



SAN FRANCISCO PLANNING DEPARTMENT

Discretionary Review Abbreviated Analysis

HEARING DATE: DECEMBER 11, 2014

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

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

Date: December 1, 2014
Case No.: **2014.0544D**
Project Address: **16 & 16A Iris Avenue**
Permit Application: 2014.04.16.3387
Zoning: RH-2 (Residential, House, Two-Family)
40-X Height and Bulk District
Block/Lot: 1043/028
Project Sponsor: Yakuh Askew
YA Studios
777 Florida Street #306
San Francisco, CA 94110
Property Owner: James & Anna Marie Murray
16& 16A Iris Avenue
San Francisco, CA 94118
Staff Contact: Sara Vellve – (415) 558-6263
sara.vellve@sfgov.org
Recommendation: **Do Not Take Discretionary Review and Approve**

PROJECT DESCRIPTION

The proposal is to enlarge the ground-floor dwelling unit by constructing a one-story rear horizontal addition approximately 10 feet deep (measured from the rear wall of the upper two floors and the rear wall of the bathroom at the ground floor), 32 feet wide and 10 feet tall with a deck above. The addition would expand the unit to create separate living and bedroom areas, and a larger kitchen and bathroom. The addition would add approximately 290 square feet to the subject unit. In order to expand the subject unit the property owner has designated it as a conforming unit and the unit above (16 Iris) as the non-conforming unit. A Notice of Special Restrictions will be required to document these designations.

The proposal originally included a request to merge the two lower units (16 & 16A); however, the property owner has withdrawn that request and modified the plans to separate the units.

SITE DESCRIPTION AND PRESENT USE

The subject property is located on the east side of Iris Avenue, between Mayfair Drive and Euclid Avenue, Lot 028 in Assessor's Block 1043 and is located within the RH-2 (Residential, House, Two-Family) Zoning District and the 40-X Height and Bulk District. The property is developed with a three-story, approximately 4,000 square foot building that was constructed circa 1948 with two residential flats occupying the first and second floors, with parking on the ground floor. Per the Department of Building Inspection records, the third unit on the ground floor was authorized in November of 1973. The building owners indicate that the ground-floor studio has not been renter occupied since their purchase of the building.

SURROUNDING PROPERTIES AND NEIGHBORHOOD

The subject property is located in the Laurel Hill neighborhood in a low density residential area with pockets of higher density zoning at corner properties. The property is located one half block south of the Laurel Village Shopping Center and one block from California Street. The surrounding area consists of two, three and four-story residential buildings containing one, two and four units. The majority of buildings extend to the 45% required rear yard and few rear additions appear to have been constructed.

BUILDING PERMIT NOTIFICATION

TYPE	REQUIRED PERIOD	NOTIFICATION DATES	DR FILE DATE	DR HEARING DATE	FILING TO HEARING TIME
311Notice	30 days	9/5/2014 – 10/05/2014	10/03/2014	12/11/2014	49 business days

HEARING NOTIFICATION

TYPE	REQUIRED PERIOD	REQUIRED NOTICE DATE	ACTUAL NOTICE DATE	ACTUAL PERIOD
Posted Notice	10 days	December 1, 2014	December 1, 2014	10 days
Mailed Notice	10 days	December 1, 2014	December 1, 2014	10 days

PUBLIC COMMENT

	SUPPORT	OPPOSED	NO POSITION
Adjacent neighbor(s)	3 (Weshler @12 Iris, Kooser @ 10 Iris, Stahl @ 18 Iris)	1 (Devincenzi @ 22 Iris)	0
Other neighbors on the block or directly across the street	7	1 (Louie @ 28 & 30 Iris)	--
Neighborhood groups	0	1 (Laurel Heights Imp. Assoc.)	Unknown

DR REQUESTOR (ONE REQUEST FOR DISCRETIONARY REVIEW FILED WITH THREE ENTITIES IDENTIFIED)

1. Laurel Heights Improvement Association of San Francisco (LHIA), 250 Euclid Avenue, San Francisco, CA 94118
2. Kathryn Devincenzi authorized agent of LHIA and adjacent neighbor to the south at 22 Iris Avenue.
3. Albert Louie at 28 & 30 Iris Avenue, two properties south of the subject property.

DR REQUESTOR'S CONCERNS AND PROPOSED ALTERNATIVES

See attached *Discretionary Review Application*, dated October 3, 2014 & *Supplemental Discretionary Review Application* dated November 26, 2014.

PROJECT SPONSOR'S RESPONSE TO DR APPLICATION

See attached *Responses to Discretionary Review*, dated November 25, 2014 and December 1, 2014.

ENVIRONMENTAL REVIEW

The Project is exempt from the California Environmental Quality Act ("CEQA") as a Class 1 categorical exemption. A Planning Commission approval will constitute the Approval Action for the Project for the purposes of CEQA, pursuant to San Francisco's Administrative Code Section 31.04(h).

RESIDENTIAL DESIGN TEAM REVIEW

On November 24, 2014 the Residential Design Team reviewed the proposed one-story addition and did not find an exceptional or extraordinary circumstance present for the following reasons.

1. The proposed addition is a one-story permitted obstruction of modest size and reasonable depth and does not disrupt the mid-block open space.
2. The south side setback of ± 5 to ± 13 feet is sensitive to the adjacent building in terms of massing, privacy and sightline(s).
3. The proposed deck is set back from the adjacent property to the north and addresses potential privacy and security concerns.

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
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Attachments:

Block Book Map

Sanborn Map

Zoning Map

Aerial Photographs

Context Photographs

Section 311 Notice

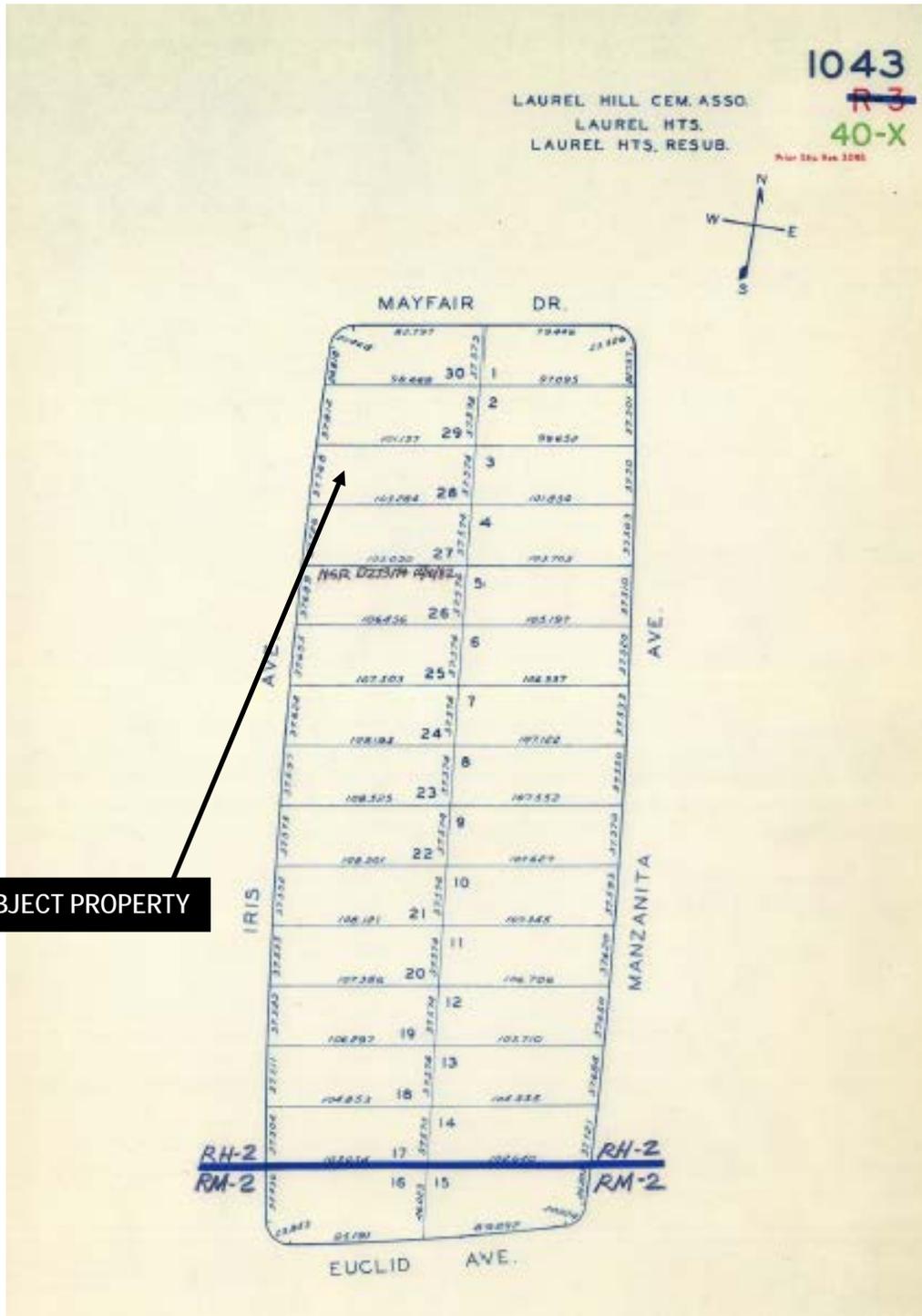
DR Application dated October 3, 2014 & Supplement dated November 26, 2014

Responses to DR Application dated November 25, 2014 and December 1, 2014.

Letter of Withdrawal for Dwelling Unit Merger & Designation of Conforming & Nonconforming Units

Reduced Plans

Parcel Map

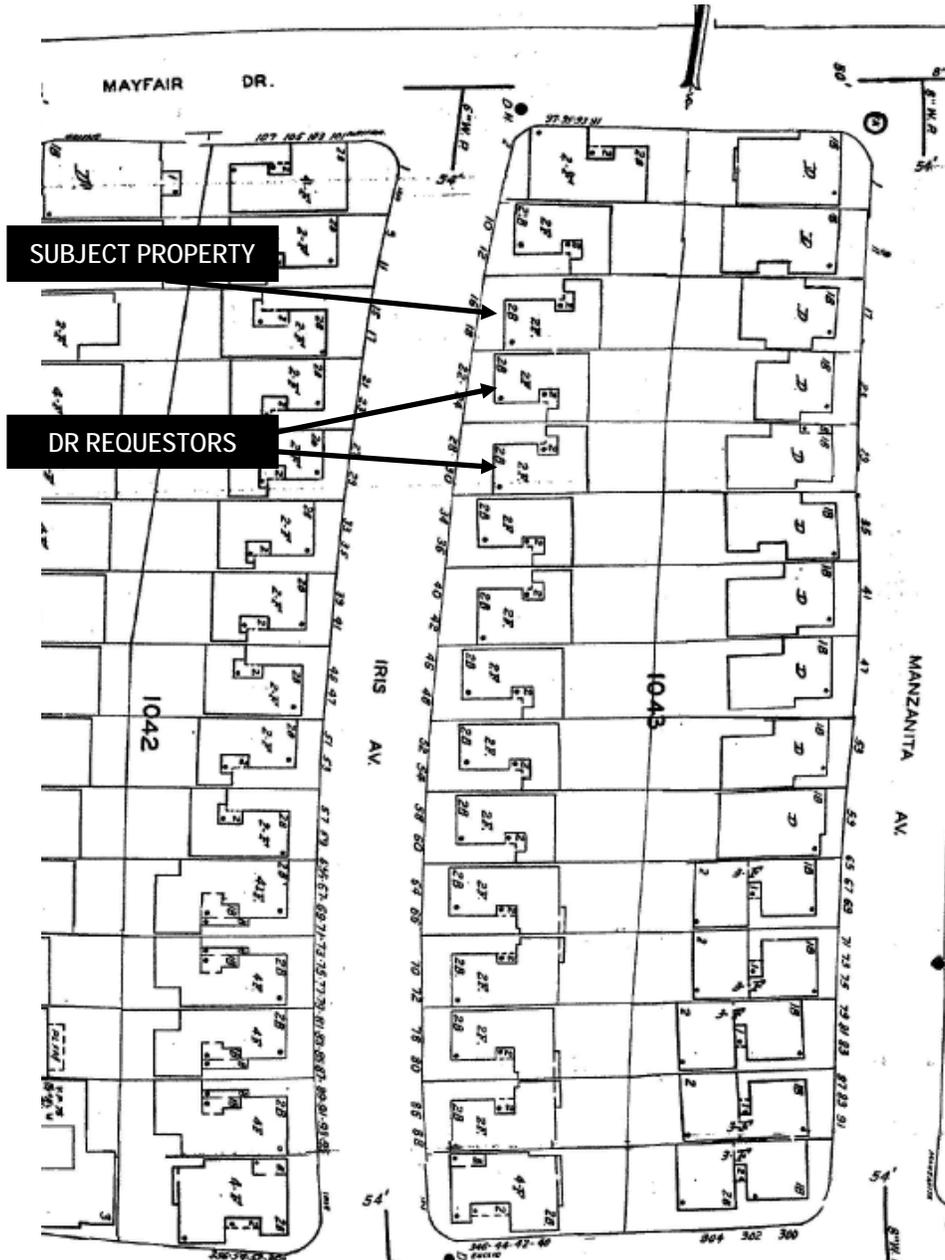


SUBJECT PROPERTY



Discretionary Review Hearing
Case Number 2014.0544D
Rear Horizontal Addition
16 & 16A Iris Avenue

Sanborn Map*

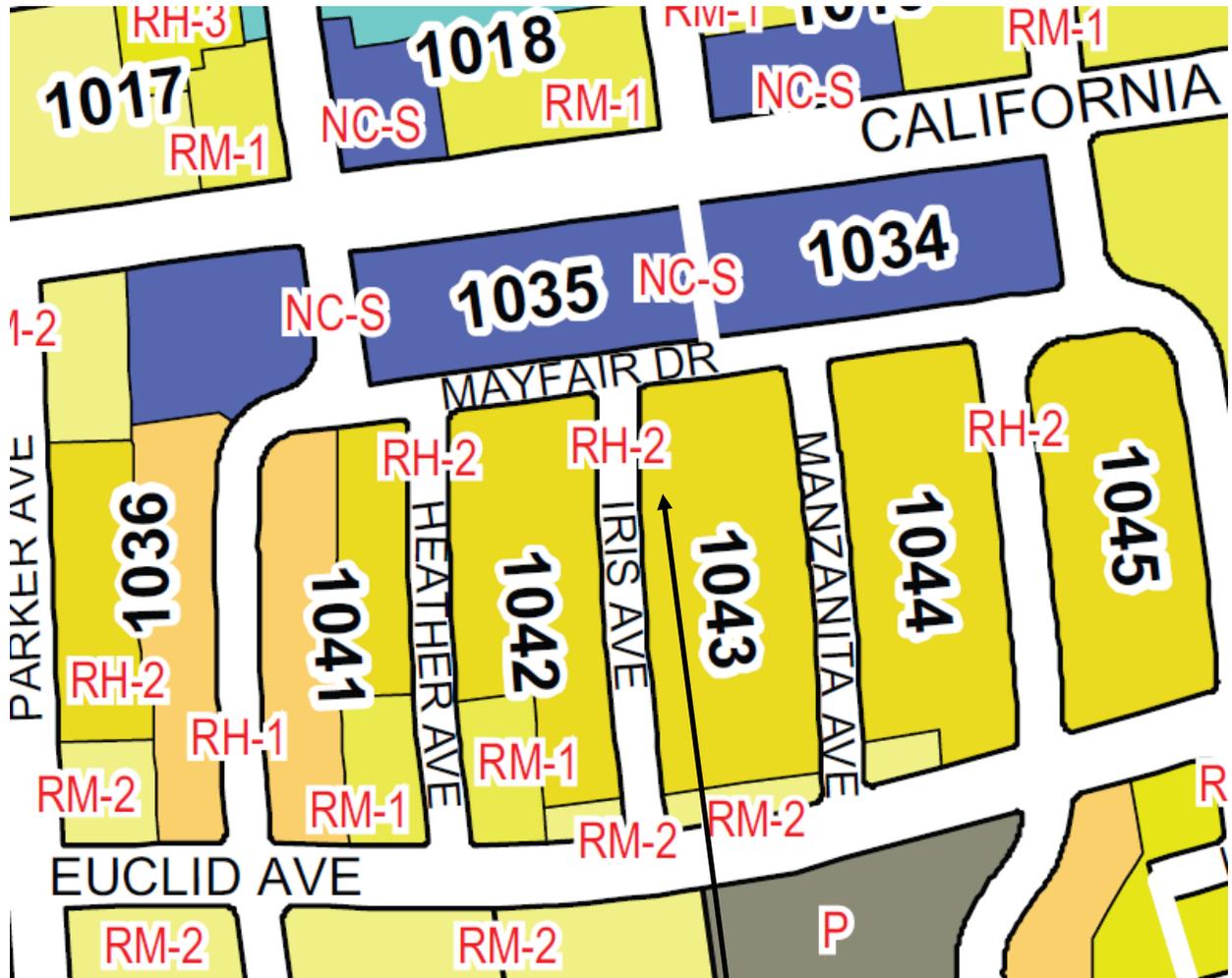


*The Sanborn Maps in San Francisco have not been updated since 1998, and this map may not accurately reflect existing conditions.



Discretionary Review Hearing
Case Number 2014.0544D
Rear Horizontal Addition
16 & 16A Iris Avenue

Zoning Map



SUBJECT PROPERTY



Discretionary Review Hearing
Case Number 2014.0544D
Rear Horizontal Addition
16 & 16A Iris Avenue

Aerial Photo



SUBJECT PROPERTY

DR REQUESTORS

Discretionary Review Hearing
Case Number 2014.0544D
Rear Horizontal Addition
16 & 16A Iris Avenue

Context Photos



DR REQUESTORS

SUBJECT PROPERTY



Discretionary Review Hearing
Case Number 2014.0544D
Rear Horizontal Addition
16 & 16A Iris Avenue



SAN FRANCISCO PLANNING DEPARTMENT

1650 Mission Street Suite 400 San Francisco, CA 94103

NOTICE OF BUILDING PERMIT APPLICATION (SECTION 311/312)

On **April 16, 2014**, the Applicant named below filed Building Permit Application No. **2014.04.16.3387** with the City and County of San Francisco.

PROPERTY INFORMATION		APPLICANT INFORMATION	
Project Address:	16 Iris Avenue	Applicant:	Gustavo Bermudez
Cross Street(s):	Mayfair Drive	Address:	777 Florida Street, #306
Block/Lot No.:	1043/028	City, State:	San Francisco, CA 94110
Zoning District(s):	RH-2 / 40-X	Telephone:	(415) 920 - 1839

You are receiving this notice as a property owner or resident within 150 feet of the proposed project. You are not required to take any action. For more information about the proposed project, or to express concerns about the project, please contact the Applicant listed above or the Planner named below as soon as possible. If you believe that there are exceptional or extraordinary circumstances associated with the project, you may 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.

Members of the public are not required to provide personal identifying information when they communicate with the Commission or the Department. All written or oral communications, including submitted personal contact information, may be made available to the public for inspection and copying upon request and may appear on the Department's website or in other public documents.

PROJECT SCOPE		
<input type="checkbox"/> Demolition	<input type="checkbox"/> New Construction	<input checked="" type="checkbox"/> Alteration
<input checked="" type="checkbox"/> Change of Use	<input type="checkbox"/> Façade Alteration(s)	<input type="checkbox"/> Front Addition
<input checked="" type="checkbox"/> Rear Addition	<input type="checkbox"/> Side Addition	<input type="checkbox"/> Vertical Addition
PROJECT FEATURES	EXISTING	PROPOSED
Building Use	Residential, Three-Units	Residential, Two-Units
Front Setback	As Is	No Change
Side Setbacks	As Is	No Change
Building Depth	± 64 feet	± 74 feet
Rear Yard	± 40 feet	± 30 feet
Building Height	As Is	No Change
Number of Dwelling Units	3	2
Number of Parking Spaces	As Is	No Change
PROJECT DESCRIPTION		
<p>The proposal is to construct a one-story rear horizontal addition and to merge a ground-floor unit to the unit above per the enclosed plans. The proposed addition is ±10 feet deep, would project to the south property line, and would be set back from the north property line by ± 3 to 8 feet. The dwelling unit merger is subject to a Discretionary Review (DR) hearing which is tentatively scheduled to be heard by the Planning Commission on Thursday, October 9, 2014. The DR hearing will be separately noticed.</p> <p>The issuance of the building permit by the Department of Building Inspection or the Planning Commission project approval at a discretionary review hearing would constitute as the Approval Action for the project for the purposes of CEQA, pursuant to Section 31.04(h) of the San Francisco Administrative Code. To date, a request for discretionary review has not been filed.</p>		

For more information, please contact Planning Department staff:

Planner: Sara Vellve

Telephone: (415) 558 - 6263

Notice Date: **9/05/2014**

E-mail: sara.vellve@sfgov.org

Expiration Date: **10/05/2014**

中文詢問請電: **(415) 575-9010**

Para información en Español llamar al: **(415) 575-9010**

APPLICATION FOR Discretionary Review

1. Owner/Applicant Information

DR APPLICANT'S NAME:

Laurel Heights Improvement Association of San Francisco, Inc. and Kathryn Devincenzi and Louie Trust/Al. Louie

DR APPLICANT'S ADDRESS:

250 Euclid Avenue and 22 Iris Avenue and 28 Iris Avenue
San Francisco, CA

ZIP CODE:

94118

TELEPHONE:

(415) 221-4700

PROPERTY OWNER WHO IS DOING THE PROJECT ON WHICH YOU ARE REQUESTING DISCRETIONARY REVIEW NAME:

James Murray and Anna Marie Murray

ADDRESS:

16 Iris Avenue, San Francisco, CA
and 16A Iris Avenue

ZIP CODE:

94118

TELEPHONE:

(415) 640-0027

CONTACT FOR DR APPLICATION:

Same as Above Yakuh Askew (Y.A. studio) - for Property Owner

For DR Applicant Same as Above

ADDRESS:

777 Florida Street, #306, San Francisco, CA

ZIP CODE:

94110

TELEPHONE:

(415) 920-1839

E-MAIL ADDRESS:

www.ya-studio.com

For DR Applicant: KRDevincenzi@gmail.com

2. Location and Classification

STREET ADDRESS OF PROJECT:

16 Iris Avenue, San Francisco, CA
and 16A Iris Avenue

ZIP CODE:

94118

CROSS STREETS:

Mayfair Drive and Euclid Avenue

ASSESSORS BLOCK/LOT:

1043 / 028

LOT DIMENSIONS:

103.284' x 37.768'

LOT AREA (SQ FT):

3,841

ZONING DISTRICT:

RH-2

HEIGHT/BULK DISTRICT:

40-X

3. Project Description

Please check all that apply

Change of Use Change of Hours New Construction Alterations Demolition Other MergerAdditions to Building: Rear Front Height Side Yard
House 3 Units

Present or Previous Use:

House 2 Units

Proposed Use:

Building Permit Application No. 2014.04.16.3387

Date Filed: April 16, 2014

RECEIVED

OCT 03 2014

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

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 checked="" type="checkbox"/>	<input 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.

At the Pre-Application meeting, applicant James Murray stated that he would not reduce the size of the proposed expansion of the structure into the rear yard.

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 cite specific sections of the Residential Design Guidelines.

See ATTACHMENT 1 - REASONS FOR REQUESTING DISCRETIONARY REVIEW

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:

See ATTACHMENT 2 - ADVERSE EFFECTS

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?

See ATTACHMENT 3 - ALTERNATIVES

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: Kathryn Devincenzi

Date: October 2, 2014

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

Kathryn Devincenzi

Owner / Authorized Agent (circle one)

22 Iris Avenue

Laurel Heights Improvement Association of San Francisco, Inc.

By: Kathryn Devincenzi, Vice-President

Kathryn Devincenzi, Vice-President and Authorized Agent

Date: October 2, 2014

Louie Family Trust

By: Albert Louie

Albert Louie, Trustee

Owner of 28 and 30 Iris Avenue

Date: October 2, 2014

14.0544D

October 2, 2014

Re: 16 A and 16 Iris Avenue, San Francisco, CA

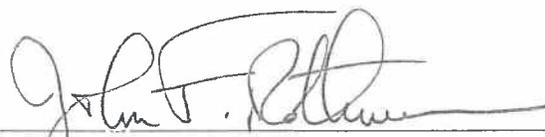
To Whom It May Concern:

As President of the Laurel Heights Improvement Association of San Francisco, Inc., I hereby confirm that Kathryn Devincenzi, Vice-President, is the authorized agent of the Laurel Heights Improvement Association of San Francisco, Inc. for the purpose of filing an application for discretionary review of the applications for a merger and building permit for the 16 and 16 A Iris Avenue property, application/building permit number 2014.04.16.3387 and Case Number 2014.0544 D and the application for discretionary review fee waiver.

Very truly yours,

LAUREL HEIGHTS IMPROVEMENT
ASSOCIATION OF SAN FRANCISCO, INC.

By:



John Rothmann, President
250 Euclid Avenue
San Francisco, CA 94118



State of California Secretary of State

N

Statement of Information

(Domestic Nonprofit, Credit Union and Consumer Cooperative Corporations)

Filing Fee: \$20.00. If this is an amendment, see instructions.

IMPORTANT - READ INSTRUCTIONS BEFORE COMPLETING THIS FORM

1. CORPORATE NAME

LAUREL HEIGHTS IMPROVEMENT ASSOCIATION OF SAN FRANCISCO, INC.

2. CALIFORNIA CORPORATE NUMBER

C0245361

This Space for Filing Use Only

Complete Principal Office Address (Do not abbreviate the name of the city. Item 3 cannot be a P.O. Box.)

3. STREET ADDRESS OF PRINCIPAL OFFICE IN CALIFORNIA, IF ANY	CITY	STATE	ZIP CODE
250 Euclid Avenue	San Francisco	CA	94118

4. MAILING ADDRESS OF THE CORPORATION	CITY	STATE	ZIP CODE
---------------------------------------	------	-------	----------

Names and Complete Addresses of the Following Officers (The corporation must list these three officers. A comparable title for the specific officer may be added; however, the preprinted titles on this form must not be altered.)

5. CHIEF EXECUTIVE OFFICER/	ADDRESS	CITY	STATE	ZIP CODE
John Rothmann	250 Euclid Avenue	San Francisco	CA	94118

6. SECRETARY	ADDRESS	CITY	STATE	ZIP CODE
Catherine Carr	63 Lupine Avenue	San Francisco	CA	94118

7. CHIEF FINANCIAL OFFICER/	ADDRESS	CITY	STATE	ZIP CODE
Mary Joy Thomas	556 Spruce Street	San Francisco	CA	94118

Agent for Service of Process If the agent is an individual, the agent must reside in California and Item 9 must be completed with a California street address, a P.O. Box address is not acceptable. If the agent is another corporation, the agent must have on file with the California Secretary of State a certificate pursuant to California Corporations Code section 1505 and Item 9 must be left blank.

8. NAME OF AGENT FOR SERVICE OF PROCESS

John Rothmann

9. STREET ADDRESS OF AGENT FOR SERVICE OF PROCESS IN CALIFORNIA, IF AN INDIVIDUAL	CITY	STATE	ZIP CODE
250 Euclid Avenue	San Francisco	CA	94118

Common Interest Developments

10. Check here if the corporation is an association formed to manage a common interest development under the Davis-Stirling Common Interest Development Act, (California Civil Code section 4000, et seq.) or under the Commercial and Industrial Common Interest Development Act, (California Civil Code section 6500, et seq.). The corporation must file a Statement by Common Interest Development Association (Form SI-CID) as required by California Civil Code sections 5405(a) and 6760(a). Please see instructions on the reverse side of this form.

11. THE INFORMATION CONTAINED HEREIN IS TRUE AND CORRECT.

5-28-2014

Kathryn Devincenzi

Vice-President

DATE

TYPE/PRINT NAME OF PERSON COMPLETING FORM

TITLE

SIGNATURE

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: _____



SAN FRANCISCO
PLANNING
DEPARTMENT

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

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

TEL: **415.558.6378**
FAX: **415 558-6409**
WEB: **<http://www.sfplanning.org>**

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

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

ATTACHMENT 1

ATTACHMENT 1 - REASONS FOR REQUESTING DISCRETIONARY REVIEW**1. The Proposed Removal of a Rent-Controlled Garden Apartment Constitutes Exceptional and Extraordinary Circumstances Under Mayor's Directive that Rent-Controlled Units or Existing, Habitable Units Shall Not Be Removed and that the Commission Should Deny the Permit and Preserve the Unit.**

The application seeks to merge a garden apartment that is subject to rent control into the first floor flat. Photographs of the rent-controlled unit sought to be eliminated are attached. (Ex. B)

As acknowledged by the project sponsor, such a merger would facilitate condominium conversion that is being impeded by the existence of the 3rd unit on the ground floor. (Ex. A hereto - Statement of Kathryn Devincenzi, ¶¶ 5-6) Shortly before the Pre-Application meeting, I was told by one of the co-owners of the 16-18 Iris Avenue property that the property is owned as a tenancy in common and that the presence of the third unit garden apartment is standing in the way of bypassing the condominium lottery. *Ibid.* I was told that the merger of the garden apartment into the first floor flat would allow the property to be treated as a two unit, owner-occupied building that would qualify for conversion to condominiums without going through the lottery. *Ibid.*

At the Pre-Application meeting, Mr. Murray stated that merger of the third unit garden apartment would allow the building to be treated as a two unit, owner-occupied building that would qualify for conversion to condominiums without having to go through the condominium lottery. *Ibid.* Both Mr. Murray and the owner of the 18 Iris unit indicated that they wished to apply to convert the 16-18 Iris Avenue building to condominiums. *Ibid.*

The application also seeks to expand the garden apartment into the rear yard. Planner Sara Vellve told me that the third unit is a nonconforming use under the RH-2 zoning that is applicable to the property, and that since it is a nonconforming use, the third unit cannot be expanded into the rear yard, because nonconforming uses cannot be expanded. (Statement of Kathryn Devincenzi ¶ 7) Applicant James Murray also told me that the third unit is nonconforming with the RH-2 zoning applicable to the parcel. *Ibid.* Thus, the third unit could not be expanded into the garden under present conditions. *Id.*

The 3R Report shows that the property is a "THREE FAMILY DWELLING." (Ex. C hereto) The Certificate of Final Completion and Occupancy for "Hous. 3 units" was issued May 17, 1974. (Ex. D) The August 2, 1973 Electrical Inspection Report of the San Francisco Department of Public Works shows that all circuits of the garden apartment were to be on their own meter. (Ex. E)

Planning Department documents show that "the unit to be merged is subject to the rent control ordinance," contains "three legal units," and that "the unit is subject to rent control as the building was constructed prior to 1979." (Ex. F - July 27, 2014 Notice of Planning Department

Requirements #2 and June 23, 2014 Notice of Planning Department Requirements #1)

Mayor Lee's Executive Directive 13-01 Housing Production & Preservation of Rental Stock requires discretionary review for "loss of a rental housing unit" or "the removal or loss of a unit that is currently being used for housing." (Ex. H) The Directive requires the Planning Commission to "consider the reasons for the reduction in housing units, with special attention paid to preserving existing rental stock." *Id.*

The Executive Directive 13-01 Recommendations issued by the Planning Department on February 3, 2014 (Ex. I) included recommendations to "retain existing, habitable units" and state that:

"Mandatory Discretionary Review for the loss of Dwelling Units. For properties with more than two dwelling units, the Planning Department will initiate Discretionary Review for the loss of any dwelling units, legal or otherwise. For building permits to remove an unpermitted unit where there is a feasible plan to legalize the unit, the Department will recommend that the current housing affordability crises creates an "exceptional and extraordinary" circumstance such that the Commission should deny the permit and preserve the unit. For building permits where there is no feasible path to legalize the unit, the Department will place the Discretionary Review on the consent calendar with a recommendation to approve the permit." (Ex. I, pp. 1, 4)

These guidelines indicate that a legal third unit should not be removed.

The Zoning Controls on the Removal of Dwelling Units provides in pertinent part in Part 6 as to Dwelling Unit Mergers that:

"Because housing in San Francisco is a valuable resource that requires protection and the Planning Commission supports the conservation of existing housing, and,.....the Commission maintains a strong objective to minimize the loss of relatively affordable market rate housing..." (Ex. J, p. 6)

Those guidelines require the Planning Commission, at a Mandatory Discretionary Review hearing, in deciding whether to approve the building permit application proposing a Dwelling Unit Merger, to apply the criterion as to whether "removal of the unit(s) removes ..units subject to the Rent Stabilization and Arbitration Ordinance, whether replacement housing will be provided which is equal or greater in size, number of bedrooms, affordability, and suitability to households with children to the units being removed." *Id.*

Since it is clear that the third unit at 16 Iris is subject to the Rent Stabilization and Arbitration Ordinance and that replacement rental housing is not being provided, the Commission should deny the merger under these criteria. Planning Code section 317(e)(2)(E) requires that the Commission apply these criteria in considering an application for merger.

2. The Proposed Removal of the Rent-Controlled Apartment Is Not Consistent with General Plan Policies.

The proposed merger of the rent-controlled garden apartment conflicts with General Plan Priority Policy 3 (That the City's supply of affordable housing be preserved and enhanced) and Priority Policy 2 (That existing housing and neighborhood character be conserved and protected in order to preserve the cultural and economic diversity of our neighborhoods). (See Ex. J, excerpts from San Francisco Planning Department Zoning Controls on the Removal of Dwelling Units p. 2) For the reasons set forth herein, the proposed merger should be denied as conflicting with the Priority Policies.

The proposal to eliminate the rent-controlled garden apartment would also violate 2009 Housing Element Policy 3.1 "Preserve rental units, especially rent controlled units, to meet the City's affordable housing needs." (Ex. K) Since the project applicant has claimed that the expansion would allow him to "stay longer" in the property, the applicant property owner intends to sell the building at some time. (Statement of Devincenzi ¶ 15) . The applicant, Mr. Murray, works at Stanford and commutes to work by driving down to Palo Alto and then drives home to San Francisco. (*Ibid.*)

After the property is sold, the subsequent property owner could rent the garden apartment to a retiree or other person who would be attracted to the relatively affordable rents that a garden apartment would command. (Devincenzi Declaration ¶) Thus, the third unit garden apartment is still part of the City's affordable housing stock even though the current owner of 16 Iris has chosen not to rent it.

Therefore, the proposed merger violates Policy 3.1 of the 2009 Housing Element of the San Francisco General Plan, which requires preservation of rental units. Such inconsistency with the Housing Element of the General Plan also constitutes exceptional and extraordinary circumstances requiring denial of the merger.

Also, since the proposed expansion would add square footage to the garden level unit where there is already a large bed, kitchen and bathroom, the proposal would not clearly create new family housing, but would create a larger and more expensive unit. (See photos Ex. B) Such larger unit would not be greater in terms of affordability than the present structure. Rather, the enlargement would increase the market value of the property. On August 1, 2014, the applicant informed the Planning Department that:

"Over the years, and currently, this unit is used as our informal home office, the children's playroom and occasional guest room. Since we have family located out of town we have used this space as a guest room for our parents when visiting.

The merging of our two units with an interior staircase will allow for better use and access to the downstairs space. The merger will allow our family of four to better utilize

the space and more comfortably live in our current home.” (Ex. L)

The application does not demonstrate a pressing need for the expansion. The first floor flat at 16 Iris Avenue has a large living room of approximately 286 square feet, which the applicant currently uses, a large dining room and two bedrooms. (Statement of Devincenzi ¶ 15) The applicant stated that his two young sons share one bedroom and that he and his wife utilize the other bedroom. (Statement of Devincenzi ¶ 15)

Thus, the merger should be denied as inconsistent with the above-cited General Plan policies.

In addition, due to the inconsistencies with General Plan policies and the other reasons described herein, the proposed application for building permit and merger is not exempt from environmental review under the California Environmental Quality Act, Public Resources Code sections 21000 *et seq.* (CEQA).

3. The Proposed Expansion into the Rear Yard and Deck Would Violate the Strong Pattern of the Forms, Scales and Proportions of the Uniform Rears of the Five Adjacent Buildings and the Strong Mid-Block Open Space Pattern.

The Laurel Heights tract was built in the late 1940's according to a uniform architectural pattern by the same developer, Hansen Homes Inc. The tract has very strong uniform architectural character, scale and features on both the fronts and rears of the buildings.

As shown in the photographs attached as Exhibit M, a very strong uniform pattern and scale currently exists in five adjacent buildings, beginning with the applicant's property and extending to the four buildings to the south. Each such building has an identical rear building form consisting of a first story which overhangs the ground level rear wall by approximately three feet, each conforms with the pattern that a very large garden extends out from the recessed rear wall under the three-foot overhang to the rear fence, and each building has rear bedroom and bathroom windows in exactly the same place in the first and second story above grade. Thus, the adjacent five buildings have a very strong uniform appearance bordering on a very large mid-block open space that contains various trees, plants, and other landscaping. (Ex. M, photos) A very strong and appealing mid-block open space pattern and appearance currently exists which is enjoyed by the residents whose residences border the mid-block open space. The uniform pattern and open nature of the mid-block open space is a significant community amenity.

The proposed building expansion into the mid-block open space would be uncharacteristically deep and tall and would have an adverse visual appearance, as it would violate the above-described pattern of the five uniform rear wall patterns in a row and the corresponding mid-block open space. Those patterns define the mid-block open space in the area. The proposed expansion of approximately 10 feet (9'11") into the rear yard would extend into the rear yard to a depth which would violate the existing strong pattern of the mid-block

open space currently enjoyed by the community and constitute an uncharacteristic expansion of the building rear which would violate the strong pattern of the form and location of the five adjacent rear building walls in relation to each other and to the mid-block open space. The proposed deck would also violate the strong uniform pattern of the rear walls of the five adjacent buildings, none of which has a deck extending from the first story rear wall on top of a ground-level expansion into the mid-block open space.

The proposed building expansion would not comply with the following provisions of the San Francisco Residential Design Guidelines, and the applicant's application ignores the proposal's impacts on the very strong uniform pattern of the building depths and forms of the rears of the adjacent five buildings and on the mid-block open space that extends from those five adjacent buildings.

The depth and height of the proposed expansion would also be incompatible with the predominant existing building scale at the mid-block open space. None of the adjacent four buildings to the south of 16 Iris have any expansion of the structure at ground level beyond the uniform rear wall or any deck extending from the first story into the mid-block open space.

The San Francisco Residential Design Guidelines state:

“Building Scale at the Mid-Block Open Space

GUIDELINE: Design the height and depth of the building to be compatible with the existing building scale at the mid-block open space.

Rear yards provide open space for the residences to which they are attached, and they collectively contribute to the mid-block open space that is visible to most residents of the block. This visual open space can be a significant community amenity.

The height and depth of a building expansion into the rear yard can impact the mid-block open space. Even when permitted by the Planning Code, building expansions into the rear yard may not be appropriate if they are uncharacteristically deep or tall, depending on the context of the other buildings that define the mid-block open space. An out-of-scale rear yard addition can leave surrounding residents feeling ‘boxed-in’ and cut off from the mid-block open space.” (Ex. N, p. 25-26)

The San Francisco Residential Design Guidelines also state:

“BUILDING FORM

GUIDELINE: Design the building's form to be compatible with that of surrounding buildings.

Building form is the three-dimensional shape of the building. The elements of building form include the width and proportions of the facade and the shape of the roofline. Though the Planning Code establishes the maximum building envelope by dictating setbacks and heights, the building must also be compatible with the form of surrounding buildings....

Proportions

GUIDELINE: Design the building's proportions to be compatible with those found on surrounding buildings.

Proportions are the dimensional relationships among the building's features, and typically involve the relationship between the height and width of building features. A building's proportions are evident in the floor-to-floor heights of a building, the size and placement of windows and doors, and the scale of features such as porches, cornices and bay windows. Building features must be proportional not only to other features on the building, but also to the features found on surrounding buildings." (Ex. N, pp. 28-29)

The proposed expansion into the rear yard and proposed deck are also incompatible with the form and proportions of the uniform rears of the 16 Iris building and the adjacent four buildings to the south and would have an adverse visual appearance.

The building to the north of 16 Iris contains an aberrational expansion into the rear yard which occupies virtually the entire rear yard and fails to comply with the requirement that 25% of the rear yard be unoccupied open space. Ms. Sara Vellve of Planning Department staff has stated that the portion of that building that fails to comply with the requirement of the Planning Code that the rear yard must have a depth equal to 25% of the lot cannot be included in computing the average between the depths of the rear building walls of the adjacent buildings. (Statement of Devincenzi ¶ 19; See also Planning Code sections 134(c) and 136 (c)(25)). Ms. Velle's July 27, 2014 Notice of Planning Department Requirements #2 confirms that such one-story addition "does not count as a qualifying wall pursuant to Planning Code Section 134(c)(3), although she erroneously refers as that structure as being to the "south." (Ex. F) That uncharacteristic structure is to the north of 16 Iris Avenue. Since the noncomplying portion of the ground-level extension on the structure to the north of 16 Iris Avenue is not taken into account for the purposes of averaging the depth of adjacent buildings, that aberrational extension should also be disregarded in determining neighborhood character, scale, form, patterns, and proportions, as it amounts to a hideous deviation from the mid-block open space pattern and uniform building form and proportion pattern of the block. It is unclear how such an expansion into virtually all of the rear yard was ever allowed to have been constructed in the structure to the north of the 16 Iris Avenue building.

The San Francisco Residential Design Guidelines also state:

REAR YARD

GUIDELINE: Articulate the building to minimize impacts on light and privacy to adjacent properties.

Rear yards are the open areas of land between the back of the building and the rear property line. When expanding a building into the rear yard, the impact of that expansion on light and privacy for abutting structures must be considered. This can be challenging given San Francisco's dense pattern of development, however, modifications to the building's design can help reduce these impacts and make a building compatible with the surrounding context.

Light

In areas with a dense building pattern, some reduction of light to neighboring buildings can be expected with a building expansion. However, there may be situations where a proposed project will have a greater impact on neighboring buildings. In these situations, the following design modifications can minimize impacts on light; other modifications may also be appropriate depending on the circumstances of a particular project:....

- Incorporate open railings on decks and stairs....” (Ex. N, p. 16)

The proposal's expansion of approximately 10 feet into the rear yard would also impact light and privacy to adjacent properties to the south, especially due to the proposed deck, which would be approximately one story higher than the gardens on the adjacent properties to the south. None of the four adjacent structures have a deck that would allow persons to look into others' yards and adversely impact their privacy.

San Francisco Planning Code section 134 states that its rear yard requirements “are intended to assure the protection and continuation of established midblock, landscaped open spaces, and maintenance of a scale of development appropriate to each district, consistent with the location of adjacent buildings.” The application is inconsistent with these guidelines for the reasons set forth above, so the Commission should grant discretionary review and deny the proposed expansion into the rear yard and deck and maintain the uniform rear pattern of the five adjacent buildings and mid-block open space.

4. **The Plans for the Proposed Solid Stucco Base on the Lower 57% of the Deck Perimeter Failed to Comply With the Requirement that At Least 80% of its Surfaces Be Composed of Transparent or Translucent Materials and Be of an Open Design, and the Applicant Failed to Provide the Required Pre-Application Notice of the Proposed Deck.**

Sheet A1.1 of the plans shows that the expansion would extend into the “AVERAGED REQUIRED REAR YARD SETBACK.” (Ex. O, excerpts of Plans) Planning Code section 136(25)(B) states with respect to decks and enclosed and unenclosed extensions of buildings that:

“Within all parts of the required open area, the structure shall be limited in height to either: (i) 10 feet above grade, or (ii) a height not exceeding the floor level of the second floor of occupancy, excluding the ground story, at the rear of the building on the subject property, in which case the structure shall be no closer than five feet to any interior side lot line.”

The proposed expansion would not be set back five feet from both interior side lot lines. These requirements are confirmed in Zoning Administrator’s Bulletin 5. (Ex. P, p. 6)

Planning Code section 136(25)(C) states:

“Any fence or wind screen extending above the height specified in Subparagraph (c)(25)(B) shall be limited to six feet above such height; shall be no closer to any interior side lot line than one foot for each foot above such height; and shall have not less than 80 percent of its surfaces above such height composed of transparent or translucent materials.”

The San Francisco Planning Department bulletin “GENERAL PLANNING INFORMATION Decks” (Ex. Q), explains:

“The Planning Code allows limited projections into yards and setbacks for specified extensions of buildings. These are known as ‘permitted obstructions’ and include certain decks. However, if your deck is allowed to extend into the yard as an exception under the Code, it will likely need neighborhood notification. Specifically, there is an allowable projection into the rear yard for districts with a rear yard requirement of 45% of lot depth (typically RH-2, RH-3, RM-1 and RM-2, and RTO districts.) One or two-story projections of up to 12 feet in depth into the rear yard are allowed by the Planning Code, subject to other limitations, per Section 136(c)(25). A deck that fits within the area allowed by this section is a ‘permitted obstruction’. However, if you must utilize this section of the Code for your deck to be allowed, then neighborhood notification will be required. You would also be required to provide a pre-application notice and meeting.....

If the proposed roof deck or access to it is on a portion of the structure that encroaches on a yard or setback, a ‘non-complying’ structure under the Planning Code, then all railings are limited to 42 inches tall and of an open design and a limited notice will be required.” (Ex. Q)

Notably, these guidelines confirm that since the proposed expansion would encroach on the

required rear yard, it would constitute “a ‘non-complying’ structure under the Planning Code.”

Thus, the Commission should also grant discretionary review and eliminate any deck because the applicant failed to provide the required Pre-Application Notice of the proposed deck. The Pre-Application Notice did not mention any proposed deck and did not check the box provided for “Decks over 10 feet above grade or within the required rear yard.” (Ex. R)

Also, as seen from sheets A3.1 (9-3-14), A3.2 (9-3-14) and A3.3 (4-15-14) of the plans, the proposal that 57% of the surface of the deck perimeter above the height of 10 feet above grade be solid stucco material (“cement plaster”) fails to comply with the provisions of Planning Code section 136 (c)(25)(B) that such deck “shall have not less than 80 percent of its surfaces above such height composed of transparent or translucent materials.” (Ex. O) Sheets A3.1 and A3.3 of the plans show that the height of the proposed extension would be ten feet one inch above grade (“+10'-1" ”), whereas a height of only 10 feet is allowed without set backs of 5 feet from each interior side lot line. (Ex. O)

Sais sheets A3.2 and A3.3 of the plans show that the lower two feet of the three foot six inch high surface on the perimeter of the proposed deck would be solid material. (Ex. O) Planner Sara Vellve stated that the plans show that this material would be stucco. (Statement of Devincenzi ¶ 24) Also, such figures show that the height of the ground floor expansion would be ten feet one inch (“+10'-1" ”). (Ex. O)

The Commission should also grant discretionary review and deny the proposed deck because the proposal that 57% of the surface of the perimeter of the deck above ten feet above ground would be constructed of solid material fails to comply with the requirement of Planning Code section 136(25)(B) that “not less than 80 percent of its surfaces above such height” be “composed of transparent or translucent materials.” If the Commission allows the deck, the Commission should require that “not less than 80 percent of its surfaces above such height” be composed of transparent or translucent materials.”

I told planner Sara Vellve that the proposed solid stucco perimeter on 57% of the deck perimeter failed to comply with the above provisions of the Planning Code, and she said she would have the applicant revise the plans. (Statement of Devincenzi ¶ 25)

5. The Plans Failed to Comply With the Planning Code Requirement that the Height of the Proposed Extension of the Structure Shall Be Limited to Ten Feet Above Ground.

Sheet A1.1 of the plans shows that the expansion would extend into the “AVERAGED REQUIRED REAR YARD SETBACK.” (Ex. O) Planning Code section 136(25)(B) states with respect to decks and enclosed and unenclosed extensions of buildings that:

“Within all parts of the required open area, the structure shall be limited in height to

either: (i) 10 feet above grade, or (ii) a height not exceeding the floor level of the second floor of occupancy, excluding the ground story, at the rear of the building on the subject property, in which case the structure shall be no closer than five feet to any interior side lot line.”

Sheets A2.3 and A3.3 (4-15-14) and A3.1 (9-3-14) of the plans show that the height of the ground floor expansion would be ten feet one inch (“+10'-1"”) and would extend within the required open area. (Ex. O, Plan excerpts) This expansion would be one inch taller than permitted by Planning Code section 136(25)(B).

After I told Planner Sara Vellve that the proposed height of the extension exceeded the maximum permitted ten-foot height by one inch because the structure would not be set back “no closer than five feet to any interior side lot line” under Planning Code section 136(25), Ms. Vellve stated that she would have the applicant redraw the plans to eliminate the extra one inch in height. (Statement of Kathryn Devincenzi, ¶ 25).

6. The Proposal Is Unlawful Because It Would Enlarge a Nonconforming Use, and Since the Nonconforming Use is Not Being Eliminated, the Proposed Second Floor Alterations Are Also Not Permitted.

As noted above, the Deck guidelines confirm that a structure that encroaches on yard or setback is a “non-complying” structure under the Planning Code. (Ex. Q) Zoning Administrator Bulletin No. 5 explains that a “permitted obstruction” is an item or building feature allowed to exist in or extend into a required open area.” (Ex. P, p 6.) Since the proposed structure would encroach upon the required rear yard, it would be a permitted encroachment but would still constitute a noncomplying structure.

Planning Code section 181, Nonconforming Uses: Enlargements, Alterations and Reconstructions, provides in pertinent part that:

“The following shall apply to nonconforming uses with respect to enlargements, alterations and reconstruction:

(a) **Increases in Nonconformity.** A nonconforming use, and any structure occupied by such use, shall not be enlarged, intensified, extended, or moved to another location, with the exception of the construction of a mezzanine within a live/work unit and expansion of dwelling units in PDR Districts, unless the result will be elimination of the nonconforming use, except as provided below and in Section 186.1 of this Code. A nonconforming use shall not be extended to occupy additional space in a structure, or additional land outside a structure, or space in another structure, or to displace any other use, except as provided in Sections 182 and 186.1 of this Code.

(b) **Permitted Alterations.** A structure occupied by a nonconforming use shall not be constructed, reconstructed or altered, unless the result will be elimination of the nonconforming use, except as provided in Section 186.1 of this Code and in subsections (a) above and (d), (e), (f), (g), (h) and (i) below, and except as follows:...

