors were not comfortable with this, we will gain access to our roof and attempt to locate their windows from there. We will draw the windows onto our floor plans and elevations to allow a careful window-by-window review of the impact.

Question/Concern #3: Cleta Grant, 3137 Gough Street

3137 Gough Street is the third and fourth floor unit in the building immediately south of the subject property. The resident is concerned about the possible loss of their existing side property-line windows overlooking the existing roof of the subject property. In particular, the three-section arched window at the center of the building is of great importance. The resident also noted their intent to exit through one of these property-line windows and across the roof of the subject property in case of a fire, though it was unclear how they would get off the roof.

Project Sponsor Response: We requested access to their unit to measure and locate their windows in relation to our proposed project. As the neighbors were not comfortable with this, we will gain access to our roof and attempt to locate their windows from there. We will draw the windows onto our floor plans and elevations to allow a careful window-by-window review of the impact. We have researched the recorded documents and do not find any easement or permission to allow the residents of 3137 Gough Street access to the roof of the subject property.

Question/Concern #4: Lawrence Yuen, 3153 Gough Street

3153 Gough Street is the building two properties north of the subject property. The resident was concerned about any possible loss of light of view at his property which currently has a fourth floor penthouse.

Project Sponsor Response: We explained that the subject property would not be likely to cast shadow across the intermediate property to 3153 Gough Street. Additionally, the proposed subject property fourth floor penthouse is essentially aligned with the existing fourth floor penthouse at 3137 Gough Street so there should be little or no view impact for 3153 Gough Street.

Summary of findings following the pre-application meeting:

During the meeting, the immediate neighbors to both the south and north stated that all of their side windows would be blocked and infilled due to this project. We took their concerns seriously and felt responsible to measure, map out and understand the impact of the proposed project on the neighbors. From the roof of the subject property, we were able to roughly measure the relative locations and heights of the neighboring buildings and their side windows. We have shown these on the existing and proposed floor plans and elevations. In particular, drawings A1.2 and A1.3 were generated to overlay the existing subject property, outline of the proposed project and side-wall information for the neighboring properties.

As a follow-up to the meeting, we have copied the full set of drawings, including A1.2 and A1.3, for all the neighbors requesting plans and my client is setting up one-on-one sit-down meetings with each neighbor to go over the drawings and review the project.

This exercise was helpful in assessing the true impact of the project on the neighboring buildings. We understand that change is difficult for people and one can get used to the benefits of living in a three or four story building beside a two story building. We understand that there will be some loss of light at the adjacent properties. However, the declaration that all of these windows will be blocked and require infill is an overstatement. Between the south and north buildings, there are currently 22 windows facing the subject property. Of these, only two windows will need to be removed and infilled due to the proposed project. As we were not able to gain access to the neighboring property, we are unsure what rooms these windows serve, but they appear to be a storage closet and a bathroom. Both windows belong to the south neighbor and have textured, frosted/colored glass.

Impact on South Neighbor: From the outset, we were careful to design the proposed project with a robust lightwell at the south side of the building. We are actually enlarging the existing lightwell, removing square footage at the second floor, in response to the Residential Design Guidelines recommendation of aligning lightwells between properties for the benefit of both neighbors. The neighbors to the south have a small existing lightwell on the north side of their building. Their property has a total of 4 existing non-rated, non-complying property line windows, along with 4 windows at their existing lightwell facing the subject property. All their lightwell windows can remain in place and will be opposite our lightwell for maximum light and air. Of the 4 property-line windows, two are opposite our lightwell and can remain in place, in spite of the fire-risk associated with unrated property-line windows. As explained above, two of their property-line windows will need to be removed and infilled as they will be directly adjacent to new property-line walls on the subject property.

Impact on North Neighbor: The north side of the existing subject property building conforms to the property line, with the exception of one tiny lightwell which we will infill as needed for the stair to the new third floor. The neighbor to the north has a side setback above a tradesmen alley below, so their existing side windows are 3' and 4' back from the property line. They have no property line windows. None of their windows will require removal or infill subsequent to the proposed project. While the existing north neighbor's third floor windows will lose their view across our roof, they will still get light and air. The predominant pattern for San Francisco homes is that side setback and lightwell windows allow light and air into the center of the house but long views are not expected from them. We are sympathetic to the

neighbors' discomfort with this change but, short of not pursuing the project at all, we do not see a way to address their loss of long view from these windows.

Our hope is that it was mostly the initial shock of the change that raised the concern of the neighbors and as they sit with the project longer, they will understand the careful attention we have put into the design. The buildings on the west side of that block of Gough Street are all at least three stories and mostly four stories in height, often developed with a fourth floor penthouse as we have done. We are merely trying to bring our building up to context, not to exceed it. A quick look at a photo of the existing street shows how the existing subject property is really 'the missing tooth', interrupting the uniform architecture of the block.