(3) Alterations otherwise allowed by this Code shall be permitted for any portion of the structure that will not thereafter be occupied by the nonconforming use, provided the nonconforming use is not enlarged, intensified, extended, or moved to another location....

(c) **Dwellings Nonconformity as to Density.**

(1) A dwelling or other housing structure exceeding the permitted density of dwelling units or other housing units set forth in Sections 207.5, 208, 209.1, 209.2, of 215 of this Code for the district in which it is located shall be classified as a nonconforming use under Section 180 of this Code, but only to the extent that such dwelling or other housing structure exceeds the permitted density.

(2) In districts where a dwelling unit is a principally permitted use, this Section 181 shall not apply with respect to enlargements, alterations and reconstruction of the nonconforming portion of such dwelling or other housing structure, consisting of those dwelling units or other housing units which exceed the permitted density, **so long as such enlargements, alternations, or reconstruction do not otherwise extend beyond the building envelop as it existed on January 1, 2013.**"

Planning Code section 182 provides in pertinent part that:

"(b) Except as limited in this Subsection, a nonconforming use may be reduced in size, extent or intensity, or **changed to a use that is more widely permitted by the use districts of the City than the existing use**, subject to the other applicable provisions of this Code. Except as otherwise provided herein, **the new use shall still be classified as a nonconforming use.**" (Emphasis added)

Based on the foregoing Planning Code provisions, the nonconforming third unit will still be classified as a nonconforming use if it is expanded, even if the proposed merger application is granted, and the enlargement of the lower level construction is prohibited under the Planning Code sections discussed above. Moreover, the proposed alterations to the first story above ground, including the additional bathroom, are also prohibited because the proposed enlargements of the nonconforming portion of the building would extend beyond the building envelop as it existed on January 1, 2013. Planning Code section 181(c)(2). Thus, the

Commission should deny the application for a building permit and merger as failing to comply with the Planning Code, and/or grant discretionary review and deny the application as an ineffective ruse to attempt to circumvent the requirement that a nonconforming use not be enlarged or expanded.

7. The Plans Failed to Comply With the Requirement that the Averaged Required Rear Yard Setback Be Calculated by Measuring the Depth of Each Adjacent Building at the Building Centerline.

In the July 27, 2014 Notice of Planning Department Requirements #2, the applicant was notified that "The average is calculated by measuring the depth of each adjacent building at the building centerline from the front property line to the rear qualifying wall. Please recalculate the average setback Only those pages showing revisions need to be submitted." (Ex. F) On September 29, 2014, I spoke with planner Sara Velve and she stated that the applicant had still not submitted plans showing that such calculation was made from the centerline and that she would have the applicant submit revised plans. (Statement of Devincenzi ¶ 26)

Accordingly, the 4-15-14 plans failed to comply with the requirement of Planning Code section 134(c)(3) that "the location of the rear building wall of an adjacent building shall be taken as the line of greatest depth of any portion of the adjacent building which occupies at least ½ the width between the side lot lines of the lot on which such adjacent building is located, and which has a height of at least 20 feet above grade, or two stories, whichever is less, excluding all permitted obstructions listed for rear yards in Section 136 of this Code."

Conclusion

For the reasons stated above, the Commission should deny the proposed merger and building permit application.

DATED: October 2, 2014

LAUREL HEIGHTS IMPROVEMENT
ASSOCIATION OF SAN FRANCISCO, INC.

By: Kathryn Devincenzi
Kathryn Devincenzi, Vice-President

ATTACHMENT 2

ATTACHMENT 2 - ADVERSE EFFECTS

As explained in Attachment 1, which is fully incorporated by reference, the proposed expansion of the garden apartment would be uncharacteristically deep and tall and would violate the very strong uniform pattern, scale, form and properties of the rears of the five adjacent buildings, beginning with the applicant's 16 Iris Avenue property and extending to the four buildings to the south. It would extend uncharacteristically into the rear yard and violate the strong pattern of mid-block open space established by said five adjacent buildings.

Kathryn Devincenzi is a member of the Laurel Heights Improvement Association of SF, Inc., and is the owner of the 22/24 Iris Avenue property is immediately adjacent to the south of the applicant's 16 Iris Avenue property. Kathryn Devincenzi and other members of the Laurel Heights Improvement Association would be adversely affected by the proposed project's adverse visual effects and effects on light and privacy.

ATTACHMENT 3

ATTACHMENT 3 - ALTERNATIVES

The proposed merger of the third unit which is subject to rent control constitutes exceptional and extraordinary circumstances requiring denial of the proposed merger under the Mayor's Executive Directive 13-01 that existing, habitable units be conserved. The proposed merger of the third unit also conflicts with General Plan Priority Policy 3 (That the City's supply of affordable housing be preserved and enhanced) and Priority Policy 2 (That existing housing and neighborhood character be conserved) and Policy 3.1 of the 2009 Housing Element of the San Francisco General Plan which requires preservation of rental units. Preservation of the third unit garden apartment would respond to the exceptional and extraordinary circumstances and reduce the adverse effects described above.

EXHIBIT A

STATEMENT OF KATHRYN DEVINCENZI

1. I am the Vice-President of the Laurel Heights Improvement Association of San Francisco, Inc. and am a member of that Association.
2. I am the owner of the 22 and 24 Iris Avenue property, which is immediately adjacent to the south of the 16 Iris Avenue property that seeks unit merger and a building permit.
3. The 28 and 30 Iris Avenue property owned by the Louie Family Trust is immediately adjacent to the south of the 22 and 24 Iris Avenue property.
4. Attached hereto as Exhibit B are true and correct copies of photographs of the 16A Iris Avenue rent- controlled third unit which I obtained from planner Sara Velve pursuant to a request for public records on this case.
5. Shortly before the Pre-Application meeting, I was told by one of the co-owners of the 16-18 Iris Avenue property that the property is owned as a tenancy in common and that the presence of the third unit garden apartment is standing in the way of bypassing the condominium lottery. I was told that the merger of the garden apartment into the first floor flat would allow the property to be treated as a two unit, owner-occupied building that would qualify for conversion to condominiums without going through the lottery.
6. At the Pre-Application meeting, I raised the issue of condominium conversion because the owner of the 16 Iris unit, Mr. Jim Murray, had not disclosed it up to that point during the meeting. I told Mr. Murray that I understood that the presence of the third unit garden apartment was standing in the way of bypassing the condominium lottery. Mr. Murray stated that merger of the third unit garden apartment would allow the building to be treated as a two unit, owner-occupied building that would qualify for conversion to condominiums without going through the lottery. Both Mr. Murray and the owner of the 18 Iris unit indicated that they wished to apply to convert the 16-18 Iris Avenue building to condominiums.
7. Mr. Murray also gave me a copy of the 3R Report for 16 Iris and told me that due to the presence of the third unit, the 16-18 Iris Avenue building is considered "nonconforming" with the RH-2 zoning that applies to the property. Ms. Sara Velle of the Planning Department staff also told me that the 16-18 Iris Avenue building is presently "nonconforming" with the RH-2 zoning that applies to the property and that due to the nonconformance, the third unit garden apartment could not presently be expanded into the rear yard because such an expansion would enlarge or intensify the nonconformance.
8. Attached hereto as Exhibit C is a true and correct copy of the Report of Residential Building Record which Mr. Murray gave me at the Pre-Application meeting.
9. Attached hereto as Exhibit D is a true and correct copy of the Certificate of Final

Completion and Occupancy and other documents which I obtained from the Department of Building Inspection.

10. Attached hereto as Exhibit E is a true and correct copy of the August 2, 1973 Electrical Inspection Report which I obtained from the San Francisco Department of Building Inspection.

11. Attached hereto as collective Exhibit F are true and correct copies of the July 27, 2014 Notice of Planning Department Requirements #2 and the June 23, 2014 Notice of Planning Requirements #1 which I received from Planner Sara Vellve.

12. Attached hereto as Exhibit H is the Mayor's December 18, 2013 Executive Directive 13-01 which I downloaded from the website of the Mayor's Office. Attached hereto as Exhibit I is a true and correct copy of the February 3, 2014 Memorandum to Mayor Lee from DBI Director Tom C. Hui and Planning Director John S. Rahaim re Executive Directive 13-01 which I downloaded from the website of the Mayor's Office.

13. Attached hereto as Exhibit J are true and correct excerpts from Zoning Controls on the Removal of Dwelling Units, which I downloaded from the Planning Department's website on or about September 29, 2014.

14. Attached hereto as Exhibit K are true and correct excerpts from the 2009 Housing Element of the San Francisco General Plan containing Policies 3.1 and 2.2.

15. Mr. Murray told me at the Pre-Application meeting that his two sons share one bedroom and that he and his wife utilize the other bedroom. He claimed that expanding the ground-level unit would allow him to "stay longer in the property." One of the sons is in the first grade and the other is in preschool and is approximately four years old, as I have been told by a co-owner of the 16-18 Iris Avenue building. Mr. Murray also told me that he works at Stanford and that he commutes to work by driving down to Palo Alto and then drives home to San Francisco. The first floor flat at 16 Iris Avenue has a large living room of approximately 286 square feet, which the applicant currently uses, a large dining room and two bedrooms. When walking through the neighborhood, I have observed that Mr. and Mrs. Murray currently use the living room on the first floor. During the many years that I have lived in the neighborhood, I have heard from residents that the garden apartments in the neighborhood are relatively affordable and generally rent for less money than the flats above ground.

16. Attached hereto as Exhibit L is a true and correct copy of the August 1, 2014 letter from James & Anna Marie Murray to Sara Vellve of the San Francisco Planning Department which I obtained from the Planning Department file.

17. Attached hereto as Exhibit M are true and correct copies of photographs which I took of the rear of the applicant's property and the four immediately adjacent properties to the

south of the applicant's building.

18. Attached hereto as Exhibit N are true and correct excerpts from the San Francisco Residential Design Guidelines which I downloaded from the Planning Department's website on or about September 29, 2014.

19. Ms. Sara Velle of Planning Department staff told me that the building to the north of the 16 Iris Avenue structure fails to comply with the requirement of the Planning Code that the rear yard must have a depth equal to 25% of the lot and cannot be included in computing the average between the depths of the rear building walls of the adjacent buildings. (See Planning Code sections 134(c) and 136(c)(25)). Ms. Velle's July 27, 2014 Notice of Planning Department Requirements #2 confirms that such one-story addition "does not count as a qualifying wall pursuant to Planning Code Section 134(c)(3), although she erroneously refers as that structure as being to the "south." (Ex. F) That structure is to the north of 16 Iris Avenue.

20. Attached hereto as Exhibit O are true and correct excerpts of the Plans for the proposed alterations for 16 Iris Avenue which I copied from the Planning Department files on the proposed project.

21. Attached hereto as Exhibit P are true and correct excerpts from Zoning Administrator Bulletin No. 5 which I downloaded from the Planning Department's website on or about September 29, 2014.

22. Attached hereto as Exhibit Q is a true and correct copy of General Planning Information Decks which I obtained from the Planning Department.

23. Attached hereto as Exhibit R is a true and correct copy of the Pre-Application notice which I received in the mail relating to 16 Iris Avenue.

24. Sheets A3.2 (9-3-14) and A3.3 (4-15-14) of the plans show that the lower two feet of the three foot six inch high surface on the perimeter of the proposed deck would be solid material. Planner Sara Vellve stated that the plans show that this material would be stucco. (Ex. O)

25. I also told Planner Sara Vellve that the proposed height of the extension exceeded the maximum permitted ten-foot height by one inch because the structure would not be set back "no closer than five feet to any interior side lot line" under Planning Code section 136(25). Ms. Vellve agreed that the proposal was one inch taller than permitted by the Planning Code and stated that she would have the applicant redraw the plans to eliminate the extra one inch in height. I also told her that the solid stucco perimeter on 57% of the proposed Deck failed to comply with the provisions of Planning Code section 136(c)(25)(B), and she said she would have the applicant submit revised plans.

26. On September 29, 2014, I spoke with planner Sara Velve and she stated that the applicant had still not submitted plans showing that the calculation of the averaged set back of adjacent buildings was made from the centerline of the adjacent buildings and that she would have the applicant submit revised plans, as she had requested.

DATED: October 2, 2014


Kathryn Devincenzi

EXHIBIT B

DATE: _____
 SUBJECT: PROPERTY PHOTOGRAPHS

DATE: 03/14/14
 CLIENT REVIEW: 03/14/14
 PLAN COMMENTS: 03/25/14

DATE: 03/14/14
 DRAWN BY: G.B.
 CHECKED BY: ...
 PROJECT: 6-25-14
 SHEET: 04/11



EXISTING INTERIOR IMAGE OF IN-LAW UNIT



EXISTING INTERIOR IMAGE OF IN-LAW UNIT



EXISTING INTERIOR IMAGE OF IN-LAW UNIT



EXISTING REAR YARD PHOTO



EXISTING INTERIOR IMAGE ON IN-LAW UNIT



EXISTING INTERIOR IMAGE OF IN-LAW UNIT



EXISTING SIDE ELEVATION PHOTO

LOCATION OF THE WINDOW TO BE REMOVED AND PLACEMENT OF NEW WINDOW



EXISTING SIDE ELEVATION PHOTO

LOCATION OF THE NEW WINDOW FOR MASTER BEDROOM



EXISTING INTERIOR IMAGE



EXISTING ENTRY INTO IN-LAW UNIT

EXHIBIT C



CITY AND COUNTY OF SAN FRANCISCO
DEPARTMENT OF BUILDING INSPECTION

1660 Mission Street, San Francisco CA 94103

Report of Residential Building Record

(Housing Code Section 351(a))

Residential Requirement Report Division

(415) 558-6081

BEWARE: This report describes the current legal use of this property as compiled from records of City Departments. There has been no physical examination of the property itself. This record contains no history of any plumbing or electrical permits. The report makes no representation that the property is in compliance with the law. Any occupancy or use of the property other than that listed as authorized in this report may be illegal and subject to removal or abatement, and should be reviewed with the Department of Planning and the Department of Building Inspection. Errors or omissions in this report shall not bind or stop the City from enforcing any and all building and zoning codes against the seller, buyer and any subsequent owner. The preparation or delivery of this report shall not impose any liability on the City for any errors or omissions contained in said report, nor shall the City bear any liability not otherwise imposed by law.

Address of Building 1618 IRIS AV

Block 1043

Lot 028

Other Addresses

1. A. Present authorized Occupancy or use: THREE FAMILY DWELLING
- B. Is this building classified as a condominium? Yes No
- C. Does this building contain any Residential Hotel Guest Rooms as defined in Chap. 41, S.F. Admin. Code? Yes No
2. Zoning district in which located: RH-2
3. Building Code Occupancy Classification: R-1
4. Do Department of City Planning Records show an expiration date for any non-conforming use of this property? Yes No
If Yes, what date? The zoning for this property may have changed. Call City Planning, (415) 558-6377, for the current status.
5. Building Construction Date: 1949
6. Original Occupancy or Use: TWO FAMILY DWELLING
7. Construction, conversion or alteration permits issued, if any:

Application #	Permit #	Issue Date	Type of Work Done	Status
107911	99027	08-JUN-48	NEW CONSTRUCTION - CFC 2FD	C
215505	192990	06-OCT-58	TERMITE CONTROL	C
216131	202187	30-JUL-59	TERMITE CONTROL	C
347655	311537	15-SEP-67	ASBESTOS SIDING	C
423808	383364	16-NOV-73	COMPLY WITH DAHI REPORT/ LEGALIZE 3 FAMILY DWELLING - CFC 3FD	C
20000119471	899941	19-JAN-00	INTERIOR REMODEL OF (E) ROOMS AT 2ND FLOOR	X
200008026744	917591	02-AUG-00	RENEW PA#20000119471	C

8. A. Is this property within a project area for which a redevelopment plan has been approved by the Board of Supervisors? Yes No
- B. Is this property within a or does it abut upon the right-of-way of a freeway route which has been adopted by the California State Highway Commission and approved by the Board of Supervisors? Yes No
- C. Does the property abut upon a street to be widened pursuant to action of the Board of Supervisors? Yes No
- D. Is this property a conservation area? Yes No
9. A. Is there an active Franchise Tax Board Referral on file? Yes No
- B. Is this property currently under abatement proceedings for code violations? Yes No
10. Number of structures on property? 1
11. Is Building in Fire Zones? Yes No
12. A. Has energy inspection been completed? Yes No
- B. If yes, has a proof of compliance been issued? Yes No

Patty Herrera, Manager, Public Services Division

Date of Issuance: 23 MAY 2006

Date of Expiration 23 MAY 2007

By: MAY YU

Report No: 200605172161

Amy Lee, Acting Director
Department of Building Inspection

EXHIBIT D

OFFICIAL COPY



FB-501a

CITY AND COUNTY OF SAN FRANCISCO
DEPARTMENT OF PUBLIC WORKS
BUREAU OF BUILDING INSPECTION

Application Number 423 808

CERTIFICATE OF FINAL COMPLETION AND OCCUPANCY

(NOTE: A separate PERMIT OF OCCUPANCY is required for buildings with a class H occupancy)

Location 16-18 Iris Ave
House Number (Street or Avenue)

(Metes & Bounds if Applicable)

Type of Bldg 5 or 3 Story

Occupancy H. occ. 3 units

Description of Construction Comply O P W Reports - 10-12-53-56661

The hereinabove described construction is completed and conforms to Ordinances of the City and County of San Francisco and Laws of the State of California effective as of the date on which the hereinabove mentioned application for building permit was filed and proposed occupancy is approved in pursuance to Sec. 306 C, Article 2, Chapter I, Part II of the San Francisco Municipal Code

NOTE: BEFORE CERTAIN AREAS ARE OCCUPIED AND BEFORE CERTAIN BUSINESSES, ENTERPRISES OR ACTIVITIES ARE CONDUCTED, SEPARATE AND ADDITIONAL LICENSES AND PERMITS MAY BE REQUIRED IN ACCORDANCE WITH PART III OF THE SAN FRANCISCO MUNICIPAL CODE AS WELL AS OTHER APPLICABLE CODES

Approved N F 19
BUREAU OF FIRE PREVENTION & PUBLIC SAFETY

This certificate posted on 5-17- 1974

Approved N F 19
DEPT. OF PUBLIC HEALTH

SUPERINTENDENT, BUREAU OF BUILDING INSPECTION

COMPLIANCE DIVISION

By R Peters
Building Inspector

OFFICIAL COPY



OWNER OR LESSEE **JUN 7 1974** JOB LOCATION **16-18 Iris Ave.** APP. NO **423808**
R.E. Brokers **16-18 Iris Ave.** BLOCK - LOT **Iris** HOUSE NO
~~32 Franklin Paragon Ass.~~ **423 Balboa St.**

ESTIMATED COST \$ **10,300** DATE APPLICATION **6/28/73**
 REC'D **NOV 16 1973** PERMIT NO. **383364** INSPECTOR **PETERS**

ERECT ALTER	BLOG TYPE	OCCUPANCY		PLANS	NUMBER OF	
		CODE	DESCRIPTION		STORIES	FAM
Alt.	SI	H	Appt		3	3

CONTRACTOR **MISS. A H I** ADDRESS **54 - 12**
 ARCHITECT **54 - 12** ADDRESS **54 - 12**
 ENGINEER **54 - 12** ADDRESS **54 - 12**

BUILDING RECORD
 DEPARTMENT OF PUBLIC WORKS
 CITY AND COUNTY OF SAN FRANCISCO

OWNER OR LESSEE **R.E. Brokers** JOB LOCATION **16-18 Iris Ave.** APP. NO **423808**
32 Franklin Paragon Ass. **16-18 Iris Ave.**

OFFICIAL COPY

SAN FRANCISCO

DATE

BUILDING INSPECTORS JOB RECORD

DEPARTMENT OF BUILDING INSPECTION

WORK COMMENCED

1201 8

/ /

FOUNDATION FORMS INSPECTED. O.K. TO POUR

/ /

LATHING PERMISSION TAG POSTED

/ /

FLUES BY _____ NO. _____

/ /

EXTERIOR OR STRUCTURAL PLASTERING OK

/ /

ALL SPECIAL INSPECTION REPORTS RECEIVED.

/ /

FIRE ESCAPE INSTALLED PER APPROVED PLAN.

/ /

/ /

See Affidavit 1953

3/20/54

legitimate part used to be

/ /

found on this family

/ /

Met owner on job

/ /

is in under 2 F + G.R. code

/ /

con. room one. Part (wing)

/ /

S.P. on check OK (elect OK)

/ /

Planned only Kelly

/ /

/ /

/ /

/ /

5/20/54 WORK COMPLETED. FINAL CERTIFICATE POSTED.

[Signature]

BUILDING INSPECTOR

OFFICIAL COPY

SAN FRANCISCO

FOR DEPARTMENTAL USE ONLY

APPROVED FOR ISSUANCE

AUG 14 1973

DEPARTMENT OF BUILDING INSPECTION

APPROVED

Dept. Public Works

NOV 16 1973

Reful Holding

CITY AND COUNTY OF SAN FRANCISCO DEPARTMENT OF PUBLIC WORKS

APPLICATION FOR BUILDING PERMIT ADDITIONS, ALTERATIONS OR REPAIRS

APPLICATION IS HEREBY MADE TO THE DEPARTMENT OF PUBLIC WORKS OF SAN FRANCISCO FOR PERMISSION TO BUILD IN ACCORDANCE WITH THE PLANS AND SPECIFICATIONS SUBMITTED HERETO AND ACCORDING TO THE REGULATION AND FOR THE PURPOSES SET FORTH.

(1) STREET ADDRESS OF JOB: 76-15 IRIS AVE.

(2) ESTIMATED COST OF JOB: \$40.00

DATE FILED: APR 22 1973 FILING FEE RECEIPT NO.: 77334

DESCRIPTION OF EXISTING BUILDING table with columns for type of constr., number of stories, basements, present use, etc.

DESCRIPTION OF BUILDING AFTER PROPOSED ALTERATION table with columns for type of constr., number of stories, basements, proposed use, etc.

Table of questions (10A) through (22) regarding alterations, sidewalks, setbacks, etc.

(23) GENERAL CONTRACTOR ADDRESS CALIF. LICENSE NO.

(24) ARCHITECT OR ENGINEER (FOR DESIGN) ADDRESS CALIF. CERTIFICATE NO.

(25) ARCHITECT OR ENGINEER (FOR CONSTRUCTION) ADDRESS CALIF. CERTIFICATE NO.

(26) CONSTRUCTION LENDER (ENTER NAME AND BRANCH DESIGNATION IF ANY. IF THERE IS NO KNOWN CONSTRUCTION LENDER, ENTER "UNKNOWN") ADDRESS

(27) OWNER - LESSEE (CROSS OUT ONE) ADDRESS PHONE (FOR CONTACT BY BUREAU)

(28) WRITE IN DESCRIPTION OF ALL WORK TO BE PERFORMED UNDER THIS APPLICATION (REFERENCE TO PLANS IS NOT SUFFICIENT):

Legalize Building for 3 Apartments for records only.

IMPORTANT NOTICES

No change shall be made in the character of the occupancy or use without first obtaining a Building Permit... ANY STIPULATION REQUIRED HEREIN OR BY CODE MAY BE APPEALED.

APPLICANT'S CERTIFICATION

I HEREBY CERTIFY AND AGREE THAT IF A PERMIT IS ISSUED FOR THE CONSTRUCTION DESCRIBED IN THIS APPLICATION... SIGNATURE OF OWNER OR AUTHORIZED AGENT

CHECK APPROPRIATE BOX: [] OWNER [X] ARCHITECT [] ENGINEER [] LESSEE [X] AGENT WITH [] CONTRACTOR [] ATTORNEY IN FACT

OFFICIAL COPY

SAN FRANCISCO
DEPARTMENT OF BUILDING INSPECTION

CONDITIONS AND STIPULATIONS

APPROVED: *[Signature]*
 APPLICATION FOR BUILDING PERMIT
 ALTERATIONS OR REPAIRS
*Copy D.P.W. Reports legalize existing
 ground and level on street from looking
 without Yards*
 OFFICE
 8/14/73 *[Signature]*
 BUILDING INSPECTOR, BUR. OF BLDG. INSPECTION

DATE: _____
 REASON: _____
 NOTIFIED MR. _____

APPROVED: *R-3*
 PROJECT IN A CATEGORY C. F. COMM. FOUND
 HAS NO SIGNIFICANT EFFECT ON ENVIRONMENT
3 units per applicant
 DEPARTMENT OF CITY PLANNING
[Signature]

DATE: _____
 REASON: _____
 NOTIFIED MR. _____

APPROVED: _____
 BUREAU OF FIRE PREVENTION & PUBLIC SAFETY

DATE: _____
 REASON: _____
 NOTIFIED MR. _____

APPROVED: _____
 CIVIL ENGINEER, BUR. OF BLDG. INSPECTION

DATE: _____
 REASON: _____
 NOTIFIED MR. _____

APPROVED: _____
 BUREAU OF ENGINEERING

DATE: _____
 REASON: _____
 NOTIFIED MR. _____

APPROVED: _____
 DEPARTMENT OF PUBLIC HEALTH

DATE: _____
 REASON: _____
 NOTIFIED MR. _____

APPROVED: _____
 REDEVELOPMENT AGENCY

DATE: _____
 REASON: _____
 NOTIFIED MR. _____

APPROVED: *7-3-73 R-946*
 Division of Apartment and Hotel Inspection
 Bureau of Building Inspection

DATE: _____
 REASON: _____
 NOTIFIED MR. _____

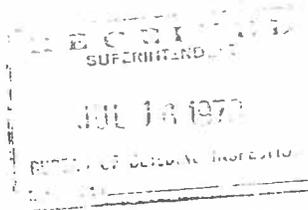
APPROVED: _____

DATE: _____
 REASON: _____
 NOTIFIED MR. _____

I AGREE TO COMPLY WITH ALL CONDITIONS OR STIPULATIONS OF THE VARIOUS BUREAUS OR DEPARTMENTS NOTED ON THIS APPLICATION, AND ATTACHED STATEMENTS OF CONDITIONS OR STIPULATIONS, WHICH ARE HEREBY MADE A PART OF THIS APPLICATION.
 NUMBER OF ATTACHMENTS
[Signature]
 SIGNATURE OF OWNER, LESSEE OR AUTHORIZED AGENT FOR OWNER OR LESSEE

INCL. SECTION -- NOTE DATES AND NAMES OF ALL PERSONS NOTIFIED DURING PROCESSING

OFFICIAL COPY



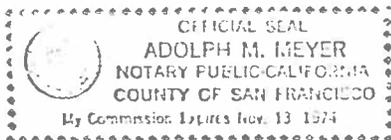
I do hereby declare:

1. That my name is JOHN M FASOLA and that I reside at 35 IRIS AVENUE SAN FRANCISCO, CALIF.
2. That I am not related to the present or former owner of the property here in question and that I have never had any right, title or interest of any kind in that certain property, in the City and County of San Francisco, State of California, which is commonly known and identified as 16-18 IRIS AVE
3. That during all of the time from MAY 1953 through Present I was a (tenant) (neighbor) (other: Neighbor) and resided at 35 IRIS AVENUE during that time I became familiar with the building identified in paragraph (2) above and know that said building contained 3 separate dwelling units, each with its own kitchen, on 3 floors; and that such number of dwelling units on said number of floors existed continuously since (month) MAY (year) 1953.
4. I further declare, under the penalty of perjury, that the foregoing information is true to the best of my knowledge.

Signature John M. Fasola Date 7-12-73

On July 12, 1973, before me, the undersigned
 a Notary Public, in and for the City and County of San Francisco, State of California,
John M. Fasola personally appeared and is
 known to me to be the person whose name is subscribed to the within instrument, and
 acknowledged to me that (he) (she) executed the same.

State of California)
) ss
 City and County of San Francisco)



Adolph M. Meyer
 Notary Public in and for said City
 and County and State

EXHIBIT E



DAVI - BLDG. INSP. - PETERA

Office Hours: 8 to 9:30 AM - 4 to 5 PM

Telephone: 558-4701

SAN FRANCISCO DEPARTMENT OF PUBLIC WORKS
BUREAU OF BUILDING INSPECTION
ELECTRICAL INSPECTION DIVISION

ELECTRICAL INSPECTION REPORT

DATE AUG 2 - 1973

LOCATION 1615 - 1915 St.

Reference: EC - SAN FRANCISCO ELECTRICAL CODE
HC - SAN FRANCISCO HOUSING CODE

Based on the following report it is required that the violations be corrected by a registered electrical contractor, subject to permit and inspection. NO ELECTRICAL WORK OF ANY KIND SHALL BE PERFORMED UNTIL OR UNLESS A BUILDING PERMIT HAS FIRST BEEN ISSUED.

1. Wiring has been installed in hazardous manner. EC Sec. 21, 38, 37d. All unapproved wiring must be removed and original wiring restored to its approved state.
2. Unapproved portable cords are fastened to the building, supplying electricity to lights and/or plugs. EC Sec. 21, 38, 37d. All portable electrical cords and associated plugs, switches, etc. shall be removed.
3. Fuses being used in branch circuits are oversized. EC Sec. 4, 37c. Same.
4. Fuses being used in branch circuits are oversized. EC Sec. 37a, 37b, 37c, 37d. Install "Type S" non-removable fuses of proper size.
5. Lighting fixture(s) is (and (improperly installed) (defective) (missing). EC Sec. 4, 37c. Same shall be (repaired) (replaced) (removed) (or) (and) (replaced) (added).
6. Every room with running water shall have (a) wall switch(es) to control lighting outlets. HC 508.
7. Electrical appliances are plugged into lighting outlets (in) (at) EC Sec. 37a, 37b, 37c. Remove appliances or install approved plug receptacle under permit and inspection by this Division.
8. The main electrical service is (absent) (and) (deteriorated) (and) (inadequate) (and) in a hazardous condition. Install approved, enclosed, "dead front" service wiring and equipment, adequate for the load served under permit and inspection by this Division. EC Sec. 4, 37c. MAIN SERVICE TO BE ALLEGED FOR ADDITIONAL HEAT & COOKING LOAD & MUST BE RELOCATED TO PROVIDE 30" WORKING SPACE
9. Every habitable room shall have at least one (1) electrical plug outlet and every kitchen shall have at least two (2) electrical plug outlets. HC 505. Kitchen plug outlets shall be wired to an approved "utility circuit".
10. (Outlet) (junction box) (panel) cover(s) (is) (are) missing. EC Sec. 35, 37. Install missing cover(s).
11. Provide egress lighting as per Building Inspector's report. PASSAGEWAY LEADING OUT FROM GARDEN APARTMENT
12. Inspection of was not possible at the time of inspection and further investigation may require items requiring maintenance and/or repair. HC 502.

The items of correction listed herein are those which were observed, and does not include similar violations which may be corrected and become evident when work is begun. ALL CIRCUITS TO GARDEN APARTMENT TO BE ON OWN METER & THEREFORE MUST BE CHECKED & SEPARATED TO ELIMINATE CROSS METERING. ALSO CHECKED FOR UTILITY CIRCUIT INTO KITCHEN, MINIMUM TWO RECEPTACLES. HEATING INSTALLED TO BE AT TEN WATTS PER SQUARE FOOT & CIRCUIT FOR ELECTRIC RANGE

Bahr
Electrical Inspector

EXHIBIT F



SAN FRANCISCO PLANNING DEPARTMENT

Notice of Planning Department Requirements #2

July 27, 2014

Yakuh Askew
Y.A. Studio
777 Florida Street, Suite 306
San Francisco, CA 94110

RE: 16 Iris Avenue (Address of Permit Work)
1043/028 (Assessor's Block/Lot)
2014.04.16.3387 (Building Permit Application Number)
2014.0544D (Case No.)

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

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

Your project has been received by the Planning Department and has been assigned to Sara Vellve who has begun review of your application. The following information is required before the applications are accepted as complete and/or is considered Code-complying. Time limits for review of your project will not commence until we receive the requested information or materials and verify their accuracy.

In order to proceed with our review of your Building Permit Application, the following is required:

1. **Unit Count** – as the building contains three legal units please work with the Department of Building Inspection to update the unit count on the building permit application. Should the dwelling unit merger be approved the permit will not be signed until this is resolved.
2. **Dwelling Unit Merger Application** – the photos provided appear to indicate that the unit to be merged is occupied by someone other than the property owner. Please indicate how long the current tenant has occupied the unit. Please contact the planner to discuss this comment. The unit to be merged is subject to the rent control ordinance. It is likely that section #6 of the Dwelling Unit Removal Application and section #3 of the Supplemental Information will require updating.
3. **Plans** – the one-story addition on the structure to the south does not count as a qualifying wall pursuant to Planning Code Section 134(c)(3). The average is calculated by measuring the depth of each adjacent building at the building centerline from the front property line to the rear qualifying wall. Please recalculate the average setback. Only those pages showing revisions need to be submitted.

Please note that further comment may follow review of the requested information.

Please provide the requested information within thirty (30) days. The application will be sent back to the Department of Building Inspection for cancellation if we do not receive the requested information in this time. Please contact the assigned planner if you need more time to prepare the requested information.

All plans submitted must be to an appropriate scale: site plan 1/8" = 1'; floor plans 1/4" = 1'.

www.sfplanning.org

NOPDR #1 sent to:
Yakuh Askew
Y.A. Studio
777 Florida Street, Suite 306
San Francisco, CA 94110

June 23, 2014
2014.04.16.3387
2014.0544D

Plans should be clearly labeled.

All plan revisions must be filed at the Department of Building Inspection, Permit Processing Center, 1660 Mission Street, 2nd Floor. Do not submit plans directly to the Planning Department. Plans will not be accepted by mail or messenger, and all plans must be signed by preparer, architect or engineer.

Please respond fully with all requested information and/or plan revisions as described above. You may file any plan revisions responding to this notice at no extra charge. However, please be advised that failure to address all the items listed above, leading to additional requests for revisions beyond those filed in response to this notice, will require a Back-Check Fee for Permit Revisions (\$238 per hour, Planning Code Sections 355(a)2). If you file additional plan revisions in the future, those plan revisions will be subject to the Back-Check Fee.

Planning Department Applications and Publications are available at the Planning Information Center, 1660 Mission Street, 1st floor or via the Department website: www.sfplanning.org.

Please direct any questions concerning this notice to the assigned planner, **Sara Vellve at (415) 558 - 6263 or sara.vellve@sfgov.org**. Contact the assigned planner to set up any meeting, should one be necessary. Please do not come to the Planning Department to discuss this notice without an appointment.

Thank you for your attention to this notice. An early and complete response on your part will help expedite our review of your permit application.



SAN FRANCISCO PLANNING DEPARTMENT

Notice of Planning Department Requirements #1

June 23, 2014

Yakuh Askew
Y.A. Studio
777 Florida Street, Suite 306
San Francisco, CA 94110

RE: 16 Iris Avenue (Address of Permit Work)
1043/028 (Assessor's Block/Lot)
2014.04.16.3387 (Building Permit Application Number)
2014.0544D (Case No.)

1650 Mission St.
Suite 400
San Francisco,
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Reception:
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Planning
Information:
415.558.6377

Your project has been received by the Planning Department and has been assigned to Sara Velve who has begun review of your application. The following information is required before the applications are accepted as complete and/or is considered Code-complying. Time limits for review of your project will not commence until we receive the requested information or materials and verify their accuracy.

In order to proceed with our review of your Building Permit Application, the following is required:

1. **Unit Count** – if available, please provide a current 3R report. Please contact the planner to discuss the unit count as noted on the building permit application.
2. **Dwelling Unit Merger** – please indicate how the unit to be merged became vacant, and for how long it has been vacant. Also, it is the departments understanding that the unit is subject to rent control as the building was constructed prior to 1979.
3. **Photos** - provide photos of the unit to be merged and the areas of the window alterations.
4. **Plans** - include the average rear setback on the site plan representing the average depth of each adjacent structure from its front property line to the rear qualifying wall. Adjust the reported dimensions as necessary.

Please note that further comment may follow review of the requested information.

Please provide the requested information within thirty (30) days. The application will be sent back to the Department of Building Inspection for cancellation if we do not receive the requested information in this time. Please contact the assigned planner if you need more time to prepare the requested information.

All plans submitted must be to an appropriate scale: site plan 1/8" = 1'; floor plans 1/4" = 1'.
Plans should be clearly labeled.

NOPDR #1 sent to:
Yakuh Askew
Y.A. Studio
777 Florida Street, Suite 306
San Francisco, CA 94110

June 23, 2014
2014.04.16.3387
2014.0544D

All plan revisions must be filed at the Department of Building Inspection, Permit Processing Center, 1660 Mission Street, 2nd Floor. Do not submit plans directly to the Planning Department. Plans will not be accepted by mail or messenger, and all plans must be signed by preparer, architect or engineer.

Please respond fully with all requested information and/or plan revisions as described above. You may file any plan revisions responding to this notice at no extra charge. However, please be advised that failure to address all the items listed above, leading to additional requests for revisions beyond those filed in response to this notice, will require a Back-Check Fee for Permit Revisions (\$238 per hour, Planning Code Sections 355(a)2). If you file additional plan revisions in the future, those plan revisions will be subject to the Back-Check Fee.

Planning Department Applications and Publications are available at the Planning Information Center, 1660 Mission Street, 1st floor or via the Department website: www.sfplanning.org.

Please direct any questions concerning this notice to the assigned planner, **Sara Vellve** at (415) 558 - 6263 or sara.vellve@sfgov.org. Contact the assigned planner to set up any meeting, should one be necessary. Please do not come to the Planning Department to discuss this notice without an appointment.

Thank you for your attention to this notice. An early and complete response on your part will help expedite our review of your permit application.

EXHIBIT H



Executive Directive 13-01
Housing Production & Preservation of Rental Stock
December 18, 2013

Through this Executive Directive, I hereby direct all municipal departments that have the legal authority over the permitting or mapping of new or existing housing to prioritize in their administrative work plans the construction and development of all net new housing, including permanently affordable housing.

The directive should be understood to prioritize 100% permanently affordable developments and moderate-income residential developments based on the proportion of permanently affordable units produced onsite or offsite through the city's inclusionary housing program as set forth in Section 415 of the San Francisco Planning Code. The Departments shall follow existing requirements in establishing such priorities.

I also request that Department Heads form a Working Group, with three primary tasks:

- (1) making recommendations to the Mayor for City policies and administrative actions that could be implemented to preserve and promote rental housing in San Francisco;
- (2) implementing a process to have the Planning Commission consider Discretionary Review hearings when a loss of housing is proposed; and
- (3) serving as an advisory body to municipal departments with permitting authority and as a clearinghouse for code compliance checks for buildings that are being withdrawn from the rental market under Residential Rent Stabilization and Arbitration Ordinance sections 37.9(a)(8), 37.9(a)(9), 37.9(a)(10) and 37.9(a)(13), or a Notice of Intent to Withdraw units from the residential market under Section 37.9(a).

The membership of the Working Group shall be:

- Director, Department of Building Inspection
- Director, Planning Department
- Chief, Fire Department
- Director, Rent Board
- Director, Mayor's Office of Housing

As needed:

- Representative from the Department of Public Works
- Representative from the Office of Community Investment & Infrastructure
- Representative from the San Francisco Public Utilities Commission
- Representative from City Attorney's Office
- Representative of Property Owner Organization
- Representative of Tenant Organization
- Representative of a Non-Profit Housing Organization
- Representative of Other Housing Organization

Task (1): Recommendations to the Mayor

I task department heads to prioritize any administrative policies that lead to direct building of more affordable housing or that provide the proper market incentives to foster private development of rental units, including infill housing or small-scale residential with affordable units. Equally important is the preservation of the existing stock. As such, I request that the Department Heads listed above convene and gather any feedback, materials, or research they need to make recommendations to me about potential legislative or citywide strategies to preserve rental units in San Francisco. These recommendations can be forwarded on a rolling basis as ideas arise, and do not need to be formally adopted by the working group.

Task (2): Discretionary Review for Loss of Housing Units

Any DBI permit form for a building larger than two units must include a box about whether said permit will result in the removal or loss of a rental housing unit, the removal or loss of a unit that is currently being used for housing, or results in the displacement of any tenant from their home. If this box is checked "yes," the permit would not be approved over the counter but would instead be referred to the Planning Commission for a hearing under existing Discretionary Review regulations. DBI staff would request all relevant information from the applicant, so it can be forwarded to Planning staff. The Planning Commission could then consider the reasons for the reduction in housing units, with special attention paid to preserving existing rental stock. . This section would not apply to any already approved development agreements and/or current or future planned HOPE SF developments.

Task (3): Planning and Building Approvals & Notification

When a building owner files with the Rent Board a Notice of Termination of Tenancy under Rent Ordinance Sections 37.9(a)(8), 37.9(a)(9), 37.9(a)(10) and 37.9(a)(13), or a Notice of Intent to Withdraw units from the residential market under Section 37.9A, the Rent Board shall refer the notice to the Planning Department and to the Department of Building Inspection so that each agency can perform a site visit and research to verify that there are no Code violations, including life-safety and fire code violations. Any violations shall require compliance with all applicable Code requirements and identify any conflicts with Planning Department or DBI policies regarding preservation of affordable housing. Conflicts with city policies shall be forwarded to the Working Group to determine if that the establishment of new discretionary determinations would preserve or enhance the supply of affordable housing.

The Planning Department shall additionally notify the building owner in writing of any future restrictions or prohibitions on demolition, conversion, or mergers of units due to no-fault evictions performed under the above mentioned Rent Ordinance code sections. The building owner filing the notice of intent to withdraw units shall pay time and materials for all inspections, staff work and public hearings as described above as permitted under existing laws.

Department Heads may designate staff members to serve in their place. All relevant Department Directors should provide a plan to me by February 1st on how their departments plan to operationalize this directive, including recommending any specific administrative changes that are discussed under Task (1) above.

This Executive Directive will take effect immediately and will remain in place until rescinded by future written communication. This Executive Directive cannot override any relevant code sections including those governing no-fault evictions and does not invalidate any legal rights of property owners or tenants, or impair any existing contracts.

A handwritten signature in cursive script, appearing to read "Edwin M. Lee".

Edwin M. Lee
Mayor, City & County of San Francisco

EXHIBIT I



SAN FRANCISCO
PLANNING DEPARTMENT



DATE: February 3, 2014
TO: Honorable Mayor Edwin M. Lee
FROM: DBI Director Tom C. Hui and Planning Director John S. Rahaim
RE: Executive Directive 13-01

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

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

This memorandum responds to your Executive Directive 13-01: Housing Production and Preservation of Rental Stock. In that Directive, you charged the Directors of the Planning Department and Department of Building Inspection (DBI) to form a working group and to implement three primary tasks: 1) recommend City policies and administrative actions to preserve and promote rental housing in San Francisco; 2) implement a process for Planning Commission Discretionary Review hearings when a loss of housing is proposed; and 3) serve as an advisory body to municipal departments with permitting authority and as a clearinghouse for code compliance checks for buildings that are being withdrawn from the rental market (collectively, the "Executive Directive Tasks" or "Tasks").

To this end, we co-chaired a working group including representatives from the Mayor's Office, Planning Department, DBI, Mayor's Office of Housing, Rent Board, Fire Department, SFPDW, SFPUC, MoD, OCII, City Attorney's Office, Planning Commission, and Building Inspection Commission, as well as representatives from non-City agencies, such as SPUR, Council of Community Housing Organizations, SF Apartment Association, Small Property Owners, and the Housing Rights Committee. The Working Group met three times in public meetings during January, 2014. This document memorializes the Working Group's recommendations.

The Working Group organized the recommendations under each of the three Executive Directive tasks, with a specific focus on short-term tasks that the Departments can implement without legislation or further extensive study. We are committed to implement immediately the responses under each Task. These responses include:

Tasks 1 and 2: Thirteen short-term, administrative changes that will speed review and approval of new housing permits; retain existing, habitable units; and encourage private parties to build more housing, consistent with our General Plan.

Task 3: Two short-term measures will ensure that the Rent Board will be able to inform tenants about their rights to habitable units and that the City routinely checks on and enforces existing compliance as units transition under Rent Ordinance Sections 37.9(a)(8-10, 13).

We understand that in February you will convene a Task Force consisting of housing experts, City departments, tenant and housing advocates, realtors and property owners to work with you and the Board of Supervisors on housing issues. The goal of this group will be to set the stage for 30,000 new and rehabilitated homes by 2020 and to implement the seven pillars of your housing plan. We have

Executive Directive 13-01 Recommendations

additional mid-term and long-term ideas that may either require community vetting and/or legislation to realize. We believe this Task Force would be the appropriate ad hoc body to vet the Working Group's ideas for mid-term and long-term strategies to produce and preserve housing that are not included in this document. We are pleased to offer these ideas to your Task Force, and to present them in more detail at the appropriate time.

Task 1: Recommendations to the Mayor.

Prior to a final decision on implementing any of the measures listed below, to the degree that is required, appropriate environmental review as required by CEQA would be undertaken.

There are general process-improvement changes Planning and DBI could make to facilitate the production of affordable units and the retention of existing units. These changes include the following:

1. **Priority Processing.** Revise the Planning Director's Bulletin Number Two to prioritize 100% affordable housing projects, followed by projects with at least 20% on-site or 30% off-site affordable housing, as the Planning Department's highest priority. Market-rate housing projects will be prioritized based on how the Project intends to satisfy its inclusionary affordable housing obligation. Priority will be based on the project's proportion of affordable units produced – either on-site or off-site. The Planning Department will revise the *Affidavit for Compliance with the Inclusionary Affordable Housing Program* to indicate that if an affordable housing project is seeking priority processing, the *Affidavit for Compliance* must be completed and submitted in conjunction with the filing of the Environmental Evaluation Application, entitlement, or Building Permit Application (whichever is filed first).

Also, revise administrative polices for priority project review currently contained in DBI's Administrative Bulletin, AB-004, Priority Permit Processing Guidelines, in a similar fashion. Assist other City agencies in preparing administrative policies that prioritize affordable housing, if no such policies currently exist.

2. **Ombudsman for HOPE SF and Affordable Housing Projects.** Assign one primary staff person each in Planning and DBI to facilitate the entitlement and plan-check process for HOPE SF and affordable housing projects.
3. **Affordable Housing Policies and Procedures.** Establish inter-agency MOU's relating to the review and approval process for affordable housing projects, including internal agency policies and procedures to implement the goals and objectives of Mayor's ED 13-01.
4. **Encourage density.** Ask the Planning Commission to adopt a policy that encourages developers to maximize their permitted density when constructing major alterations or new construction projects.
5. **Training/Public Information.** Create informational bulletins and/or training sessions relating to the City's permitting process for housing projects.
6. **Justify Removal of Illegal Units.** If a property owner seeks to remove an illegal dwelling unit, require the submittal of findings that outline why they are removing, rather than legalizing, the dwelling-unit. These findings would be considered by the Planning Commission at a Mandatory Discretionary Review Hearing (see Task 2).

Executive Directive 13-01 Recommendations

7. **Housing Element EIR.** Prioritize and support the Housing Element EIR so that the Planning Department can rely on it for housing initiatives.
8. **Concurrent Review.** Ensure that City agencies (Planning, DPW, MoD, DBI, Fire) review applications simultaneously for housing projects, when appropriate. For 100% affordable housing projects, and projects with at least 20% on-site or 30% off-site affordable housing, require pre-application meetings with all relevant City agencies before permits are filed, and establish a requirement for concurrent review for all reviewing agencies. Concurrent review should occur when projects are well-defined and unlikely to substantially change in such a way that would compromise the efficiencies gained by concurrent review. The Departments may consider offering a fee waiver for pre-applications meetings for 100% affordable housing projects if approved by the Board of Supervisors.
9. **Improve Tracking and Transparency of 100% Affordable Projects:** Implement a system to identify pipeline projects that are 100% affordable and implement a publically-accessible tracking system with an up-to-date status of all such projects. When housing projects are approved, an on-line tracking system should indicate the number of affordable units and market rate units approved for construction, and confirm when CFCs/TCOs have been issued.
10. **Agency Coordination on Affordable Housing Projects.** Interagency coordination – including coordination of design review – is of paramount importance for affordable housing projects. Key projects such as Mother Brown’s Emergency Shelter require efficient, timely cooperation from not only the permitting agencies but also asset-holding agencies such as the School District and the Human Services Agency. Those responding to agency comments and corrections also must act within agency-set response timelines/deadlines.
11. **Expedite Hiring of City Staff who Review Housing Permits.** The City’s hiring process is lengthy. Permitting agencies can commit to quick filling of positions but need the assistance of other agencies such as the Department of Human Resources to hire in an efficient manner.
12. **Accountability.** Create performance standards for recommendations that will be implemented as a result of this Executive Directive.

Task 2: Discretionary Review for Loss of Housing Units.

The Working Group has identified two implementation measures for Task 2.

1. **DBI Housing Checklist.** DBI will create a new housing checklist for building permit applications connected to buildings larger than two units. Should any of the following occur in the building, the permit may not be approved over-the-counter and shall instead be referred to the Planning Department to be processed as a Mandatory Discretionary Review:
 - a. The work will result in the removal or loss of a housing unit, legal or otherwise.
 - b. The work will result in the permanent displacement of any tenant from their housing unit, legal or otherwise.
2. **Mandatory Discretionary Review for the loss of Dwelling Units.** For properties with more than two dwelling units, the Planning Department will initiate Discretionary Review for the loss of any dwelling units, legal or otherwise. For building permits to remove an unpermitted unit where there is a feasible path to legalize the unit, the Department will recommend that

Executive Directive 13-01 Recommendations

the current housing affordability crises creates an “exceptional and extraordinary” circumstance such that the Commission should deny the permit and preserve the unit. For building permits where there is no feasible path to legalize the unit, the Department will place the Discretionary Review on the consent calendar with a recommendation to approve the permit. The Planning Department will work with DBI and with the City Attorney’s Office (and other relevant agencies, including the Fire Department) to ensure this policy addresses possible life-safety issues on the properties.

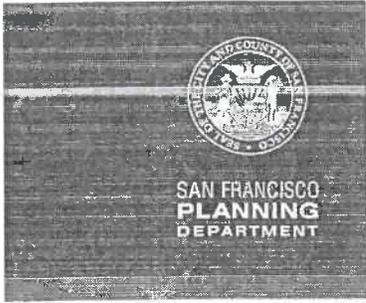
Task 3: Planning and Building Approvals & Notification.

The Working Group has identified two implementation measures for Task 3.

1. The Department of Building Inspection and Planning Department will review the Notices received from the Rent Board under Task 3 and identify any properties subject to existing administrative code enforcement actions by either Department. The Departments will update the records on those existing violations and, where appropriate, initiate interdepartmental inspections in order to cure the violations.
2. The Rent Board will include information on applicable City Codes designed to ensure the habitability of residential units and each Departments' code enforcement process in the tenant information packet currently provided to tenants affected by a Notice of Intent to Withdraw units from the residential market under Rent Ordinance Section 37.9A.

We look forward to continue to work with you on ways to encourage the production of housing in the City, especially low and moderate income housing. We are available to discuss our proposal with you in detail and look forward to implementing these concepts as quickly as possible.

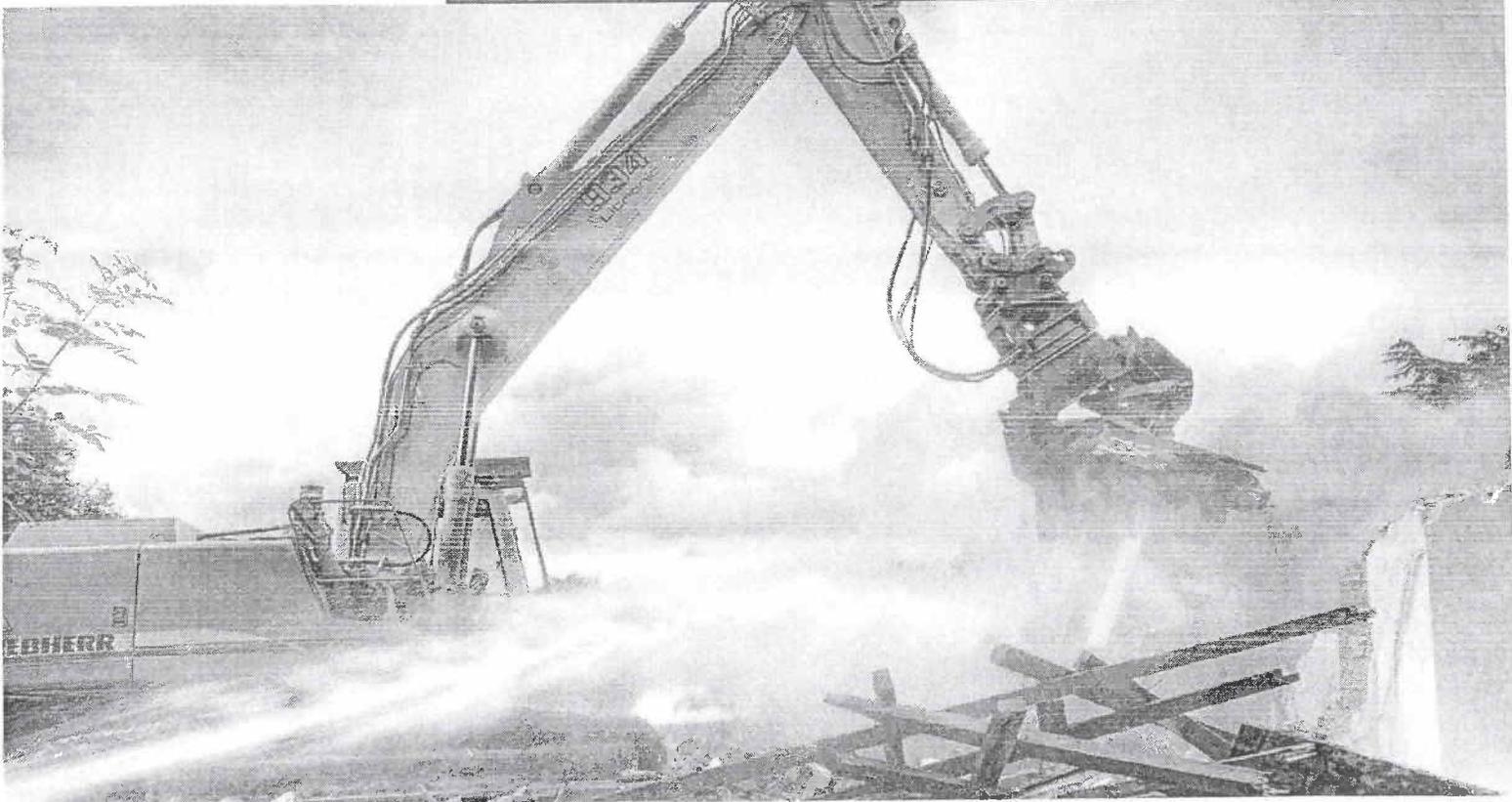
EXHIBIT J



Zoning Controls on the Removal of Dwelling Units

A SAN FRANCISCO PLANNING CODE
IMPLEMENTATION DOCUMENT

SAN FRANCISCO PLANNING DEPARTMENT | UPDATED FEBRUARY 2014



Part I. Policies & Objectives

The City and County of San Francisco is experiencing a crisis in its ability to house its citizens, particularly those of low-income households. San Francisco's well-being and vitality depend on the City having a range of housing types and prices for all its inhabitants.

The Master Plan for the City and County of San Francisco is called The General Plan, and it guides all improvement and development. Its Elements, Objectives, and Policies contain goals that can compete for priority. As a means to resolve this, Section 101.1(b) of The Planning Code establishes eight Priority Policies. Before issuing permits for demolition or change of use, the City must find that the proposal is consistent with the General Plan and the Priority Policies. Those relating to the loss of residential units and replacement construction are:

PRIORITY POLICY 2

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

PRIORITY POLICY 3

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

The General Plan is the foundation for Planning Code requirements that protect and conserve existing housing and neighborhood character. It recognizes that sound, existing housing is our most financially accessible for ownership and our greatest pool of rental housing. Mandated hearings increase the scrutiny of applications that would demolish, convert, or merge residential units. The Housing Element of the General Plan contains Objectives and Policies that affect the loss and replacement of residential units. Please review the Housing Element of the San Francisco General Plan for more detail.

PART 6: Dwelling Unit Mergers

Because housing in San Francisco is a valuable resource that requires protection and the Planning Commission supports the conservation of existing housing, and, although certain special circumstances may arise in which the removal of a dwelling unit may be necessary to further the Objectives and Policies of the General Plan, the Commission maintains a strong objective to minimize the loss of relatively affordable market rate housing.

Mergers occur when two or more legal Residential Units are combined, resulting in a decrease in the number of Residential Units within a building, or the enlargement of one or more existing units while substantially reducing the size of others by more than 25% of their original floor area, even if the number of units is not reduced.

As with demolitions, the merger of Residential Units not otherwise subject to Conditional Use Authorization by the Planning Code must be approved by the Planning Commission at a Mandatory Discretionary Review hearing, or, if the project qualifies for administrative approval, the Planning Department may approve the application.

Certain Residential Units proposed for Merger that exceed the adopted threshold of affordability (financially accessibility) are exempt from Mandatory Discretionary Review hearings, if the hearing is required only on the basis of the merger request.

Merger applications for which the least expensive unit proposed for merger has a value greater than at least 80% of the combined land and structure values of single-family homes in San Francisco, as determined by a credible appraisal, made within six months of the application to merge, may be exempt from a Mandatory Discretionary Review hearing.

Please see the Department's website under Publications for Dwelling Unit Removal: Current Numerical Values - Implementation of the Controls on the Loss of Residential Units.

The Planning Commission, at a Mandatory Discretionary Review hearing, shall apply the criteria listed below when deciding whether to approve the building permit application proposing a Dwelling Unit Merger:

- (i) whether removal of the unit(s) would eliminate only owner occupied housing, and if so, for how long the unit(s) proposed to be removed have been owner occupied;
- (ii) whether removal of the unit(s) and the merger with another is intended for owner occupancy;
- (iii) whether removal of the unit(s) will remove an affordable housing unit as defined in Planning Code Section 415 or housing subject to the Rent Stabilization and Arbitration Ordinance;
- (iv) whether removal of the unit(s) will bring the building closer into conformance with prescribed zoning;
- (v) if removal of the unit(s) removes an affordable housing unit as defined in Planning Code Section 401, or units subject to the Rent Stabilization and Arbitration Ordinance, whether replacement housing will be provided which is equal or greater in size, number of bedrooms, affordability, and suitability to households with children to the units being removed;
- (vi) whether the number of bedrooms provided in the merged unit will be equal to or greater than the number of bedrooms in the separate units;
- (vii) whether removal of the unit(s) is necessary to correct design or functional deficiencies that cannot be corrected through interior alterations.

NOTES AND CLARIFICATIONS:

1. **The Planning Commission has a long-standing policy of treating as mergers any applications that connect (via a door or other communicating opening) two or more existing units, even if all kitchens are retained in each unit, and construction of the opening would be reversible.**
2. **Criterion (vii) would be satisfied only under exceptional circumstances arising from the necessity to remove a unit to relieve significant design deficiencies that compromise its livability and would correct situations that create uninhabitable spaces.**

EXHIBIT K

The City should prioritize public resources to address the most imminent risks: 1) structures at high risk of collapse and therefore pose the highest public safety risk, such as soft-story buildings; 2) structures that house low income or vulnerable populations; and 3) structures that are vulnerable due to construction type. DBI should focus seismic upgrade programs towards vulnerable geographics and soils types (as identified by CAPPs), populations (areas with low median incomes or high population of seniors) and building types (older, rent-controlled and soft story).

The City should also continue to educate and assist property owners in their efforts to make seismic safety improvements. Currently property owners can find information on DBI's earthquake preparedness website, attend lunchtime talks, or reference the Seismic Safety FAQ for building owners sheet.

OBJECTIVE 3

PROTECT THE AFFORDABILITY OF THE EXISTING HOUSING STOCK, ESPECIALLY RENTAL UNITS.

San Francisco is a city of renters – which enables incredible diversity of age, income, and household type. Students, young professionals, artists, new families, low income households, and many others rely on the availability of rental housing to live in San Francisco. The City's market-rate rental units generally provide moderately priced housing options, while rent controlled units and permanently affordable rental units meet needs at lower income levels. Thus the availability of sound and affordable rental housing is of major importance to meet the City's housing needs.

Regulations protecting the affordability of the existing housing stock have traditionally focused on rental housing, such as rent control and its associated tenants rights laws, and condominium conversion limits. Both rent control and condominium conversion limits evoke an impassioned public discussion around housing rights, private property rights, and quality of life in San Francisco, and property owners continue to emphasize the negative effects of rent control policies on the supply of housing. This discussion warrants continued public engagement in the ongoing effort to provide a balance of housing opportunities to support San Francisco's diverse population.

POLICY 3.1

Preserve rental units, especially rent controlled units, to meet the City's affordable housing needs.

Sixty-two percent of San Francisco's residents are renters. In the interest of the long term health and diversity of the housing stock the City should work to preserve this approximate ratio of rental units. The City should pay particular attention to rent control units which contribute to the long term existence and affordability of the City's rental housing stock without requiring public subsidy, by continuing their protection and supporting tenant's rights laws. Efforts to preserve rental units from physical deterioration include programs that support landlord's efforts to maintain rental housing such as: maintenance assistance programs, programs to support and enhance property management capacity, especially for larger companies, and programs to provide financial advice to landlords.

POLICY 3.2

Promote voluntary housing acquisition and rehabilitation to protect affordability for existing occupants.

As the majority of San Francisco's housing units are over 60 years old, maintenance issues, particularly in rental properties, often impact the overall livability of some housing. The level of investment required for significant maintenance can jeopardize the affordability of the unit, putting low income tenants at risk. To balance the need for affordable, yet safe, housing, affordable housing funds should be invested into rehabilitation of existing stock. As a cost effective way for the City to secure permanently affordable housing, this strategy must occur with full participation of the property owner, and must not result in displacement of existing tenants.

POLICY 3.3

Maintain balance in affordability of existing housing stock by supporting affordable moderate ownership opportunities.

The intent of maintaining a balance of housing opportunities is to maintain housing for a diversity of household types and income categories.

Issue 2: Conserve and Improve Existing Stock

OBJECTIVE 2

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

The majority of San Francisco's housing stock is over 60 years old – it is an important cultural and housing asset that the City must protect for future generations. Nearly all of San Francisco households will make their home in existing housing – RHNA goals for new housing represent less than one percent of the existing housing stock. Therefore, conserving and improving the existing stock is critical to San Francisco's long term housing strategy. Retaining existing housing reduces the needs for resources to build new housing. Policies and programs under this objective facilitate conservation and improvement of the variety of unit types physical conditions.

Housing maintenance includes routine maintenance, major repair projects, and preventive care – especially seismic work. The health of the existing housing stock requires that all types of maintenance be pursued to the extent possible, while not overburdening low-income groups. The seismic sustainability of the existing stock is of particular local concern.

POLICY 2.1

Discourage the demolition of sound existing housing, unless the demolition results in a net increase in affordable housing.

Demolition of existing housing often results in the loss of lower-cost rental housing units. Even if the existing housing is replaced, the new units are generally more costly. Demolition can result in displacement of residents, causing

personal hardship and need to relocate. Older housing stock should only be considered for demolition and replacement when the resulting project results in a significant increase in unit affordability.

There are environmental and natural resources considerations when demolishing housing stock that is physically sound. Therefore, a determination of 'sound housing' should be based on physical condition, not economic value. San Francisco's Planning Code and Planning Commission guidelines require public hearing and deliberation for demolition of units, discourage the demolition of sound housing stock, especially historically significant structures, and require that replacement projects be entitled before demolition permits are issued. The City should continue these policies.

POLICY 2.2

Retain existing housing by controlling the merger of residential units, except where a merger clearly creates new family housing.

San Francisco is vulnerable to both subdivisions and unit mergers in response to short term market trends. The City must protect the existing units and their relative affordability while recognizing the need for some flexibility to support family housing. Merging of two units, especially small units, can allow a family to grow without leaving their community. Yet mergers also result in a net loss of housing units in the City, where the resulting unit is often less affordable, thus amplifying both problems of housing supply and affordability. All proposals to merge units should be carefully considered within the local context and housing trends to assure that the resulting unit responds to identified housing needs, rather than creating fewer, larger and more expensive units.

EXHIBIT L

August 1, 2014

Sara Vellve
San Francisco Planning Department
1650 Mission Street, Suite 400
San Francisco, CA 94103-2479

Dear Sara Vellve:

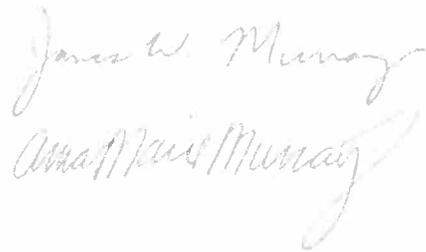
This letter is to confirm that the lower "in-law" unit in our home, 16 Iris Avenue, has not been used as a rental property during our ownership of the property. All three units in our building are, and will continue to be, owner occupied.

Over the years, and currently, this unit is used as our informal home office, the children's' playroom and occasional guest room. Since we have family located out of town we have used this space as a guest room for our parents when visiting.

The merging of our two units with an interior staircase will allow for better use and access to the downstairs space. The merger will allow our family of four to better utilize the space and more comfortably live in our current home.

Thank you and please let us know if you have any additional questions.

Sincerely,

The image shows two handwritten signatures in cursive. The top signature is "James W. Murray" and the bottom signature is "Anna Marie Murray".

James & Anna Marie Murray
16 Iris Avenue
San Francisco, CA 94118

Cc: Yakuh Askew, YA Studio

EXHIBIT M









EXHIBIT N



Although features such as bays and chimneys project into the side yards, the overall side yard pattern is consistent, creating a defining characteristic of the block face.

REAR YARD

GUIDELINE: Articulate the building to minimize impacts on light and privacy to adjacent properties.

Rear yards are the open areas of land between the back of the building and the rear property line. When expanding a building into the rear yard, the impact of that expansion on light and privacy for abutting structures must be considered. This can be challenging given San Francisco's dense pattern of development, however, modifications to the building's design can help reduce these impacts and make a building compatible with the surrounding context.

Light

In areas with a dense building pattern, some reduction of light to neighboring buildings can be expected with a building expansion. However, there may be situations where a proposed project will have a greater impact on neighboring buildings. In these situations, the following design modifications can minimize impacts on light; other modifications may also be appropriate depending on the circumstances of a particular project:

- Provide setbacks on the upper floors of the building.
- Include a sloped roof form in the design.
- Provide shared light wells to provide more light to both properties.
- Incorporate open railings on decks and stairs.
- Eliminate the need for parapet walls by using a fire-rated roof.

Planning Code Section 101 states that one of the purposes of the Planning Code is to provide adequate light, air, privacy and convenience of access to property in San Francisco.

In modifying the height and depth of the building, consider the following measures; other measures may also be appropriate depending on the circumstances of a particular project:

- Set back the upper story. The recommended setback for additions is 15 feet from the front building wall.
- Eliminate the building parapet by using a fire-rated roof with a 6-inch curb.
- Provide a sloping roofline whenever appropriate.
- Eliminate the upper story.

On this block face of two-story buildings, it is possible to preserve the building scale at the street by setting back the third floor. However, an additional setback for a proposed fourth floor is not sufficient. The fourth floor must be eliminated to respect the neighborhood scale.



The three-story scale of the block face is maintained by setting the fourth floor back so it is subordinate to the primary facade.

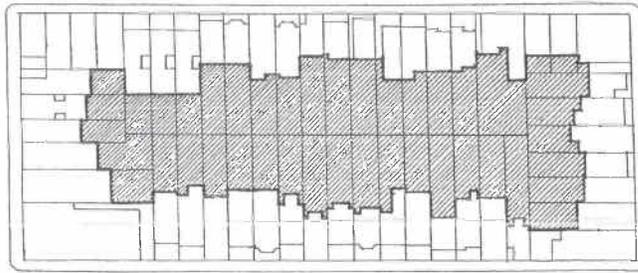


Building Scale at the Mid-Block Open Space

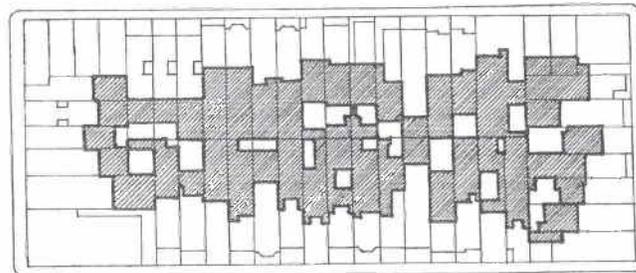
GUIDELINE: Design the height and depth of the building to be compatible with the existing building scale at the mid-block open space.

Rear yards provide open space for the residences to which they are attached, and they collectively contribute to the mid-block open space that is visible to most residents of the block. This visual open space can be a significant community amenity.

Block with a strong mid-block open space pattern.



Block with an irregular mid-block open space pattern. The rear yards of many of the parcels are developed with structures.



The height and depth of a building expansion into the rear yard can impact the mid-block open space. Even when permitted by the Planning Code, building expansions into the rear yard may not be appropriate if they are uncharacteristically deep or tall, depending on the context of the other buildings that define the mid-block open space. An out-of-scale rear yard addition can leave surrounding residents feeling “boxed-in” and cut-off from the mid-block open space.

The following design modifications may reduce the impacts of rear yard expansions; other modifications may also be appropriate depending on the circumstances of a particular project:

- Set back upper floors to provide larger rear yard setbacks.
- Notch the building at the rear or provide setbacks from side property lines.
- Reduce the footprint of the proposed building or addition.

Planning Code Section 134 establishes minimum depths for required rear yards in all residential districts. Planning Code Section 136 summarizes permitted rear yard projections.

BUILDING FORM

GUIDELINE: Design the building's form to be compatible with that of surrounding buildings.

Building form is the three-dimensional shape of the building. The elements of building form include the width and proportions of the facade and the shape of the roofline. Though the Planning Code establishes the maximum building envelope by dictating setbacks and heights, the building must also be compatible with the form of surrounding buildings.

Facade Width

GUIDELINE: Design the building's facade width to be compatible with those found on surrounding buildings.

Most building widths are related to the lot width, typically 25 feet. This uniform building width contributes to the overall character of the neighborhood and the scale of buildings within the area. Therefore, it is very important to respect the facade widths typically found in the neighborhood. If a project is located on a site that is wider than usual, articulate the facade to respect traditional facade widths. For example, a facade may be broken into separate forms that match the widths of surrounding buildings. Design this articulation to be substantive, not merely be a surface treatment.



Although this building is twice the width of surrounding buildings, it has been designed to have two gabled forms, similar in width to other buildings.

Proportions

GUIDELINE: Design the building's proportions to be compatible with those found on surrounding buildings.

Proportions are the dimensional relationships among the building's features, and typically involve the relationship between the height and width of building features. A building's proportions are evident in the floor-to-floor heights of a building, the size and placement of windows and doors, and the scale of features such as porches, cornices and bay windows. Building features must be proportional not only to other features on the building, but also to the features found on surrounding buildings.



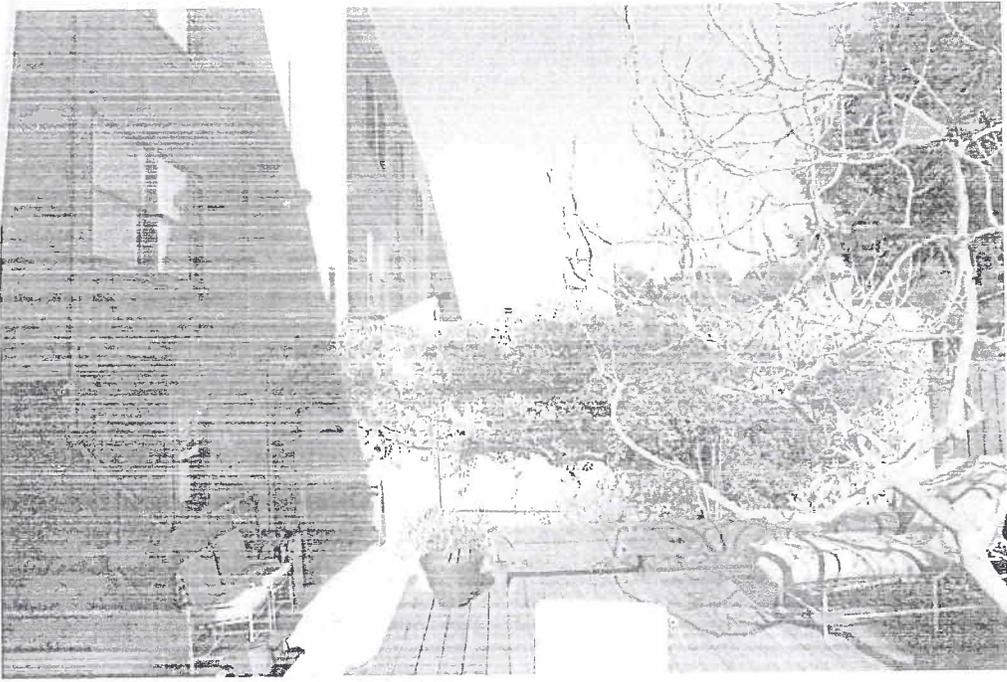
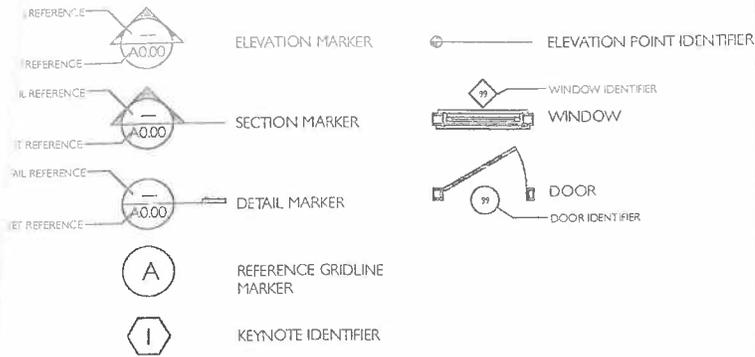
The horizontal emphasis of this building's windows and the lack of facade articulation results in a building that disrupts the character of the street and is inconsistent with the proportions of surrounding buildings.



Through the use of vertical oriented windows, the proposed building has proportions similar to surrounding buildings.

EXHIBIT O

BOL LEGEND:



EXISTING REAR YARD PHOTO



EXISTING REAR YARD PHOTO



777 Florida Street Suite 4005, San Francisco, CA 94110
 415.415.8200 Fax: 415.920.1840
 www.ya-studio.com

PROJECT
**RESIDENTIAL HORIZONTAL
 ADDITION/REMODEL
 DWELLING UNIT MERGER**
 16 IRIS AVENUE, SAN FRANCISCO, CA
 BLOCK/LOT: 1043 / 028

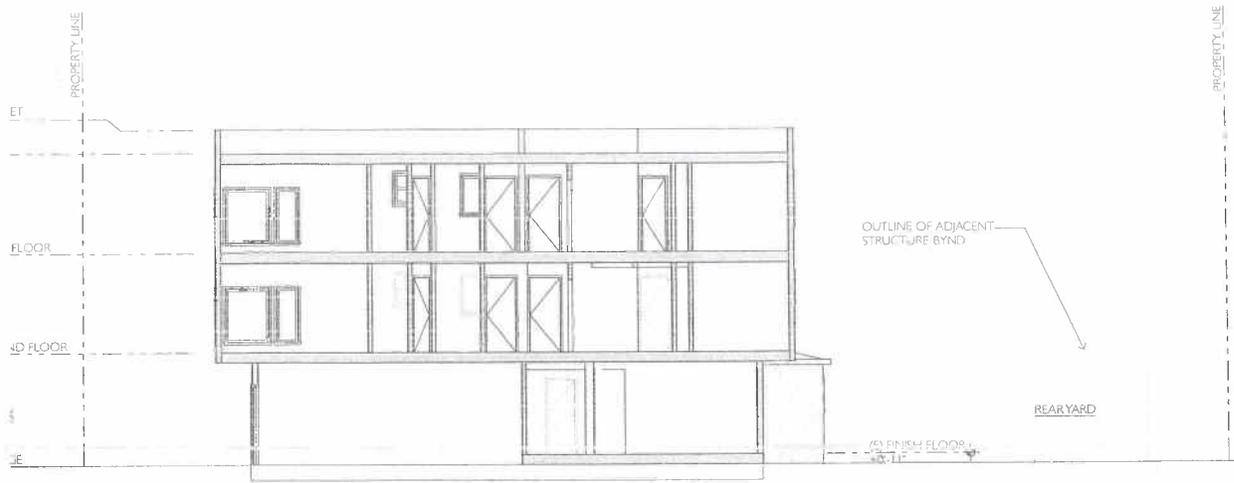
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TITLE:
**ABBREVIATIONS
 AND SYMBOLS**

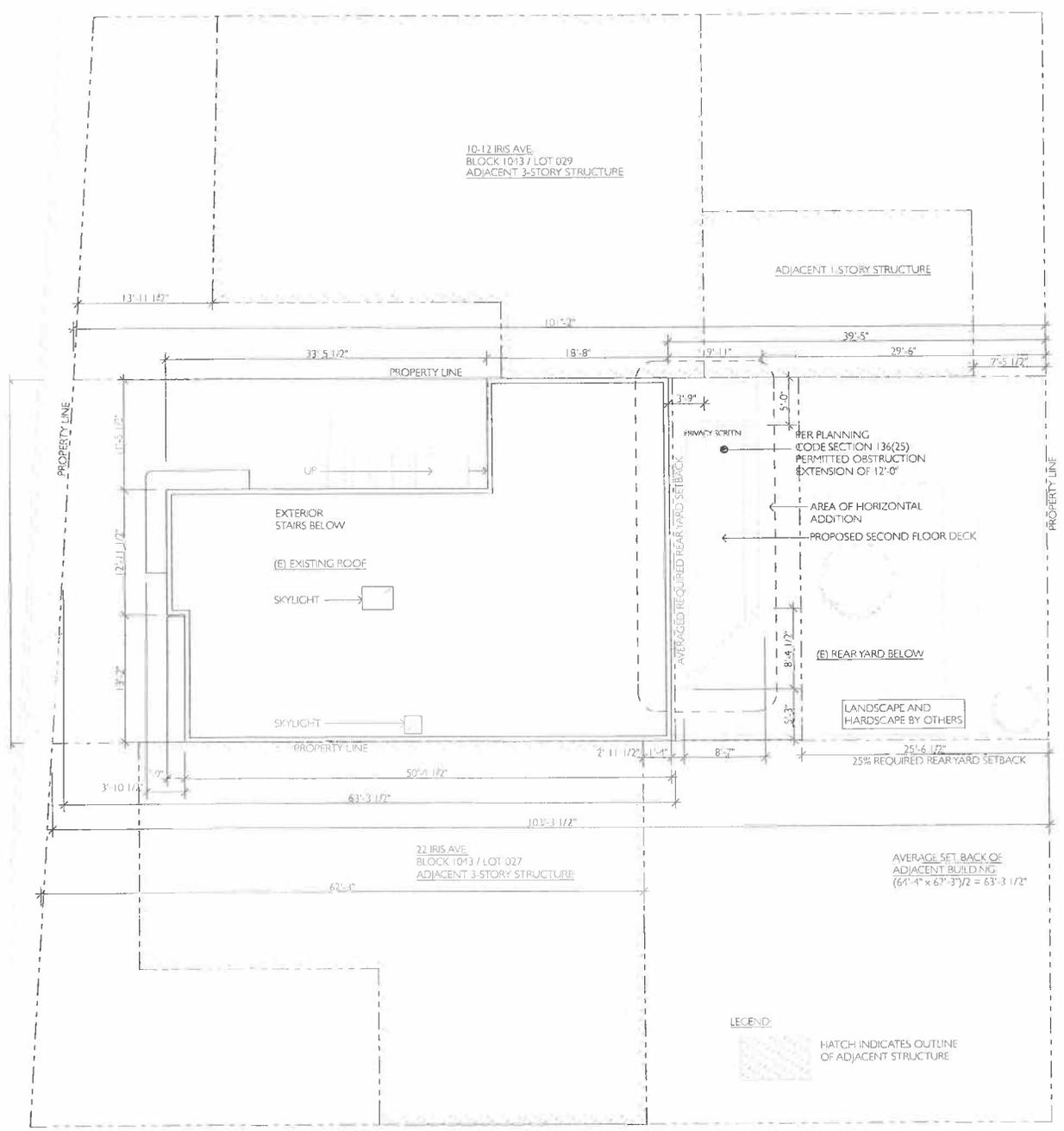
REV. PRINTING: DATE:
 CLIENT REVIEW 02.14.14

JOB NO: 14004 - 16 IRIS AVE.
 DRAWN BY: G.B.
 CHECKED BY: --
 PRINTED: 4/15/14
 SHEET:

A0.2



EXISTING BUILDING SECTION
 SCALE: 1/8" = 1'-0"



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



777 Florida Street Suite #206, San Francisco, CA 94110
 office 415.398.1840 | fax 415.393.1840
 www.ya.studio.com

PROJECT
 RESIDENTIAL HORIZONTAL
 ADDITION/REMODEL
 DWELLING UNIT MERGER

16 IRIS AVENUE, SAN FRANCISCO, CA
 BLOCK/LOT: 1043 / 028

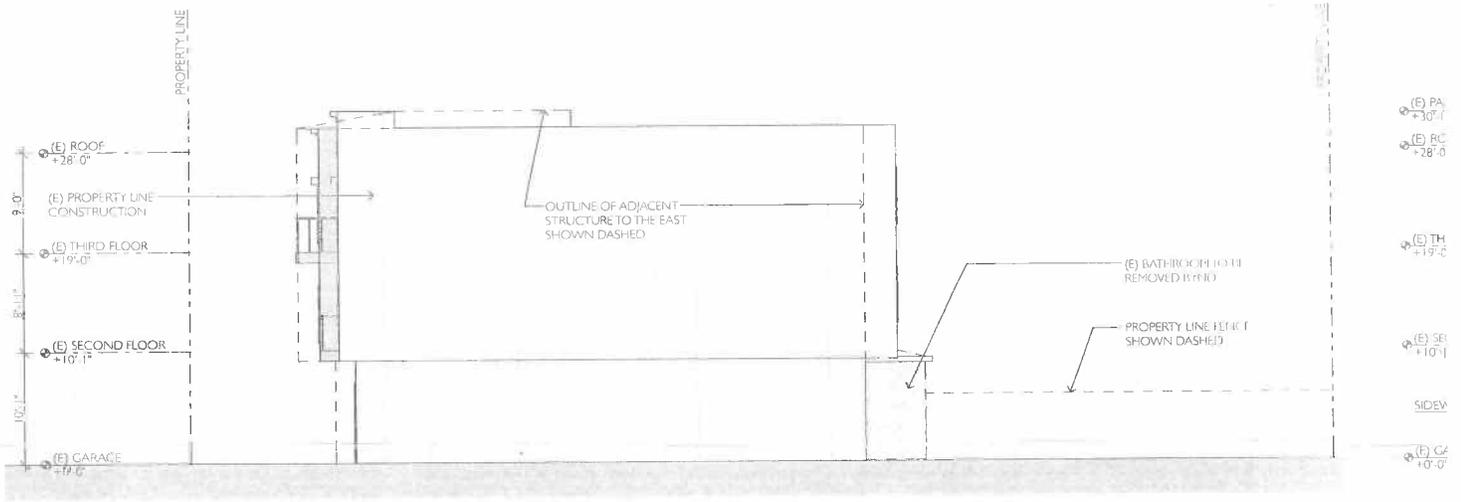
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TITLE
 PROPOSED/
 EXISTING SITE
 PLAN

REV.	PRINTING	DATE
—	CLIENT REVIEW	02.14.14
—	PLAN COMMENTS	06.25.14
—	PLAN COMMENTS	07.05.14
—	311 NOTICE	09.03.14

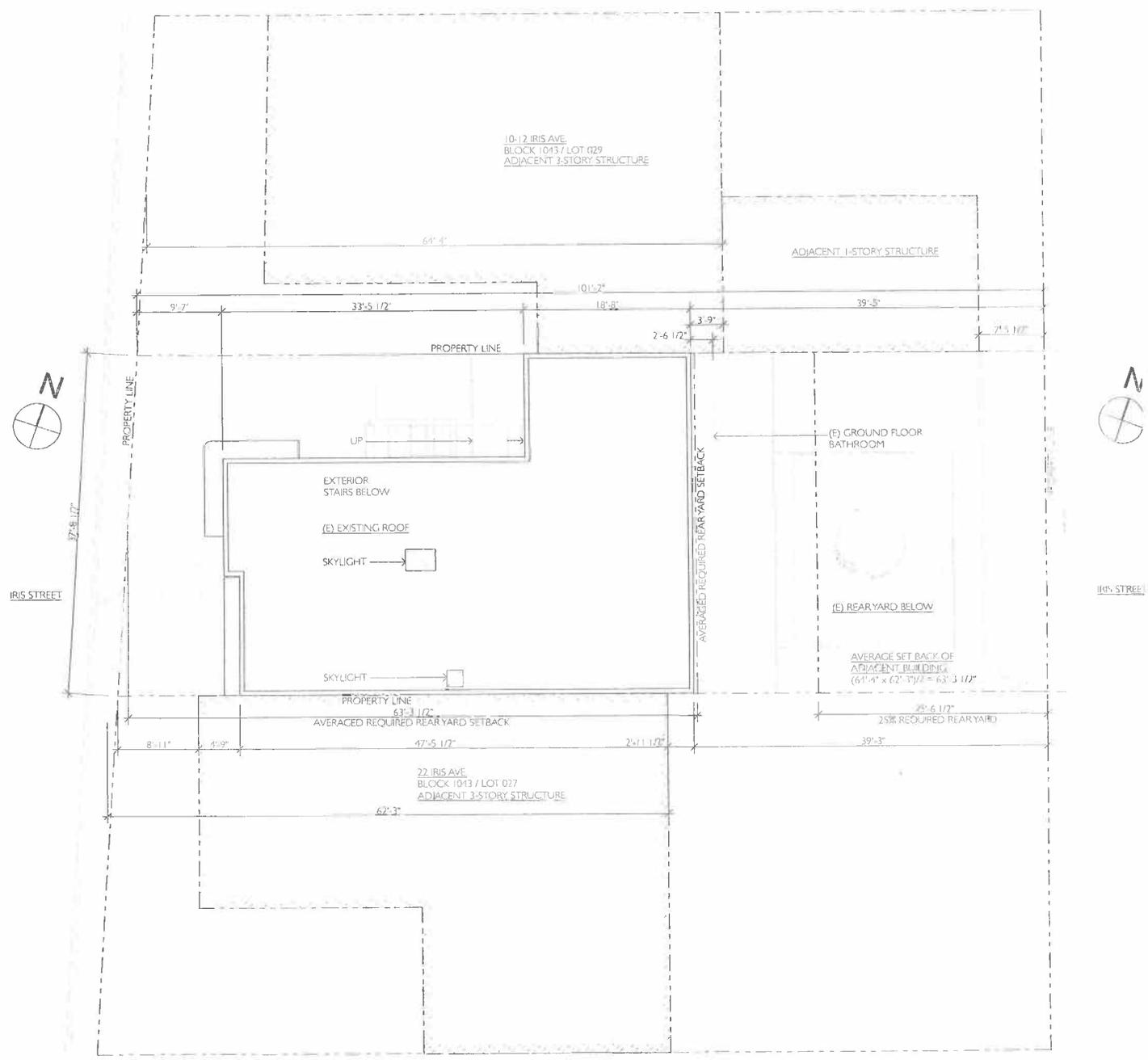
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 DRAWN BY: G.B.
 CHECKED BY: Y.A.
 PRINTED: 9/3/14
 SHEET

A1.1



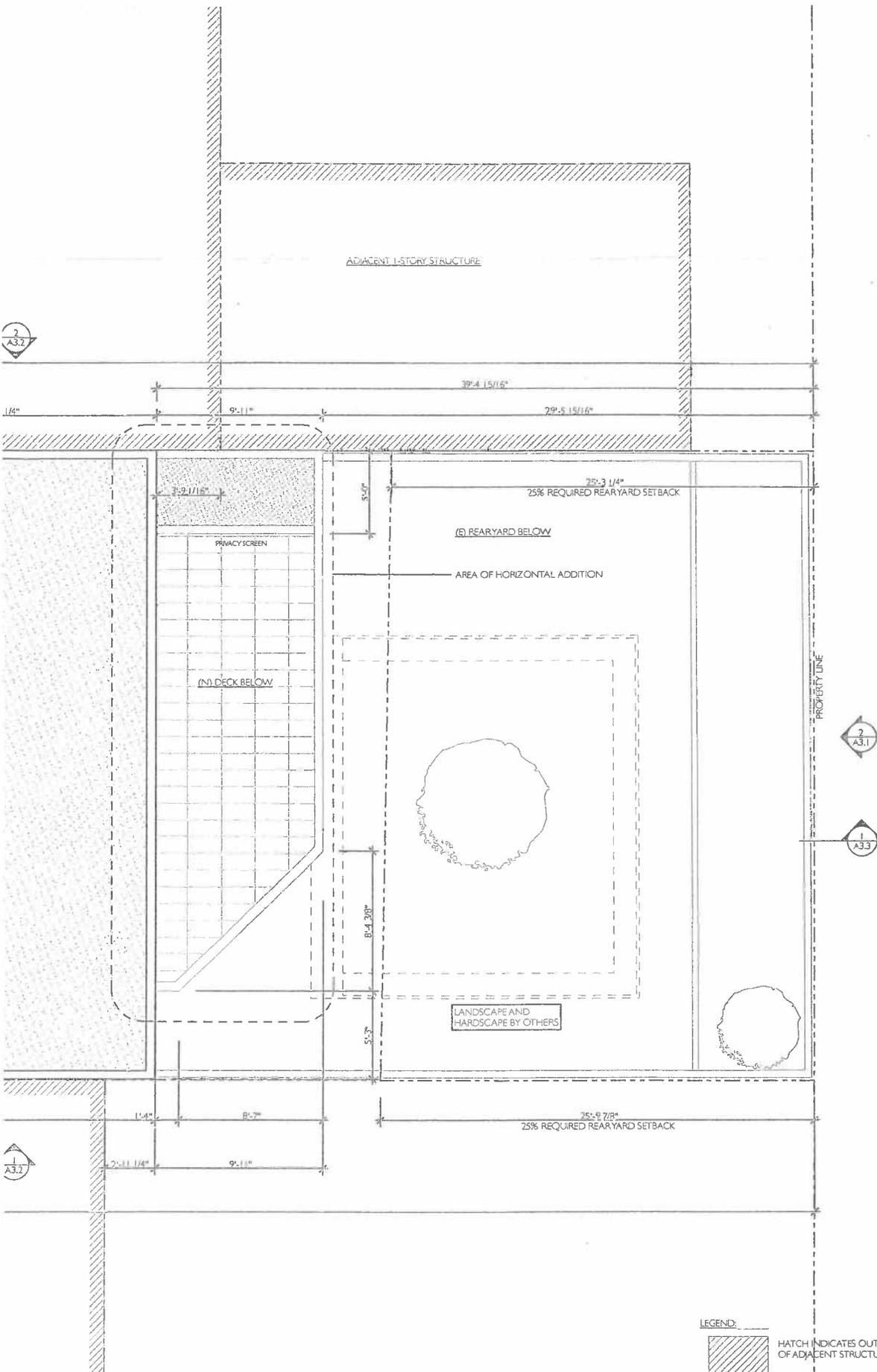
4 (E) SOUTH (SIDE) ELEVATION
SCALE: 1/8" = 1'-0"

3



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

1



PROJECT
**RESIDENTIAL HORIZONTAL
 ADDITION/REMODEL
 DWELLING UNIT MERGER**

16 IRIS AVENUE, SAN FRANCISCO, CA
 BLOCK/LOT: 1043 / 028

STAMP:

TITLE:
**PROPOSED ROOF
 PLAN**

REV: PRINTING: DATE:
 CLIENT REVIEW 02.14.14

JOB NO: 14004 - 16 IRIS AVE.
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 CHECKED BY: --
 PRINTED: 4/15/14
 SHEET:

LEGEND:
 HATCH INDICATES OUTLINE
 OF ADJACENT STRUCTURE

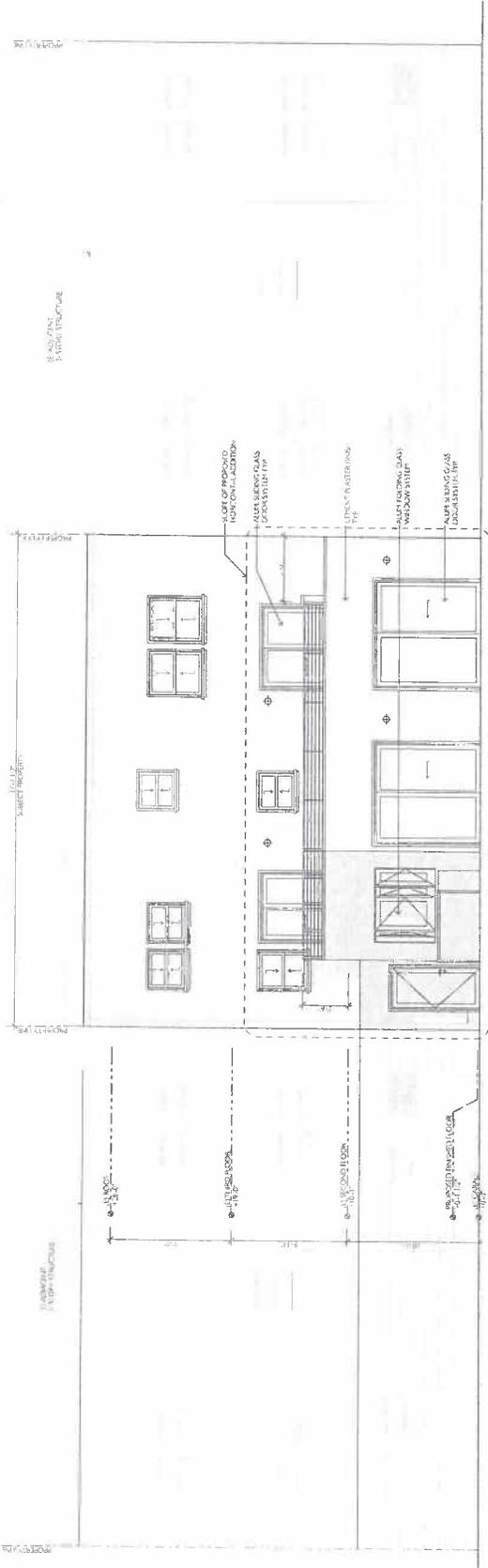
PROPOSED WEST
(FRONT) AND EAST
(REAR) ELEVATION

DATE: 08/14/14
DRAWN BY: G.B.
CHECKED BY: Y.A.
PROJECT NO: 90314

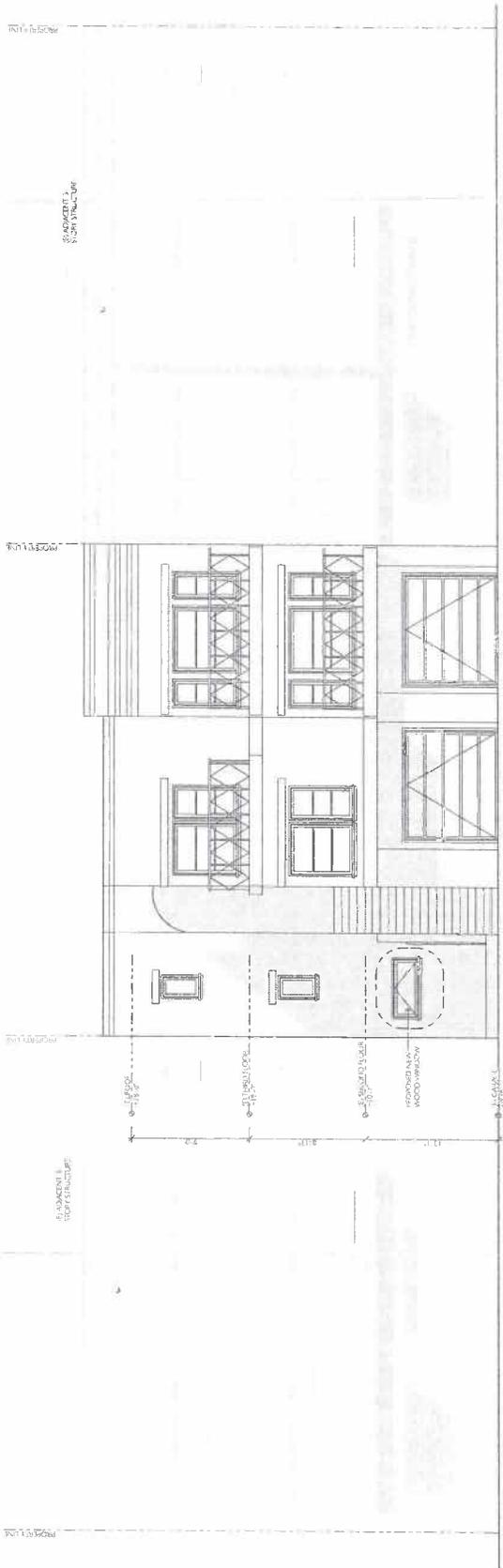
PROJECT: 16 IRIS AVE
DRAWN BY: G.B.
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PROJECT NO: 90314