This project will enlarge the two existing units of the building to provide family-appropriate flats so badly needed in this area, allowing the residents to stay and raise their children in the city rather than moving out to the suburbs. It adds density to an area well served by utilities, commercial areas and public transportation. It brings this building up to current seismic code. And it respects and completes the urban typology pattern of the block and neighborhood.

Thank you for your careful review of this project.

Geoff Gibson
Winder Gibson Architects

SOUTH NEIGHBOR

NORTH NEIGHBOR

SUBJECT
PROPERTY

FRONT FACADE AT GOUGH STREET



NORTH NEIGHBOR

SUBJECT
PROPERTY

FRONT FACADE, LOOKING NORTH



SOUTH NEIGHBOR

SUBJECT
PROPERTY

FRONT FACADE, LOOKING SOUTH





SUBJECT
PROPERTY



GOUGH STREET, LOOKING NORTH

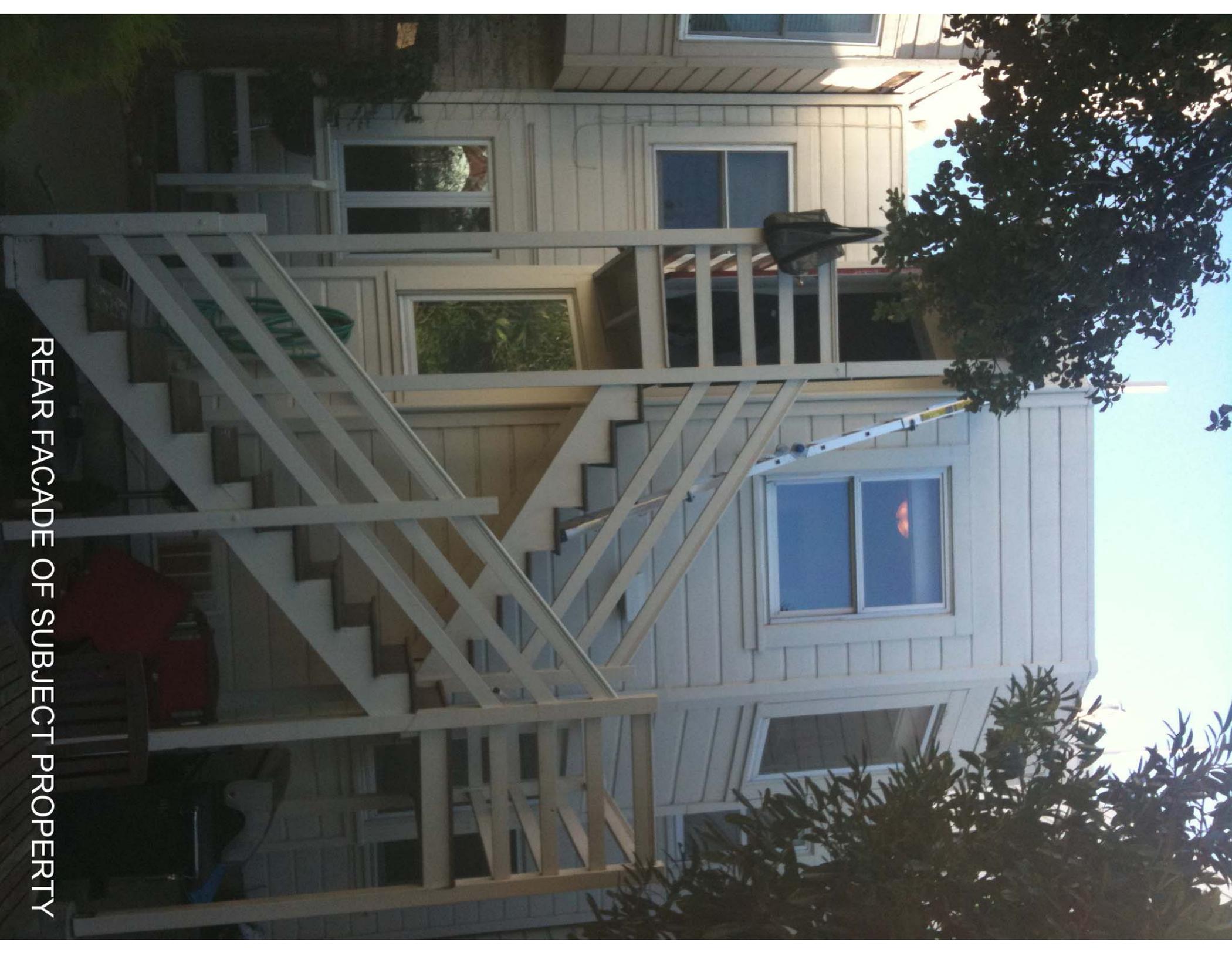
SUBJECT
PROPERTY



GOUGH STREET, LOOKING SOUTH



**VIEW DIRECTLY ACROSS GOUGH ST
FROM SUBJECT PROPERTY**

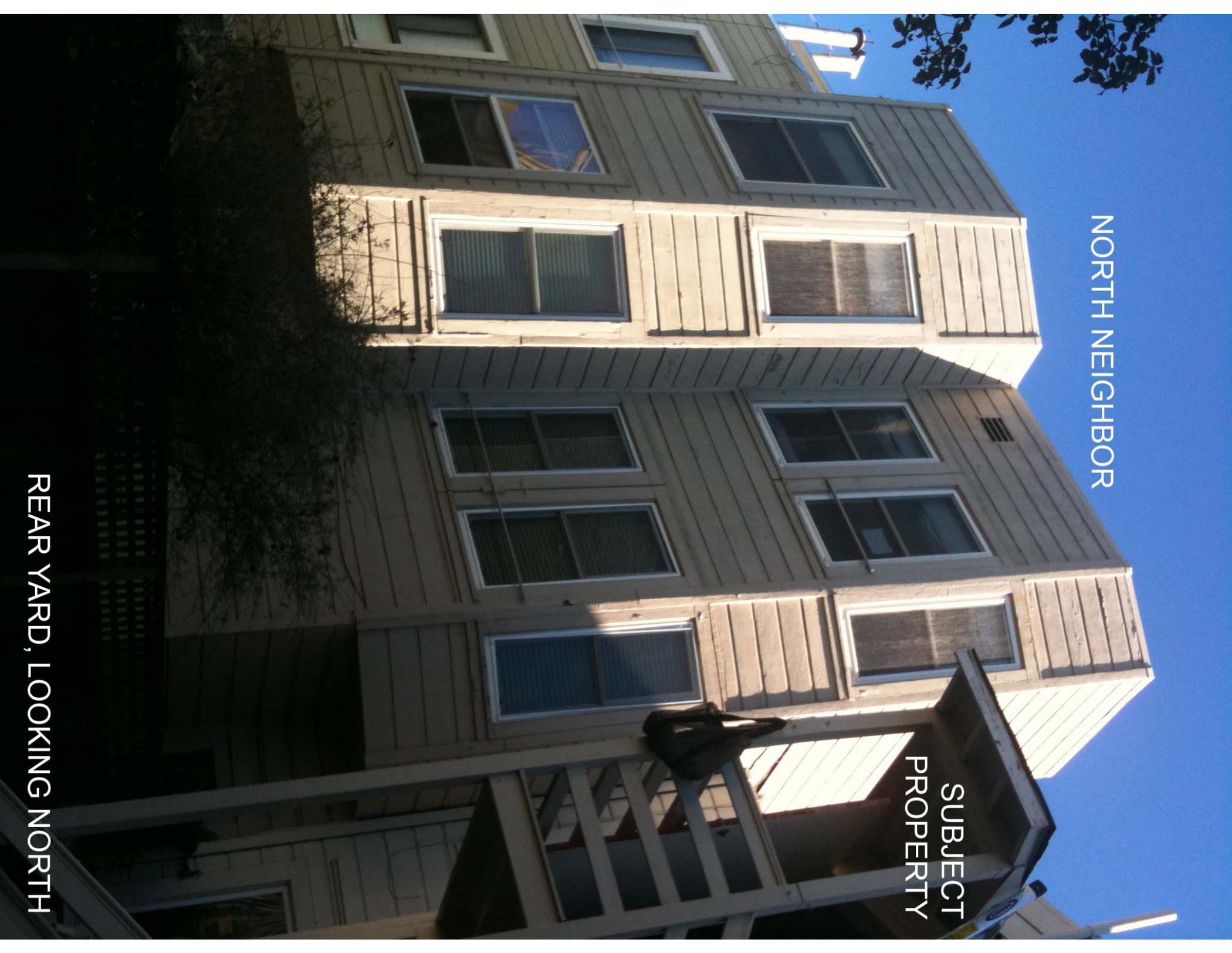


REAR FACADE OF SUBJECT PROPERTY

NORTH NEIGHBOR

SUBJECT
PROPERTY

REAR YARD, LOOKING NORTH



SOUTH NEIGHBOR



REAR YARD, LOOKING SOUTH



REAR YARD, LOOKING WEST