A3.1

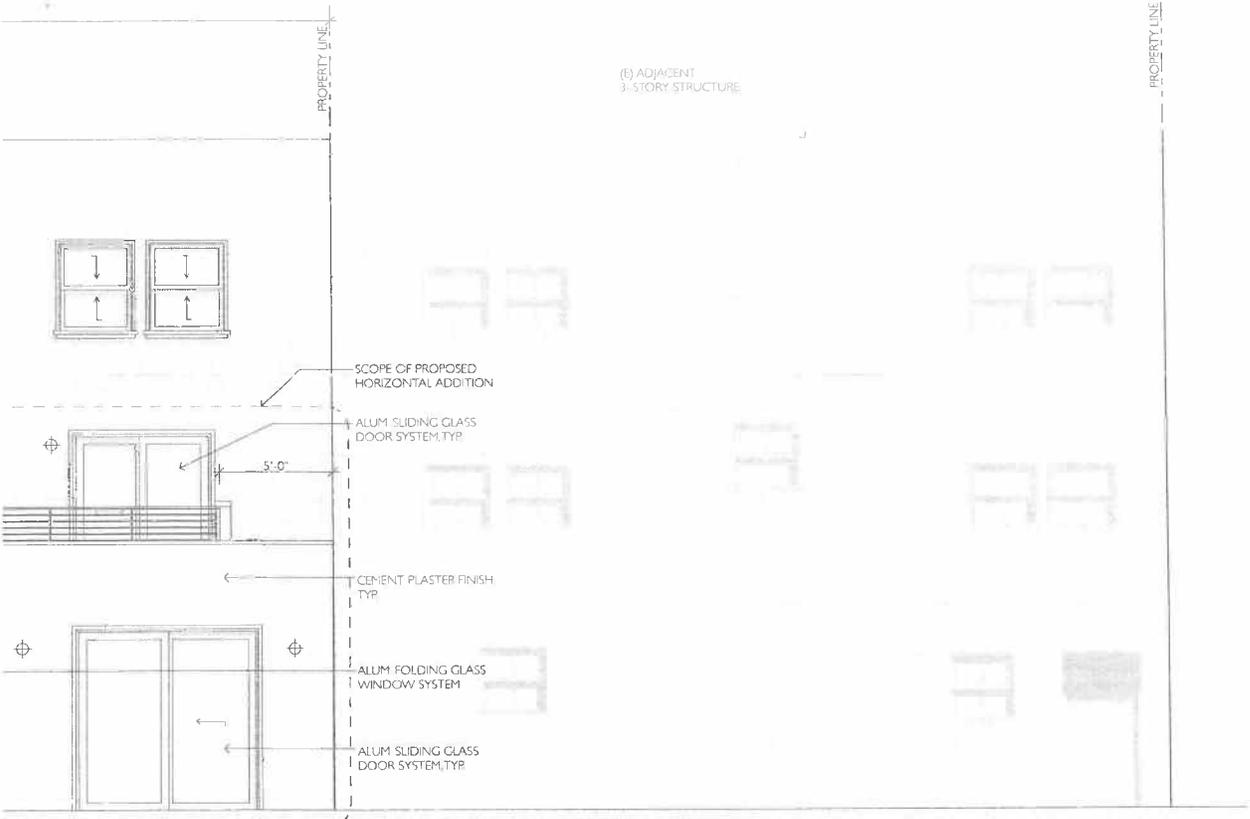
DATE: 08/14/14



2 PROPOSED EAST (REAR) ELEVATION
SCALE: 1/4" = 1'-0"



1 PROPOSED EAST (FRONT) ELEVATION
SCALE: 1/4" = 1'-0"



777 Polaris Street Suite #306, San Francisco, CA 94110
 office 415 920 1639 fax 415 920 1840
 www.ya-studio.com

PROJECT
 RESIDENTIAL HORIZONTAL
 ADDITION/REMODEL
 DWELLING UNIT MERGER

16 IRIS AVENUE, SAN FRANCISCO, CA
 BLOCK/LOT: 1043 / 028

STAMP

TITLE
 PROPOSED WEST
 (FRONT) AND EAST
 (REAR) ELEVATION

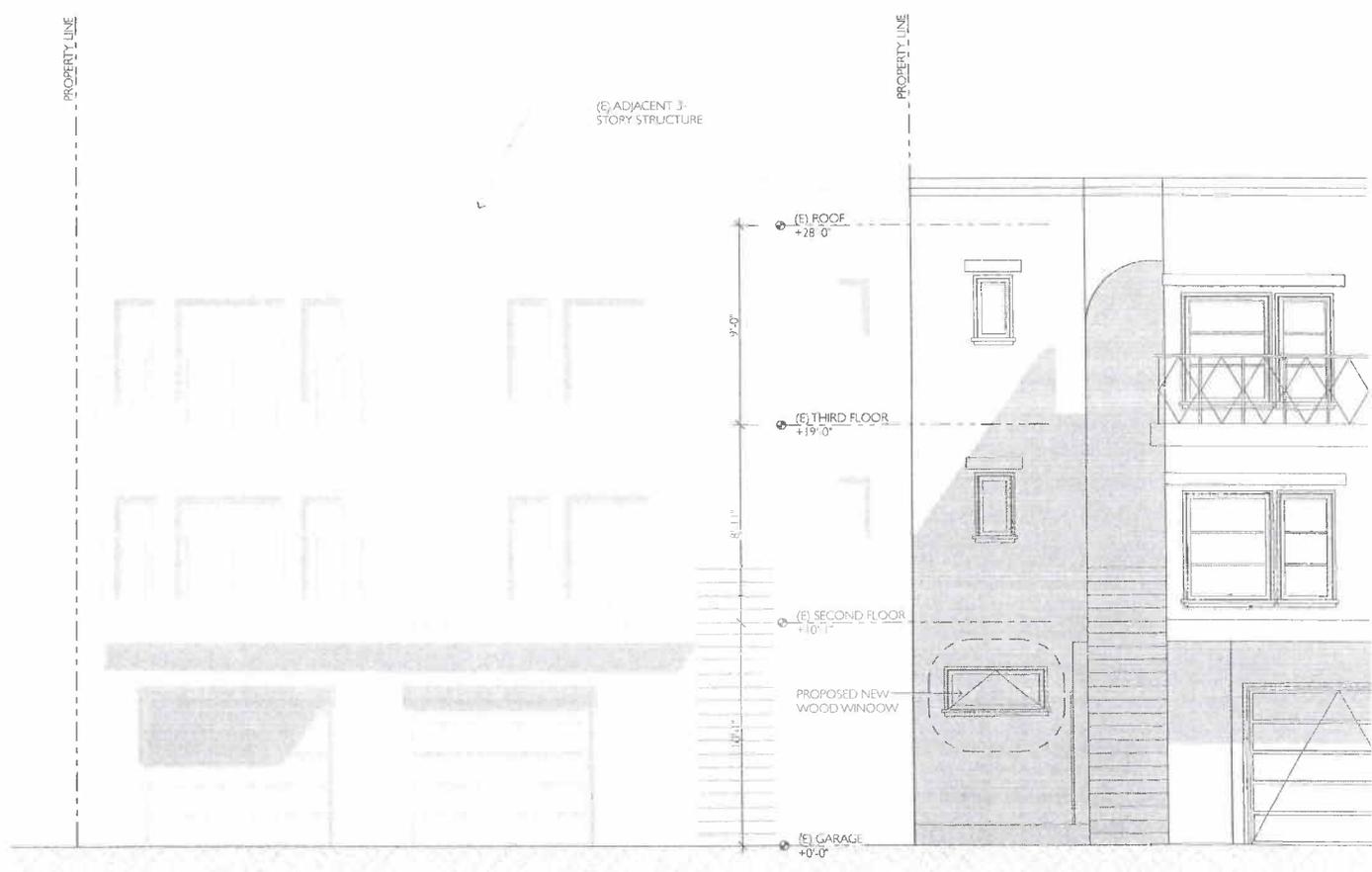
REV.	PRINTING	DATE
—	CLIENT REVIEW	02.14.14
—	PLAN COMMENTS	06.25.14
—	PLAN COMMENTS	07.05.14
—	311 NOTICE	09.03.14

JOB NO: 14004 - 16 IRIS AVE
 DRAWN BY: G.B.
 CHECKED BY: Y.A.
 PRINTED: 9/3/14
 SHEET

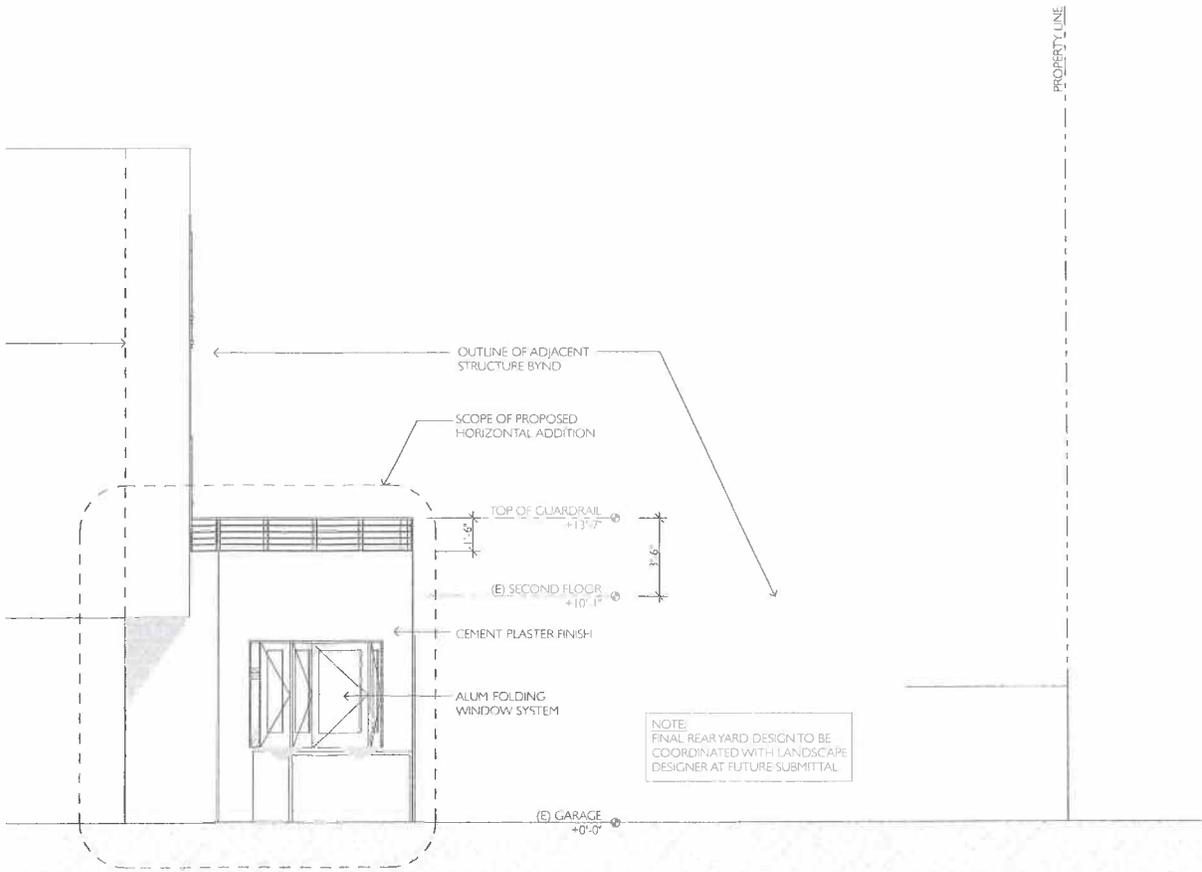
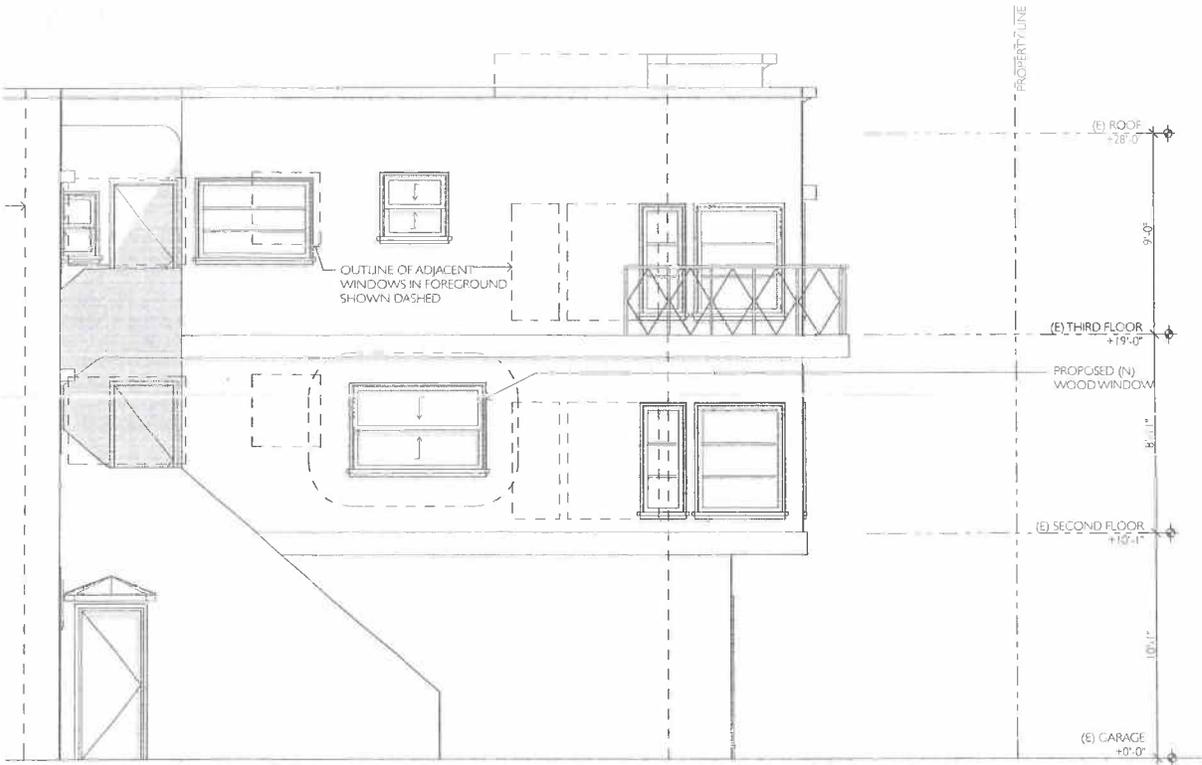
A3.1



2 PROPOSED EAST (REAR) ELEVATION
SCALE 1/4" = 1'-0"



1 PROPOSED EAST (FRONT) ELEVATION
SCALE 1/4" = 1'-0"



777 Potrero Street Suite #205, San Francisco, CA 94110
 office: 415.362.1340
 www.yastudio.com

PROJECT
 RESIDENTIAL HORIZONTAL
 ADDITION/REMODEL
 DWELLING UNIT MERGER

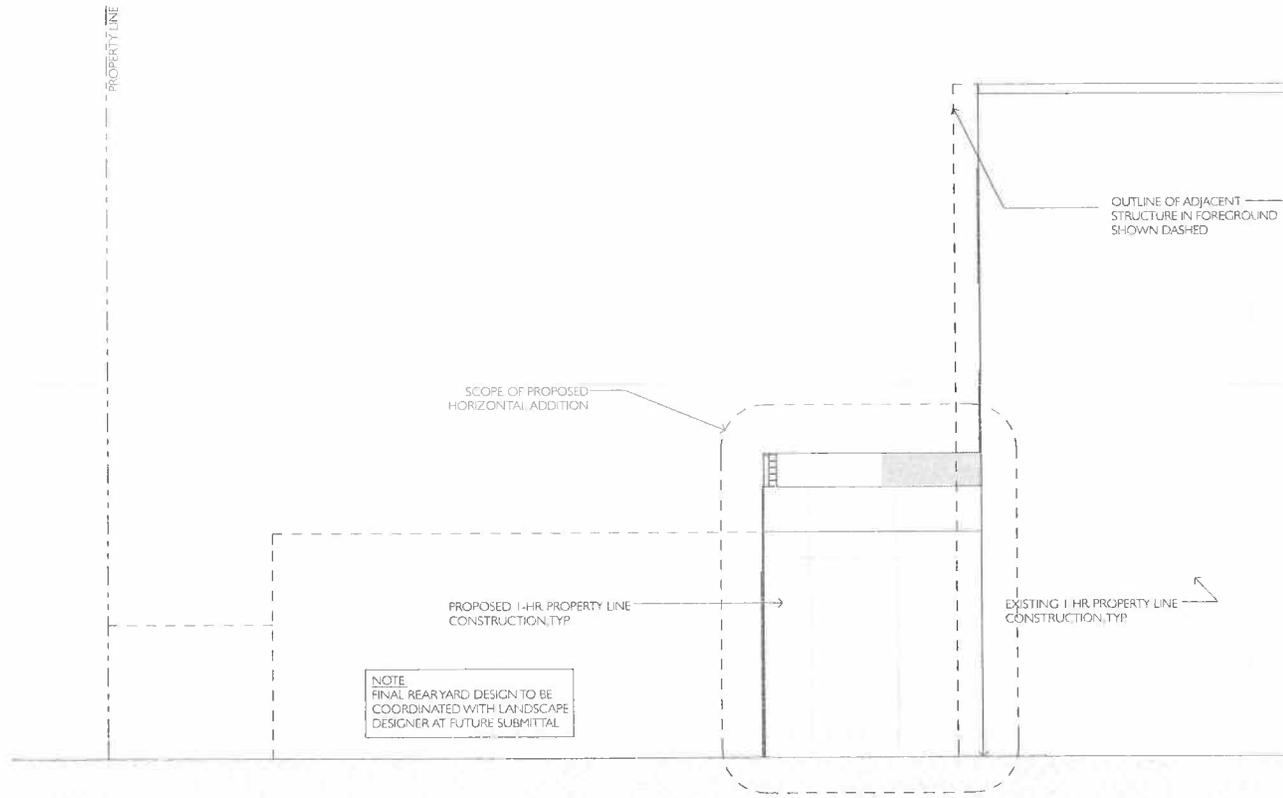
16 IRIS AVENUE, SAN FRANCISCO, CA
 BLOCK/LOT: 1043 / 028

STAMP

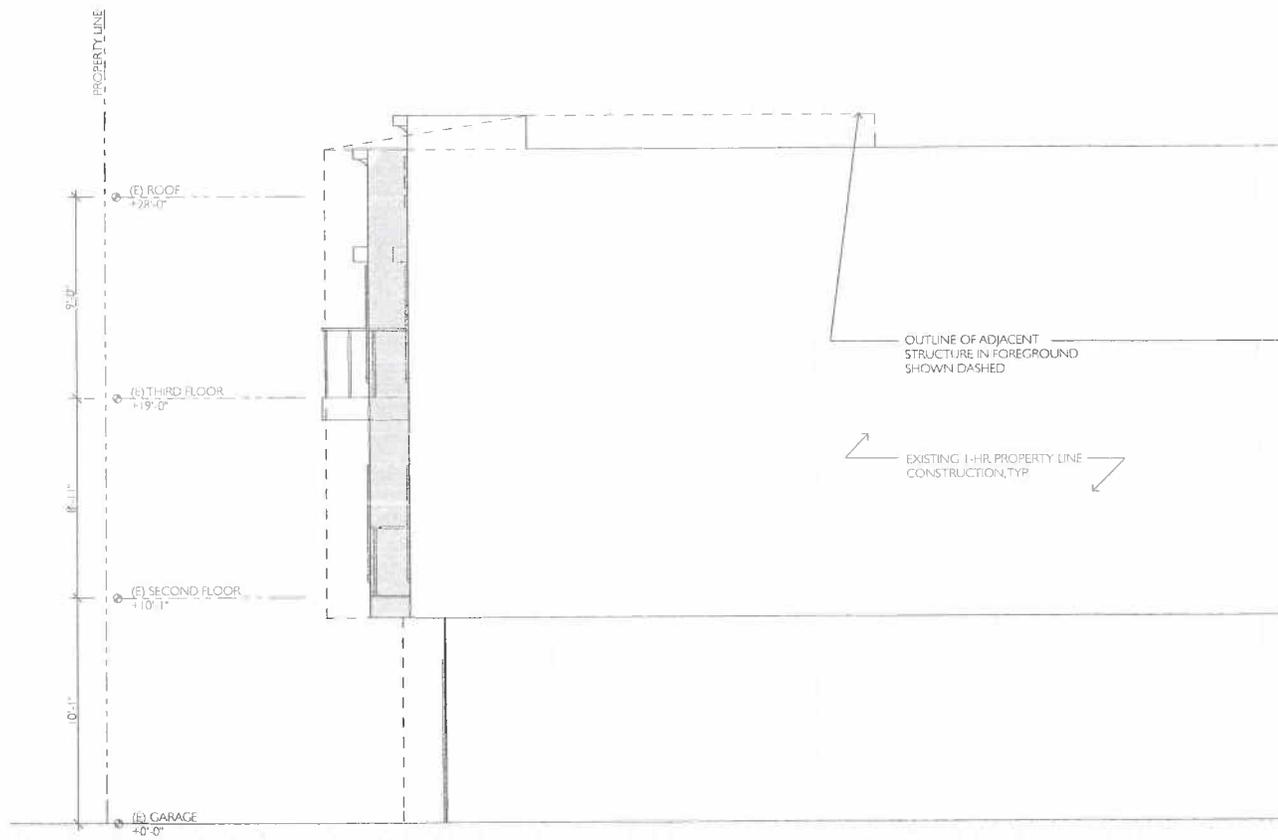
TITLE
 PROPOSED SOUTH
 (SIDE) & NORTH
 (SIDE) ELEVATIONS

REV.	PRINTING	DATE
—	CLIENT REVIEW	02.14.14
—	PLAN COMMENTS	06.25.14
—	PLAN COMMENTS	07.05.14
—	311 NOTICE	09.03.14

JOB NO: 14004 - 16 IRIS AVE.
 DRAWN BY: G.B.
 CHECKED BY: Y.A.
 PRINTED: 9/3/14
 SHEET:



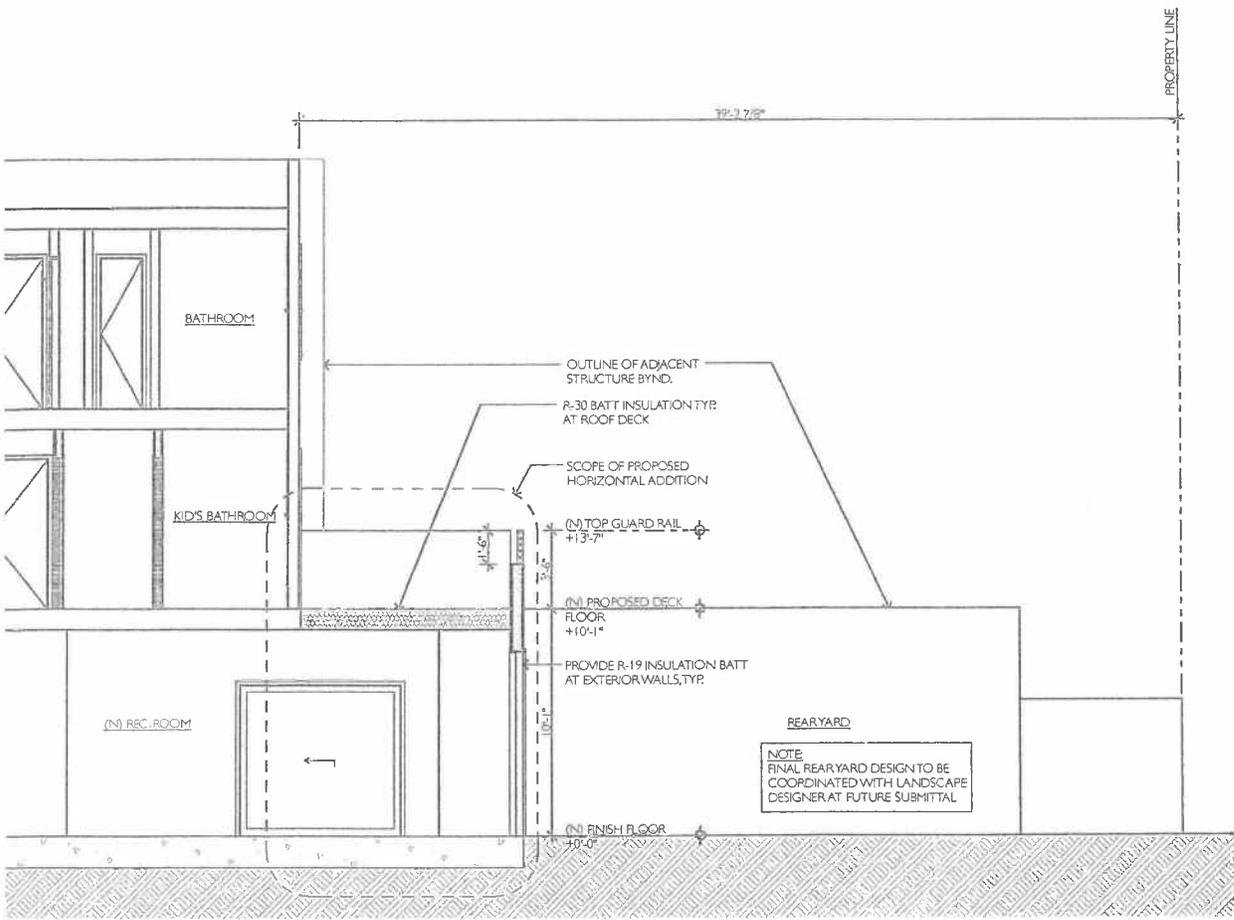
2 PROPOSED NORTH (SIDE) ELEVATION
SCALE 1/4" = 1'-0"



1 PROPOSED SOUTH (SIDE) ELEVATION
SCALE 1/4" = 1'-0"

PROJECT
**RESIDENTIAL HORIZONTAL
 ADDITION/REMODEL
 DWELLING UNIT MERGER**

16 IRIS AVENUE, SAN FRANCISCO, CA
 BLOCK/LOT: 1043 / 028



STAMP:

TITLE:
**PROPOSED
 BUILDING SECTION**

REV. PRINTING: DATE:
 CLIENT REVIEW 02.14.14

JOB NO: 14004 - 16 IRIS AVE.
 DRAWN BY: G.B.
 CHECKED BY: --
 PRINTED: 4/15/14
 SHEET:

A3.3

EXHIBIT P



SAN FRANCISCO
PLANNING
DEPARTMENT

ZONING ADMINISTRATOR BULLETIN NO. 5

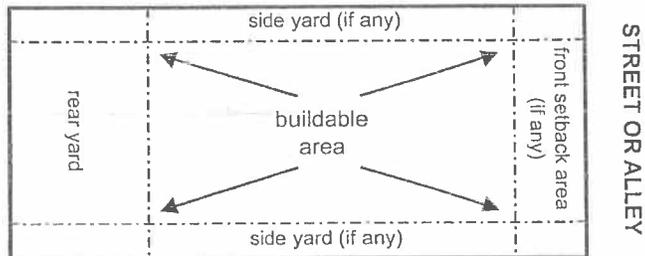
Buildable Area for Lots in RH, RM, RC, and RTO Districts^{1, 2}

Section 307 of the City Planning Code mandates the Zoning Administrator to issue and adopt such rules, regulations and interpretations as are in the Zoning Administrator's opinion, necessary to administer and enforce the provisions of the Planning Code. [Section 7.502 of the San Francisco Charter charges the Zoning Administrator with the responsibility of administering and enforcing the Planning Code.]

Date: APRIL 2005	Relevant Code Sections:	
Reprinted: OCTOBER 2009	132 (Front Setback) 133 (Side Yards) 134 (Rear Yard)	136 (Permitted Obstructions) 261 (Special Height Limits)
Formerly known as: Zoning Administrator Bulletin No. 2005-01		

This bulletin is intended to provide a basic instruction on how the Planning Code limits the size and location of structures on residentially zoned lots, i.e. what is the "buildable area" of the lot. The buildable area in residential districts is the entire lot, minus the front setback requirement, if any, and rear yard requirement, plus permitted obstructions. In limited cases, there may also be a side yard requirement. Figure 1 provides an illustration of these front setback, side yard, and rear yard requirements. You may click on each of these parameters within the illustration and it will take you to a description of the requirements in the text. Keep in mind that when this discussion refers to the various open areas (front setback and rear yard) it means the open area required by the current Planning Code. It does not mean the conventional description of an open area (rear yard for example) which happens to exist on a given lot and which may be larger or smaller than the current requirement. Since the rules have changed over the years, many existing buildings in the city lawfully intrude into the front setbacks or rear yards required by the current Planning Code.

Figure 1
Buildable Area



¹ This flyer does not address Special Use District controls such as Bernal Heights or Dolores Heights which impose different rules relative to one or more of the standards presented above. You may call the Planning Department Planning Information Counter (415) 558-6377, or consult the Zoning Maps on the Department's web page <http://www.sfplanning.org> to determine if a site is within a Special Use District.

² See Planning Code Sections 206 and 209.1 for a description of the RH, RM, RC, and RTO districts and allowable dwelling density in these districts, respectively.

Rear Yard

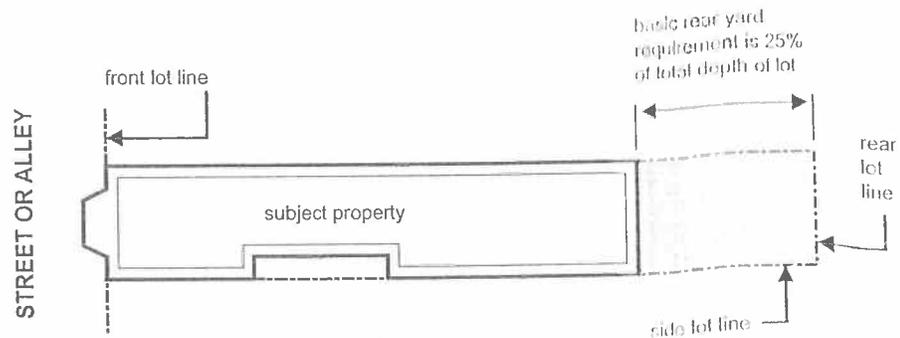
Planning Code Section 134

The required rear yard is that area at the back of the lot that can't be built upon except for permitted obstructions listed in Section 136 of the the Planning Code. The required rear yard must extend the full width of the lot for the depth indicated below (except in instances of irregular averaging as described below).

RH-1(D), RH-1, RH-1(S), RM-3, RM-4, RC-3, RC-4.

The rear yard requirements in these districts is straightforward, 25% of lot depth (see Figure 3).

Figure 3
25% Rear Yard



RH-2, RH-3, RM-1, RM-2, and RTO Districts

Generally, the depth of the rear yard requirement in these districts is between 25% and 45% of the depth of the lot with the exact depth dependent upon the depth of the rear walls of the two adjacent buildings. Specifically, the maximum required rear yard depth is 45% of the lot depth. For example, if your lot is 120 feet deep your maximum rear yard depth would be 54 feet ($120 \times .45 = 54$) (see Figure 4). However, if one or both of the existing buildings on the two adjacent lots go back further than that, your rear yard requirement may be reduced. If the average of the locations of the rear walls of these two adjacent buildings is deeper than 45% of your lot's depth, your required rear yard would begin at that location (see Figure 5 and further discussion below regarding what walls may be used for averaging purposes).

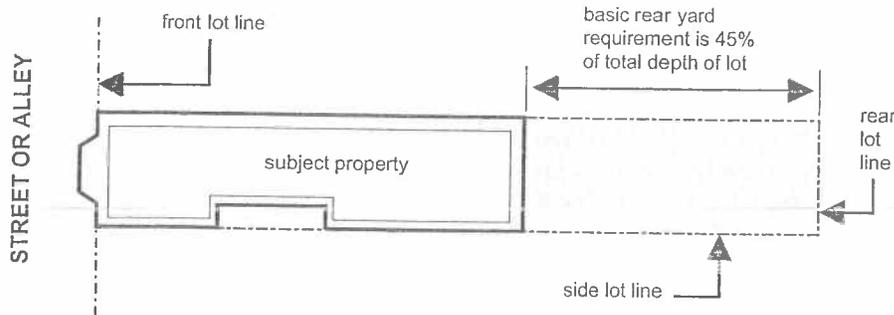


Figure 4
Base Rear Yard, RH-2,
RH-3, RM-1, RM-2, RTO
Districts

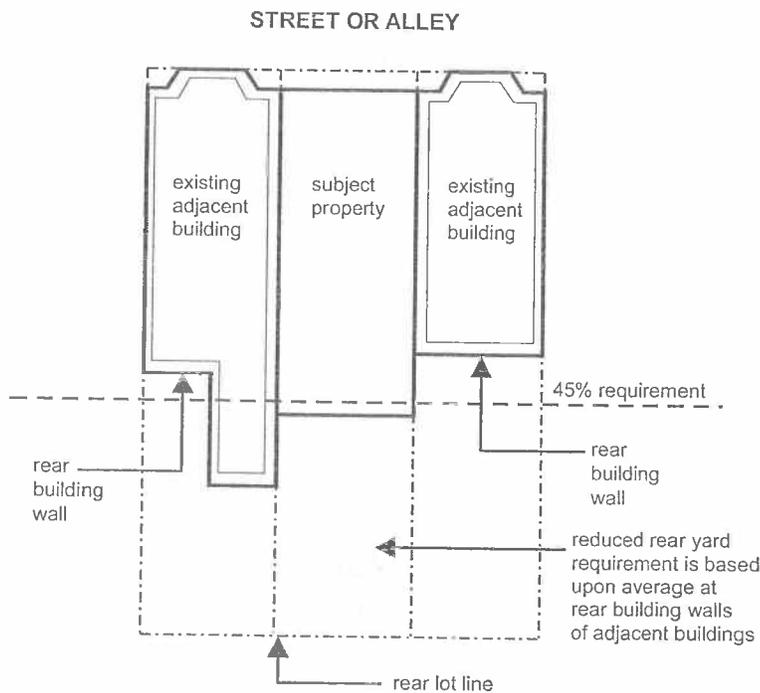
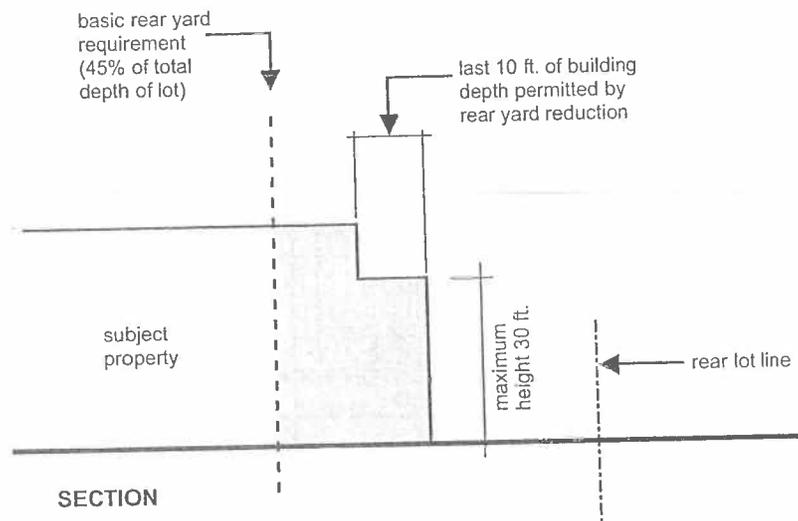


Figure 5
Rear Yard Averaging

Note that one must consider the adjacent rear walls relative to the subject lot rather than to their own. (Since adjacent lots may not have the same depth as the subject lot, the size of their rear yards may vary. However, the relevant measurement is not the adjacent rear yards but the location of adjacent rear building walls.) In no case can the required rear yard be less than 25% of the lot depth or 15 feet, whichever is greater. (For example, 25% of a lot with a depth of only 50 feet would be 12.5 feet but the minimum rear yard requirement in any case is 15 feet). The rearmost 10 feet of the buildable area that extends into the rear 45% of the lot has a height limit of no more than 30 feet. (See Figure 6 below, see the Planning Code Section 102.12 to find how height limits are measured).

Figure 6
30-Foot Height Limit for
Averaging (last 10 feet
gained by Averaging)



In order to be counted for purposes of determining your rear yard depth, the two adjacent rear walls need to extend at least 1/2 the width of their respective lots and be 2 stories or 20 feet high. If a rear wall does not meet these criteria, the deepest cross section of the adjacent building that does meet these criteria is counted. See the actual Planning Code provisions (Section 134) or check with the staff of the Planning Department for different situations such as corner lots, vacant adjacent lots, etc. (Note also, if an otherwise qualifying wall fits the dimensions of a permitted obstruction it cannot be counted for averaging purposes, see Section 136 of the Planning Code and the following section of this bulletin).

As with front setbacks, the Planning Code allows for an extension into the rear yard as shown in Figure 5 below. The same basic rule described above for front setbacks would apply. Where the two adjacent structures have different depths relative to the subject lot one can extend a structure on the subject lot into the required rear yard so long as the building extension is adjacent to the structure deeper on the lot and an open area laterally faces the lot whose wall does not extend as far into the rear (see Figure 7). Further, to the extent that the building intrudes into the rear yard otherwise required by conventional averaging, Area A in Figure 7, there must be an offsetting undeveloped area that would otherwise be permitted by conventional averaging, Area B in Figure 7, that is equal to or greater than the intrusion, i.e. the area of B must be greater than or equal to the area of A.

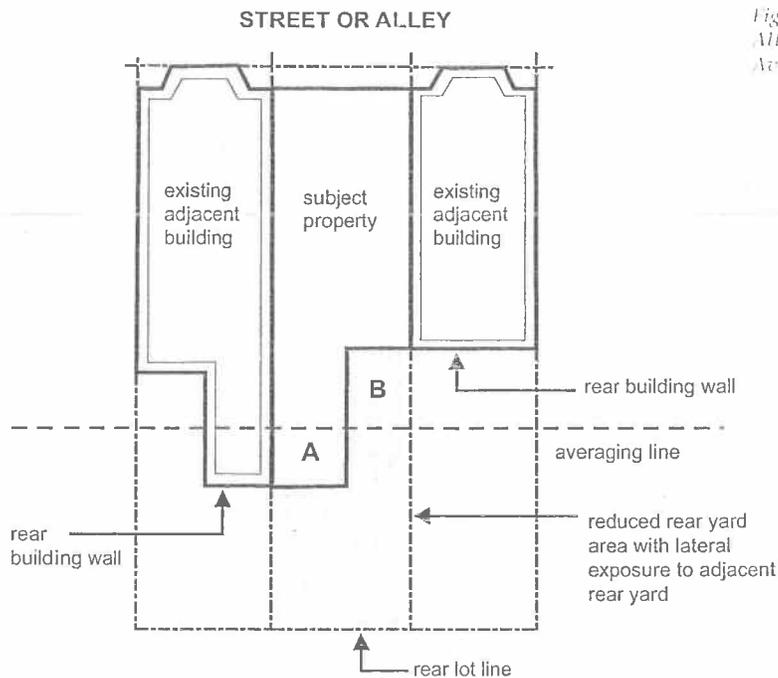


Figure 7
Alternative Rear Yard
Averaging

Permitted Obstructions

A permitted obstruction is an item or building feature allowed to exist in or extend into a required open area. These include things like stairs, bay windows etc., of specified dimensions. One of the most significant of these is a 12-foot deck or extension of the building into the rear yard that does not go into the rear 25% or 15 feet of the lot (the "12-foot pop-out"). (Since it cannot project into this last 25%/15 foot increment, it is applicable only in those districts requiring a 45% rear yard, i.e. RH-2, RH-3, RM-1 and RM-2 Districts.) This 12-foot extension can cover the full width of the lot if it is no higher than 10 feet above grade. It may be as high as the floor level of the second floor of occupancy not counting the ground floor if there is a 5 foot distance completely clear of obstructions between the extension and both side property lines (see Figures 8 and 9). Remember that this feature can extend 12 feet into the required rear yard. Therefore if your house already extends 2 feet into the rear yard required under the current rules as stated above, this feature would only be allowed to extend 10 feet from your existing house. Alternatively, if your house does not extend to the point where the rear yard requirement begins, you could extend your house at the height limit to that point, then extend it further with this feature. However, this feature could not extend a full 12 feet if it would then enter the rear 25% or 15 feet of the lot. Remember also, that as a permitted obstruction, it already protrudes into the rear yard. Therefore, other permitted obstructions cannot be appended to the 12-foot extension and measured as projections into the rear yard from that point. Each permitted obstruction's allowable extension is measured from the rear yard line. You may consult Planning Code Section 136 to find other obstructions that are permitted in the rear yard and front setback.

Figure 8
12-Foot "Pop-Out"
(Single story -
maximum height of
10 feet above grade

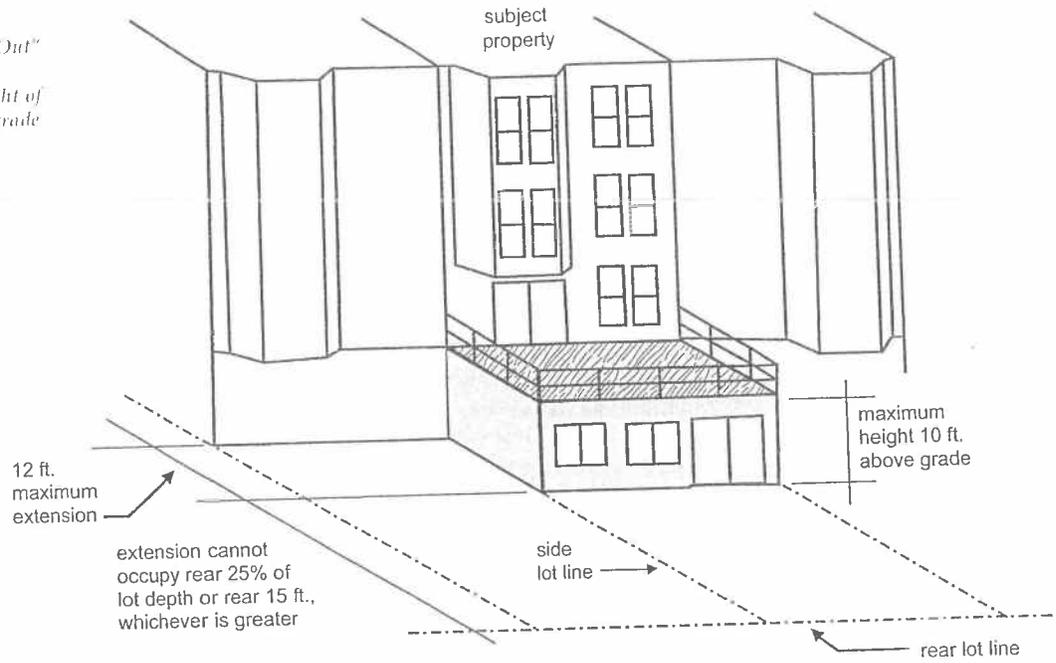


Figure 9
12-Foot "Pop-Out"
(Two story - no
higher than the floor
level of the second
floor of occupancy
not counting the
ground floor

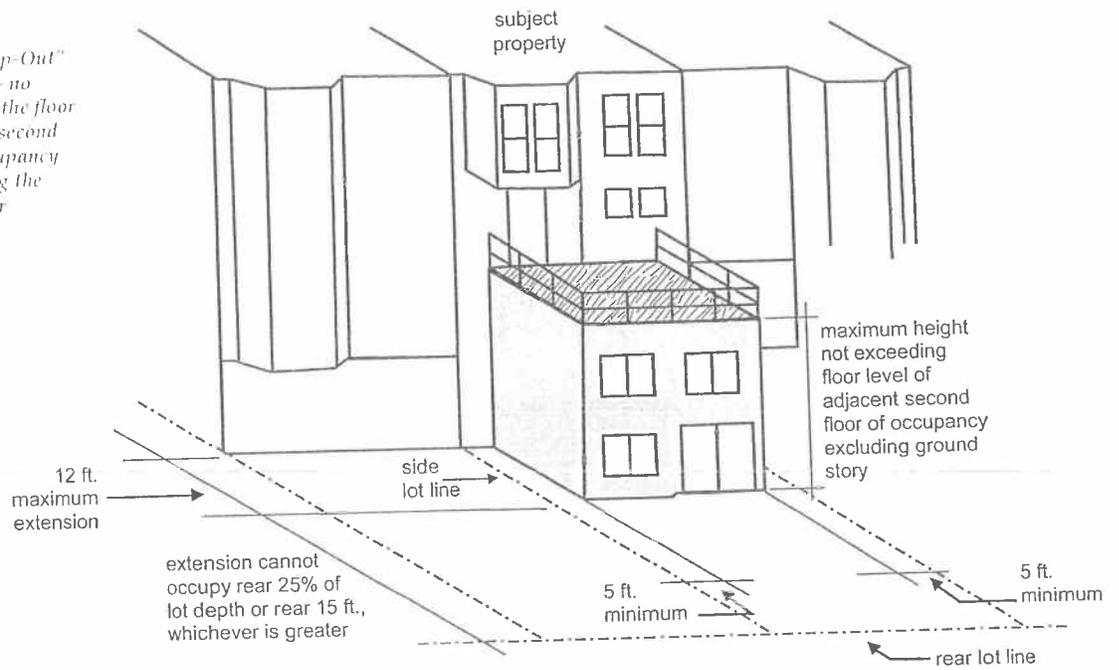


EXHIBIT Q



SAN FRANCISCO
PLANNING
DEPARTMENT

GENERAL PLANNING INFORMATION

Decks

Planning Department
1650 Mission Street
Suite 400
San Francisco, CA
94103-9425

T: 415.558.6378
F: 415.558.6409

Date:	October 2002	Subject:	Decks, Roof Decks, and Notification Requirements for Decks
Reprinted:	July 2011		Planning Code Section 136c24, 136c25, 311, 312, and related interpretations

Introduction

The addition of decks to existing buildings requires a building permit application with plans if any part of the walking surface is more than 30 inches above grade. (Roof decks also require a building permit). Some decks may be approved over the counter (OTC) by the Planning Department. Others require neighborhood notification as described below.

Neighborhood Notification

Notification is required for any building expansion in an RH, RM, or RTO zoning districts per Section 311 of the Planning Code. Similarly, notice is required for building expansions in Neighborhood Commercial (NC) or Eastern Neighborhoods Mixed Use districts per Section 312 of the Planning Code.

Under the Planning Code, and associated Zoning Administrator interpretations, some minor projects have been deemed exempt from the notification requirement. Decks, in certain instances, are exempt from notification.

Decks that are cantilevered, i.e. entirely supported by the walls to which they are attached, without any additional posts or other external support, are exempt from notice. Decks that are supported by posts but no more than 10 feet above grade and within the "buildable area" of a lot are also exempt. Railings above these decks are allowed without triggering notice. However, if a firewall is required for a proposed deck and the firewall exceeds 10' in height, notice would be required. ("Buildable area of the lot" means the area that is not part of the required yards or set backs under the Planning Code and within the applicable height limit. See Zoning Administrator Bulletin No. 5.)

The Planning Code allows limited projections into yards and setbacks for specified extensions of buildings. These are known as 'permitted obstructions' and include certain decks. However, if your deck is allowed to extend into the yard as an exception under the Code, it will likely need neighborhood notification. Specifically, there is an allowable projection into the rear yard for districts with a rear yard requirement of 45% of lot depth (typically RH-2, RH-3, RM-1 and RM-2, and RTO districts). One or two-story projections of up to 12 feet in depth into the rear yard are allowed by the Planning Code, subject to

other limitations, per Section 136(c)(25). A deck that fits within the area allowed by this section is a 'permitted obstruction'. However, if you must utilize this section of the Code for your deck to be allowed, then neighborhood notification will be required. You would also be required to provide a pre-application notice and meeting.

The Planning Code provides exceptions from rear yard restrictions for decks in certain situations. Decks that are 3 feet above grade or less are permitted anywhere in the required rear yard. If your yard has a slope greater than 15 %, decks higher than 3 feet may be permitted in the required rear yard and approvable over the counter, subject to limits described and illustrated in the Planning Code at § 136(c)(24). Please feel free to come to the Planning Information Center at 1660 Mission Street, first floor, with your questions. They may also be reached by phone at (415) 558-6377 or via email at pic@sfgov.org.

Roof Decks

As noted, roof decks also require permits. A deck placed on a flat roof that is entirely within the buildable area of a lot, including any area needed to access the deck and related railings or parapets up to 4 feet tall, may be approved over the counter. (See discussion above regarding buildable area).

If the proposed roof deck or access to it is on a portion of the structure that encroaches on a yard or setback, a 'non-complying' structure under the Planning Code, then all railings are limited to 42 inches tall and of an open design and a limited notice will be required. In these cases, the Planning Department will notify owners and occupants of all properties which border the subject property. Adjacent neighbors will be given a 10 day period to raise any concerns they might have regarding the project.

Deck Replacement

If you are replacing a deck, do not assume that it may be fully replaced in-kind. Many decks that were legally constructed with a building permit now protrude into required yards. This is generally due to a change in yard setback requirements since the time the deck was constructed. These decks are now partly or wholly 'non-complying' under the Planning Code. If a non-complying feature is removed, it may only be reconstructed if it is in compliance with current Codes or if you seek and justify a Variance from the Code. A Variance requires a separate application and a hearing before the Zoning Administrator subject to public notification.

If a legal, complying deck is replaced in-kind or with a smaller deck within the same footprint and envelope as the original deck, it would not require notice.



SAN FRANCISCO
PLANNING
DEPARTMENT

FOR OTHER PLANNING INFORMATION:
Call or visit the San Francisco Planning Department

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

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

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

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

EXHIBIT R

Date: March 13, 2014

Dear Neighbor:

You are invited to a neighborhood Pre-Application meeting.

The Neighborhood Pre-Application is to review and discuss the development proposal of 16 Iris Avenue, at 16 Iris Ave. (Block/Lot#: 1043/028; Zoning: RH-2), in accordance with the San Francisco Planning Department's Pre-Application procedures. The Pre-Application meeting is intended as a way for the Project Sponsor(s) to discuss the project and review the proposed plans with adjacent neighbors and neighborhood organizations before the submittal of an application to the City. This provides neighbors an opportunity to raise questions and discuss any concerns about the impacts of the project before it is submitted for the Planning Department's review. Once a Building Permit has been submitted to the City, you may track its status at www.sfgov.org/dbi.

The Pre-Application process is only required for projects subject to Planning Code Section 311 or 312 Notification. It serves as the first step in the process prior to building permit application or entitlement submittal. Those contacted as a result of the Pre-Application process will also receive a formal entitlement notice or 311 or 312 notification when the project is submitted and reviewed by Planning Department staff.

The pre-application meeting is required because this project includes (check all that apply):

- New Construction;
- Any vertical addition of 7 feet or more;
- Any horizontal addition of 10 feet or more;
- Decks over 10 feet above grade or within the required rear yard;
- All Formula Retail uses subject to a Conditional Use Authorization.

The development proposal is to:

Dwelling unit remodel to combine an existing in-law unit on the ground floor with 16 Iris on the second floor, bringing the building from (3) dwelling units to (2) dwelling units. Work includes an interior remodel to build a new stair connecting the lower (2) floors and an exterior extension into the rear yard.

Existing # of dwelling units:	3	Proposed: 3	Permitted: 2
Existing bldg square footage:	2,959 sf	Proposed: 3,264 sf	Permitted: N/A
Existing # of stories:	3	Proposed: 3	Permitted: N/A
Existing bldg height:	30'-1"	Proposed: 30'-1"	Permitted: 40'-0"
Existing bldg depth:	51'-4"	Proposed: 58'-9"	Permitted: 63'-0"

MEETING INFORMATION:

Property Owner(s) name(s):	Jim Murray, Anna Marie Murray
Project Sponsor(s):	Yakuh Askew (Y.A. studio)
Contact information (email/phone):	yakuh@ya-studio.com 415.920.1839
Meeting Address*:	16 Iris Avenue (Project Site)
Date of meeting:	Thursday, March 27, 2014
Time of meeting**:	6:00pm

*The meeting should be conducted at the project site or within a one-mile radius, unless the Project Sponsor has requested a Department Facilitated Pre-Application Meeting, in which case the meeting will be held at the Planning Department offices, at 1650 Mission Street, Suite 400.

**Weeknight meetings shall occur between 6:00 p.m. - 9:00 p.m. Weekend meetings shall be between 10:00 a.m. - 9:00 p.m, unless the Project Sponsor has selected a Department Facilitated Pre-Application Meeting.

If you have any questions about the San Francisco Planning Code, Residential Design Guidelines, or general development process in the City, please call the Public Information Center at 415-558-6378, or contact the Planning Department via email at pic@sfgov.org. You may also find information about the San Francisco Planning Department and on-going planning efforts at www.sfplanning.org.

APPLICATION FOR Discretionary Review Fee Waiver

1. Applicant and Project Information

APPLICANT NAME:

Laurel Heights Improvement Association of San Francisco, Inc. and Kathryn Devincenzi (member of LHIA)

APPLICANT ADDRESS:

250 Euclid Avenue, San Francisco, CA 94118 and
22 Iris Avenue, San Francisco, CA 94118

TELEPHONE:

(415) 387-4938 and 221-4700

EMAIL:

KRDevincenzi@gmail.com

NEIGHBORHOOD ORGANIZATION NAME:

Laurel Heights Improvement Association of San Francisco, Inc.

NEIGHBORHOOD ORGANIZATION ADDRESS:

250 Euclid Avenue, San Francisco, CA 94118 and
22 Iris Avenue, San Francisco, CA 94118

TELEPHONE:

(415) 387-4938 and 221-4700

EMAIL:

KRDevincenzi@gmail.com

PROJECT ADDRESS:

16A and 16 Iris Avenue, San Francisco, CA 94118

PLANNING CASE NO.:

2014.0544D

BUILDING PERMIT APPLICATION NO.:

2014.04.16.3387

DATE OF DECISION (IF ANY):

2. Required Criteria for Granting Waiver

(All must be satisfied; please attach supporting materials)

- The appellant is a member of the stated neighborhood organization and is authorized to file the appeal on behalf of the organization. Authorization may take the form of a letter signed by the President or other officer of the organization.
- The appellant is appealing on behalf of an organization that is registered with the Planning Department and that appears on the Department's current list of neighborhood organizations.
- The appellant is appealing on behalf of an organization that has been in existence at least 24 months prior to the submittal of the fee waiver request. Existence may be established by evidence including that relating to the organization's activities at that time such as meeting minutes, resolutions, publications and rosters.
- The appellant is appealing on behalf of a neighborhood organization that is affected by the project and that is the subject of the appeal.

RECEIVED

OCT 03 2014

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

14-05440

For Department Use Only

Application received by Planning Department:

By: _____

Date: _____

Submission Checklist:

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

- WAIVER APPROVED WAIVER DENIED



SAN FRANCISCO
PLANNING
DEPARTMENT

FOR MORE INFORMATION:

Call or visit the San Francisco Planning Department

Central Reception

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

TEL: **415.558.6378**

FAX: **415.558.6409**

WEB: **<http://www.sfplanning.org>**

Planning Information Center (PIC)

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

TEL: **415.558.6377**

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

14-05440

**STATEMENT SUPPORTING APPLICATION FOR DISCRETIONARY REVIEW FEE
WAIVER**

The 16 and 16A Iris Avenue property that is the subject of the application for merger and a building permit is located within the Laurel Heights tract and is within the territory served by the Laurel Heights Improvement Association, which seeks to preserve neighborhood character. Said Association is one of the appellants requesting discretionary review. Kathryn Devincenzi is also requesting discretionary review and is a member of the Laurel Heights Improvement Association and serves as its Vice-President. Kathryn Devincenzi owns the 22/24 Iris Avenue property which is immediately adjacent to the south of the 16 Iris Avenue property, and Ms. Devincenzi and her property would be affected by the proposed expansion into the rear yard. Ms. Devincenzi and other members of the Association would be affected by the proposed project's expansion into the mid-block open space and deviation from the strong uniform pattern of the rears of five adjacent buildings.

As explained in the accompanying Application for Discretionary Review, which is incorporated by reference herein, the proposed expansion of the 16A Iris Avenue garden apartment would be uncharacteristically deep and tall and would violate the very strong uniform pattern, scale, form and properties of the rears of the five adjacent buildings, beginning with the 16 Iris property and extending to the four buildings to the south. The proposed expansion would also extend uncharacteristically into the rear yard and violate the strong pattern of mid-block open space established by said five adjacent buildings. For these reasons, the proposed expansion would have an adverse visual appearance and adversely impact light and privacy of adjacent properties.

Minutes of an Association meeting and submissions to the California Secretary of State are also attached.

DATED: October 2, 2014

LAUREL HEIGHTS IMPROVEMENT
ASSOCIATION OF SAN FRANCISCO, INC.

By: Kathryn R. Devincenzi
Kathryn R. Devincenzi, Vice-President
22 Iris Avenue, San Francisco, CA 94118
Telephone: (415) 221-4700



Laurel Heights Improvement Association of San Francisco, Inc.

October 2, 2014

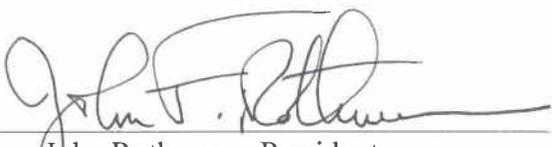
Re: 16 A and 16 Iris Avenue, San Francisco, CA

To Whom It May Concern:

As President of the Laurel Heights Improvement Association of San Francisco, Inc., I hereby confirm that Kathryn Devincenzi, Vice-President, is the authorized agent of the Laurel Heights Improvement Association of San Francisco, Inc. for the purpose of filing an application for discretionary review of the applications for a merger and building permit for the 16 and 16 A Iris Avenue property, application/building permit number 2014.04.16.3387 and Case Number 2014.0544 D and the application for discretionary review fee waiver.

Very truly yours,

LAUREL HEIGHTS IMPROVEMENT
ASSOCIATION OF SAN FRANCISCO, INC.

By: 
John Rothmann, President
250 Euclid Avenue
San Francisco, CA 94118



Laurel Heights Improvement Association of San Francisco, Inc.

MINUTES

14-0544D

The Laurel Heights Improvement Association of San Francisco, Inc. held its annual meeting commencing at 6:45 p.m. on October 4, 2010 at The Presidio Café. The meeting was held pursuant to notice sent to the Association's members.

The meeting began with our customary introductions of the members present.

President John Rothmann reported that the Association's block party had been handled more economically for about \$600, which was about \$400 less than the amount spent the prior year. He reported that our Corresponding Secretary Edie Walker was retiring and the members thanked her for her service to our neighborhood. Mr. Rothmann stated that there had been a substantial change in the Laurel Hill Playground since City had rented the clubhouse to a child language educational program and that the free child observation class sponsored by City College would no longer be conducted at the Laurel Hill Playground.

Treasurer Dr. Jerome Stroumza reported that the Association had approximately \$ in one bank account and approximately \$ in a checking account. He stated the Association's income was approximately \$ and that approximately \$1,200 was spent on the block party in 2009 and approximately \$600 this year, with the rest spent primarily on mailing the dues statement and participation in the Coalition for San Francisco Neighborhoods. He suggested that we revisit whether the Association should continue to hold a block party.

Cara Winkler reported that there was a new project proposed to be constructed at the Booker T. Washington site on Presidio Avenue that would involve a change in the height limit from 40 feet to 55 feet and that the project would have inadequate on-site parking spaces for residents. Kathryn Devincenzi moved that the Association oppose the change in the height limit from 40 to 55 feet and request that additional on-site parking be provided for that project. The motion was seconded by MJ Thomas and passed unanimously by the members.

Vice-President Kathy Devincenzi reported that a research group had polled residents for their attitude toward a possible sale of the UCSF Laurel Heights site to an elderly residence organization with UCSF requesting rezoning of the site for 7-8 story buildings prior to the sale. The members requested that this possibility be investigated. She also explained that the City had passed amendments to the General Plan calling for increased density, reduced parking and discouragement of use of the private automobile.

There was a discussion of whether the Association should continue to have the block party, and the decision was postponed to a later meeting which could occur in December or January.

Upon motion by MJ Thomas, seconded by Dr. Jerome Stroumza, the members unanimously elected the following officers and directors:

President - John Rothmann
Vice President - Kathy Devincenzi
Corresponding Secretary - Ashley Frazer
Recording Secretary - Kathy Devincenzi
Treasurer - Mary Joy Thomas

Directors for Two-Year Terms:

John Rothmann
Kathy Devincenzi
Ashley Frazer
Peter Chovanos
Mary Joy Thomas
Dr. Jerome Stroumza
William Hikido

Directors for One-Year Term:

Patrick Phillips
Marie Carr
Irving Jarkovsky
Helen Jarkovsky
Dr. Carolyn Carr
Dana Becker
Charlene Tuchmann

In her capacity of Recording Secretary, Kathy Devincenzi read the minutes of the annual meeting of our members held on November 9, 2009. There being no corrections to the minutes, upon motion by Dr. Stroumza, seconded by John Rothmann, the members unanimously approved the minutes as read.

There was a discussion of nighttime noise from patrons of Starbucks in Laurel Villabge.

After our customary raffle of wine, there being no further business, upon motion by Dr. Jerome Stroumza, seconded by MJ Thomas the meeting was adjourned at approximately 8:05 p.m.

Respectfully submitted,

Kathy Devincenzi

Kathy Devincenzi, Recording Secretary



State of California Secretary of State

N

Statement of Information

(Domestic Nonprofit, Credit Union and Consumer Cooperative Corporations)

**Filing Fee: \$20.00. If this is an amendment, see instructions.
IMPORTANT – READ INSTRUCTIONS BEFORE COMPLETING THIS FORM**

1. CORPORATE NAME

LAUREL HEIGHTS IMPROVEMENT ASSOCIATION OF SAN FRANCISCO, INC.

2. CALIFORNIA CORPORATE NUMBER
C0245361

This Space for Filing Use Only

Complete Principal Office Address (Do not abbreviate the name of the city. Item 3 cannot be a P.O. Box.)

3. STREET ADDRESS OF PRINCIPAL OFFICE IN CALIFORNIA, IF ANY	CITY	STATE	ZIP CODE
250 Euclid Avenue	San Francisco	CA	94118
4. MAILING ADDRESS OF THE CORPORATION	CITY	STATE	ZIP CODE

Names and Complete Addresses of the Following Officers (The corporation must list these three officers. A comparable title for the specific officer may be added; however, the preprinted titles on this form must not be altered.)

5. CHIEF EXECUTIVE OFFICER/ Pres.	ADDRESS	CITY	STATE	ZIP CODE
John Rothmann	250 Euclid Avenue	San Francisco	CA	94118
6. SECRETARY	ADDRESS	CITY	STATE	ZIP CODE
Catherine Carr	63 Lupine Avenue	San Francisco	CA	94118
7. CHIEF FINANCIAL OFFICER/ Treas	ADDRESS	CITY	STATE	ZIP CODE
Mary Joy Thomas	556 Spruce Street	San Francisco	CA	94118

Agent for Service of Process If the agent is an individual, the agent must reside in California and Item 9 must be completed with a California street address, a P.O. Box address is not acceptable. If the agent is another corporation, the agent must have on file with the California Secretary of State a certificate pursuant to California Corporations Code section 1505 and Item 9 must be left blank.

8. NAME OF AGENT FOR SERVICE OF PROCESS

John Rothmann

9. STREET ADDRESS OF AGENT FOR SERVICE OF PROCESS IN CALIFORNIA, IF AN INDIVIDUAL	CITY	STATE	ZIP CODE
250 Euclid Avenue	San Francisco	CA	94118

Davis-Stirling Common Interest Development Act (California Civil Code section 1350, et seq.)

10 Check here if the corporation is an association formed to manage a common interest development under the Davis-Stirling Common Interest Development Act.

NOTE: Corporations formed to manage a common interest development must also file a Statement by Common Interest Development Association (Form SI-CID) as required by California Civil Code section 1363.6. Please see instructions on the reverse side of this form.

11. THE INFORMATION CONTAINED HEREIN IS TRUE AND CORRECT.

5-15-2012

Kathryn Devincenzi

Vice-President

Kathryn Devincenzi

DATE

TYPE/PRINT NAME OF PERSON COMPLETING FORM

TITLE

SIGNATURE



State of California Secretary of State

N

Statement of Information

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LAUREL HEIGHTS IMPROVEMENT ASSOCIATION OF SAN FRANCISCO, INC.

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8. NAME OF AGENT FOR SERVICE OF PROCESS

John Rothmann

9. STREET ADDRESS OF AGENT FOR SERVICE OF PROCESS IN CALIFORNIA, IF AN INDIVIDUAL	CITY	STATE	ZIP CODE
250 Euclid Avenue	San Francisco	CA	94118

Common Interest Developments

10. Check here if the corporation is an association formed to manage a common interest development under the Davis-Stirling Common Interest Development Act, (California Civil Code section 4000, et seq.) or under the Commercial and Industrial Common Interest Development Act, (California Civil Code section 6500, et seq.). The corporation must file a Statement by Common Interest Development Association (Form SI-CID) as required by California Civil Code sections 5405(a) and 6760(a). Please see instructions on the reverse side of this form.

11. THE INFORMATION CONTAINED HEREIN IS TRUE AND CORRECT.

5-28-2014

Kathryn Devincenzi

Vice-President

Kathryn Devincenzi

DATE

TYPE/PRINT NAME OF PERSON COMPLETING FORM

TITLE

SIGNATURE

14.0544D

1043/001
Christopher Wong, et al.
1 Manzanita AVE
San Francisco, CA 94118-
2769

1043/004
Andre & Jacqueline Denola
23 Manzanita AVE
San Francisco, CA 94118-
2769

1043/002
Chin TRS
11 Manzanita AVE
San Francisco, CA 94118-
2769

1043/005
Oppenheimer TRS
7420 Parkwoods DR
Stockton, CA 95207-1414

1043/003
Suzuki TRS
17 Manzanita AVE
San Francisco, CA 94118-
2769

1043/005
OCCUPANT
29 Manzanita AVE
San Francisco, CA 94118-
2769

1043/006
Robert LoForti TRS
35 Manzanita AVE
San Francisco, CA 94118-
2769

1043/023
Ball TRS
46 Iris AVE
San Francisco, CA 94118-
2727

1043/007
Hong TRS
41 Manzanita AVE
San Francisco, CA 94118-
2769

1043/023
Occupant
48 Iris AVE
San Francisco, CA 94118-
2727

1043/008
Hong & Kobayashi TRS
47 Manzanita AVE
San Francisco, CA 94118-
2769

1043/024
Joe Ming Dennis
40 Iris AVE
San Francisco, CA 94118-
2727

1043/024
Occupant
42 Iris Avenue
San Francisco, CA 94118-
2727

1043/025
Occupant
36 Iris AVE
San Francisco, CA 94118-
2727

1043/025
Newman TRS
581 Spruce ST
San Francisco, CA 94118-
2616

1043/025
Occupant
36A Iris AVE
San Francisco, CA 94118-
2727

1043/025
Occupant
34 Iris AVE
San Francisco, CA 94118-
2727

1043/026
Louie TRS
28 Iris AVE
San Francisco, CA 94118-
2727

1043/026
Occupant
30 Iris AVE
San Francisco, CA 94118-
2727

1043/028
James & Anna Murray
16 Iris AVE
San Francisco, CA 94118-
2727

1043/027
Kathryn Devincenzi
22 Iris AVE
San Francisco, CA 94118-
2727

1043/028
Occupant
16 Iris AVE
San Francisco, CA 94118-
2727

1043/027
Occupant
24 Iris AVE
San Francisco, CA 94118-
2727

1043/028
Mark & Clarissa Stahl
18 Iris AVE
San Francisco, CA 94118-
2727

1043/029
Occupant
10 Iris AVE
San Francisco, CA 94118-
2727

1043/030
Occupant
91 Mayfair DR
San Francisco, CA 94118-
2764

1043/029
Doris Weshler TRS
12 Iris AVE
San Francisco, CA 94118-
2727

1043/030
Occupant
93 Mayfair DR
San Francisco, CA 94118-
2764

1043/030
Phillips TRS
6 Bay Vista CT
Mill Valley, CA 94941-
1603

1043/030
95 Mayfair Drive
San Francisco, CA 94118-
2764

1043/030
Occupant
97 Mayfair Drive
San Francisco, CA 94118-
2764

1042/001
Occupant
103 Mayfair DR
San Francisco, CA 94118-
2731

1042/001
Yip TR
P.O. Box 1163
Mill Valley, CA 94942-
1163

1042/001
Occupant
105 Mayfair DR
San Francisco, CA 94118-
2731

1042/001
Occupant
101 Mayfair DR
San Francisco, CA 94118-
2731

1042/001
Occupant
107 Mayfair DR
San Francisco, CA 94118-
2731

14.0544D

1042/002
Pon TR
9 Iris AVE
San Francisco, CA 94118-
2726

1042/060
Carole Leong
17 Iris AVE
San Francisco, CA 94118-
2726

1042/002
Occupant
11 Iris AVE
San Francisco, CA 94118-
2726

1042/004
Passalacqua & Hardy
21 Iris AVE
San Francisco, CA 94118-
2726

1042/059
Occupant
15 Iris AVE
San Francisco, CA 94118-
2726

1042/004
Occupant
23 Iris AVE
San Francisco, CA 94118-
2726

1042/005
Occupant
27 Iris AVE
San Francisco, CA 94118-
2726

1042/044
Marcia Nakamura
35 Iris AVE
San Francisco, CA 94118-
2726

1042/005
Hemlata Vyas
29 Iris AVE
San Francisco, CA 94118-
2726

1042/007
William & Emiko Hikido
39 Iris AVE
San Francisco, CA 94118-
2726

1042/043
Nahyun Park
33 Iris AVE
San Francisco, CA 94118-
2726

1042/007
Occupant
41 Iris AVE
San Francisco, CA 94118-
2726

Laurel Heights Imp. Assn.
250 Euclid AVE
San Francisco, CA 94118

Yakuh Askew/YA Studios
777 Florida ST #306
San Francisco, CA 94110

14-0544D

14-054401

BLOCK	LOT	OWNER	ADDRESS	CITY	STATE	ZIP
1043	001	Christopher Wong, et al.	1 Manzanita AVE	San Francisco	CA	94118-2769
1043	002	Chin TRS	11 Manzanita AVE	San Francisco	CA	94118-2769
1043	003	Suzuki TRS	17 Manzanita AVE	San Francisco	CA	94118-2769
1043	004	Andre & Jacqueline Denola	23 Manzanita AVE	San Francisco	CA	94118-2769
1043	005	Oppenheimer TRS	7420 Parkwoods DR	Stockton	CA	95207-1414
1043	005	Occupant	29 Manzanita AVE	San Francisco	CA	94118-2769
1043	006	Robert LoForti TRS	35 Manzanita AVE	San Francisco	CA	94118-2769
1043	007	Hong TRS	41 Manzanita AVE	San Francisco	CA	94118-2769
1043	008	Hong & Kobayashi TRS	47 Manzanita AVE	San Francisco	CA	94118-2769
1043	023	Ball TRS	46 Iris AVE	San Francisco	CA	94118-2727
1043	023	Occupant	48 Iris AVE	San Francisco	CA	94118-2727
1043	024	Joe Ming Dennis	40 Iris AVE	San Francisco	CA	94118-2727
1043	024	Occupant	42 Iris AVE	San Francisco	CA	94118-2727
1043	025	Newman TRS	581 Spruce ST	San Francisco	CA	94118-2616
1043	025	Occupant	34 Iris AVE	San Francisco	CA	94118-2727
1043	025	Occupant	36 Iris AVE	San Francisco	CA	94118-2727
1043	025	Occupant	36A Iris AVE	San Francisco	CA	94118-2727
1043	026	Louie TRS	28 Iris AVE	San Francisco	CA	94118-2727
1043	026	Occupant	30 Iris AVE	San Francisco	CA	94118-2727
1043	027	Kathryn Devincenzi	22 Iris AVE	San Francisco	CA	94118-2727
1043	027	Occupant	24 Iris AVE	San Francisco	CA	94118-2727
1043	028	James & Anna Murray	16 Iris AVE	San Francisco	CA	94118-2727
1043	028	Occupant	16 Iris AVE	San Francisco	CA	94118-2727
1043	028	Mark & Clarissa Stahl	18 Iris AVE	San Francisco	CA	94118-2727
1043	029	Occupant	10 Iris AVE	San Francisco	CA	94118-2727
1043	029	Doris Weshler TRS	12 Iris AVE	San Francisco	CA	94118-2727
1043	030	Phillips TRS	6 Bay Vista CT	Mill Valley	CA	94941-1603
1043	030	Occupant	91 Mayfair DR	San Francisco	CA	94118-2764
1043	030	Occupant	93 Mayfair DR	San Francisco	CA	94118-2764
1043	030	Occupant	95 Mayfair DR	San Francisco	CA	94118-2764
1043	030	Occupant	97 Mayfair DR	San Francisco	CA	94118-2764
1042	001	Yip TR	P.O. Box 1163	Mill Valley	CA	94942-1163
1042	001	Occupant	101 Mayfair DR	San Francisco	CA	94118-2731
1042	001	Occupant	103 Mayfair DR	San Francisco	CA	94118-2731
1042	001	Occupant	105 Mayfair DR	San Francisco	CA	94118-2731
1042	001	Occupant	107 Mayfair DR	San Francisco	CA	94118-2731
1042	002	Pon TRS	9 Iris AVE	San Francisco	CA	94118-2726
1042	002	Occupant	11 Iris AVE	San Francisco	CA	94118-2726
1042	059	Occupant	15 Iris AVE	San Francisco	CA	94118-2726
1042	060	Carole Leong	17 Iris AVE	San Francisco	CA	94118-2726
1042	004	Passalacqua & Hardy	21 Iris AVE	San Francisco	CA	94118-2726
1042	004	Occupant	23 Iris AVE	San Francisco	CA	94118-2726

14-0544D

1042	005	Occupant	27 Iris AVE	San Francisco CA	94118-2726
1042	005	Hemlata Vyas	29 Iris AVE	San Francisco CA	94118-2726
1042	043	Nahyun Park	33 Iris AVE	San Francisco CA	94118-2726
1042	044	Marcia Nakamura	35 Iris AVE	San Francisco CA	94118-2726
1042	007	William & Emiko Hikido	39 Iris AVE	San Francisco CA	94118-2726
1042	007	Occupant	41 Iris Ave	San Francisco CA	94118-2726
000	000	Laurel Heights Imp. Assn.	250 Euclid AVE	San Francisco CA	94118
000	000	Yakuh Askew/YA Studios	777 Florida ST #306	San Francisco CA	94110



Laurel Heights Improvement Association of San Francisco, Inc.

SUPPLEMENT TO APPLICATION FOR DISCRETIONARY REVIEW
OF APPLICATION FOR BUILDING PERMIT AND/OR UNIT MERGER

**16A and 16 Iris Avenue
San Francisco, CA**

Building Permit Application 2014.04.16.3387
Case: 2014.0544D

By: Laurel Heights Improvement Association of SF, Inc.
250 Euclid Avenue
San Francisco, CA 94118

Hearing Date: December 11, 2014

INTRODUCTION

On November 24, 2014, we were provided with a letter dated November 20, 2014 from the project sponsor proposing major changes in the subject applications consisting of a new proposal to move the nonconforming use status of the 16A Iris Avenue garden studio apartment to another location in the building and withdrawal of the merger application. (Ex. A) We were also informed that plan changes would be made, but to date, we have not received any. We respectfully submit this supplement to the previously initiated application for discretionary review to address these additional major changes and other pertinent issues.

1. The Planning Department Recommended that the Merger be Denied, and the Proposal to Move the Noncomplying Use Designation to the 16 Iris Middle Flat is Contrary to Code and General Plan Policies.

A. The Planning Department Stated that Elimination of the Rent-Controlled Studio Apartment and Creation of One Larger, Less Affordable Unit Is Contrary to the Mayor's Directive to Preserve Existing Housing Stock and General Plan Policies.

The October 2, 2014 Planning Department recommendation states at page 7 (Ex. B hereto, highlighted copy):

- “The Project will eliminate an existing sound, smaller dwelling-unit to create one larger, less affordable unit, which is inconsistent with the General Plan.
- The Project is contrary to the intent of Executive Directive 13-01 to retain legal housing units. The Mayor has directed the Department to adopt policy practices that encourage the preservation of existing housing stock. The proposed dwelling unit removal and replacement of ‘naturally affordable’ units is contrary to the priority principal of housing unit retention.
- The current affordability crisis creates an ‘exceptional and extraordinary’ circumstance such that the Commission should deny the project and preserve the existing dwelling units.”

The Department cited Housing Element Policy 3.4 and stated on page 5 of Exhibit B:

“Policy 3.4

Preserve ‘naturally affordable’ housing types, such as smaller and older ownership units.

The two existing dwelling units in question do not contain design deficiencies and are sound housing units. The project proposes to eliminate one ‘naturally affordable’ dwelling unit that is smaller (studio) and subject to rent control, to be replaced with a less

affordable three bedroom dwelling unit. The elimination of a functional ‘naturally affordable’ dwelling unit is contrary to the General plan as well as the Department’s and the City’s priority to preserve existing sound housing and to protect naturally affordable dwelling units.”

The proposed expansion would violate “the City’s priority to preserve existing sound housing and to protect naturally affordable dwelling units.” (Ex. B, p. 5) “The current affordability crisis creates an ‘exceptional and extraordinary’ circumstance such that the Commission should deny the project and preserve the existing dwelling units.” (Ex. B, p. 7) Since the modified proposal would add 470 square feet to the nonconforming garden apartment unit, it would adversely impact the natural affordability of that unit. Thus, the Commission should take discretionary review and deny the modified application for building permit.

According to the Building Department, the 16A Iris Avenue garden apartment is a legal nonconforming third unit. The existence of a third unit is standing in the way of bypassing the condominium lottery and allowing the building to be treated as two units and converted to condominiums. (See Ex. C - letter from Albert Louie/Louie Family Trust, Owner of 28/30 Iris Avenue) Since the third unit is nonconforming, it is also standing in the way of expanding into the required 45% rear yard, which would increase the nonconformity. (See Ex. D, p. 2)

The proposed expansion of 470 square feet would significantly increase the value of the property. A speculator on the same block recently added 1,000 square feet to the rear at 58 Iris. The enlarged unit was put on the market for \$2,650,000 immediately after construction even though we were told that family would live in the unit. (Ex. E - sales brochure) The upper condominium next door (54 Iris) sold for \$1,500,000 one month before the 58 Iris unit next door was put up for sale. (Ex. F) Adding square footage adds value to the property.

2. To Prevent Circumventing the Mayor’s Directive, the Commission Should Grant Discretionary Review and Impose Conditions of Approval That Will Prevent or Deter Removal of the Rent-Controlled Apartment or Change in the Designation of the Nonconforming Unit in the Future.

The November 20 proposal to designate the garden level studio apartment (16A Iris) as a conforming unit and the middle flat (16 Iris) as the nonconforming unit is a ploy to circumvent the Mayor’s Directive that rent-controlled units be preserved and to reverse the order in which the rent-controlled unit will be eradicated. Also, as explained in Section 1. above, the proposed expansion would fail to protect “naturally affordable” dwelling units and would be contrary to Housing Element Policy 3.4. As demonstrated in Section 3. below, the Planning Code does not permit moving the noncomplying status elsewhere in the building.

Following the Planning Department recommendation that the merger be denied, the project architect stated in a letter dated November 20, 2014 that “**at this time**” the project

sponsors will not pursue the dwelling unit merger. They can, and likely will, pursue it in the future unless appropriate conditions of approval are applied. The applicants now propose to designate the garden apartment as “the conforming unit for the purpose of gaining approval of the rear yard horizontal addition,” designate the middle flat (16 Iris) as the nonconforming unit, expand into the required 45% rear yard and remodel the middle flat. As demonstrated below, the Code does not permit moving the nonconforming use to another part of the building or extending the nonconforming use to occupy additional land outside the structure. The proposed expansion would unlawfully create a new noncompliance by expanding into the required 45% rear yard. A conditional use application or application for a variance would be required to change the conforming status of a unit or the building and to permit enlargement of the nonconformance. The following submission reserves all rights that relate to the failure of the building permit application and proposed project to comply with the Planning Code, and all proposals are made while reserving all rights. Moreover, the permit application included a proposed change of use, which has not been withdrawn.

It is obvious that the project sponsor is trying to change the order of its efforts to do away with the rent-controlled apartment. The Commission should impose conditions of approval of the project that prevent or deter the project sponsor from circumventing the Mayor’s directive in the future. A subsequent owner of the units could rent the rent-controlled apartment to a tenant even if the current owner does not rent it.

If the Commission permits this unauthorized procedure, the project sponsors should be prevented from circumventing the Mayor’s Directive and General Plan policies to preserve rental units. A recorded Notice of Special Restrictions should provide that if any owner of any interest in the 16A, 16 or 18 Iris Avenue property applies for a merger or change in the designation of the nonconforming or conforming units in the future, the Commission may order removal of the expansion at the ground level and/or treat it as an unpermitted expansion which will not be allowed to remain without an application for a conditional use or a variance. The NSR should also state that the cooking facilities in the ground-level studio apartment shall be retained, that such ground level studio apartment cannot be internally connected with the 16 Iris middle flat, and that the nonconforming use may not be moved elsewhere in the structure. The NSR should also provide that if such conditions are proposed to be changed in any respect, the Commission may order removal of the expansion at the ground level and/or treat it as an unpermitted expansion which will not be allowed to remain without an application for a conditional use or a variance.

A proposed Notice of Special Restrictions attached hereto as Exhibit G. Planning Department staff have failed to inform us of the language of the Notice of Special Restrictions that they propose to use to designate the middle flat as the nonconforming unit. (See Exhibit H-email requesting information) Staff claims that they have language that is standard, but the Commission can impose language that will act as an appropriate deterrent. Staff indicated that the owner can apply to merge the units in the future and destroy the rent-controlled unit.

Additional time should be granted to attempt to work out the language of an appropriate NSR, as we were first informed that an NSR would be proposed on November 25, 2014.

Planning Code section 174 authorizes this Commission to impose conditions, special restrictions or other limitations in actions on permits and in other actions pursuant to their authority. The Commission has the right to choose the language that would be used in the Notice of Special Restrictions.

3. The Modified Project Does Not Comply With the Planning Code Because the Code Does Not Authorize Moving the Noncomplying Use to the Larger Upper Flat or Increasing the Noncompliance by Expanding the Structure into the Required 45% Rear Yard.

Planning Code section 172 as to Compliance of Structures provides that:

“(a) No structure shall be constructed, reconstructed, enlarged, altered or relocated so as to have or result in a greater height, bulk or floor area ratio, **less required open space as defined by this Code**, or less off-street parking space or loading space, than permissible under the limitations set forth herein for the district or districts in which such structure is located.

(b) No existing structure which fails to meet the requirements of this Code in any manner as described in Subsection (a) above, or which occupies a lot that is smaller in dimension or area than required by this Code, shall be constructed, reconstructed, **enlarged, altered** or relocated **so as to increase the discrepancy, or to create a new discrepancy, at any level of the structure, between existing conditions on the lot and the required standards** for new construction set forth in this Code.” (Emphasis added)

Sheet A2.1 of the plans show that the proposed expansion would encroach into the averaged 45% rear yard set back required by Planning Code section 134(a)(2), which would increase the nonconformance. (Ex. I)

The 16A Iris garden level apartment is a nonconforming *use* under the definitions in the Planning Code. Planning Code section 180(a) (1) defines a “nonconforming use” as “a use which existed lawfully at the effective date of this Code, or of amendments thereto,and which fails to conform to one or more of the use limitations under Articles 2, 6, 7, and 8 of this Code that then became applicable for the district in which the property is located. Article 2 pertains to Use Districts and is the pertinent article as to nonconformance of use. Article 6 pertains to Signs, Article 7 pertains to Neighborhood Commercial Districts, and Article 8 pertains to Mixed-Use Districts. Article 2 Use Districts contains Planning Code section 209.1, which specifies that there can be 2 units in an RH-2 district. The third unit in the 16A Iris garden apartment is a nonconforming use under that Code provision.

The definition of a nonconforming structure is different, and the 16 Iris structure is not currently nonconforming as to dimensions, areas, or open space requirements, although the proposed ground-level expansion would fail to comply with open space requirements. Planning Code section 180(a)(2) defines a “noncomplying structure” as “a structure which existed lawfully at the effective date of this Code, or of amendments thereto, and which fails to comply with one or more of the regulations for structures, including requirements for off-street parking and loading, under Articles 1.2, 1.5, 2.5, 6, 7, and 8 of this Code, that then became applicable to the property on which the structure is located.” Article 1.2 pertains to Dimensions, Areas and Open Space, Article 1.5 pertains to Off-Street Parking and Loading, Article 2.5 pertains to Height and Bulk Districts, Article 6 pertains to Signs, Article 7 pertains to Neighborhood Commercial Districts and Article 8 pertains to Mixed-use Districts.

Planning Code section 181 as to Nonconforming Uses: Enlargements, Alterations and Reconstruction provides in pertinent part that:

“The following provisions shall apply to nonconforming uses with respect to enlargements, alterations and reconstruction:

- (a) **Increases in Nonconformity.** A nonconforming use, and any structure occupied by such use, shall not be enlarged, intensified, extended, or moved to another location, with the exception of the construction of a mezzanine within a live/work unit and expansion of dwelling units in PDR Districts, unless the result will be elimination of the nonconforming use, except as provided below and in section 186.1 of this Code. A nonconforming use shall not be extended to occupy additional space in a structure, or additional land outside a structure, or space in another structure, or to displace any other use, except as provided in Sections 182 and 186.1 of this Code.
- (b) **Permitted Alterations.** A structure occupied by a nonconforming use shall not be constructed, reconstructed or altered, unless the result will be elimination of the nonconforming use, except as provided in Section 186.1 of this Code and in Subsections (a) above and (d), (e), (f), (g), (h) and (i) below, and except as follows:...
 - (3) **Alterations otherwise allowed by this Code shall be permitted for any portion of the structure that will not thereafter be occupied by the nonconforming use, provided the nonconforming use is not enlarged, intensified, extended, or moved to another location....**
- (c) **Dwellings Nonconforming as to Density.**
 - (1) A dwelling or other housing structure exceeding the permitted density of dwelling units or other housing units set forth in Sections 207.5, 208, 209.1, 209.2, of 215 of this Code for the district in which it is located shall be classified as a nonconforming use under Section 180 of this Code, but only to the extent that such dwelling or other housing structure exceeds the permitted density.
 - (2) In districts where a dwelling unit is a principally permitted use, this Section 181 shall not apply with respect to enlargements, alterations and reconstruction of the nonconforming portion of such dwelling or other housing structure, consisting

of those dwelling units or other housing units which exceed the permitted density, **so long as such enlargements, alterations, or reconstruction do not otherwise extend beyond the building envelop as it existed on January 1, 2013....**

(4) Any dwelling unit or other housing unit coming within the density limit shall not be affected by this Section 181. Except as provided in Sections 181(h) and 182(e), no dwelling or other housing structure exceeding the permitted density of dwelling units or other housing units shall be altered to increase the number of dwelling units or other housing units therein, **or to increase or create any other nonconformity with respect to the dwelling unit** or other housing unit density limitations of Section 209.1 or Section 209.2.

Under Planning Code section 181, moving the nonconforming use to another location is prohibited and the enlargement would extend beyond the building envelope as it existed on January 1, 2013.

The Interpretation of the Zoning Administrator of Planning Code section 181(a) confirms this interpretation and states:

“This Subsection states that a nonconforming use (NCU) ‘shall not be enlarged, intensified, extended, or moved to another location...’ The prohibition against moving shall not apply to relocation within the same building, provided it occupies the same or less area and is not intensified in some other way.” (Ex. J)

Under this interpretation, the proposal to move the nonconforming use to the 1,385 square foot middle flat, which is larger than the 505 square foot studio, is unlawful and fails to comply with the Code. (See Ex. K, Sheet A0.1 of plans.)

The Certificate of Final Completion for the two flats was issued in 1949, and the nonconforming third unit was not recognized until 1973. (Ex. L hereto, and Ex. D to original application for discretionary review)

In addition, the plans clearly show that the proposed expansion would create a new discrepancy and extend the nonconformance into the 45% rear yard required by Planning Code section 134(a)(2). Such new discrepancy and extension of the nonconforming use violates Planning Code sections 172 and 181.

4. Discretionary Review Should be Granted and the Expansion Reduced in Size to Mitigate the Effect on the Uniform Rear Wall Forms and Patterns of Five Adjacent Buildings.

The ground level rear wall of the subject building is recessed three feet beneath the rear wall of the first floor above ground flat. This distinctive pattern is followed in the four adjacent buildings. The proposal is to expand twelve feet, eleven inches from the edge of the recessed

rear wall into the 45% required rear yard. Five adjacent buildings have the same rear wall forms and patterns, including the recession at ground level. (See Ex. M to original application for discretionary review)

In the alternative, to mitigate the effect on existing rear wall forms and patterns, the Commission should grant discretionary review and limit the depth of the expansion to the three-foot area under the recession. The current studio apartment is already 505 square feet.

In the alternative, the depth of the addition should be reduced to seven and a half feet from the edge of the recession, as was proposed in the preapplication meeting notice. (Ex. M)

In the alternative, the eleven (11) inch expansion beyond twelve (12) feet from the recessed ground level rear wall should be eliminated.

5. If the Middle 16 Iris Flat Is Designated as the Nonconforming Use, It Cannot Be Altered, So Discretionary Review Should Be Granted and the Proposed Alterations to that Flat Should Be Denied.

Planning Code section 181 (a)(3) clearly provides that alterations will not be permitted for any portion of a structure that would be occupied by the nonconforming use and will not be permitted anywhere if the nonconforming use is moved to another location. Thus, discretionary review should be granted and proposed alterations to the nonconforming use denied.

6. A 1941 Planning Commission Resolution Was Applied to the Property, and There Should be Investigation as to Whether There is Appropriate Building Coverage.

The Building Department records for the 16/18 Iris Avenue building contain a 1958 application for a building permit that was “Approved as per CPC res. #3093”. (Ex. N) Said City Planning Commission Resolution No. 3093 states that “In the Second Residential Area that the building coverage of any one block shall not exceed 65 percent of said block.” (Ex. N) The City must investigate whether this condition has been met and whether anything has superseded it. This condition was specifically applied to the subject building, and there is no evidence that the coverage of the block does not exceed 65 percent of the block.

7. The Third Unit Should Not Be Expanded Because it Violates the Density Limits for the Parcel

The Plans claim that the lot size is 3,841 square feet, the current lot coverage is 3,275 square feet and the proposed lot coverage is 3,745 square feet. Planning Code section 209.1(g) allows for an RH-2 district “Dwelling at a density ratio up to one dwelling unit for each 1,500 square feet of lot area, if authorized as a conditional use by the City Planning Commission.

The current lot size supports only two units and the subject building violates the density

ratio of the Code. Any expansion would exacerbate the density ratio nonconformance.

8. Removal of the Cooking Facilities is a Merger, and the Current Plans for the Alteration of the Studio Apartment Do Not Retain the Cooking Facilities.

Planning Code section 317 as to Loss of Dwelling Units Through Demolition, Merger and Conversion specifies that”

“(1) ‘Residential Conversion’ shall mean the removal of cooking facilities in a Residential Unit.”

To our knowledge, the plans have not been changed to date and were drafted for the proposed merger, which eliminated the cooking facilities from the studio apartment and added an internal stairway from the 16A Iris studio the 16 Iris flat above. The plans show a walk-in closet where the stove/cooking facilities were previously located and also show a new internal stairway from the studio into the flat above. (Ex. I , excerpt of plans) Photographs of the studio show the existing kitchen facilities consisting of stove, sink and refrigerator. (Ex. B to original application for discretionary review) 1973 Building Department records show that the garden apartment included “CIRCUIT FOR ELECTRIC RANGE.” (Ex. E to original application for discretionary review)

The project sponsor could effect a merger by sleight of hand by leaving the cooking facilities off the plans for the alterations to the ground level or leaving the new internal stairway in the plans.

Accordingly, if the plans are modified, we request a thirty day continuance of the hearing date to enable us to carefully review the modified plans.

The current plans constitute a merger, and discretionary review is mandatory. It is unlawful to proceed with these plans without Planning Commission approval of the proposed merger. The Planning Department recommendation that the merger be denied to preserve the rent-controlled apartment and the relatively affordable upper flat should be followed if the plans are not modified.

Our initial application for discretionary review cited the elimination of the third unit, rent-controlled apartment as well as neighborhood character issues. It is mandatory that the Commission take discretionary review of the elimination of the cooking facilities from 16A Iris and the addition of an internal stairway from 16 A Iris into the 16 Iris flat. Those proposed changes constitute a merger, and discretionary review is mandatory.

9. The Proposed Internal Stairway Between the Studio Apartment and the Flat Above Constitutes A Merger, and the Building Permit Application Also Proposed a Change of Use.

The Zoning Controls on the Removal of Dwelling Units specifies that:

“The Planning Commission has a long-standing policy of treating as mergers any applications that connect (via a door or other communicating opening) two or more existing units, even if all kitchens are retained in each unit, and construction of the opening would be reversible.” (Ex. O)

The current plans call for an internal stairway to be added between the 16 Iris studio and the 16 Iris flat above. This will combine the units and would constitute a merger of the two units. To our knowledge, the plans have not been changed to eliminate the combination of the two units. Thus, discretionary review of the proposed merger is mandatory and an application for merger is mandatory based on the current plans.

The City’s notice of building permit application also shows a change of use, and the application for building permit states the alteration would constitute a change of occupancy, would change the occupancy class from R3 to R2 and would change the number of dwelling units from 3 to 2. (Ex. P, pertinent excerpts) These items also constitute a merger, and discretionary review is mandatory based on the current documentation.

We respectfully reserve the right to submit further comments as to any revised plans.

DATED: November 26, 2014

Laurel Heights Improvement Association of SF, Inc.



By: Kathryn Devincenzi, Vice-President

EXHIBIT A



Kathy Devincenzi <krdevincenzi@gmail.com>

16 and 16A Iris

3 messages

Kathy Devincenzi <krdevincenzi@gmail.com>
To: "Vellve, Sara (CPC)" <sara.vellve@sfgov.org>

Mon, Nov 24, 2014 at 3:09 PM

Ms. Vellve,

Please let me know whether the application for merger is going to be withdrawn for 16 and 16A Iris Avenue and whether any changes will be made in the pertinent documents.

Kathryn Devincenzi
221-4700

Vellve, Sara (CPC) <sara.vellve@sfgov.org>
To: Kathy Devincenzi <krdevincenzi@gmail.com>

Mon, Nov 24, 2014 at 3:43 PM

Hi Kathy – attached is a letter received by the sponsor regarding the merger and unit designation. At this time the Residential Design Team is not going to request modifications to the addition. I will be leaving the office for the day soon and we can catch up tomorrow if necessary.

Best,

Sara

Sara Vellve
Planner, Northwest Quadrant, Current Planning

Planning Department | City and County of San Francisco
1650 Mission Street, Suite 400, San Francisco, CA 94103

Direct: 415-558-6263 | Fax: 415-558-6409 | Hours: M-W 8:30 – 3:30, Th 8:30 – 5:30

Email: sara.vellve@sfgov.org

Web: www.sfplanning.org



From: Kathy Devincenzi [mailto:krdevincenzi@gmail.com]

Sent: Monday, November 24, 2014 3:09 PM

To: Vellve, Sara (CPC)

Subject: 16 and 16A Iris

[Quoted text hidden]



16IrisDesignation.pdf

1495K

Kathy Devincenzi <krdevincenzi@gmail.com>
To: "Vellve, Sara (CPC)" <sara.vellve@sfgov.org>

Mon, Nov 24, 2014 at 3:57 PM

Ms. Vellve,

Is the project sponsor going to change the plans in any way? I have not received any changes since October 1, 2014.

Kathryn Devincenzi

[Quoted text hidden]

Novembers 20, 2014

Re: 16 Iris Avenue-Dwelling Unit Merger

Planner: Sara Vellve
Application: 2014.04.16.3387
Case No.: 2014.0544D
Project: Murray Residence, 16 Iris Avenue

Dear Sara Vellve:

This letter is to confirm that the project sponsors : James and Anna Marie Murray, will at this time formally no longer pursue the dwelling unit merger between 16 Iris and 16 A Iris.

The permit application will only be applied to the proposed horizontal addition for unit 16 A Iris, along with the interior model for 16 Iris.

The project sponsors also request to formally designate the upper unit (16 Iris) as the nonconforming unit, while simultaneously designating Unit 16 A Iris as the conforming unit for the purpose of gaining approval of the rear yard horizontal addition.

Thank you and please let us know if you have any additional questions.

Regards,

Authorized Agent,
Y.A. studio,
Yakuh Askew.

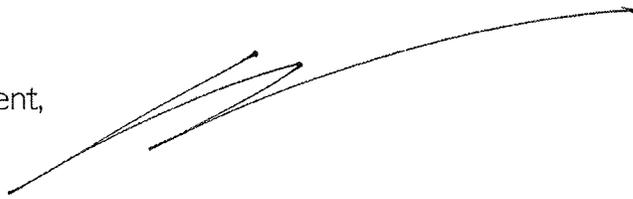


EXHIBIT B



SAN FRANCISCO PLANNING DEPARTMENT

Discretionary Review Analysis

Dwelling Unit Merger HEARING DATE: OCTOBER 9, 2014

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

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

Date: October 2, 2014
Case No.: 2014.0544D
Project Address: 16 & 16A Iris Avenue
Permit Application: 2014.04.16.3387
Zoning: RH-2 (Residential, House, Two-Family)
40-X Height and Bulk District
Block/Lot: 1043/028
Project Sponsor: Yakuh Askew
YA Studios
777 Florida Street #306
San Francisco, CA 94110
Property Owner: James & Anna Marie Murray
16 Iris Avenue
San Francisco, CA 94118
Staff Contact: Sara Vellve – (415) 558-6263
sara.vellve@sfgov.org
Recommendation: **Take Discretionary Review and Disapprove**

PROJECT DESCRIPTION

The proposal is to merge a two-bedroom, one bathroom flat (unit 16) with a ground-floor studio with one bathroom (unit 16A) in a three unit building that was constructed circa 1948. The resulting unit would consist of three bedrooms and three bathrooms. The proposed merger will accommodate the household that currently owns and resides in the two subject units. The property owners purchased the units in July 2006. Neither unit has been appraised. The Project proposes a merger that would result in the loss of a dwelling unit that is not financially inaccessible or demonstrably unaffordable and is therefore subject to Mandatory Discretionary Review.

In conjunction with the dwelling unit merger, the sponsor has proposed a one-story rear horizontal addition of approximately 9 feet deep and 32 feet wide with deck above. The addition would accommodate a larger master bedroom, bathroom and recreation room than would be achieved through the merger alone. The addition would add approximately 290 square feet to the units proposed to be merged.

BACKGROUND

The subject Dwelling Unit Merger application was filed on May 15, 2014 and reviewed against the Dwelling Unit Merger criteria of Planning Code Section 317(e), the Mayor's Executive Directive 13-01

issued on December 18, 2013 and the Working Group Response issued on February 3, 2014 which require **Mandatory Discretionary Review for the loss of dwelling units in buildings with more than two units.**

SITE DESCRIPTION AND PRESENT USE

The subject property is located on the east side of Iris Avenue, between Mayfair Drive and Euclid Avenue, Lot 028 in Assessor’s Block 1043 and is located within the RH-2 (Residential, House, Two-Family) Zoning District and the 40-X Height and Bulk District. The property is developed with a three-story, approximately 4,000 square foot building that was constructed circa 1948 with two residential flats occupying the first and second floors, with parking on the ground floor. Per the Department of Building Inspection records, the third unit on the ground floor was authorized in November of 1973. The building owners indicate that the ground-floor studio has not been renter occupied since their purchase of the building. **The building is considered a legal nonconforming structure with regard to density.**

SURROUNDING PROPERTIES AND NEIGHBORHOOD

The subject property is located in the Laurel Hill neighborhood in a low density residential area with pockets of higher density zoning at corner properties. The property is located one half block south of the Laurel Village Shopping Center and one block from California Street. The surrounding area consists of two, three and four-story residential buildings containing one, two and four units.

HEARING NOTIFICATION

TYPE	REQUIRED PERIOD	REQUIRED NOTICE DATE	ACTUAL NOTICE DATE	ACTUAL PERIOD
Posted Notice	10 days	September 29, 2014	September 30, 2014	10 days
Mailed Notice	10 days	September 29, 2014	September 30, 2014	10 days

PUBLIC COMMENT

	SUPPORT	OPPOSED	NO POSITION
Adjacent neighbor(s)	0	1	1
Other neighbors on the block or directly across the street	0	0	0
Neighborhood groups	0	1	0

A 30-day notice for Section 311 notice was conducted between September 5, 2014 and October 5, 2014.

PROJECT ANALYSIS

DWELLING UNIT MERGER CRITERIA

Below are the nine criteria to be considered by the Planning Commission in evaluating dwelling unit mergers, per Planning Code Section 317:

1. Whether removal of the unit(s) would only eliminate owner occupied housing, and if so, for how long the unit(s) proposed to be removed have been owner occupied;

Project Meets Criterion

According to the Project Sponsor, the studio unit proposed to be merged has been used by their family as accessory space to their primary residence on the floor above, and has not been rented or occupied by a tenant since they purchased the building in 2006.

2. Whether removal of the unit(s) and the merger with another is intended for owner occupancy;

Project Meets Criterion

According to the Project Sponsor, the unit created by the proposed merger would continue to be owner occupied. The merger will result in an approximately 2,400 square foot, three bedroom, three bath unit that will be owner occupied. The third-floor unit at 18 Iris Avenue is not part of the proposal.

3. Whether removal of the unit(s) will remove an affordable housing unit as defined in Section 415 of the Planning Code or housing subject to the Rent Stabilization and Arbitration Ordinance;

Project Does Not Meet Criterion

The two dwelling units proposed for merger are not considered to be affordable housing as defined in Planning Code Section 415. The units are however subject to the Rent Stabilization and Arbitration Ordinance as they were constructed prior to 1979. One dwelling unit subject to rent control will be lost due to the merger.

4. Whether removal of the unit(s) will bring the building closer into conformance with the prescribed zoning;

Project Meets Criterion

The merger would bring the structure into conformance with the prescribed density as the structure is currently one unit over the density permitted by the Zoning District. The subject property is within a RH-2 Zoning District which permits two dwelling units per lot.

5. If removal of the unit(s) removes an affordable housing unit as defined in Section 401 of the Planning Code or units subject to the Rent Stabilization and Arbitration Ordinance, whether replacement housing will be provided which is equal to or greater in size, number of bedrooms, affordability and suitability to households with children to the units being removed;

Project Does Not Meet Criterion

Both existing dwelling units are subject to the Rent Stabilization and Arbitration Ordinance and no replacement housing will be provided. The upper unit consists of two bedrooms and one bathroom. The ground-floor unit consists of a studio with full bath. The proposed merger will result in a three bedroom, three bathroom unit that is larger, with more bedrooms. However, the proposed project would eliminate one studio unit that is subject to rent control.

6. The number of bedrooms provided in the merged unit will be equal to or greater than the number of bedrooms in the separate units.

Project Does Not Meet Criterion

There are currently a total of three bedrooms in the two subject units and the merger will be equal to the current number of bedrooms occupied by the property owner.

7. Removal of the unit(s) is necessary to correct design or functional deficiencies that cannot be corrected through interior alterations.

Project Does Not Meet Criteria

The proposed dwelling unit merger is not necessary to correct design or functional deficiencies. The two existing flats function as separate units.

8. Administrative review criteria shall ensure that only those Residential Units proposed for Merger that are demonstrably not affordable or financially accessible housing are exempt from Mandatory Discretionary Review hearings. Applications for which the least expensive unit proposed for merger has a value greater than at least 80% of the combined land and structure values of single-family homes in San Francisco, as determined by a credible appraisal, made within six months of the application to merger, are not subject to a Mandatory Discretionary Review hearing.

Not Applicable

The property owner did not submit an appraisal to demonstrate compliance with this criterion.

9. The Planning Commission shall not approve an application for merger if any tenant has been evicted pursuant to Administrative Code Sections 37.9(a)(9) through 37.9(a)(14) where the tenant was served with a notice of eviction after December 10, 2013 if the notice was served within ten years prior to filing the application for merger. Additionally, the Planning Commission shall not approve an application for merger if any tenant has been evicted pursuant to Administrative Code Section 37.9(a)(8) where the tenant was served with a notice of eviction after December 10, 2013 if the notice was served within five years prior to filing the application for merger. This Subsection (e)(4) shall not apply if the tenant was evicted under Section 37.9(a)(11) or 37.9(a)(14) and the applicants either (A) have certified that the original tenant reoccupied the unit after the temporary eviction or (B) have submitted to the Planning Commission a declaration from the property owner or the tenant certifying that the property owner or the Rent Board notified the tenant of the tenant's right to reoccupy the unit after the temporary eviction and that the tenant chose not to reoccupy it.

Project Meets Criteria.

The units proposed for merger have not been occupied by tenants that have been evicted after December 10, 2013. Per the Project Sponsor, they have continuously used the unit for their own purposes since purchase of the building. The Rent Stabilization and Arbitration Board confirmed that an eviction has not occurred on the property since December 10, 2013.

EXECUTIVE DIRECTIVE 13-01:

Task 2: Discretionary Review for Loss of Housing Units.

Implementation Measure 2. Mandatory Discretionary Review for the loss of Dwelling Units.

For properties with more than two dwelling units, the Planning Department will initiate Discretionary Review for the loss of any dwelling units, legal or otherwise.

The proposal will result in the loss of one legal nonconforming dwelling unit and is therefore subject to the Mandatory Discretionary Review. A dwelling unit merger in the subject three-unit building is subject to Mandatory Discretionary Review. The proposed merger would eliminate one rent controlled unit, which is counter to the policy intent of the Mayor's Directive to address the City's housing crisis.

GENERAL PLAN COMPLIANCE:

The Department's Recommendation is consistent with the following Objectives and Policies of the General Plan:

HOUSING ELEMENT

Objectives and Policies

OBJECTIVE 3: PROTECT THE AFFORDABILITY OF THE EXISTING HOUSING STOCK, ESPECIALLY RENTAL UNITS.

POLICY 3.1

Preserve rental units, especially rent controlled units, to meet the City's affordable housing needs.

POLICY 3.4

Preserve "naturally affordable" housing types, such as smaller and older ownership units.

The two existing dwelling units in question do not contain design deficiencies and are sound housing units. The project proposes to eliminate one "naturally affordable" dwelling unit that is smaller (studio) and subject to rent control, to be replaced with a less affordable three bedroom dwelling unit. The elimination of a functional "naturally affordable" dwelling unit is contrary to the General plan as well as the Department's and the City's priority to preserve existing sound housing and to protect naturally affordable dwelling units.

SECTION 101.1 PRIORITY POLICIES

Planning Code Section 101.1 establishes eight priority policies and requires review of permits for consistency, on balance, with these policies. The Project does not comply with these policies as follows:

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

The proposal does not affect existing neighborhood-serving retail uses as the site is occupied by a residential use.

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

The proposal would eliminate existing housing and therefore, be contrary to this Priority Policy.

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

The proposed merger would result in the loss of one affordable housing unit as an appraisal indicating that the unit appraises above \$1.506M was not submitted. Therefore, the unit is potentially financially accessible housing, given the current housing market. The merger would result in the loss of one unit subject to the Rent Stabilization and Arbitration Ordinance.

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

The proposal will not impede MUNI transit service or overburden our streets or neighborhood parking.

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

The proposal will not affect industrial or service sectors.

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

The proposal will comply with applicable code standards.

7. Landmarks and historic buildings be preserved.

The subject building is not a landmark. It was constructed in 1908 and no exterior alterations are proposed.

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

The proposal does not include a component that would subject the proposal to Planning Code Section 295.

ENVIRONMENTAL REVIEW

The Project is exempt from the California Environmental Quality Act ("CEQA") as a Class 1 categorical exemption. A Planning Commission approval will constitute the Approval Action for the Project for the purposes of CEQA, pursuant to San Francisco's Administrative Code Section 31.04(h).

BASIS FOR RECOMMENDATION

- The Project will result in a net loss of one dwelling unit.

- The Project will eliminate an existing sound, smaller dwelling-unit to create one larger, less affordable unit, which is inconsistent with the General Plan.
- The Project is contrary to the intent of Executive Directive 13-01 to retain legal housing units. The Mayor has directed the Department to adopt policy practices that encourage the preservation of existing housing stock. The proposed dwelling unit removal and replacement of "naturally affordable" units is contrary to the priority principal of housing unit retention.
- The current housing affordability crisis creates an "exceptional and extraordinary" circumstance such that the Commission should deny the project and preserve the existing dwelling units.

RECOMMENDATION: Take Discretionary Review and Disapprove

Attachments:

Parcel Map

Sanborn Map

Aerial Photographs

Zoning Map

Project Sponsor's Submittal

Response to Dwelling Unit Merger Criteria

Report of Residential Record (3R Report)

Density Survey

Site Photos

Letters of Support

Reduced Plans

SV:G:\DOCUMENTS\UNIT MERGERS\16 Iris\2014.0544D - DR Analysis.docx

EXHIBIT C

San Francisco Planning Commission
1650 Mission Street, Suite 400
San Francisco, CA 94103

Re: Application for Discretionary Review and/or Dwelling Unit Merger-16 and 16A Iris Avenue
Case No: 2014.0544D
Hearing Date: December 11, 2014

I oppose the expansion of 16 and 16A Iris Avenue beyond the current building envelope. There are five buildings in a row that have identical rear wall patterns and forms. The expansion would destroy this pattern and have an adverse effect on neighborhood character. I own the 28/30 Iris Avenue building that would be affected.

The box for "deck" was not checked off on the pre-application notice, and if it had been, I would have attended the meeting and voiced opposition. The deck on top of the ground-level expansion would be in the required rear yard and would also violate the pattern of the five adjacent houses. Also, the pre-application notice stated that the expansion would be seven and one-half (7 feet, 6 inches) feet into the rear yard, but it has now grown to almost ten feet (9 feet, 11 inches).

The expansion would extend into the required rear yard and occupy garden space that is supposed to remain mid-block open space benefitting residents of adjacent buildings. Expansion should not be allowed into the required rear yard. We need to maintain garden open space for purposes of air quality.

Before they bought the property, the owners of 16 Iris knew that the property was a nonconforming structure because the third unit on the ground/garden level did not conform with the RH-2 zoning applicable to the property. Under the Planning Code, nonconforming structures cannot be expanded or enlarged. Their purchase price likely took this aspect into account.

The rent-controlled third unit is standing in the way of converting the property into condominiums as a two-unit building and adding square footage to the property to increase its value. We are now seeing people adding square footage in the name of family needs and then putting the expanded property on the market as soon as the construction is completed. People who profiteer like this put their own profits above the good of the neighborhood character and the welfare of the adjacent owners and residents.

The Planning Department recommended that the merger of the ground-level apartment be denied because it would violate the Mayor's Directive to preserve rent-controlled housing. The property owners are continuing to try to do away with the rent-controlled unit by various means. I hope you will see through them. The cooking facilities for the studio garden apartment has disappeared from the plans for the ground level renovations. The plans were drafted for a merger and have not been changed.

There is enough nonconformance in the 16 Iris structure and no more should be allowed.

DATED: November 24, 2014



Albert Louie/Louie Family Trust, Owner of 28/30 Iris Avenue

EXHIBIT D



SAN FRANCISCO
PLANNING
DEPARTMENT

GENERAL PLANNING INFORMATION

Decks

Planning Department
1650 Mission Street
Suite 400
San Francisco, CA
94103-9425

T: 415.558.6378
F: 415.558.6409

Date	Subject
October 2002	Decks, Roof Decks, and Notification Requirements for Decks
Reprinted: July 2011	Planning Code Section 136c24, 136c25, 311, 312, and related interpretations

Introduction

The addition of decks to existing buildings requires a building permit application with plans if any part of the walking surface is more than 30 inches above grade. (Roof decks also require a building permit). Some decks may be approved over the counter (OTC) by the Planning Department. Others require neighborhood notification as described below.

Neighborhood Notification

Notification is required for any building expansion in an RH, RM, or RTO zoning districts per Section 311 of the Planning Code. Similarly, notice is required for building expansions in Neighborhood Commercial (NC) or Eastern Neighborhoods Mixed Use districts per Section 312 of the Planning Code.

Under the Planning Code, and associated Zoning Administrator interpretations, some minor projects have been deemed exempt from the notification requirement. Decks, in certain instances, are exempt from notification.

Decks that are cantilevered, i.e. entirely supported by the walls to which they are attached, without any additional posts or other external support, are exempt from notice. Decks that are supported by posts but no more than 10 feet above grade and within the "buildable area" of a lot are also exempt. Railings above these decks are allowed without triggering notice. However, if a firewall is required for a proposed deck and the firewall exceeds 10' in height, notice would be required. ('Buildable area of the lot' means the area that is not part of the required yards or set backs under the Planning Code and within the applicable height limit. See Zoning Administrator Bulletin No. 5.)

The Planning Code allows limited projections into yards and setbacks for specified extensions of buildings. These are known as 'permitted obstructions' and include certain decks. However, if your deck is allowed to extend into the yard as an exception under the Code, it will likely need neighborhood notification. Specifically, there is an allowable projection into the rear yard for districts with a rear yard requirement of 45% of lot depth (typically RH-2, RH-3, RM-1 and RM-2, and RTO districts). One or two-story projections of up to 12 feet in depth into the rear yard are allowed by the Planning Code, subject to

other limitations, per Section 136(c)(25). A deck that fits within the area allowed by this section is a 'permitted obstruction'. However, if you must utilize this section of the Code for your deck to be allowed, then neighborhood notification will be required. You would also be required to provide a pre-application notice and meeting.

The Planning Code provides exceptions from rear yard restrictions for decks in certain situations. Decks that are 3 feet above grade or less are permitted anywhere in the required rear yard. If your yard has a slope greater than 15 %, decks higher than 3 feet may be permitted in the required rear yard and approvable over the counter, subject to limits described and illustrated in the Planning Code at § 136(c)(24). Please feel free to come to the Planning Information Center at 1660 Mission Street, first floor, with your questions. They may also be reached by phone at (415) 558-6377 or via email at pic@sfgov.org.

Roof Decks

As noted, roof decks also require permits. A deck placed on a flat roof that is entirely within the buildable area of a lot, including any area needed to access the deck and related railings or parapets up to 4 feet tall, may be approved over the counter. (See discussion above regarding buildable area).

If the proposed roof deck or access to it is on a portion of the structure that encroaches on a yard or setback, a 'non-complying' structure under the Planning Code, then all railings are limited to 42 inches tall and of an open design and a limited notice will be required. In these cases, the Planning Department will notify owners and occupants of all properties which border the subject property. Adjacent neighbors will be given a 10 day period to raise any concerns they might have regarding the project.

Deck Replacement

If you are replacing a deck, do not assume that it may be fully replaced in-kind. Many decks that were legally constructed with a building permit now protrude into required yards. This is generally due to a change in yard setback requirements since the time the deck was constructed. These decks are now partly or wholly 'non-complying' under the Planning Code. If a non-complying feature is removed, it may only be re-constructed if it is in compliance with current Codes or if you seek and justify a Variance from the Code. A Variance requires a separate application and a hearing before the Zoning Administrator subject to public notification.

If a legal, complying deck is replaced in-kind or with a smaller deck within the same footprint and envelope as the original deck, it would not require notice.



SAN FRANCISCO
PLANNING
DEPARTMENT

FOR OTHER PLANNING INFORMATION:
Contact our toll-free Planning Department:

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

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

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

TEL: 415.558.6377

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

EXHIBIT E

**TWO-LEVEL HOUSE-LIKE CONDOMINIUM WITH
DEEDED PATIO/ GARDEN**

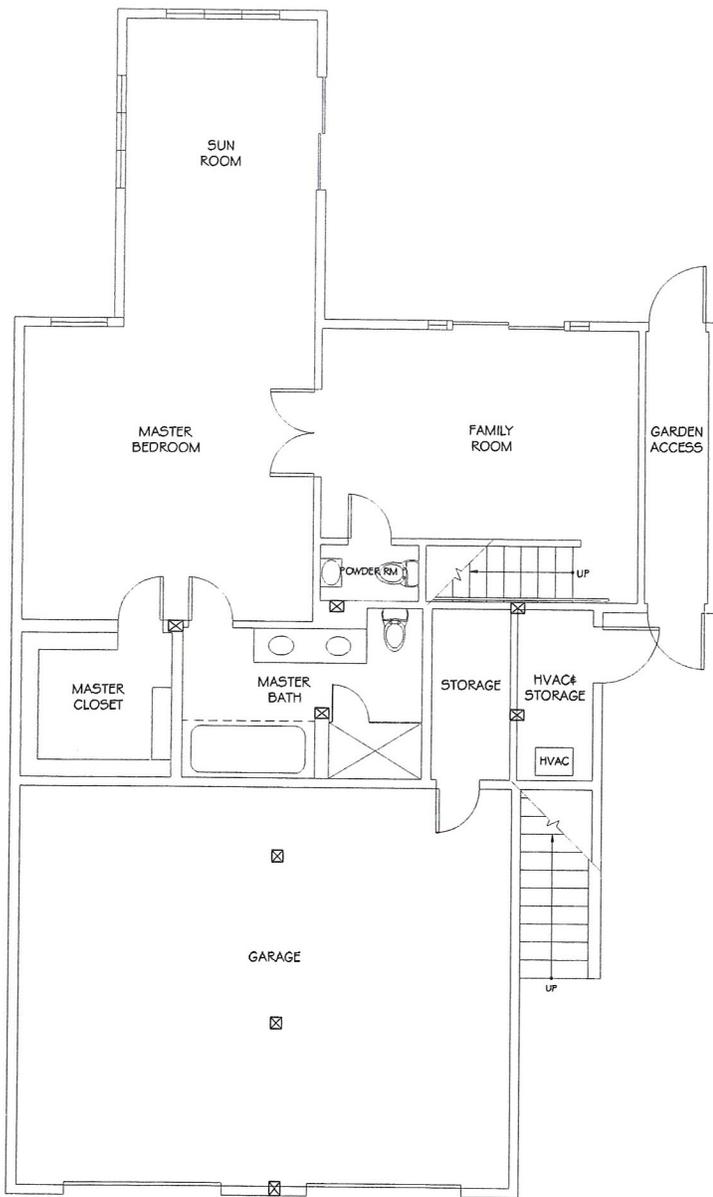
**58 Iris Avenue
(off Euclid)**



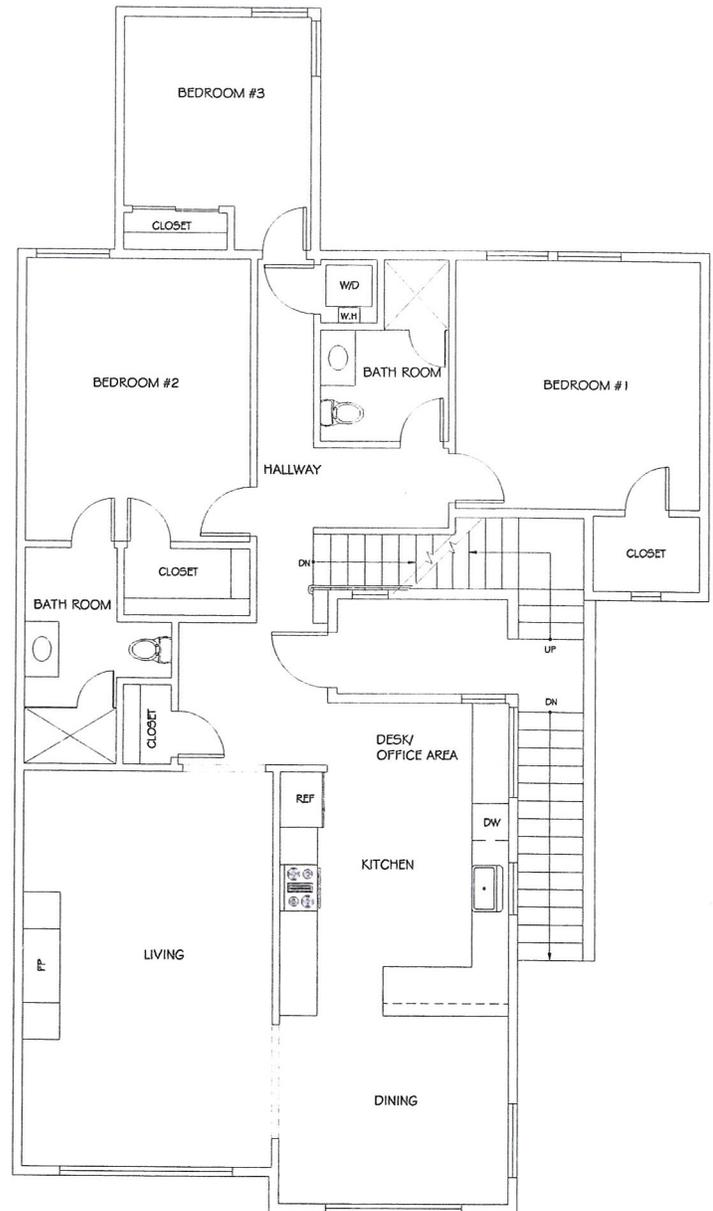
OFFERED AT \$2,650,000

View more photos at www.58Iris.com





GROUND FLOOR PLAN



2ND FLOOR PLAN

PRESENTED EXCLUSIVELY BY:



MONICA PAULI
 CELL: 415-902-9502
 MONICA@MONICASLIST.COM
 WWW.MONICASLIST.COM
 CALBRE#01309178

COLDWELL BANKER PREVIEWS INTERNATIONAL • 1560 VAN NESS AVENUE, 2ND FLOOR • SAN FRANCISCO, CA 94109 • 415.474.1750

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EXHIBIT F



LAUREL HEIGHTS MODERN - Offered at: \$1,495,000

A STUNNING AND SUBSTANTIAL RENOVATION OF THIS MIDCENTURY FLAT IN 2007 CREATED A DISTINCTIVELY CONTEMPORARY RESIDENCE, CONVENIENTLY LOCATED NEAR LAUREL HEIGHTS SHOPPING CENTER. THE CONDOMINIUM CONSISTS OF TWO BEDROOM SUITES, AN OPEN FLOOR PLAN LIVING AND DINING ROOM PLUS AN EXCLUSIVE ROOFTOP VIEW DECK THAT IS ESSENTIALLY AN OUTDOOR FAMILY ROOM.

A FIRST GLANCE FROM THE TRANSLUCENT GLASS DOOR ENTRY INDICATES THE LEVEL OF FINISHING, WITH CUSTOM BISAZZA ITALIAN GLASS TILE FOYER LEADING TO BRAZILIAN HARDWOOD FLOORS, FINISHED IN EBONY, IN THE LIVING ROOM AND DINING AREA. A CORNER GREY HEATH SUBWAY TILE SURROUND FIREPLACE ADDS ADDITIONAL WARMTH TO THE ROOM ON COLDER DAYS. FLOOR TO CEILING DUAL PANE INSULATED WINDOWS FLOOD THE SPACIOUS FRONT ROOMS WITH AN ABUNDANCE OF NATURAL LIGHT.

THE SLEEK KITCHEN HAS TERRAZZO FLOOR, GRAY CONCRETE COUNTERTOPS AND STAINLESS APPLANCES INCLUDING THE SUBZERO REFRIGERATOR, BERTAZZONI ITALIA PROFESSIONAL GAS STOVE, MIELE DISHWASHER AND GLOSSY WHITE KITCHEN CABINETS WITH CUSTOM ORGANIZERS. AN ARTFUL PLATINUM INLAY ITALIAN FORNASETTI TILE BACK SPLASH MAKES COOKING AT HOME AN INSPIRING EXPERIENCE.

TWO EN SUITE BATHS FEATURE DURAVIT AND AXIOM FIXTURES. THE CLEAR GLASS SPA SHOWER HAS AN OVERHEAD RAIN SPLASH, THERE IS A SEPARATE SPA SOAKING TUB, WITH STAINLESS AND RED GLOSSY VANITY CABINETRY, CUSTOM ORGANIZED WALK-IN CLOSETS.

THE OUTSTANDING ADDITION TO ALL THIS STYLE IS THE LARGE ROOF TOP DECK, ACCESSED FROM THE CARPETED REAR SERVICE STAIR, COMPLETELY OUTFITTED FOR ENTERTAINING, INCLUDING BUILT-IN SPEAKERS. IT BOASTS FABULOUS SUNSET VIEWS AND CITY VISTAS, WITH GLIMPSES OF THE GOLDEN GATE BRIDGE TOWER AND OCEAN.

THE GARAGE IS SPLIT SIDE TO SIDE BETWEEN THE UNITS WITH SPACE FOR ONE CAR INSIDE THE GARAGE AND AMPLE SPACE FOR EACH UNIT TO PARK A SECOND CAR IN TANDEM WITH THEMSELVES IN THE LONG DRIVEWAY OUTSIDE. 54 IRIS HAS AMPLE ROOM FOR ADDITIONAL STORAGE OF BIKES AND BOARDS.

SURROUND SOUND BUILT-IN SPEAKERS, CUSTOM RECESSED LIGHTING WITH DIMMER SWITCHES AND DESIGNER FIXTURES THROUGHOUT. FULL SIZE SAMSUNG SPANISH RED STACK WASHER AND DRYER IN HALL CLOSET. THERE WAS EXTENSIVE ACOUSTIC INSULATION ACCOMMODATIONS MADE BETWEEN THE UNITS AND BETWEEN THE GARAGE AND LOWER UNIT.

WITH THE CONDOMINIUM SUBDIVISION MAP ALREADY ON RECORD AND CC&R'S READY TO RECORD, THIS WILL BE THE FIRST SALE IN THE BUILDING. BUYER SHOULD BE PREPARED TO COORDINATE CLOSING ESCROW WITH THE REFINANCE OF THE LOWER UNIT, WHICH ALSO HAS A SHORT TIMELINE FIRST RIGHT OF REFUSAL.

More Photos & Information at: www.54Iris.com



LAUREL HEIGHTS MODERN

54 Iris Avenue, San Francisco - www.54Iris.com

EXHIBIT G

NOTICE OF SPECIAL RESTRICTIONS

On December 11, 2014, the San Francisco Planning Commission imposed the following Special Restrictions on the use and development of 16, 16A and 18 Iris Avenue, Lot number 028 of Block number 1043, San Francisco California 94118, which are to be recorded in the office of the Recorder for the City and County of San Francisco.

The 16 Iris Avenue flat (first story above ground) consisting of approximately 1,375 square feet shall be deemed the nonconforming unit on the 16/18 Iris Avenue property.

If any owner of any interest in the 16A, 16 or 18 Iris Avenue property applies for a merger of any of these units or a change in the designation of the nonconforming or conforming unit on said Lot or as to any of these units in the future, the Commission may order removal of the 2014/2015 expansion at the ground level and/or treat that expansion as an unpermitted expansion which will not be allowed to remain without an application for a conditional use or a variance and satisfaction of all conditions therefor.

The cooking facilities in the ground-level 16A Iris studio apartment shall be retained, such ground level studio apartment cannot be internally connected with the 16 Iris flat (first story above ground), and the designated nonconforming use may not be moved elsewhere in the structure. If such conditions are proposed to be changed in any respect, the Commission may order removal of the 2014/2015 expansion at the ground level and/or treat it as an unpermitted expansion which will not be allowed to remain without an application for a conditional use or a variance and satisfaction of all conditions therefor.

Dated: San Francisco Planning Commission

By: Secretary

EXHIBIT H



Kathy Devincenzi <krdevincenzi@gmail.com>

16 and 16A Iris

14 messages

Kathy Devincenzi <krdevincenzi@gmail.com>
To: "Vellve, Sara (CPC)" <sara.vellve@sfgov.org>

Mon, Nov 24, 2014 at 3:09 PM

Ms. Vellve,

Please let me know whether the application for merger is going to be withdrawn for 16 and 16A Iris Avenue and whether any changes will be made in the pertinent documents.

Kathryn Devincenzi
221-4700

Vellve, Sara (CPC) <sara.vellve@sfgov.org>
To: Kathy Devincenzi <krdevincenzi@gmail.com>

Mon, Nov 24, 2014 at 3:43 PM

Hi Kathy – attached is a letter received by the sponsor regarding the merger and unit designation. At this time the Residential Design Team is not going to request modifications to the addition. I will be leaving the office for the day soon and we can catch up tomorrow if necessary.

Best,

Sara

Sara Vellve
Planner, Northwest Quadrant, Current Planning

Planning Department | City and County of San Francisco
1650 Mission Street, Suite 400, San Francisco, CA 94103

Direct: 415-558-6263 | Fax: 415-558-6409 | Hours: M-W 8:30 – 3:30, Th 8:30 – 5:30

Email: sara.vellve@sfgov.org

Web: www.sfplanning.org



From: Kathy Devincenzi [mailto:krdevincenzi@gmail.com]

Sent: Monday, November 24, 2014 3:09 PM

To: Vellve, Sara (CPC)

Subject: 16 and 16A Iris

[Quoted text hidden]

 **16IrisDesignation.pdf**
1495K

Kathy Devincenzi <krdevincenzi@gmail.com>
To: "Vellve, Sara (CPC)" <sara.vellve@sfgov.org>

Mon, Nov 24, 2014 at 3:57 PM

Ms. Vellve,

Is the project sponsor going to change the plans in any way? I have not received any changes since October 1, 2014.

Kathryn Devincenzi
[Quoted text hidden]

Vellve, Sara (CPC) <sara.vellve@sfgov.org>
To: Kathy Devincenzi <krdevincenzi@gmail.com>

Tue, Nov 25, 2014 at 9:36 AM

The plans will be revised to show separation of the units and restoration of the kitchen. I expect the revisions to be submitted this week.

S

Sara Vellve
Planner, Northwest Quadrant, Current Planning

Planning Department | City and County of San Francisco
1650 Mission Street, Suite 400, San Francisco, CA 94103

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Email: sara.vellve@sfgov.org

Web: www.sfplanning.org



From: Kathy Devincenzi [mailto:krdevincenzi@gmail.com]

Sent: Monday, November 24, 2014 3:57 PM

To: Vellve, Sara (CPC)

Subject: Re: 16 and 16A Iris

Ms. Vellve,

Is the project sponsor going to change the plans in any way? I have not received any changes since October 1, 2014.

Kathryn Devincenzi

On Mon, Nov 24, 2014 at 3:43 PM, Vellve, Sara (CPC) <sara.vellve@sfgov.org> wrote:

Hi Kathy – attached is a letter received by the sponsor regarding the merger and unit designation. At this time the Residential Design Team is not going to request modifications to the addition. I will be leaving the office for the day soon and we can catch up tomorrow if necessary.

Best,

Sara

Sara Vellve
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Email: sara.vellve@sfgov.org

Web: www.sfplanning.org



From: Kathy Devincenzi [mailto:krdevincenzi@gmail.com]

Sent: Monday, November 24, 2014 3:09 PM

To: Vellve, Sara (CPC)

Subject: 16 and 16A Iris

Ms. Vellve,

Please let me know whether the application for merger is going to be withdrawn for 16 and 16A Iris Avenue and whether any changes will be made in the pertinent documents.

Kathryn Devincenzi

221-4700

Kathy Devincenzi <krdevincenzi@gmail.com>
To: "Vellve, Sara (CPC)" <sara.vellve@sfgov.org>

Tue, Nov 25, 2014 at 10:49 AM

Ms. Vellve:

What procedures are you proposing to use to designate the middle flat (16 Iris) as the nonconforming unit? Are you proposing that the Commission issue a condition of approval of the project? Also, what would prevent the owner from applying to change the designation in the future and to try again to merge the units and destroy the rent-controlled apartment?

Is the deadline for receipt of submittals for the Planning Commission packet still 9 am tomorrow?

Kathy Devincenzi
[Quoted text hidden]

Kathy Devincenzi <krdevincenzi@gmail.com>
To: "Vellve, Sara (CPC)" <sara.vellve@sfgov.org>

Tue, Nov 25, 2014 at 11:19 AM

Ms. Vellve,

Also, your notice of building permit application shows a change of use and the application for building permit states the alteration would constitute a change of occupancy, would change the occupancy class from R3 to R2 and would change the number of dwelling units from 3 to 2. These items would also have to be modified.

Kathryn Devincenzi
[Quoted text hidden]

Vellve, Sara (CPC) <sara.vellve@sfgov.org>
To: Kathy Devincenzi <krdevincenzi@gmail.com>

Tue, Nov 25, 2014 at 12:55 PM

Sorry... yes, 9 am tomorrow. S

Sara Vellve
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Email: sara.vellve@sfgov.org

Web: www.sfplanning.org



From: Kathy Devincenzi [mailto:krdevincenzi@gmail.com]
Sent: Tuesday, November 25, 2014 10:49 AM

[Quoted text hidden]

[Quoted text hidden]

Vellve, Sara (CPC) <sara.vellve@sfgov.org>

Tue, Nov 25, 2014 at 12:55 PM

To: Kathy Devincenzi <krdevincenzi@gmail.com>

The designation would be formalized through a Notice of Special Restriction (NSR) which is recorded against the deed of the property and incorporated into the plan set prior to approval (assuming the permit can be approved).

S

Sara Vellve
Planner, Northwest Quadrant, Current Planning

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1650 Mission Street, Suite 400, San Francisco, CA 94103

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Email: sara.vellve@sfgov.org

Web: www.sfplanning.org



From: Kathy Devincenzi [mailto:krdevincenzi@gmail.com]

Sent: Tuesday, November 25, 2014 10:49 AM

[Quoted text hidden]

[Quoted text hidden]

Vellve, Sara (CPC) <sara.vellve@sfgov.org>
To: Kathy Devincenzi <krdevincenzi@gmail.com>

Tue, Nov 25, 2014 at 12:57 PM

The actual permit application and project description in our permit tracking system would need to reflect the modified project. This would occur after the hearing.

S

Sara Vellve
Planner, Northwest Quadrant, Current Planning

Planning Department | City and County of San Francisco
1650 Mission Street, Suite 400, San Francisco, CA 94103

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Email: sara.vellve@sfgov.org

Web: www.sfplanning.org



From: Kathy Devincenzi [mailto:krdevincenzi@gmail.com]

Sent: Tuesday, November 25, 2014 11:19 AM

[Quoted text hidden]

[Quoted text hidden]

Kathy Devincenzi <krdevincenzi@gmail.com>
To: "Vellve, Sara (CPC)" <sara.vellve@sfgov.org>

Tue, Nov 25, 2014 at 1:46 PM

I request that you work with me on the language of the Notice of Special Restrictions because I don't know whether the language you are proposing will be sufficient to prevent them from wiggling out of it. This is a key component that is unknown before the deadline for submittals for the Commission packet.

Kathryn Devincenzi
[Quoted text hidden]

Kathy Devincenzi <krdevincenzi@gmail.com>
To: "Vellve, Sara (CPC)" <sara.vellve@sfgov.org>

Tue, Nov 25, 2014 at 2:24 PM

Sara,

If a Notice of Special Restriction is recorded, is there any way that the project sponsor could apply for a change in the nonconforming use designation in the future or apply to do away with the nonconforming use? Could he apply to merge the two units in the future?

Kathy Devincenzi
[Quoted text hidden]

Vellve, Sara (CPC) <sara.vellve@sfgov.org>
To: Kathy Devincenzi <krdevincenzi@gmail.com>

Tue, Nov 25, 2014 at 2:27 PM

We have standard language used to designate the units. S

Sara Vellve
Planner, Northwest Quadrant, Current Planning
Planning Department | City and County of San Francisco
1650 Mission Street, Suite 400, San Francisco, CA 94103

Direct: 415-558-6263 | Fax: 415-558-6409 | Hours: M-W 8:30 – 3:30, Th 8:30 – 5:30

Email: sara.vellve@sfgov.org

Web: www.sfplanning.org



From: Kathy Devincenzi [mailto:krdevincenzi@gmail.com]
Sent: Tuesday, November 25, 2014 1:47 PM

[Quoted text hidden]

[Quoted text hidden]

Kathy Devincenzi <krdevincenzi@gmail.com>
To: "Vellve, Sara (CPC)" <sara.vellve@sfgov.org>

Tue, Nov 25, 2014 at 2:30 PM

Can he apply for a change in the designation, as per my 2:24 pm email?

[Quoted text hidden]

Vellve, Sara (CPC) <sara.vellve@sfgov.org>
To: Kathy Devincenzi <krdevincenzi@gmail.com>

Tue, Nov 25, 2014 at 2:33 PM

We can't deny owners the right to apply for changes to their buildings. We would process the application/permit in a manner that is appropriate for the scope of work. Neighbors would be notified per the Planning Code requirements. Block Book Notations can be filed against any property if someone wants to track permits. Instructions are at the following link.

<http://www.sf-planning.org/index.aspx?page=2611#b>

I now have my fourth meeting of the day and need to meet my son at his doctor's office at 3:30. I'll be back in the office tomorrow morning.

S

Sara Vellve
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Email: sara.vellve@sfgov.org

Web: www.sfplanning.org



From: Kathy Devincenzi [mailto:krdevincenzi@gmail.com]
Sent: Tuesday, November 25, 2014 2:24 PM

[Quoted text hidden]

[Quoted text hidden]

SUPPLEMENT TO APPLICATION FOR DISCRETIONARY REVIEW
OF APPLICATION FOR BUILDING PERMIT AND/OR UNIT MERGER

**16A and 16 Iris Avenue
San Francisco, CA**

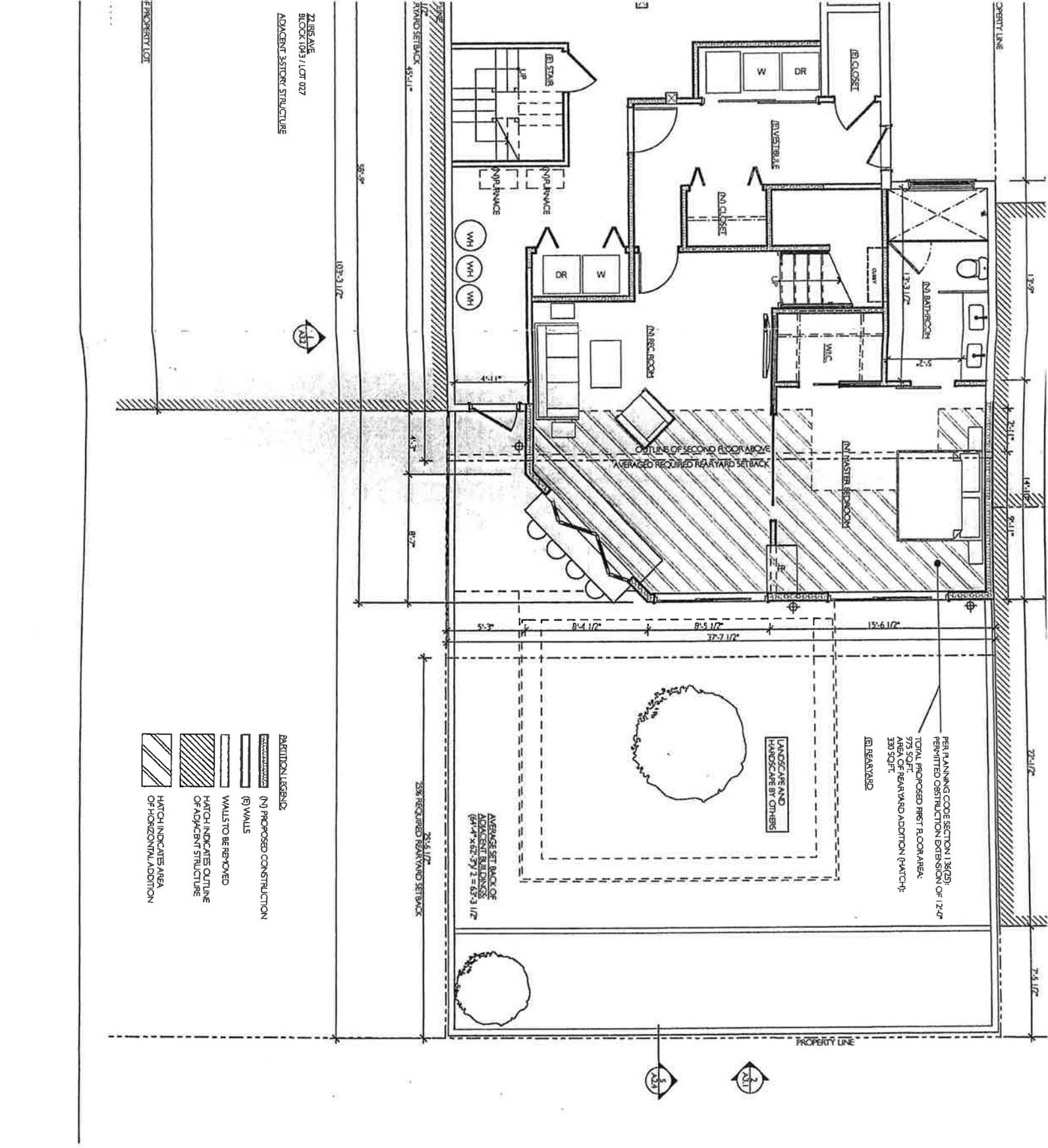
Building Permit Application 2014.04.16.3387
Case: 2014.0544D

By: Laurel Heights Improvement Association of SF, Inc.
250 Euclid Avenue
San Francisco, CA 94118

Hearing Date: December 11, 2014

Part 2

EXHIBIT I



22 IRIS AVE.
BLOCK 1043 / LOT 027
ADJACENT EXISTING STRUCTURE

- PARTITION LEGEND**
- (N) PROPOSED CONSTRUCTION
 - (E) WALLS
 - WALLS TO BE REMOVED
 - HATCH INDICATES OUTLINE OF ADJACENT STRUCTURE
 - HATCH INDICATES AREA OF HORIZONTAL ADDITION

REVISIONS

NO.	DATE	DESCRIPTION
1	02.14.14	CLIENT REVIEW
2	08.25.14	PLAN COMMENTS
3	07.05.14	PLAN COMMENTS
4	09.03.14	311 NOTICE

JOB NO.: 14004 - 16 IRIS AVE
DRAWN BY: G.B.
CHECKED BY: Y.A.
PRINTED: 10/1/14
SHEET:

TITLE
PROPOSED FIRST FLOOR PLAN

PROJECT
RESIDENTIAL HORIZONTAL ADDITION/REMODEL DWELLING UNIT MERGER

16 IRIS AVENUE, SAN FRANCISCO, CA
 BLOCK/LOT: 1043 / 028



A2.1

SHEET 7 OF 17 © V.A. studio 2014

EXHIBIT J

This Section states that, "a nonconforming use shall not be enlarged, intensified, extended, or moved to another location . . ." and, "a nonconforming use shall not be extended to occupy additional space in a structure . . ." A nonconforming use (NCU) that had been a warehouse for a wholesale delicatessen distributor was rented as exclusive storage for another nearby NCU used as a restaurant. Normally, an NCU wholesale storage use could be changed to another storage use. In this case, however, such change in use constituted an illegal enlargement of the NCU restaurant because the **storage** was exclusively **for the single restaurant** in close proximity to the storage facility within the same residential neighborhood so that the ultimate effect was to increase the size of the operation in that neighborhood.

Code Section: 181(a)

Subject: Moving an NCU within a building

Effective Date: 1/97

Interpretation:

This Subsection states that a nonconforming use (NCU) "shall not be enlarged, intensified, extended, or moved to another location ..." **The prohibition against moving shall not apply to relocation within the same building**, provided it occupies the same or less area and is not intensified in some other way. It is logical that relocation of an NCU to some other lot should not be allowed because it shifts the negative impacts of an NCU to a different environment which would be unfair to its unsuspecting neighbors. However, the same logic does not apply to relocation (without intensification) within the same building where its unsuspecting neighbors would only be other building tenants. Generally, other City Codes such as the Building or Housing Codes govern or protect the environment within a building while the Planning Code is intended to control the impacts of a building on surrounding properties and population. The zoning lot (as defined by "Lot" in Planning Code Section 102) is normally the basic unit to which most zoning regulations apply. Therefore, it is reasonable to assume that relocation to another lot is what was meant by this prohibition.

Code Section: 181(a)

Subject: Nonconforming use, intensification

Effective Date: 4/97

Interpretation:

This Subsection states that a nonconforming use cannot be intensified. However, floor and counter space devoted to grocery items can be converted to 100 square feet or less for an accessory deli per Section 703.2(b)(1)(C)(iii) without being considered an intensification. This is consistent with another interpretation [181(a) 11195] which stated that an NCU may change to any NC-1 use as authorized by Section 182(b)(1) without being considered an intensification because such change in use is expressly authorized and a more specific provision cannot be overturned by a less specific provision. The accessory deli authorized by Section 703.2(b)(1)(C)(iii) also is more specific than the prohibition against intensification.

Whenever a deli is authorized in a nonconforming use and thereafter violates the restrictions of Section 703.2(b)(1)(C)(iii) or any other section of the Code, it is in jeopardy of termination pursuant to Section 182(h). A warning to this effect should be added to approval of such permit applications.

Code Section: 181(b)

Subject: Structural alterations

Effective Date: 5/96

Interpretation:

This Subsection governs when, and to what degree a nonconforming use may be altered. One of its

EXHIBIT K

GENERAL CONSTRUCTION NOTES:

1. PROVIDE SMOKE DETECTORS AT BEDROOMS AND HALLWAYS PER CALIFORNIA BUILDING CODE.
2. AT ALL HABITABLE AREAS, RECEPTACLE OUTLETS ARE TO BE INSTALLED IN THE FOLLOWING LOCATIONS:
 1. AT 12" O.C. MAXIMUM AND WITHIN 6 FEET FROM END OF WALLS.
 2. ANY WALL SPACE 2 OR MORE FEET WIDE.
 - AT EACH KITCHEN COUNTER SPACE WIDER THAN 12", AND LOCATED SUCH THAT NO POINT ALONG THE COUNTER WALL IS MORE THAN 24" FROM A RECEPTACLE.
 - IN ANY HALLWAY MORE THAN 10' IN LENGTH.
 - ADJACENT TO EACH BATHROOM BASIN LOCATION.
3. GROUND FAULT CIRCUIT INTERRUPT (GFCI) OUTLETS SHALL BE INSTALLED IN REMODELED AREAS AT THE FOLLOWING LOCATIONS:
 - GARAGE
 - BATHROOMS
 - ALL KITCHEN COUNTERTOPS
 - ALL EXTERIOR RECEPTICLES
 - ALL UNFINISHED BASEMENT AREAS
 - WITHIN 6 FEET OF WET BAR SINKS
4. KITCHEN SHALL BE SUPPLIED WITH AT LEAST 2 SEPARATE 20 AMPERE SMALL APPLIANCE CIRCUITS.
5. LAUNDRY SHALL BE SUPPLIED WITH AT LEAST ONE 20 AMPERE CIRCUIT FOR LAUNDRY APPLIANCES.
6. BATHROOM RECEPTICLE OUTLETS SHALL BE ON A DEDICATED 20 AMPERE CIRCUIT AND SEPARATED FROM BATHROOM LIGHTING CIRCUITRY.
7. PROVIDE A MINIMUM 100 SQ. IN. MAKE-UP AIR GRILL TO SERVE DRYER.
8. WALL COVERINGS IN SHOWERS AND SHOWER / TUB COMBINATION UNITS SHALL BE CERAMIC TILE TO A HEIGHT OF +70", OVER APPROVED MORTAR BED OR CEMENTITIOUS TILE UNDERLAYMENT BOARD OVER A VAPOR BARRIER.
9. ALL MATERIALS OTHER THAN STRUCTURAL ELEMENTS IN TUB / SHOWER AREAS ARE TO BE MOISTURE RESISTANT.
10. GLASS ENCLOSURE DOORS AND PANELS SHALL BE LABELED CATEGORY II, WITH ALL DOORS TO SHOWER SWINGING OUTWARD.
11. NET AREA OF SHOWER RECEPTOR SHALL BE NOT LESS THAN 1024 SQ. IN. OF FLOOR AREA AND ENCOMPASS A 30" DIA. CIRCLE.
12. ALL SHOWER AND TUB / SHOWERS ARE TO BE PROVIDED WITH PRESSURE BALANCING OR THERMOSTATIC MIXING VALVE CONTROLS.
13. ALL NEW PLUMBING FIXTURES SHALL BE LOW FLOW WATER SAVING PLUMBING DEVICES.
14. ALL NEW HANDRAILS INSTALLED IN REMODELED AREAS SHALL COMPLY WITH THE FOLLOWING:
 1. A CONTINUOUS HANDRAIL IS REQUIRED FOR STAIRWAYS WITH 4 OR MORE RISERS.
 2. THE TOP OF THE HANDRAIL SHALL BE 34" TO 38" ABOVE THE NOSING OF TREADS AND LANDINGS.
 3. INTERMEDIATE BALUSTERS ON OPEN SIDES OF STAIRS AND LANDINGS SHALL BE SPACED SO THAT A SPHERE OF 4" IN DIA. CANNOT PASS THROUGH.
 4. HANDRAIL ENDS SHALL BE RETURNED OR SHALL HAVE ROUNDED TERMINATIONS OR BENDS.
 5. HANDGRIP SURFACE SHALL BE 1-1/4" TO 1-1/2" IN CROSS SECTION OR A SHAPE THAT PROVIDES AN EQUIVALENT SMOOTH GRIPPING SURFACE.
 6. HANDRAILS SHALL HAVE MINIMUM 1-1/2" CLEARANCE FROM ANY WALL SURFACE.
15. A PROTECTIVE GUARDRAIL SHALL BE PROVIDED WITH A MINIMUM HEIGHT OF 42" AT ALL DECKS, PORCHES, BALCONIES, RAISED FLOORS (MORE THAN 30" ABOVE GRADE OR FLOOR BELOW) AND OPEN SIDES OF STAIRS AND LANDINGS. OPENINGS BETWEEN BALUSTERS SHALL BE SUCH THAT A SPHERE 4" IN DIA. CANNOT PASS THROUGH.
16. IN BATHROOMS OR KITCHENS: HIGH EFFICACY LAMPS SHALL HAVE LAMP EFFICACY AS FOLLOWS:
 - < 15 W = MIN. 40 LM/W
 - 15-40 W = MIN. 50 LM/W
 - > 40 W = 60 LM/W
17. PROVIDE ATTIC VENTILATION AT PROPOSED WORK AS PER C.B.C.
18. PROVIDE ATTIC ACCESS WITH A MIN. OPENING AREA OF 22" X 30" WHERE ATTIC HEIGHT 30" OR GREATER, AS PER C.B.C.
19. AT LEAST ONE WINDOW IN EACH SLEEPING ROOM SHALL HAVE A RESCUE WINDOW THAT COMPLIES WITH C.B.C. EACH RESCUE WINDOW SHALL HAVE A MIN. NET CLEAR OPEN AREA OF 5.7 SQUARE FEET, WITH A MINIMUM CLEAR OPENING HEIGHT OF 24" AND A CLEAR OPENING WIDTH OF 20". SILL HEIGHTS SHALL NOT BE MORE THAN 44" ABOVE THE FLOOR.
20. SAFETY GLAZING SHALL BE PROVIDED AT THE FOLLOWING LOCATIONS:
 1. GLAZING IN EGRESS OR EGRESS DOORS
 2. GLAZING IN DOORS AND ENCLOSURE FOR HOT TUBS, WHIRLPOOLS, SAUNAS, STEAM ROOMS, BATH TUBS, AND SHOWERS.
 3. GLAZING IN FIXED OR OPERABLE PANELS ADJACENT TO A DOOR WHERE THE NEAREST EXPOSED EDGE OF THE GLAZING IS WITHIN A 24" ARC OF EITHER VERTICAL EDGE OF THE DOOR IN A CLOSED POSITION AND WHERE THE BOTTOM EDGE OF THE GLASS IS LESS THAN 60" ABOVE A WALKING SURFACE.
 4. GLAZING WHERE EXPOSED AREA OF AN INDIVIDUAL PANE IS GREATER THAN 9 SQ. FT.
 5. EXPOSED BOTTOM EDGE IS LESS THAN 18" ABOVE THE FLOOR, EXPOSED TOP EDGE IS LESS THAN 36" ABOVE THE FLOOR, AND THERE IS ONE OR MORE WALKING SURFACES
 6. WITHIN 36" HORIZONTALLY OF THE PLANE OF THE GLAZING

SCOPE OF WORK:

FIRST FLOOR HORIZONTAL ADDITION AT REAR YARD. REMODEL OF SECOND FLOOR KITCHEN, BATHROOM, AND BEDROOMS. DWELLING UNIT MERGER TO ABSORB THE (E) GROUND FLOOR "IN-LAW" INTO THE SECOND FLOOR UNIT. NEW SECOND FLOOR DECK AT REAR YARD.

PROJECT DATA:

BLOCK / LOT: 1043 / 028
NEIGHBORHOOD: LAUREL HEIGHTS
ZONING: RH-2
ZONING HEIGHT LIMIT: 40-X
LOT SIZE: 3,841 SQ FT
LOT DIMENSIONS: 37.8' X 101.2'
EXISTING USE / OCCUPANCY: R-2 (THREE FAMILY DWELLING) / U (GARAGE)
PROPOSED USE / OCCUPANCY: R-3 (TWO-FAMILY) / U (GARAGE)
EXISTING CONSTRUCTION: V-B
PROPOSED CONSTRUCTION: V-B

PROJECT CALCS:

EXISTING CONDITIONED:
(E) FIRST FLOOR: 505 SQ.FT.
(E) SECOND FLOOR: 1,385 SQ.FT.
(E) THIRD FLOOR: 1,385 SQ.FT.
TOTAL CONDITIONED: 3,275 SQ.FT.

PROPOSED:
FIRST FLOOR: 975 SQ.FT.
SECOND FLOOR: 1,385 SQ.FT.
THIRD FLOOR: 1,385 SQ.FT.
TOTAL CONDITIONED: 3,745 SQ.FT.

TOTAL ADDITION: 470 SQ.FT.

EXISTING GARAGE: 950 SQ.FT.
PROPOSED GARAGE: 815 SQ.FT.
PROPOSED DECK: 215 SQ.FT.

SHEET INDEX:

ARCHITECTURAL:

- A0.1 COVER, INDEX, DESCRIPTION, PHOTOS
- A0.2 ABBREVIATIONS AND DRAWINGS SYMBOLS
- A0.3 GENERAL NOTES
- A1.1 EXISTING AND PROPOSED SITE PLANS

- EC2.1 EXISTING FIRST, SECOND, AND THIRD FLOOR PLANS
- EC3.1 EXISTING ELEVATIONS AND BUILDING SECTION

- A2.1 PROPOSED FIRST FLOOR PLAN
- A2.2 PROPOSED SECOND FLOOR PLAN
- A2.3 PROPOSED ROOF PLAN

- A3.1 PROPOSED WEST (FRONT) & EAST (REAR) ELEVATIONS
- A3.2 PROPOSED SOUTH (SIDE) & NORTH (SIDE) ELEVATIONS
- A3.3 PROPOSED BUILDING SECTION

PROJECT DIRECTORY:

OWNER:
JAMES & ANNA MARIE MURRAY
16 IRIS
SAN FRANCISCO, CA 94118
415.640.0027

ARCHITECT:
YA. STUDIO
777 FLORIDA STREET, SUITE 306
SAN FRANCISCO, CA 94110
CONTACT:
YAKUJH ASKEW
415.920.1839

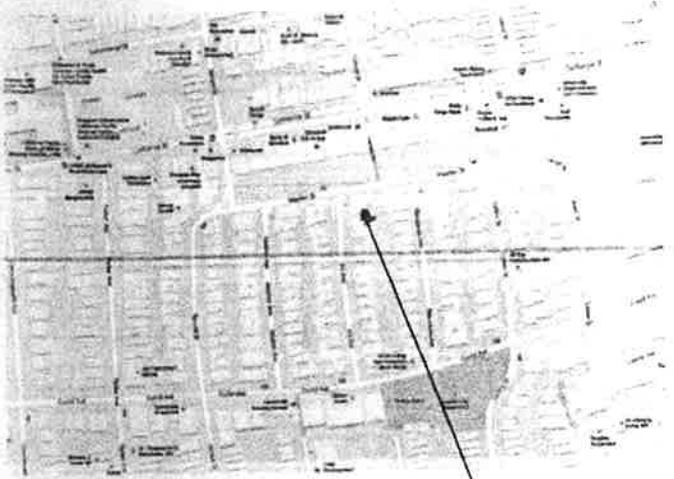
APPLICABLE CODES:

2013 SAN FRANCISCO BUILDING CODE
2013 SAN FRANCISCO FIRE CODE
2013 SAN FRANCISCO PLUMBING CODE
2013 SAN FRANCISCO ELECTRICAL
2013 SAN FRANCISCO MECHANICAL CODE
2013 CALIFORNIA ENERGY CODE

ALL OTHER APPLICABLE LOCAL AND STATE LAWS AND REGULATIONS

DEFERRED SUBMITTALS:

MECHANICAL, ELECTRICAL, PLUMBING



3 LOCATION MAP
NOT TO SCALE

16 IRIS AVE



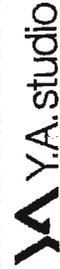
2 AERIAL VIEW
NOT TO SCALE

16 IRIS AVE



1 STREET PHOTO
NOT TO SCALE

16 IRIS AVE



777 Folsom Street Suite #300, San Francisco, CA 94110
office 415.820.1839 fax 415.820.1840
www.ya-studio.com

PROJECT
**RESIDENTIAL HORIZONTAL
ADDITION/REMODEL
DWELLING UNIT MERGER**

**16 IRIS AVENUE, SAN FRANCISCO, CA
BLOCK/LOT: 1043 / 028**

STAMP:

TITLE:
DATA SHEET

REV	PRINTING:	DATE
—	CLIENT REVIEW	02.14.14
—	PLAN. COMMENTS	06.25.14
—	PLAN. COMMENTS	07.05.14
—	311 NOTICE	09.03.14

JOB NO: 14004 - 16 IRIS AVE.
DRAWN BY: G.B.
CHECKED BY: Y.A.
PRINTED: 9/23/14
SHEET:

A0.1

EXHIBIT L

OFFICIAL COPY



B. B. Copy

Application Number 107 911

CITY AND COUNTY OF SAN FRANCISCO
DEPARTMENT OF PUBLIC WORKS
BUREAU OF BUILDING INSPECTION

CERTIFICATE OF FINAL COMPLETION

For work described in above building permit application number.

Location: 16-18 Irwin St
 Home Number Street or Avenue

Location by E Irwin 75 S. M. affairs
 Maps and Record

Type of Bldg. 5 Res 2 story + vault & family
 and Occupancy

Description of new
 Construction

Work under building permit issued pursuant to above stated application has been completed in accordance with the laws pertaining thereto.

This certificate posted on

21 6/9/49

SUPERINTENDENT, BUREAU OF BUILDING INSPECTION

BY A. B. [Signature]

EXHIBIT M

Date: March 13, 2014

Dear Neighbor:

You are invited to a neighborhood Pre-Application meeting.

The Neighborhood Pre-Application is to review and discuss the development proposal of 16 Iris Avenue, at 16 Iris Ave. (Block/Lot#: 1043/028; Zoning: RH-2), in accordance with the San Francisco Planning Department's Pre-Application procedures. The Pre-Application meeting is intended as a way for the Project Sponsor(s) to discuss the project and review the proposed plans with adjacent neighbors and neighborhood organizations before the submittal of an application to the City. This provides neighbors an opportunity to raise questions and discuss any concerns about the impacts of the project before it is submitted for the Planning Department's review. Once a Building Permit has been submitted to the City, you may track its status at www.sfgov.org/dbi.

The Pre-Application process is only required for projects subject to Planning Code Section 311 or 312 Notification. It serves as the first step in the process prior to building permit application or entitlement submittal. Those contacted as a result of the Pre-Application process will also receive a formal entitlement notice or 311 or 312 notification when the project is submitted and reviewed by Planning Department staff.

The pre-application meeting is required because this project includes (check all that apply):

- New Construction;
- Any vertical addition of 7 feet or more;
- Any horizontal addition of 10 feet or more;
- Decks over 10 feet above grade or within the required rear yard;
- All Formula Retail uses subject to a Conditional Use Authorization.

The development proposal is to:

Dwelling unit remodel to combine an existing in-law unit on the ground floor with 16 Iris on the second floor, bringing the building from (3) dwelling units to (2) dwelling units. Work includes an interior remodel to build a new stair connecting the lower (2) floors and an exterior extension into the rear yard.

Existing # of dwelling units:	3	Proposed: 3	Permitted: 2
Existing bldg square footage:	2,959 sf	Proposed: 3,264 sf	Permitted: N/A
Existing # of stories:	3	Proposed: 3	Permitted: N/A
Existing bldg height:	30'-1"	Proposed: 30'-1"	Permitted: 40'-0"
Existing bldg depth:	51'-4"	Proposed: 58'-9"	Permitted: 63'-0"

MEETING INFORMATION:

Property Owner(s) name(s):	Jim Murray, Anna Marie Murray
Project Sponsor(s):	Yakuh Askew (Y.A. studio)
Contact information (email/phone):	yakuh@ya-studio.com 415.920.1839
Meeting Address*:	16 Iris Avenue (Project Site)
Date of meeting:	Thursday, March 27, 2014
Time of meeting**:	6:00pm

*The meeting should be conducted at the project site or within a one-mile radius, unless the Project Sponsor has requested a Department Facilitated Pre-Application Meeting, in which case the meeting will be held at the Planning Department offices, at 1650 Mission Street, Suite 400.

**Weeknight meetings shall occur between 6:00 p.m. - 9:00 p.m. Weekend meetings shall be between 10:00 a.m. - 9:00 p.m., unless the Project Sponsor has selected a Department Facilitated Pre-Application Meeting.

If you have any questions about the San Francisco Planning Code, Residential Design Guidelines, or general development process in the City, please call the Public Information Center at 415-558-6378, or contact the Planning Department via email at pic@sfgov.org. You may also find information about the San Francisco Planning Department and on-going planning efforts at www.sfplanning.org.

EXHIBIT N

OFFICIAL COPY

SAN FRANCISCO

CENTRAL PERMIT BUREAU FORM

Write in Ink—File Two Copies

CITY AND COUNTY OF SAN FRANCISCO

CENTRAL PERMIT BUREAU

DEPARTMENT OF PUBLIC WORKS
BUILDING INSPECTION

APPLICATION FOR BUILDING PERMIT
ADDITIONS, ALTERATIONS OR REPAIRS

3

Application is hereby made to the Department of Public Works of San Francisco for permission to build in accordance with the plans and specifications submitted herewith and according to the description and for the purpose hereinafter set forth:

- (1) Location 18 Iris
- (2) Total Cost \$ 14,350.00 (3) No. of stories 2 (4) Basement yes
Yes or No
- (5) Present use of building Dwelling (6) No. of families 3
Yes or No
- (7) Proposed use of building " (8) No. of families 3
Yes or No
- (9) Type of construction 5 (10) 18
1, 2, 3, 4, or 5 Building Code Occupancy Classification
- (11) Any other building on lot no (Must be shown on plot plan if answer is Yes.)
Yes or No
- (12) Does this alteration create an additional floor of occupancy No
Yes or No
- (13) Does this alteration create an additional story to the building No
Yes or No
- (14) Electrical work to be performed No Plumbing work to be performed No
Yes or No Yes or No
- (15) Ground floor area of building 1000 sq. ft. (16) Height of building 32 ft.
- (17) Describe Work to be done (in addition to reference to drawings & specifications)

Proceed with work in letter dated
10-6-58

Additional permit - Original permit dated 9-29-58
215505

(18) No portion of building or structure or scaffolding used during construction, to be closer than 6'0" to any wire containing more than 750 volts. See Sec. 385, California Penal Code.

(19) Supervision of construction by Terrance Address 1072 Bryant

(20) General contractor Terrance California License No. 60473
Address Terrance

(21) Architect _____ California Certificate No. _____
Address _____

(22) Engineer _____ California Certificate No. _____
Address _____

(23) I hereby certify and agree that if a permit is issued for the construction described in this application, all the provisions of the permit and all laws and ordinances applicable thereto will be complied with. I further agree to save San Francisco and its officials and employees harmless from all costs and damages which may accrue from use or occupancy of the sidewalk, street or subsidewalk space or from anything else in connection with the work included in the permit. The foregoing covenant shall be binding upon the owner of said property, the applicant, their heirs, successors and assignees.

(24) Owner Miss E. Enayard (Phone 15338)
Address 18 Iris (For Contact by Bureau)

By Edward P. O'Connell Address 1072 Bryant St.
Owner's Authorized Agent to be Owner's Authorized Architect, Engineer or General Contractor.

CITY PLANNING COMMISSION

RESOLUTION NO. 3093

RESOLVED, that the application proposing to change the Use District Classification of the hereinafter described property from the First and Second Residential and Commercial District to the Second Residential District be, and the same is hereby APPROVED:

Beginning at a point which is perpendicularly distant 106 feet easterly from the easterly line of Parker Avenue and also perpendicularly distant 200 feet southerly from the southerly line of California Street. (Note: The bearing of the southerly line of California Street is taken to be North $80^{\circ} 54'$ east and all bearings herein mentioned are related thereto); running thence North $80^{\circ} 54'$ east parallel with said southerly line of California Street 115 feet; thence south $55^{\circ} 02' 38''$ east 79.429 feet to a point; thence northeasterly along the arc of a curve to the right, the center of which bears South $55^{\circ} 02' 38''$ east 50 feet from the last mentioned point, with a radius of 50 feet, a central angle of $45^{\circ} 56' 38''$, a distance of 40.094 feet to tangency with a line parallel with and perpendicularly distant 240 feet southerly from the southerly line of California Street; thence north $80^{\circ} 54'$ east tangent to the preceding curve and parallel with said southerly line of California Street 1003.303 feet; thence south $9^{\circ} 06'$ east 15 feet; thence north $80^{\circ} 54'$ east parallel with said southerly line of California Street 71.513 feet; thence southerly along the arc of a curve to the right, tangent to the preceding course, with a radius of 60 feet, a central angle of $87^{\circ} 34' 41.24''$, a distance of 91.712 feet; thence southerly along the arc of a curve to the right, tangent to the preceding curve, with a radius of 3973 feet, a central angle of $7^{\circ} 12' 55.94''$, a distance of 500.339 feet; thence north $73^{\circ} 12'$ east 789.657 feet; thence easterly and southeasterly along the arc of a curve to the right, tangent to the preceding course, with a radius of 50 feet, a central angle of $97^{\circ} 42'$, a distance of 85.259 feet to tangency with a line parallel with and perpendicularly distant 11.25 feet westerly from the westerly line of Presidio Avenue; thence south $9^{\circ} 06'$ east tangent to the preceding curve and parallel with said westerly line of Presidio Avenue 275.138 feet; thence south $11^{\circ} 54' 35.14''$ east 17.768 feet; thence south $80^{\circ} 54'$ west 345.240 feet; thence south $9^{\circ} 05'$ east parallel with the westerly line of Josephine Street produced, a distance of 158.713 feet; thence south $89^{\circ} 20' 18''$ west 1908.324 feet to a line drawn parallel with and perpendicularly distant 120 feet easterly from that portion of the easterly line of Parker Avenue lying northerly of the first angle point in the easterly line of said Parker Avenue north of Geary Street; thence

north 3° 15' 19" west along said last mentioned parallel line so drawn, 381.085 feet; thence south 86° 44' 41" west 14 feet to a point perpendicularly distant 106 feet easterly from said easterly line of Parker Avenue; thence north 3° 15' 19" west parallel with said easterly line of Parker Avenue 348.957 feet to the point of beginning.

Being a portion of Lot 1, in Assessor's Block 1032, San Francisco, California

RESOLVED FURTHER, That this change is made contingent upon the applicant and his successors in interest fulfilling the conditions contained in the stipulations filed by him under date of May 29, 1946, which stipulations, on file in the office of the City Planning Commission are hereby referred to and made a part hereof; which stipulations provide:

(1) That in the Second Residential Area there will be set-back lines established on the front of all lots, which may be of an irregular nature, which set-back lines shall be described or shown on a plat at the time that we start building on each street frontage for the full length of each block. Or in the event that any portion of the property is sold for others to build, a minimum 10-foot set-back line on the front of all lots to be sold shall be established,

(2) That in the Second Residential Area it is our intent that the garage doors shall be not less than 22 feet back of the curb line,

(3) That in the Second Residential Area no building will be erected that will have a height limit to the legal point of the building that exceeds 40 feet above the curb opposite,

(4) In the Second Residential Area that the building coverage of any one block shall not exceed 65 percent of said block.

RESOLVED FURTHER, That the property shall be used for the purposes applied for within one year after the effective zoning date, and that the failure to use the same for said purposes shall cause said property to revert to and be in the First Residential District.

RESOLVED FURTHER, That this resolution nullifies and supercedes Resolution No. 2505, passed July 3, 1941.

I hereby certify that the foregoing resolution was adopted by the City Planning Commission at its special meeting, Wednesday, May 29, 1946.


J. Roger Deas
Secretary

Ayes: Commissioners Porter, Walsh, Sullivan
Noes: None
Absent: Commissioners Weill, Dailey
Passed: May 29, 1946

EXHIBIT O

PART 6: Dwelling Unit Mergers

Because housing in San Francisco is a valuable resource that requires protection and the Planning Commission supports the conservation of existing housing, and, although certain special circumstances may arise in which the removal of a dwelling unit may be necessary to further the Objectives and Policies of the General Plan, the Commission maintains a strong objective to minimize the loss of relatively affordable market rate housing.

Mergers occur when two or more legal Residential Units are combined, resulting in a decrease in the number of Residential Units within a building, or the enlargement of one or more existing units while substantially reducing the size of others by more than 25% of their original floor area, even if the number of units is not reduced.

As with demolitions, the merger of Residential Units not otherwise subject to Conditional Use Authorization by the Planning Code must be approved by the Planning Commission at a Mandatory Discretionary Review hearing, or, if the project qualifies for administrative approval, the Planning Department may approve the application.

Certain Residential Units proposed for Merger that exceed the adopted threshold of affordability (financially accessibility) are exempt from Mandatory Discretionary Review hearings, if the hearing is required only on the basis of the merger request.

Merger applications for which the least expensive unit proposed for merger has a value greater than at least 80% of the combined land and structure values of single-family homes in San Francisco, as determined by a credible appraisal, made within six months of the application to merge, may be exempt from a Mandatory Discretionary Review hearing.

Please see the Department's website under Publications for Dwelling Unit Removal: Current Numerical Values - Implementation of the Controls on the Loss of Residential Units.

The Planning Commission, at a Mandatory Discretionary Review hearing, shall apply the criteria listed below when deciding whether to approve the building permit application proposing a Dwelling Unit Merger:

- (i) whether removal of the unit(s) would eliminate only owner occupied housing, and if so, for how long the unit(s) proposed to be removed have been owner occupied;
- (ii) whether removal of the unit(s) and the merger with another is intended for owner occupancy;
- (iii) whether removal of the unit(s) will remove an affordable housing unit as defined in Planning Code Section 415 or housing subject to the Rent Stabilization and Arbitration Ordinance;
- (iv) whether removal of the unit(s) will bring the building closer into conformance with prescribed zoning;
- (v) if removal of the unit(s) removes an affordable housing unit as defined in Planning Code Section 401, or units subject to the Rent Stabilization and Arbitration Ordinance, whether replacement housing will be provided which is equal or greater in size, number of bedrooms, affordability, and suitability to households with children to the units being removed;
- (vi) whether the number of bedrooms provided in the merged unit will be equal to or greater than the number of bedrooms in the separate units;
- (vii) whether removal of the unit(s) is necessary to correct design or functional deficiencies that cannot be corrected through interior alterations.

NOTES AND CLARIFICATIONS:

1. **The Planning Commission has a long-standing policy of treating as mergers any applications that connect (via a door or other communicating opening) two or more existing units, even if all kitchens are retained in each unit, and construction of the opening would be reversible.**
2. **Criterion (vii) would be satisfied only under exceptional circumstances arising from the necessity to remove a unit to relieve significant design deficiencies that compromise its livability and would correct situations that create uninhabitable spaces.**



Zoning Controls on the Removal of Dwelling Units

A SAN FRANCISCO PLANNING CODE
IMPLEMENTATION DOCUMENT

SAN FRANCISCO PLANNING DEPARTMENT | UPDATED FEBRUARY 2014



EXHIBIT P



SAN FRANCISCO PLANNING DEPARTMENT

1650 Mission Street Suite 400 San Francisco, CA 94103

NOTICE OF BUILDING PERMIT APPLICATION (SECTION 311/312)

On April 16, 2014, the Applicant named below filed Building Permit Application No. 2014.04.16.3387 with the City and County of San Francisco.

PROPERTY INFORMATION		APPLICANT INFORMATION	
Project Address:	16 Iris Avenue	Applicant:	Gustavo Bermudez
Cross Street(s):	Mayfair Drive	Address:	777 Florida Street, #306
Block/Lot No.:	1043/028	City, State:	San Francisco, CA 94110
Zoning District(s):	RH-2 / 40-X	Telephone:	(415) 920 - 1839

You are receiving this notice as a property owner or resident within 150 feet of the proposed project. You are not required to take any action. For more information about the proposed project, or to express concerns about the project, please contact the Applicant listed above or the Planner named below as soon as possible. If you believe that there are exceptional or extraordinary circumstances associated with the project, you may 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.

Members of the public are not required to provide personal identifying information when they communicate with the Commission or the Department. All written or oral communications, including submitted personal contact information, may be made available to the public for inspection and copying upon request and may appear on the Department's website or in other public documents.

PROJECT SCOPE		
<input type="checkbox"/> Demolition	<input type="checkbox"/> New Construction	<input checked="" type="checkbox"/> Alteration
<input checked="" type="checkbox"/> Change of Use	<input type="checkbox"/> Façade Alteration(s)	<input type="checkbox"/> Front Addition
<input checked="" type="checkbox"/> Rear Addition	<input type="checkbox"/> Side Addition	<input type="checkbox"/> Vertical Addition
PROJECT FEATURES	EXISTING	PROPOSED
Building Use	Residential, Three-Units	Residential, Two-Units
Front Setback	As Is	No Change
Side Setbacks	As Is	No Change
Building Depth	± 64 feet	± 74 feet
Rear Yard	± 40 feet	± 30 feet
Building Height	As Is	No Change
Number of Dwelling Units	3	2
Number of Parking Spaces	As Is	No Change
PROJECT DESCRIPTION		
<p>The proposal is to construct a one-story rear horizontal addition and to merge a ground-floor unit to the unit above per the enclosed plans. The proposed addition is ±10 feet deep, would project to the south property line, and would be set back from the north property line by ± 3 to 8 feet. The dwelling unit merger is subject to a Discretionary Review (DR) hearing which is tentatively scheduled to be heard by the Planning Commission on Thursday, October 9, 2014. The DR hearing will be separately noticed.</p> <p>The issuance of the building permit by the Department of Building Inspection or the Planning Commission project approval at a discretionary review hearing would constitute as the Approval Action for the project for the purposes of CEQA, pursuant to Section 31.04(h) of the San Francisco Administrative Code. To date, a request for discretionary review has not been filed.</p>		

For more information, please contact Planning Department staff:

Planner: Sara Vellve
 Telephone: (415) 558 - 6263
 E-mail: sara.vellve@sfgov.org

Notice Date:
 Expiration Date:

中文詢問請電: (415) 575-9010

Para información en Español llamar al: (415) 575-9010

GENERAL INFORMATION ABOUT PROCEDURES

Reduced copies of the proposed project plans have been included in this mailing for your information. If you have questions about the plans, please contact the project Applicant listed on the front of this notice. You may wish to discuss the plans with your neighbors or neighborhood association, as they may already be aware of the project. If you have general questions about the Planning Department's review process, please contact the Planning Information Center at 1660 Mission Street, 1st Floor (415/ 558-6377) between 8:00am - 5:00pm Monday-Friday. If you have specific questions about the proposed project, you should contact the planner listed on the front of this notice.

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

1. Request a meeting with the project Applicant to get more information and to explain the project's impact on you.
2. Contact the nonprofit organization Community Boards at (415) 920-3820, or online at www.communityboards.org for a facilitated discussion in a safe and collaborative environment. Community Boards acts as a neutral third party and has, on many occasions, helped reach mutually agreeable solutions.
3. Where you have attempted, through the use of the above steps or other means, to address potential problems without success, please contact the planner listed on the front of this notice to discuss 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, **you must file a Discretionary Review application prior to the Expiration Date shown on the front of this notice.** Discretionary Review applications are available at the Planning Information Center (PIC), 1660 Mission Street, 1st Floor, or online at www.sfplanning.org. You must submit the application in person at the Planning Information Center (PIC) between 8:00am - 5:00pm Monday-Friday, with all required materials and a check 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. If the project includes multiple 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

Appeal of the Planning Commission's decision on a Discretionary Review case may be made to the **Board of Appeals within 15 calendar days after the building permit is issued** (or denied) by the Department of Building Inspection. Appeals must be submitted in person at the Board's office at 1650 Mission Street, 3rd Floor, Room 304. For further information about appeals to the Board, including current fees, contact the Board of Appeals at (415) 575-6880.

ENVIRONMENTAL REVIEW

This project has undergone preliminary review pursuant to California Environmental Quality Act (CEQA). If, as part of this process, the Department's Environmental Review Officer has deemed this project to be exempt from further environmental review, an exemption determination has been prepared and can be obtained through the Exemption Map, on-line, at www.sfplanning.org. An appeal of the decision **to exempt the proposed project from CEQA may be made to the Board of Supervisors within 30 calendar days** after the project approval action identified on the determination. The procedures for filing an appeal of an exemption determination are available from the Clerk of the Board at City Hall, Room 244, or by calling (415) 554-5184.

Under CEQA, in a later court challenge, a litigant may be limited to raising only those issues previously raised at a hearing on the project or in written correspondence delivered to the Board of Supervisors, Planning Commission, Planning Department or other City board, commission or department at, or prior to, such hearing, or as part of the appeal hearing process on the CEQA decision.

BUILDING ENLARGEMENT
DESCRIPTION
 VERTICAL
 HORIZONTAL

APPROVED FOR ISSUANCE

APPLICATION NUMBER
2014.0416

OSHA APPROVAL REQ'D
APPROVAL NUMBER
33875

**APPLICATION FOR BUILDING PERMIT
ADDITIONS, ALTERATIONS OR REPAIRS**

**CITY AND COUNTY OF SAN FRANCISCO
DEPARTMENT OF BUILDING INSPECTION**

FORM 3 OTHER AGENCIES REVIEW REQUIRED
FORM 8 OVER-THE-COUNTER ISSUANCE

APPLICATION IS HEREBY MADE TO THE DEPARTMENT OF BUILDING INSPECTION OF SAN FRANCISCO FOR PERMISSION TO BUILD IN ACCORDANCE WITH THE PLANS AND SPECIFICATIONS SUBMITTED HERewith AND ACCORDING TO THE DESCRIPTION AND FOR THE PURPOSE HEREINAFTER SET FORTH.

2 NUMBER OF PLAN SETS

▼ DO NOT WRITE ABOVE THIS LINE ▼

DATE FILED 4/25/2014	FILING FEE RECEIPT NO. 14044467	(1) STREET ADDRESS OF JOB 16 IRIS Avenue	BLOCK & LOT 1043/028
PERMIT NO.	ISSUED	(2A) ESTIMATED COST OF JOB \$ 120,000	(2B) REVISED COST: BY: DATE:

INFORMATION TO BE FURNISHED BY ALL APPLICANTS

LEGAL DESCRIPTION OF EXISTING BUILDING

(4A) TYPE OF CONSTR. IB	(5A) NO. OF STORIES OF OCCUPANCY: 3	(6A) NO. OF BASEMENTS AND CELLARS: 0	(7A) PRESENT USE: Two Three Units Three-Family Dwelling	(8A) OCCUP. CLASS R2	(9A) NO. OF DWELLING UNITS: 3
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DESCRIPTION OF BUILDING AFTER PROPOSED ALTERATION

(4) TYPE OF CONSTR. IB	(5) NO. OF STORIES OF OCCUPANCY: 3	(6) NO. OF BASEMENTS AND CELLARS: 0	(7) PROPOSED USE (LEGAL USE) Two-Family Dwelling	(8) OCCUP. CLASS R3	(9) NO. OF DWELLING UNITS: 2
(10) IS AUTO RUNWAY TO BE CONSTRUCTED OR ALTERED? NO <input checked="" type="checkbox"/>	(11) WILL STREET SPACE BE USED DURING CONSTRUCTION? NO <input checked="" type="checkbox"/>	(12) ELECTRICAL WORK TO BE PERFORMED? YES <input checked="" type="checkbox"/>	(13) PLUMBING WORK TO BE PERFORMED? NO <input type="checkbox"/>		

(14) GENERAL CONTRACTOR UNKNOWN	ADDRESS	ZIP	PHONE	CALIF. LIC. NO.	EXPIRATION DATE
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(15) OWNER - LESSEE (CROSS OUT ONE) James & Anna Marie Murray	ADDRESS 16 IRIS 94118	ZIP	BTRCH#	PHONE (FOR CONTACT BY DEPT.) 415.640.0027
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(16) WRITE IN DESCRIPTION OF ALL WORK TO BE PERFORMED UNDER THIS APPLICATION (REFERENCE TO PLANS IS NOT SUFFICIENT)

Convert three family dwelling unit into 2 family dwelling unit on 16 IRIS only
Ground Floor Horizontal ADDITION @ Rear Yard.
Remodel of second floor kitchen, bathroom, and bedrooms
Dwelling UNIT MERGER TO ABSORB THE (E) GROUND FLOOR unit
"Deck @ Rear Yard"

ADDITIONAL INFORMATION

(17) DOES THIS ALTERATION CREATE ADDITIONAL HEIGHT OR STORY TO BUILDING? NO <input checked="" type="checkbox"/>	(18) IF (17) IS YES, STATE NEW HEIGHT AT CENTER LINE OF FRONT	(19) DOES THIS ALTERATION CREATE DECK OR HORIZ. EXTENSION TO BUILDING? NO <input type="checkbox"/>	(20) IF (19) IS YES, STATE NEW GROUND FLOOR AREA 330 SQ. FT.
(21) WILL SIDEWALK OVER SUB-SIDEWALK SPACE BE REPAIRED OR ALTERED? NO <input checked="" type="checkbox"/>	(22) WILL BUILDING EXTEND BEYOND PROPERTY LINE? NO <input checked="" type="checkbox"/>	(23) ANY OTHER EXISTING BLDG. ON LOT? (IF YES, SHOW ON PLOT PLAN) NO <input checked="" type="checkbox"/>	(24) DOES THIS ALTERATION CONSTITUTE A CHANGE OF OCCUPANCY? NO <input type="checkbox"/>

(25) ARCHITECT OR ENGINEER (DESIGN <input checked="" type="checkbox"/> CONSTRUCTION <input type="checkbox"/> V.A. Studio	ADDRESS 777 Florida St. # 306	CALIF. CERTIFICATE NO. SF. CA 94110 CA-29776
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(26) CONSTRUCTION LENDER (ENTER NAME AND BRANCH DESIGNATION IF ANY. IF THERE IS NO KNOWN CONSTRUCTION LENDER, ENTER "UNKNOWN")	ADDRESS
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IMPORTANT NOTICES

NOTICE TO APPLICANT

No change shall be made in the character of the occupancy or use without first obtaining a Building Permit authorizing such change. See San Francisco Building Code and San Francisco Housing Code.
No portion of building or structure or scaffolding used during construction is to be closer than 6'0" to any wire containing more than 750 volts. See Sec 385, California Penal Code.
Pursuant to San Francisco Building Code, the building permit shall be posted on the job. The owner is responsible for approved plans and application being kept at building site.
Grade lines as shown on drawings accompanying this application are assumed to be correct. If actual grade

HOLD HARMLESS CLAUSE. The permittee(s) by acceptance of the permit, agree(s) to indemnify and hold harmless the City and County of San Francisco from and against any and all claims, demands and actions for damages resulting from operations under this permit, regardless of negligence of the City and County of San Francisco, and to assume the defense of the City and County of San Francisco against all such claims, demands or actions.
In conformity with the provisions of Section 3800 of the Labor Code of the State of California, the applicant shall have worker's compensation coverage under (I) or (II) designated below, or shall indicate item (III), (IV), or (V), whichever is applicable. If however item (V) is checked, item (IV) must be checked as well. Mark the appropriate method of compliance below.



SAN FRANCISCO PLANNING DEPARTMENT

RESPONSE TO DISCRETIONARY REVIEW

Case No.: 2014.0544D

Building Permit No.: 2014.04.16.3387

Address: 16 Iris Avenue, San Francisco, CA

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

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

Project Sponsor's Name: Yakuh Askew

Telephone No.: 415. 920-1839 (for Planning Department to contact)

- Given the concerns of the DR requester and other concerned parties, why do you feel your proposed project should be approved? (If you are not aware of the issues of concern to the DR requester, please meet the DR requester in addition to reviewing the attached DR application.

The proposed horizontal addition will allow for James and Anna Marie Murray's growing family to continue to comfortably reside in their home of 8 years. The proposed addition will not displace any occupants or tenants nor have any adverse impact on any neighbors. It will benefit the neighborhood and City by providing upgrades and improvements to the City's existing affordable housing stock. The proposed horizontal addition will not violate Policy 3.1 of the 2009 Housing Element of the San Francisco General Plan, as the current proposal maintains each of the existing dwelling units intact.

- What alternatives or changes to the proposed project are you willing to make in order to address the concerns of the DR requester and other concerned parties? If you have already changed the project to meet neighborhood concerns, please explain those changes. Indicate whether the changes were made before filing your application with the City or after filing the application.

The concerns that were expressed by the DR requester have been addressed prior to the DR packet submittal and have been formally submitted to the Planning Department for review and approval. The allowable horizontal extension complies with the zoning administrator guidelines, and constitutes a compliant horizontal addition. The proposed railing will be of an open design, minimizing any shadow impact to adjacent properties. Additionally, as the lower unit has been determined to be a conforming dwelling unit, 16 A Iris is qualified for expansion as proposed.

- If you are not willing to change the proposed project or pursue other alternatives, please state why you feel that your project would not have any adverse effect on the surrounding properties. Please explain your needs for space or other personal requirements that prevent you from making the changes requested by the DR requester.

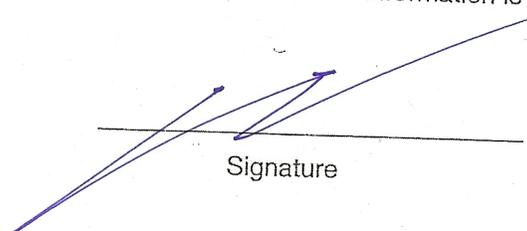
From the beginning of this process, the Murray's have gone to great lengths to propose an addition that is not only compliant with Planning guidelines, but also further reduced, setback and sculpted to avoid any potential for negative impact on the adjacent neighbors. The Proposed addition will not cast any adverse shadows on adjacent properties, nor will it restrict any light to surrounding properties. The size and shape of the horizontal addition takes a great care to avoid impacting the privacy of surrounding properties. Additionally, there is a similar pattern of rear yard extension within the subject block. The following addresses within the same block have rear yard additions: 10-12 Iris, 46-48 Iris, 59-60 Iris.

If you have any additional information that is not covered by this application, please feel free to attach additional sheets to this form.

4. Please supply the following information about the proposed project and the existing improvements on the property.

<u>Number of</u>	<u>Existing</u>	<u>Proposed</u>
Dwelling units (only one kitchen per unit—additional kitchens count as additional units)	3	3
Occupied stories (all levels with habitable rooms) ...	3	3
Basement levels (may include garage or windowless storage rooms)	1	1
Parking spaces (Off-Street)	2	2
Bedrooms	5	5
Gross square footage (floor area from exterior wall to exterior wall), not including basement and parking areas....	3,275 SF	3,460 SF
Height	28'-0"	28'-0"
Building Depth	54'-8 1/2"	62'-1"
Most recent rent received (if any)	N/A	N/A
Projected rents after completion of project	N/A	N/A
Current value of property	N/A	N/A
Projected value (sale price) after completion of project (if known)	N/A	N/A

I attest that the above information is true to the best of my knowledge.


 Signature _____

1/22/14
 Date _____

Yalcin Arslan
 Name (please print) _____

Planner: Sara Vellve
Application: 2014.04.16.3387
Case: 2014.0544D

**Murray Residence
Rear Yard Horizontal Addition
16 Iris Avenue
San Francisco, CA**

Architect/Authorized Agent:
Yakuh Askew, AIA, NoMa, LEED AP BD+C
Y.A. studio
777 Florida Street, Suite 306
San Francisco, CA 94110

Hearing Date: December 11th, 2014

Re: 16 Iris Avenue Rear Yard Horizontal Addition

Planner: Sara Velve
Application: 2014.04.16.3387
Case No.: 2014.0544D
Hearing Date: December 11th, 2014
Project: Murray Residence, 16 Iris Avenue

Dear President Wu and fellow commissioners,

The project before you is a proposal for a rear yard horizontal addition 16 A Iris.

Recently History of Tenants:

Our clients James and Anna Marie Murray have lived in the building with their two young children since purchasing the property in 2006. Since at least that time, all the units in the building have been owner occupied, the lower 2 units by James and Anna Marie, and the upper unit by their T.I.C. partners Mark and Clarissa Stahl (18 Iris Ave.). The units have no history of evictions and no recent history of renters. As their family continues to grow, living in their two bedroom residence (16 Iris) will be a hardship for the family. By being able to have a modest horizontal addition on their ground unit, it will meet the needs of their growing family, and allow for this hardworking family to remain in their home.

The existing building contains three dwelling units over a street-level garage. The units include (1) an approximately 505 square-foot 1 room studio unit at the first floor; (2) a 1,385 square foot 2-bedroom unit at the second floor; and (3) a 1,385 square foot two bedroom unit at the third floor.

The proposal will benefit the neighborhood and City by providing upgrades and improvements to the City's existing affordable housing stock. The proposed horizontal addition will not violate Policy 3.1 of the 2009 Housing Element of the San Francisco General Plan, as the current proposal maintains each of the existing dwelling units intact.

-Design:

From the street, there will be no noticeable change to the building except for the addition of new window on the ground floor that is approximately 40 feet from the property line. The majority of the proposed work involves updating the interiors, adding a new interior stair to better connect the first and second floors, and a modest 1-story addition to the rear that does not impact the neighbors. There will be no requests for variances or any other special considerations.

The allowable horizontal extension complies with the zoning administrator guidelines, and constitutes a compliant horizontal addition. The proposed railing will be of an open design, minimizing any shadow impact to adjacent properties.

-Conclusion:

From the beginning of this process, the Murray's have gone to great lengths to propose an addition that is not only compliant with Planning guidelines, but also further reduced, setback and sculpted to avoid any potential for negative impact on the adjacent neighbors. The Proposed addition will not cast any adverse shadows on adjacent properties, nor will it restrict any light to surrounding properties. The size and shape of the horizontal addition takes a great care to avoid impacting the privacy of surrounding properties. Additionally, there is a similar pattern of rear yard extension within the subject block. The following addresses within the same block have rear yard additions: 10-12 Iris, 46-48 Iris, 59-60 Iris. No occupants would be displaced by the project, and no existing rental or affordable units would be removed. Instead, the proposed horizontal addition will not violate Policy 3.1 of the 2009 Housing Element of the San Francisco General Plan, as the current proposal maintains each of the existing dwelling units intact. For all of these reason, as well as those listed in the application, we respectfully urge the Commission to approve this project.

Thank you for your time and consideration.

Sincerely,
Yakuh Askew, AIA

**Re: Response to Supplement to Application for DR by Kathy Devincenzi
16 Iris Avenue Rear Yard Horizontal Addition**

Planner: Sara Velve
Application: 2014.04.16.3387
Case No.: 2014.0544D
Hearing Date: December 11th, 2014
Project: Murray Residence, 16 Iris Avenue

Dear Sara Velve, President Wu and fellow commissioners,

Despite the DR requestor Kathy Devincenzi's extended and rather lengthy DR and supplemental application, the simple fact remains that the proposed rear yard extension for 16A Iris is modest in scale, is sculpted to minimize any potential for impact on adjacent neighbors, complies with the Planning Code and responds to the neighborhood design guidelines.

We strongly believe this project should be fully supported by both the the Planning Department and Planning Commission, and Jim and Anna Marie should be spared further delay in remodeling this modest home for their growing San Francisco family.

Thank you for your consideration in the matter.

Sincerely,

Yakuh Askew, AIA

Novembers 20, 2014

Re: 16 Iris Avenue-Dwelling Unit Merger

Planner: Sara Vellve
Application: 2014.04.16.3387
Case No.: 2014.0544D
Project: Murray Residence, 16 Iris Avenue

Dear Sara Vellve:

This letter is to confirm that the project sponsors : James and Anna Marie Murray, will at this time formally no longer pursue the dwelling unit merger between 16 Iris and 16 A Iris.

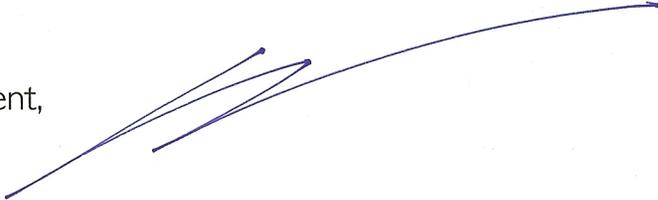
The permit application will only be applied to the proposed horizontal addition for unit 16 A Iris, along with the interior model for 16 Iris.

The project sponsors also request to formally designate the upper unit (16 Iris) as the nonconforming unit, while simultaneously designating Unit 16 A Iris as the conforming unit for the purpose of gaining approval of the rear yard horizontal addition.

Thank you and please let us know if you have any additional questions.

Regards,

Authorized Agent,
Y.A. studio,
Yakuh Askew.



GENERAL CONSTRUCTION NOTES:

- PROVIDE SMOKE DETECTORS AT BEDROOMS AND HALLWAYS PER CALIFORNIA BUILDING CODE.
- AT ALL HABITABLE AREAS, RECEPTICLE OUTLETS ARE TO BE INSTALLED IN THE FOLLOWING LOCATIONS:
 - AT 12" O.C. MAXIMUM AND WITHIN 6 FEET FROM END OF WALLS.
 - ANY WALL SPACE 2 OR MORE FEET WIDE.
 - AT EACH KITCHEN COUNTER SPACE WIDER THAN 12", AND LOCATED SUCH THAT NO POINT ALONG THE COUNTER WALL IS MORE THAN 24" FROM A RECEPTICLE.
 - IN ANY HALLWAY MORE THAN 10' IN LENGTH.
 - ADJACENT TO EACH BATHROOM BASIN LOCATION.
- GROUND FAULT CIRCUIT INTERRUPT (GFCI) OUTLETS SHALL BE INSTALLED IN REMODELED AREAS AT THE FOLLOWING LOCATIONS:
 - GARAGE
 - BATHROOMS
 - ALL KITCHEN COUNTERTOPS
 - ALL EXTERIOR RECEPTICLES
 - ALL UNFINISHED BASEMENT AREAS
 - WITHIN 6 FEET OF WET BAR SINKS
- KITCHEN SHALL BE SUPPLIED WITH AT LEAST 2 SEPARATE 20 AMPERE SMALL APPLIANCE CIRCUITS.
- LAUNDRY SHALL BE SUPPLIED WITH AT LEAST ONE 20 AMPERE CIRCUIT FOR LAUNDRY APPLIANCES.
- BATHROOM RECEPTICLE OUTLETS SHALL BE ON A DEDICATED 20 AMPERE CIRCUIT AND SEPARATED FROM BATHROOM LIGHTING CIRCUITRY.
- PROVIDE A MINIMUM 100 SQ. IN. MAKE-UP AIR GRILL TO SERVE DRYER.
- WALL COVERINGS IN SHOWERS AND SHOWER / TUB COMBINATION UNITS SHALL BE CERAMIC TILE TO A HEIGHT OF +70", OVER APPROVED MORTAR BED OR CEMENTITIOUS TILE UNDERLAYMENT BOARD OVER A VAPOR BARRIER.
- ALL MATERIALS OTHER THAN STRUCTURAL ELEMENTS IN TUB / SHOWER AREAS ARE TO BE MOISTURE RESISTANT.
- GLASS ENCLOSURE DOORS AND PANELS SHALL BE LABELED CATEGORY II, WITH ALL DOORS TO SHOWER SWINGING OUTWARD.
- NET AREA OF SHOWER RECEPTOR SHALL BE NOT LESS THAN 1024 SQ. IN. OF FLOOR AREA AND ENCOMPASS A 30" DIA. CIRCLE.
- ALL SHOWER AND TUB / SHOWERS ARE TO BE PROVIDED WITH PRESSURE BALANCING OR THERMOSTATIC MIXING VALVE CONTROLS.
- ALL NEW PLUMBING FIXTURES SHALL BE LOW FLOW WATER SAVING PLUMBING DEVICES.
- ALL NEW HANDRAILS INSTALLED IN REMODELED AREAS SHALL COMPLY WITH THE FOLLOWING:
 - A CONTINUOUS HANDRAIL IS REQUIRED FOR STAIRWAYS WITH 4 OR MORE RISERS.
 - THE TOP OF THE HANDRAIL SHALL BE 34" TO 38" ABOVE THE NOSING OF TREADS AND LANDINGS.
 - INTERMEDIATE BALUSTERS ON OPEN SIDES OF STAIRS AND LANDINGS SHALL BE SPACED SO THAT A SPHERE OF 4" IN DIA. CANNOT PASS THROUGH.
 - HANDRAIL ENDS SHALL BE RETURNED OR SHALL HAVE ROUNDED TERMINATIONS OR BENDS.
 - HANDGRIP SURFACE SHALL BE 1-1/4" TO 1-1/2" IN CROSS SECTION OR A SHAPE THAT PROVIDES AN EQUIVALENT SMOOTH GRIPPING SURFACE.
 - HANDRAILS SHALL HAVE MINIMUM 1-1/2" CLEARANCE FROM ANY WALL SURFACE.
- A PROTECTIVE GUARDRAIL SHALL BE PROVIDED WITH A MINIMUM HEIGHT OF 42" AT ALL DECKS, PORCHES, BALCONIES, RAISED FLOORS (MORE THAN 30" ABOVE GRADE OR FLOOR BELOW) AND OPEN SIDES OF STAIRS AND LANDINGS. OPENINGS BETWEEN BALUSTERS SHALL BE SUCH THAT A SPHERE 4" IN DIA. CANNOT PASS THROUGH.
- IN BATHROOMS OR KITCHENS: HIGH EFFICACY LAMPS SHALL HAVE LAMP EFFICACY AS FOLLOWS:
 - < 15 W = MIN. 40 LM/W
 - 15-40 W = MIN. 50 LM/W
 - > 40 W = 60 LM/W
- PROVIDE ATTIC VENTILATION AT PROPOSED WORK AS PER C.B.C..
- PROVIDE ATTIC ACCESS WITH A MIN. OPENING AREA OF 22" X 30" WHERE ATTIC HEIGHT 30" OR GREATER, AS PER C.B.C..
- AT LEAST ONE WINDOW IN EACH SLEEPING ROOM SHALL HAVE A RESCUE WINDOW THAT COMPLIES WITH C.B.C. EACH RESCUE WINDOW SHALL HAVE A MIN. NET CLEAR OPEN AREA OF 5.7 SQUARE FEET WITH A MINIMUM CLEAR OPENING HEIGHT OF 24" AND A CLEAR OPENING WIDTH OF 20". SILL HEIGHTS SHALL NOT BE MORE THAN 44" ABOVE THE FLOOR.
- SAFETY GLAZING SHALL BE PROVIDED AT THE FOLLOWING LOCATIONS:
 - GLAZING IN EGRESS OR EGRESS DOORS
 - GLAZING IN DOORS AND ENCLOSURE FOR HOT TUBS, WHIRLPOOLS, SAUNAS, STEAM ROOMS, BATH TUBS, AND SHOWERS.
 - GLAZING IN FIXED OR OPERABLE PANELS ADJACENT TO A DOOR WHERE THE NEAREST EXPOSED EDGE OF THE GLAZING IS WITHIN A 24" ARC OF EITHER VERTICAL EDGE OF THE DOOR IN A CLOSED POSITION AND WHERE THE BOTTOM EDGE OF THE GLASS IS LESS THAN 60" ABOVE A WALKING SURFACE.
 - GLAZING WHERE EXPOSED AREA OF AN INDIVIDUAL PANE IS GREATER THAN 9 SQ. FT.
 - EXPOSED BOTTOM EDGE IS LESS THAN 18" ABOVE THE FLOOR, EXPOSED TOP EDGE IS LESS THAN 36" ABOVE THE FLOOR, AND THERE IS ONE OR MORE WALKING SURFACES
 - WITHIN 36" HORIZONTALLY OF THE PLANE OF THE GLAZING.

SCOPE OF WORK:

DWELLING UNIT ON GROUND FLOOR (16 A IRIS) WILL HAVE A PROPOSED HORIZONTAL ADDITION AT THE REAR YARD, ALONG WITH INTERIOR REMODELING OF THE BATHROOM AND KITCHEN. THE EXISTING VESTIBULE WILL BE REMODELED AND HAVE ACCESS TO A PROPOSED ENCLOSED STAIR CASE THAT CONNECTS WITH THE SECOND FLOOR UNIT. ADDITIONAL WORK TO INCLUDE REMODEL OF KITCHEN, BATHROOM, AND BEDROOMS FOR SECOND FLOOR UNIT (16 IRIS), NEW SECOND FLOOR DECK AT REAR YARD.

PROJECT DATA:

BLOCK / LOT: 1043 / 028
 NEIGHBORHOOD: LAUREL HEIGHTS
 ZONING: RH-2
 ZONING HEIGHT LIMIT: 40-X
 LOT SIZE: 3,841 SQ FT
 LOT DIMENSIONS: 37.8' X 101.2'
 EXISTING USE / OCCUPANCY: R-2 (THREE FAMILY DWELLING) / U (GARAGE)
 PROPOSED USE / OCCUPANCY: R-2 (THREE-FAMILY) / U (GARAGE)
 EXISTING CONSTRUCTION: V-B
 PROPOSED CONSTRUCTION: V-B

PROJECT CALCS:

EXISTING CONDITIONED:
 (E) FIRST FLOOR: 505 SQ.FT.
 (E) SECOND FLOOR: 1,385 SQ.FT.
 (E) THIRD FLOOR: 1,385 SQ.FT.
TOTAL CONDITIONED: 3,275 SQ.FT.

PROPOSED:
 FIRST FLOOR: 690 SQ.FT.
 SECOND FLOOR: 1,385 SQ.FT.
 THIRD FLOOR: 1,385 SQ.FT.
TOTAL CONDITIONED: 3,460 SQ.FT.

TOTAL ADDITION OF CONDITIONED SPACE: 185 SQ.FT.

EXISTING GARAGE: 950 SQ.FT.
 PROPOSED GARAGE: 815 SQ.FT.
 PROPOSED DECK: 215 SQ.FT.
 PROPOSED UNCONDITIONED VESTIBULE: 285 SQ.FT.

SHEET INDEX:

ARCHITECTURAL:

A0.1 COVER, INDEX, DESCRIPTION, PHOTOS
 A0.2 ABBREVIATIONS AND DRAWINGS SYMBOLS
 A0.3 GENERAL NOTES
 A1.1 EXISTING AND PROPOSED SITE PLANS

EC2.1 EXISTING FIRST, SECOND, AND THIRD FLOOR PLANS
 EC3.1 EXISTING ELEVATIONS AND BUILDING SECTION

A2.1 PROPOSED FIRST FLOOR PLAN
 A2.2 PROPOSED SECOND FLOOR PLAN
 A2.3 PROPOSED ROOF PLAN

A3.1 PROPOSED WEST (FRONT) & EAST (REAR) ELEVATIONS
 A3.2 PROPOSED SOUTH (SIDE) & NORTH (SIDE) ELEVATIONS
 A3.3 PROPOSED BUILDING SECTION

PROJECT DIRECTORY:

OWNER:
 JAMES & ANNA MARIE MURRAY
 16 IRIS
 SAN FRANCISCO, CA 94118
 415.640.0027

ARCHITECT:
 YA. STUDIO
 777 FLORIDA STREET, SUITE 306
 SAN FRANCISCO, CA 94110
CONTACT:
 YAKUH ASKEW
 415.920.1839

APPLICABLE CODES:

2013 SAN FRANCISCO BUILDING CODE
 2013 SAN FRANCISCO FIRE CODE
 2013 SAN FRANCISCO PLUMBING CODE
 2013 SAN FRANCISCO ELECTRICAL
 2013 SAN FRANCISCO MECHANICAL CODE
 2013 CALIFORNIA ENERGY CODE

ALL OTHER APPLICABLE LOCAL AND STATE LAWS AND REGULATIONS

DEFERRED SUBMITTALS:

MECHANICAL, ELECTRICAL, PLUMBING



3 LOCATION MAP
 NOT TO SCALE



2 AERIAL VIEW
 NOT TO SCALE



1 STREET PHOTO
 NOT TO SCALE

STAMP:

TITLE:
DATA SHEET

REV. PRINTING: DATE:
 — CLIENT REVIEW 02.14.14
 — PLAN. COMMENTS 06.25.14
 — PLAN. COMMENTS 07.05.14
 — 311 NOTICE 09.03.14
 — PLAN. COMMENTS 11.25.14

JOB NO: 14004 - 16 IRIS AVE.
 DRAWN BY: G.B.
 CHECKED BY: Y.A.
 PRINTED: 12/1/14
 SHEET:

A0.1

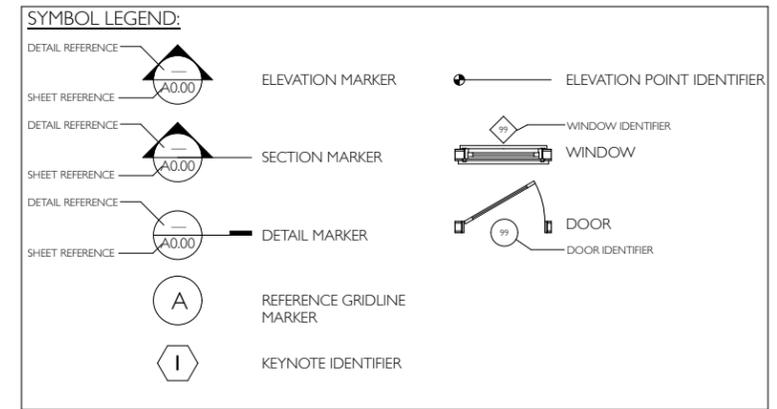
ABBREVIATIONS:

A.B.	ANCHOR BOLT
ABV	ABOVE
A.C.	ASPHALT CONCRETE
A/C	AIR CONDITIONING
ACOUST	ACOUSTICAL
A.T.	ACOUSTICAL TILE
A.C.P.	ACOUSTICAL CEILING PANEL
A.D.	AREA DRAIN
ADJ	ADJUSTABLE / ADJACENT
A.F.F.	ABOVE FINISHED FLOOR
AGGR	AGGREGATE
ALUM	ALUMINUM
ALT	ALTERNATE
ANC	ANCHOR / ANCHORAGE
ARCH	ARCHITECTURAL
AVG	AVERAGE
AWN	AWNING
BD	BOARD
B.F.	BOTH FACES
BLDG	BUILDING
BLK	BLOCK
BLKG	BLOCKING
BM	BEAM
B.P.	BUILDING PAPER
BDRM	BEDROOM
BLW	BELOW
BRG	BEARING
BRKT	BRACKET
BRZ	BRONZE
BTM	BOTTOM
BTN	BATTEN
BTR	BETTER
BTWN	BETWEEN
B.U.R.	BUILT UP ROOFING
BVL	BEVELED
B.V.	BOTH WAYS
C.B.	CATCH BASIN
CAB	CABINET
C.A.R.	COLD AIR
C.C.	CENTER TO CENTER
C.F.	CUBIC FEET
C.G.	CORNER GUARD
C.I.P.	CAST IRON PIPE
C.I.P.C.	CAST-IN-PLACE CONCRETE
C.J.	CONTROL JOINT
CLKG	CAULK / CAULKING
CLG	CEILING
CLR	CLEAR
C.M.U.	CONCRETE MASONRY UNIT
C.M.P.	CORRUGATED METAL PIPE
CNTR	COUNTER
C.O.	CLEAN OUT
C.O.T.G.	CLEAN OUT TO GRADE
COL	COLUMN
CONC	CONCRETE
CONIN	CONNECTION
CONT	CONTINUOUS
CONTR	CONTRACTOR
CORR	CORRUGATED
CPT	CARPET
CRS	COURSE / COURSES
CSK S.	COUNTERSINK SCREW
C.T.	CERAMIC TILE
CTR	CENTER
C.W.	COLD WATER
C.Y.	CUBIC YARD
DBL	DOUBLE
D.H.	DOUBLE HUNG
DEPT	DEPARTMENT
DET	DETAIL
D.F.	DOUGLAS FIR
D.I.B.	DRILL IN BOLT
DIA.	DIAMETER
DIAG	DIAGRAM
DIM	DIMENSION
DISP	DISPENSER
DIV	DIVISION / DIVIDER
D.L.	DEAD LOAD
DN	DOWN
DR	DOOR
DRWG	DRAWING
DR.FNT.	FOUNTAIN
DW	DISHWASHER
E	EAST
(E)	EXISTING
EA	EACH
EB.	EXPANSION BOLT
E.I.F.S.	EXTERIOR INSULATION FINISH SYSTEM
EJ.	EXPANSION JOINT
ELEC	ELECTRIC / ELECTRICAL
ELEV	ELEVATION
EMER	EMERGENCY
EN.	EDGE NAILING
ENCL	ENCLOSURE
E.O.S.	EDGE OF SLAB
EP	ELECTRIC PANEL
EQUIP	EQUIPMENT
E.W.C.	ELECTRIC WATER COOLER
EXH	EXHAUST
EXP	EXPOSED
EXT	EXTERIOR

F.A.	FIRE ALARM
F.A.U.	FORCED AIR UNIT
F.C.C.	FIRE CONTROL CENTER
F.C.U.	FAN COIL UNIT
F.D.	FLOOR DRAIN
F.D.C.	FIRE DEPARTMENT CONNECTION
FND	FOUNDATION
F.E.	FIRE EXTINGUISHER
F.E.C.	FIRE EXTINGUISHER CABINET
F.F.	FINISHED FLOOR
FF.B.	FINISHED FLOOR BREAK
F.G.	FIXED GLASS
F.H.	FIRE HYDRANT
F.G.C.	FIRE HOSE CABINET
F.H.V.	FIRE HOSE VALVE
FIN	FINISH
FL	FLOW LINE
FLUSH	FLUSH JOINT
FJ.	FLASHING
FLR	FLOOR
FLUOR	FLUORESCENT
F.O.C.	FACE OF CONCRETE
F.O.M.	FACE OF MASONRY
F.O.S.	FACE OF STUD
F.O.W.	FACE OF WALL
FP	FIREPLACE
FPR	FIREPROOF
FRMG	FRAMING
FR.P.	FIBER REINFORCED PLASTIC
FT	FOOT
FTG	FOOTING
FUR	FURRED / FURRING
G	GAS
GALV	GALVANIZED
G.B.	GRAB BAR
G.C.	GENERAL CONTRACTOR
GL	GLASS
GL.	GALVANIZED IRON
GLB	GLU-LAM BEAM
GND	GROUND
GR	GRADE
GRDR	GIRDER
G.S.	GYPSON SHEATHING
G.W.B.	GYPSON WALL BOARDED
H.B.	HOSE BIB
H.C.	HOLLOW CORE
H.D.	HOLD DOWN
HDR	HEADER
HDWR	HARDWARE
HGR	HANGER
H.M.	HOLLOW METAL
HORIZ	HORIZONTAL
H.P.	HIGH POINT
HR	HOUR
HT	HEIGHT
HTG	HEATING
H.V.A.C.	HEATING / VENTILATING / AIR CONDITIONING
H.W.	HOT WATER
I.B.	INFILTRATION BARRIER
I.D.	INSIDE DIAMETER
IN	INCH
INCL	INCLUDED / INCLUDING
INFO	INFORMATION
INSUL	INSULATION / INSULATED
INT	INTERIOR
INTER	INTERMEDIATE
INV	INVERT
JAN	JANITOR
JST	JOIST
JT	JOINT
K.P.	KICK PLATE
KIT	KITCHEN
LAM	LAMINATED
LAV	LAVATORY
L.B.	LAG BOLT
LB	POUND
L.F.	LINEAR FOOT
LL	LIVE LOAD
LT	LIGHT
LTL	LINTEL
LKR	LOCKER
L.P.	LOW POINT
LVR	LOUVER
L.V.L.	LAMINATED VENEER LUMBER
LACQ	LACQUER
MAS	MASONRY
MATL	MATERIAL
MAX	MAXIMUM
M.B.	MACHINE BOLT
M.C.	MEDICINE CABINET
MECH	MECHANICAL
MED	MEDIUM
MFD	MANUFACTURED
MFR	MANUFACTURER
MH	MANHOLE
MICRO	MICROWAVE
MIN	MINIMUM
MIR	MIRROR
MISC	MISCELLANEOUS
M.O.	MASONRY OPENING
M.R.	MOISTURE RESISTANT
M.R.O.	MASONRY ROUGH OPENING
MOD	MODULAR
MOV	MOVABLE
MTD	MOUNTED
MTL	METAL
MUL	MULLION

N	NORTH
(N)	NEW
N.I.C.	NOT IN CONTRACT
N.A.	NOT APPLICABLE
NO.	NUMBER
N.T.S.	NOT TO SCALE
O/	OVER
O.C.	ON CENTER
O.D.	OUTSIDE DIAMETER
OFF	OFFICE
OH	OVERHEAD
OPNG	OPENING
OPP	OPPOSITE
O.R.D.	OVERFLOW ROOF DRAIN
O.S.B.	ORIENTED STRAND BOARD
PART	PARTITION
P.C.	PRE CAST CONCRETE
P.C.F.	POUNDS PER CUBIC FOOT
PFB	PREFABRICATED
PL	PLATE
P.D.F.	POWDER DRIVEN FASTENER
PLF	POUNDS PER LINEAL FOOT
PLAM.	PLASTIC LAMINATE
PLYWD	PLYWOOD
PH.	PAPER HOLDER
PNT	PAINT
PRJ	PROJECT / PROJECTED
P.S.F.	POUNDS PER SQUARE FOOT
P.S.I.	POUNDS PER SQUARE INCH
PT.	PRESSURE TREATED
PT	POINT
PTD.	PAPER TOWEL DISPENSER
PTD. / R.	PAPER TOWEL DISPENSER & RECEPTACLE
PTR.	PAPER TOWEL RECEPTACLE
P.V.C.P.	POLYVINYL CHLORIDE PIPE
P.V.M.T	PAVEMENT
Q.T.	QUARRY TILE
R	RISER
R.A.	RETURN AIR
RAD	RADIUS
R.B.	RUBBER BASE
RUB	RUBBER
R/C	REINFORCED CONCRETE
R.D.	ROOF DRAIN
RDWD	REDWOOD
REINF. Or	REINFORCING STEEL BARS
RE-BAR	RE- BAR
REF	REFERENCE
REFR	REFRIGERATOR / REFRIGERATION
REG	REGISTER
REQ'D	REQUIRED
RET	RETAIN / RETAINING
REV	REVISION
RM	ROOM
R.O.	ROUGH OPENING
R/S	REINFORCING STEEL
R.W.L.	RAIN WATER LEADER
S	SOUTH
S.B.	SOLID BLOCKING
S.C.	SOLID CORE
S.C.D.	SEAT COVER DISPENSER
SCHED	SCHEDULE
S.D.	SOAP DISPENSER
S.D.R.	STORM DRAIN
SECT	SECTION
S.E.D.	SEE ELECTRICAL DRAWINGS
S.F.	SQUARE FOOT
S.F.B.	SPIT FACE BLOCK
S.F.S.D.	SEE FOOD SERVICE DRAWINGS
S.G.D.	SLIDING GLASS DOOR
SHT	SHEET
SHTTG	SHEATHING
SHVLS	SHELVES / SHELVING
SHWR	SHOWER
SIM	SIMILAR
SLR	SEALER
SLDR	SLIDER
S.M.D.	SEE MECHANICAL DRAWINGS
S.N.D.	SANITARY NAPKIN DISPENSER
S.N.R.	SANITARY NAPKIN RECEPTACLE
SPEC	SPECIFICATIONS
S.P.D.	SEE PLUMBING DRAWINGS
SPL.BLK	SPLASH BLOCK
SQ	SQUARE
S&R	SHELF AND ROD
S.S.	SANITARY SEWER
S.S.D.	SEE STRUCTURAL DRAWINGS
S.S.K.	SERVICE SINK
S.S.T.	STAINLESS STEEL
STA	STATION
S.T.C.	SOUND TRANSMISSION COEFFICIENT
STN	STAIN
STD	STANDARD
STL	STEEL
STO	STORAGE
STRUCT	STRUCTURE / STRUCTURAL
SUSP	SUSPENDED
S.W.	SHEAR WALL
S.T.	SQUARE YARD
SYS	SYSTEM

T	TREAD
T.B.	TOWEL BAR
T.C.	TRASH COMPACTOR
TEL	TELEPHONE
TEMP	TEMPERED
T.O.C.	TOP OF CURB
T & G.	TONGUE AND GROOVE
THK	THICK (NESS)
THR	THRESHOLD
T.O.B.	TOP OF BEAM
T.O.BLK	TOP OF BLOCK
T.O.G.	TOP OF GRATE
T.O.PL	TOP OF PLATE
T.O.S.	TOP OF SLAB
T.O.STL	TOP OF STEEL
T.O.W.	TOP OF WALL
T.P.D.	TOILET PAPER DISPENSER
T.S.	TUBE STEEL
TV	TELEVISION
TXT	TEXTURE
TYP	TYPICAL
U.B.C.	UNIFORM BUILDING CODE
UNF	UNFINISHED
U.O.N.	UNLESS OTHERWISE NOTED
UR	URINAL
VAR	VARIES
V.B.	VINYL BASE
V.B.R.	VAPOR BARRIER
V.C.P.	VITRIFIED CLAY PIPE
V.C.T.	VINYL COMPOSITION TILE
VENT	VENTILATOR / VENTILATION
VERT	VERTICAL
VEST	VESTIBULE
V.G.D.F.	VERTICAL GRAIN DOUGLAS FIR
V.I.F.	VERIFY IN FIELD
VIN	VINYL
VNR	VENEER
V.T.	VINYL TILE
W	WEST
W/	WITH
W.C.	WATER CLOSET
WD	WOOD
WD	WASHER / DRYER
W.G.	WIRED GLASS
W.H.	WATER HEATER
W.H.Y.D.	WALL HYDRANT
WINDW	WINDOW
W.I.C.	WALK IN CLOSET
W/O	WITHOUT
WP	WATERPROOF
WSCT	WAINSCOT
WT	WEIGHT
WWF.	WELDED WIRE FABRIC
YD	YARD



EXISTING REAR YARD PHOTO



EXISTING REAR YARD PHOTO

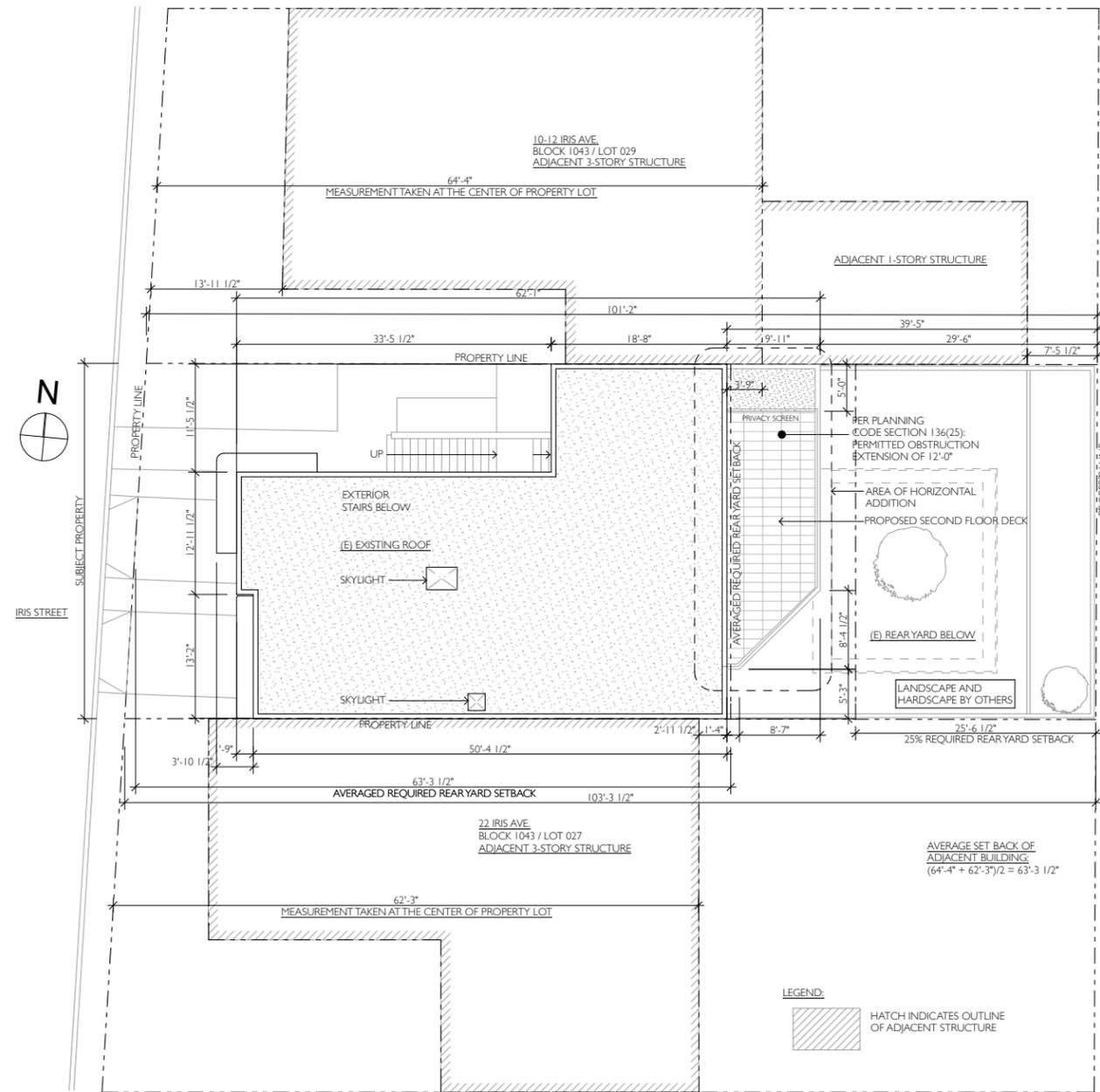
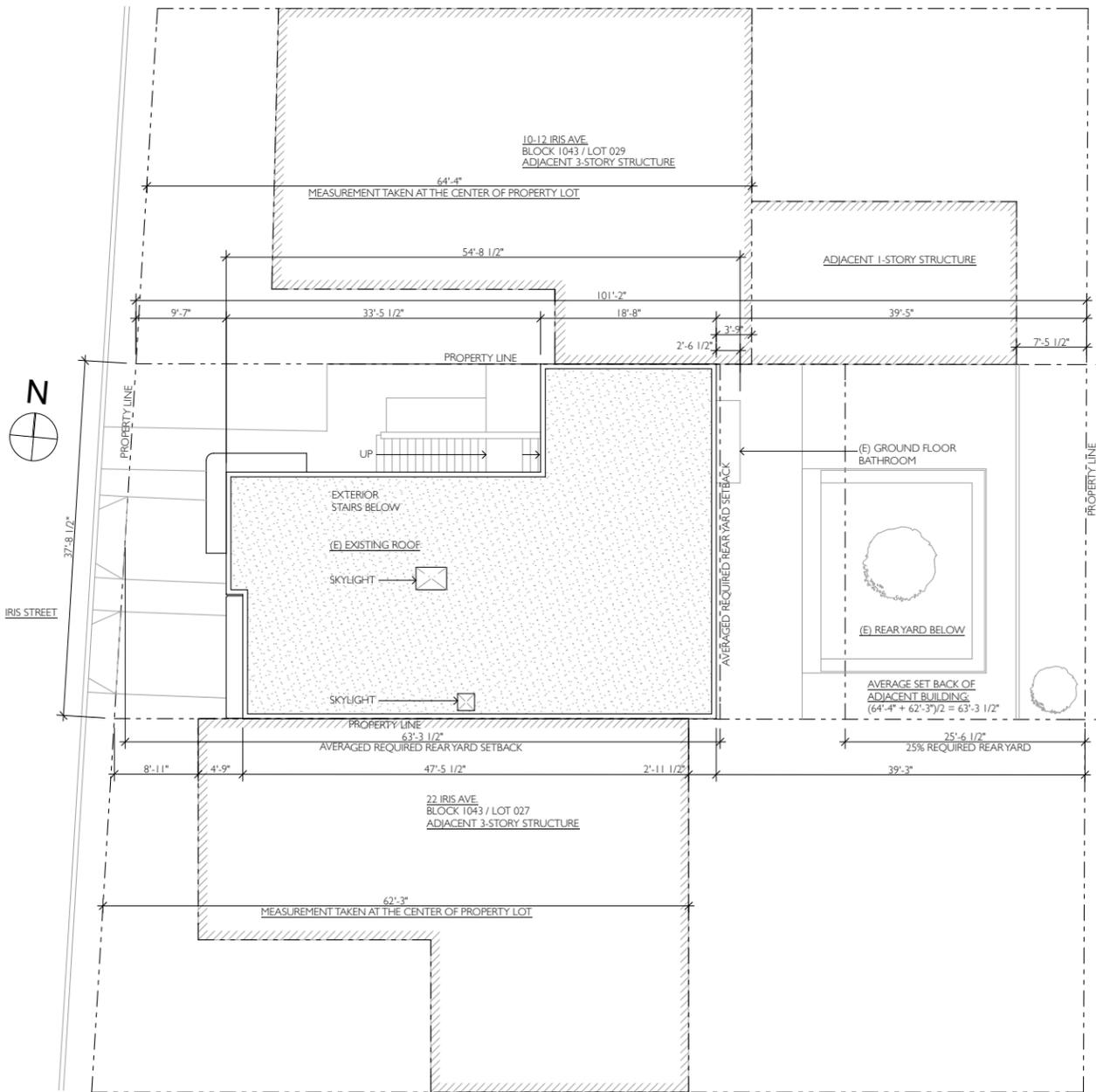
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TITLE:
**ABBREVIATIONS
AND SYMBOLS**

REV.	PRINTING:	DATE:
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—	PLAN. COMMENTS	07.05.14
—	311 NOTICE	09.03.14
—	PLAN. COMMENTS	11.25.14

JOB NO: 14004 - 16 IRIS AVE.
DRAWN BY: G.B.
CHECKED BY: Y.A.
PRINTED: 12/1/14
SHEET:

A0.2



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

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

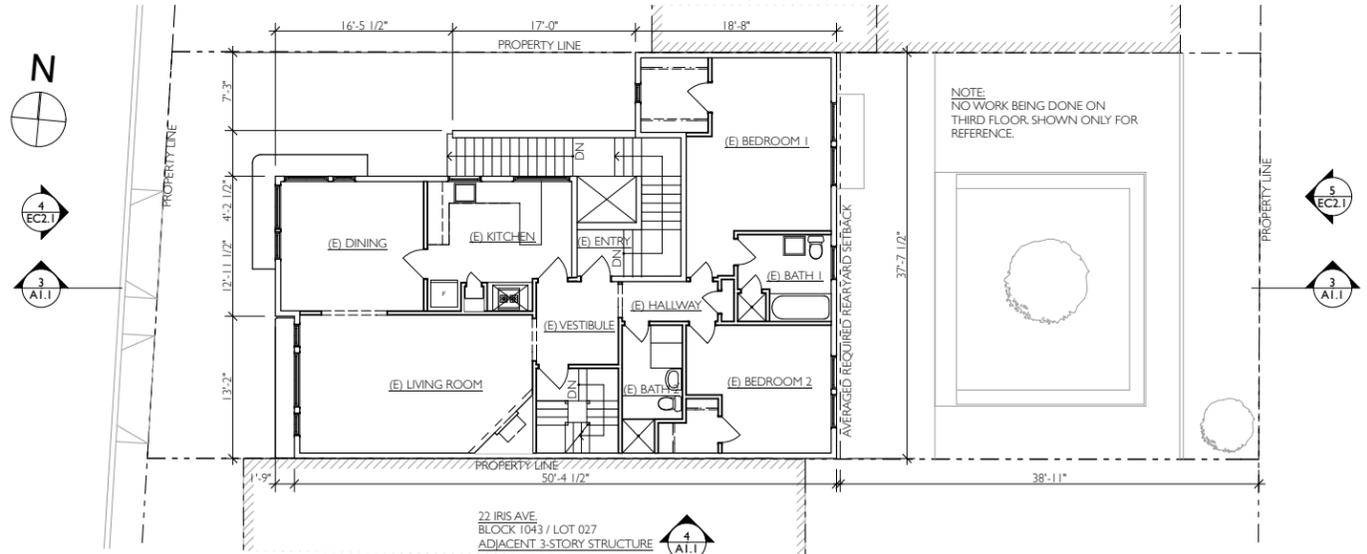
STAMP:

TITLE:
PROPOSED/
EXISTING SITE
PLAN

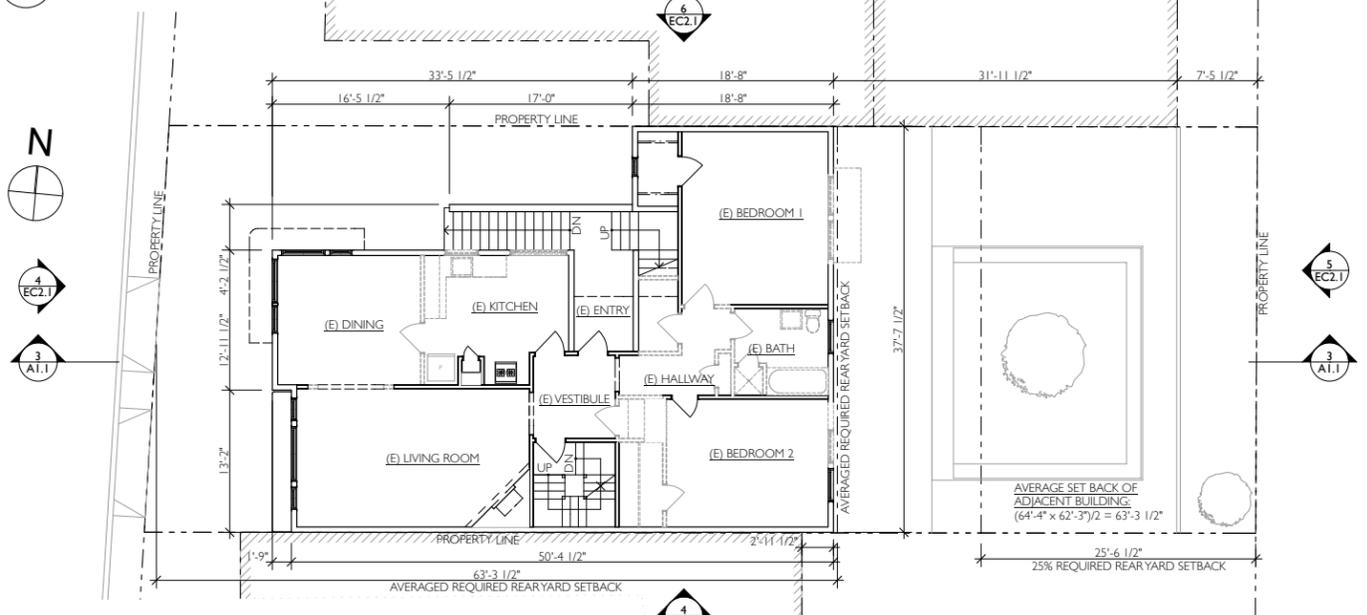
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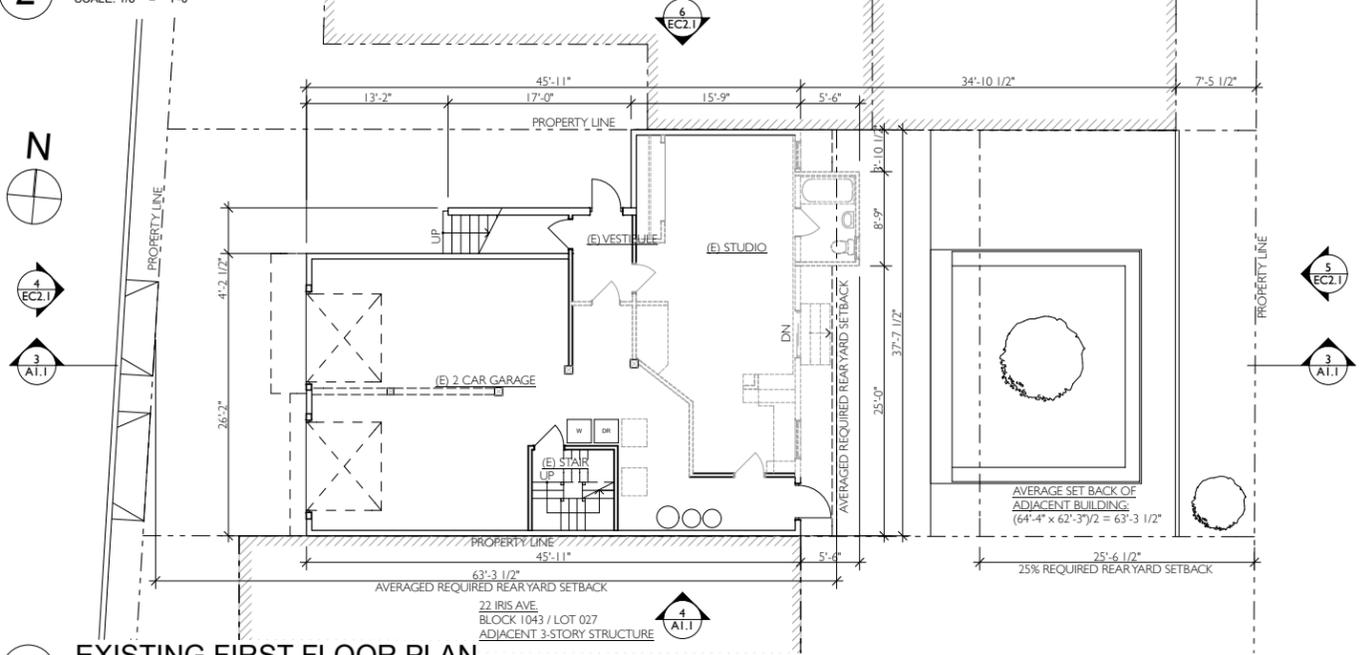
A1.1



3 EXISTING THIRD FLOOR PLAN
SCALE: 1/8" = 1'-0"



2 EXISTING SECOND FLOOR PLAN
SCALE: 1/8" = 1'-0"



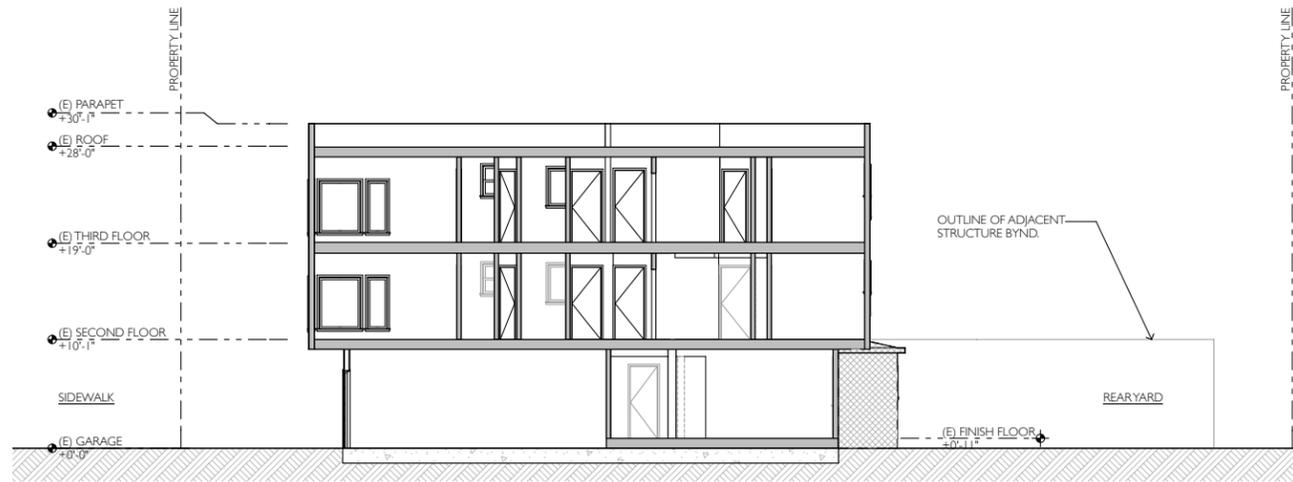
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SCALE: 1/8" = 1'-0"

STAMP:

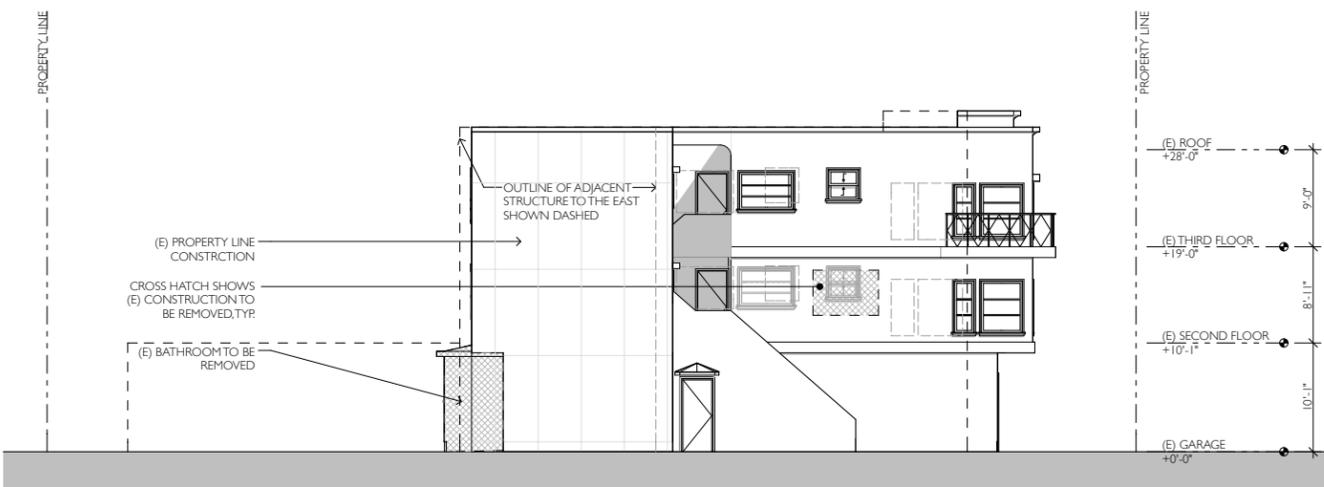
TITLE:
**EXISTING FIRST,
SECOND, AND
THIRD FLOOR
PLANS**

REV.	PRINTING:	DATE:
—	CLIENT REVIEW	02.14.14
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—	PLAN. COMMENTS	11.25.14

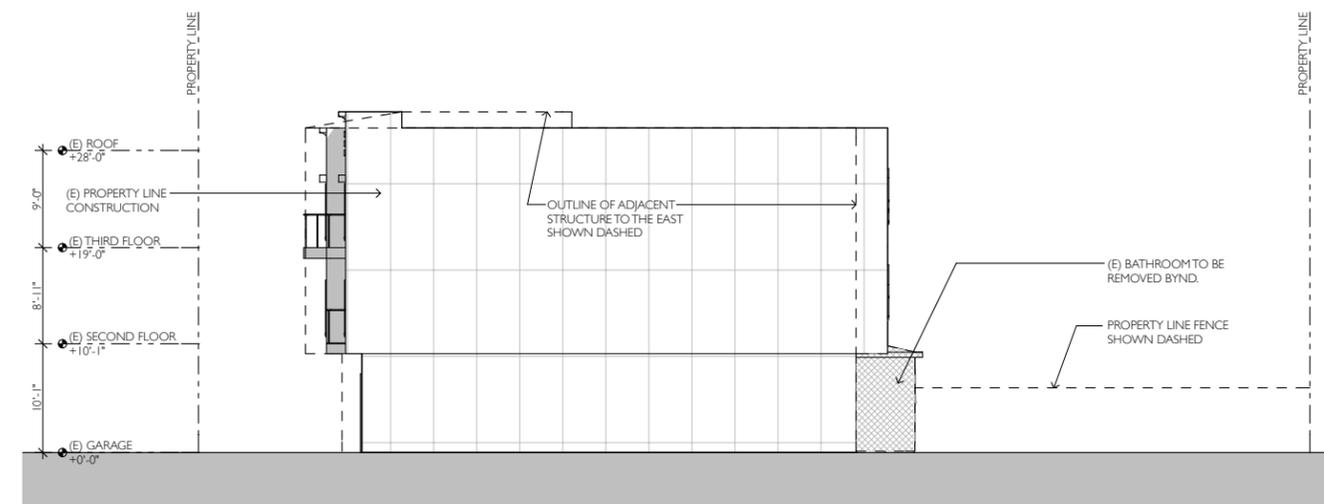
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CHECKED BY: Y.A.
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SHEET:



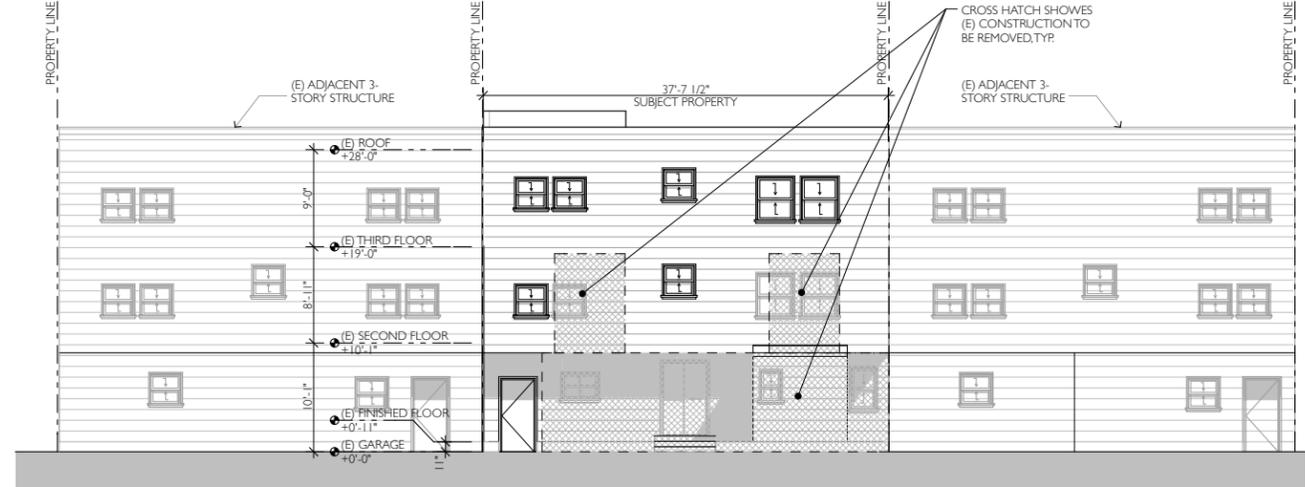
5 EXISTING BUILDING SECTION
SCALE: 1/8" = 1'-0"



4 (E) NORTH (SIDE) ELEVATION
SCALE: 1/8" = 1'-0"



3 (E) SOUTH (SIDE) ELEVATION
SCALE: 1/8" = 1'-0"



2 (E) EAST (REAR) ELEVATION
SCALE: 1/8" = 1'-0"



1 (E) WEST (FRONT) ELEVATION
SCALE: 1/8" = 1'-0"

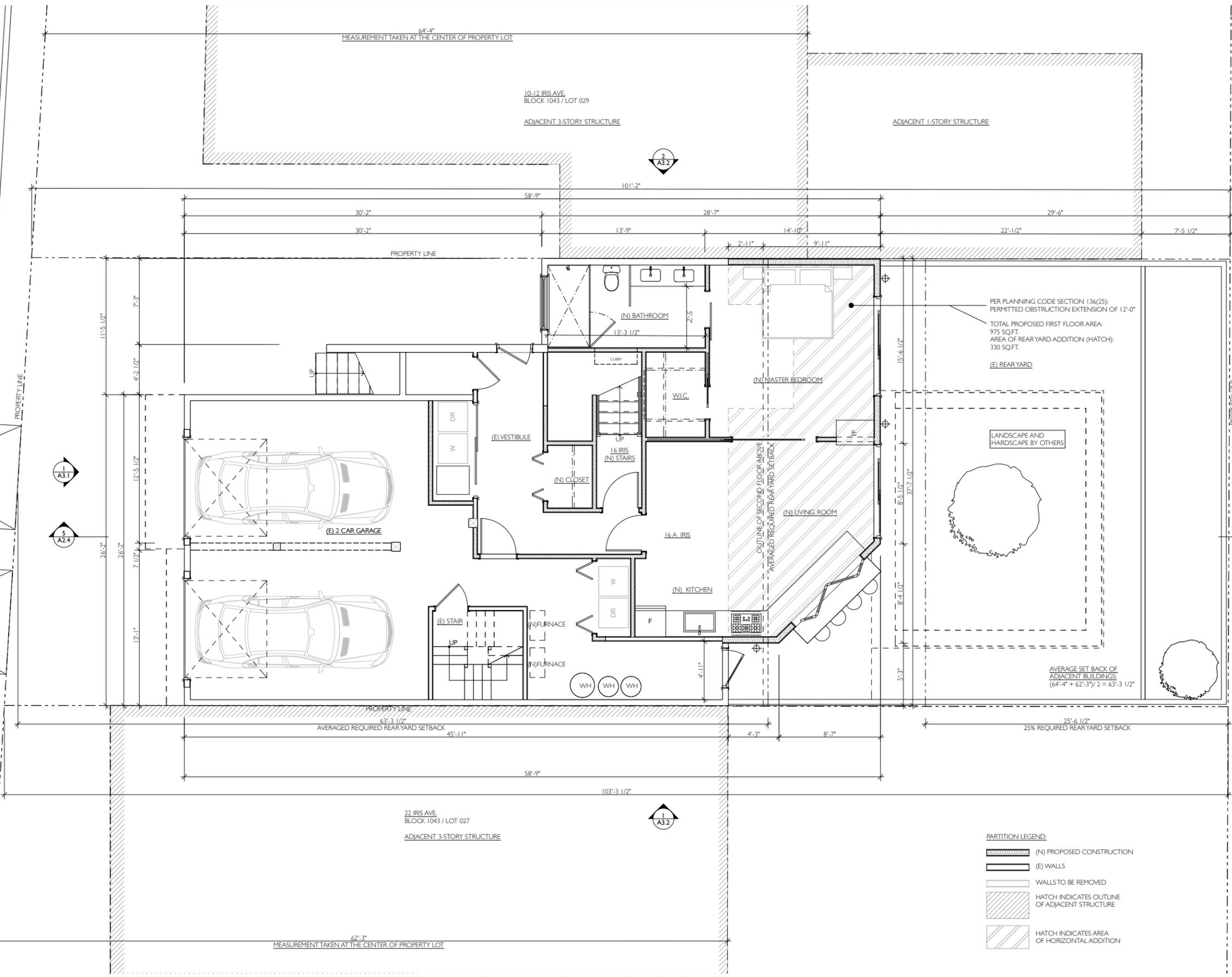
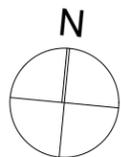
STAMP:

TITLE:
**EXISTING
ELEVATIONS AND
BUILDING SECTION**

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EC3.1



PARTITION LEGEND:

	(N) PROPOSED CONSTRUCTION
	(E) WALLS
	WALLS TO BE REMOVED
	HATCH INDICATES OUTLINE OF ADJACENT STRUCTURE
	HATCH INDICATES AREA OF HORIZONTAL ADDITION

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



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PROJECT
RESIDENTIAL HORIZONTAL ADDITION/REMODEL

16 IRIS AVENUE, SAN FRANCISCO, CA
BLOCK/LOT: 1043 / 028

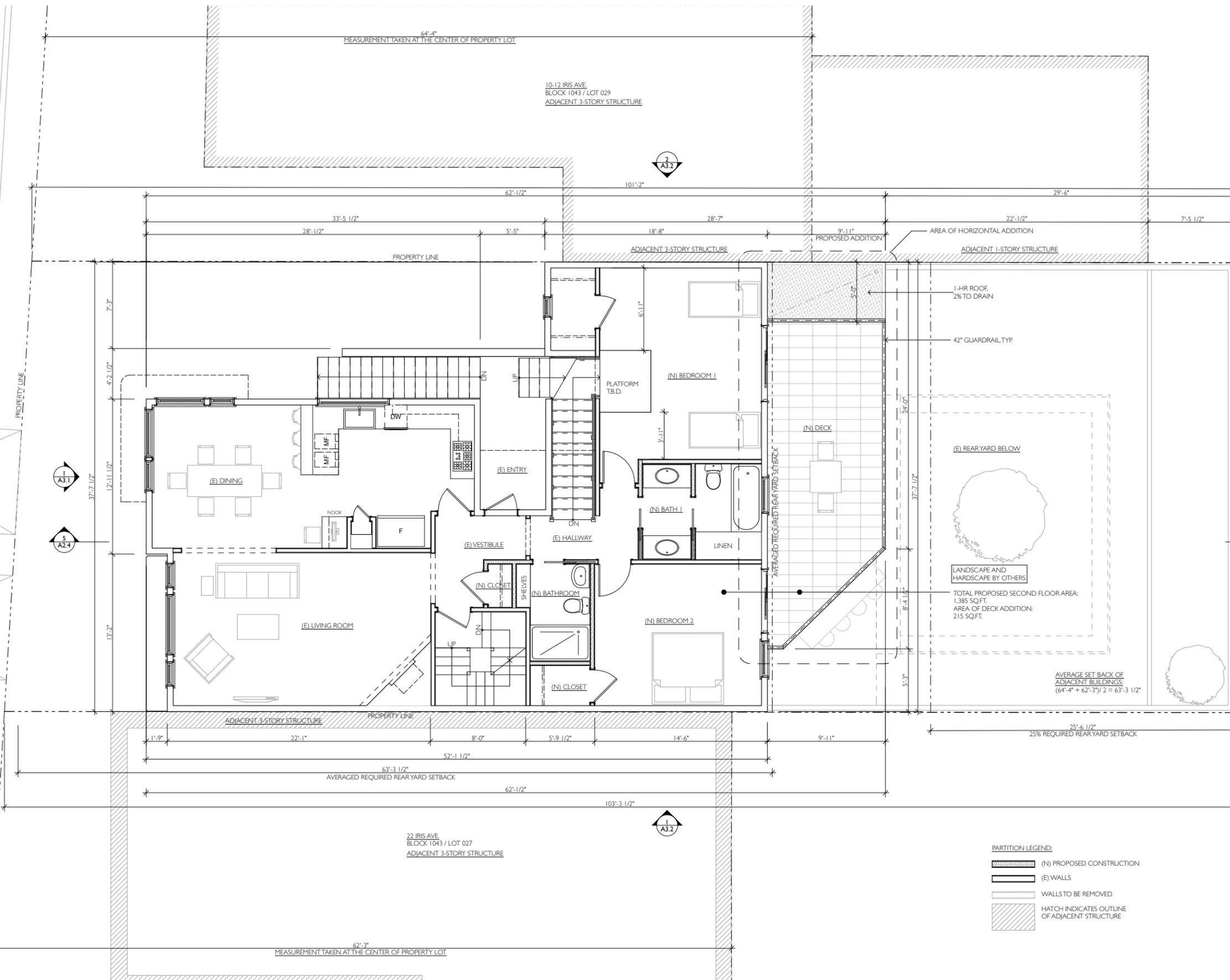
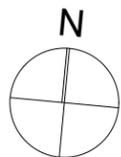
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TITLE:
PROPOSED FIRST FLOOR PLAN

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

STAMP:

TITLE:
**PROPOSED
SECOND FLOOR
PLAN**

REV.	PRINTING:	DATE:
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—	PLAN. COMMENTS	11.25.14

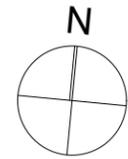
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DRAWN BY: G.B.
CHECKED BY: Y.A.
PRINTED: 12/1/14
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A2.2

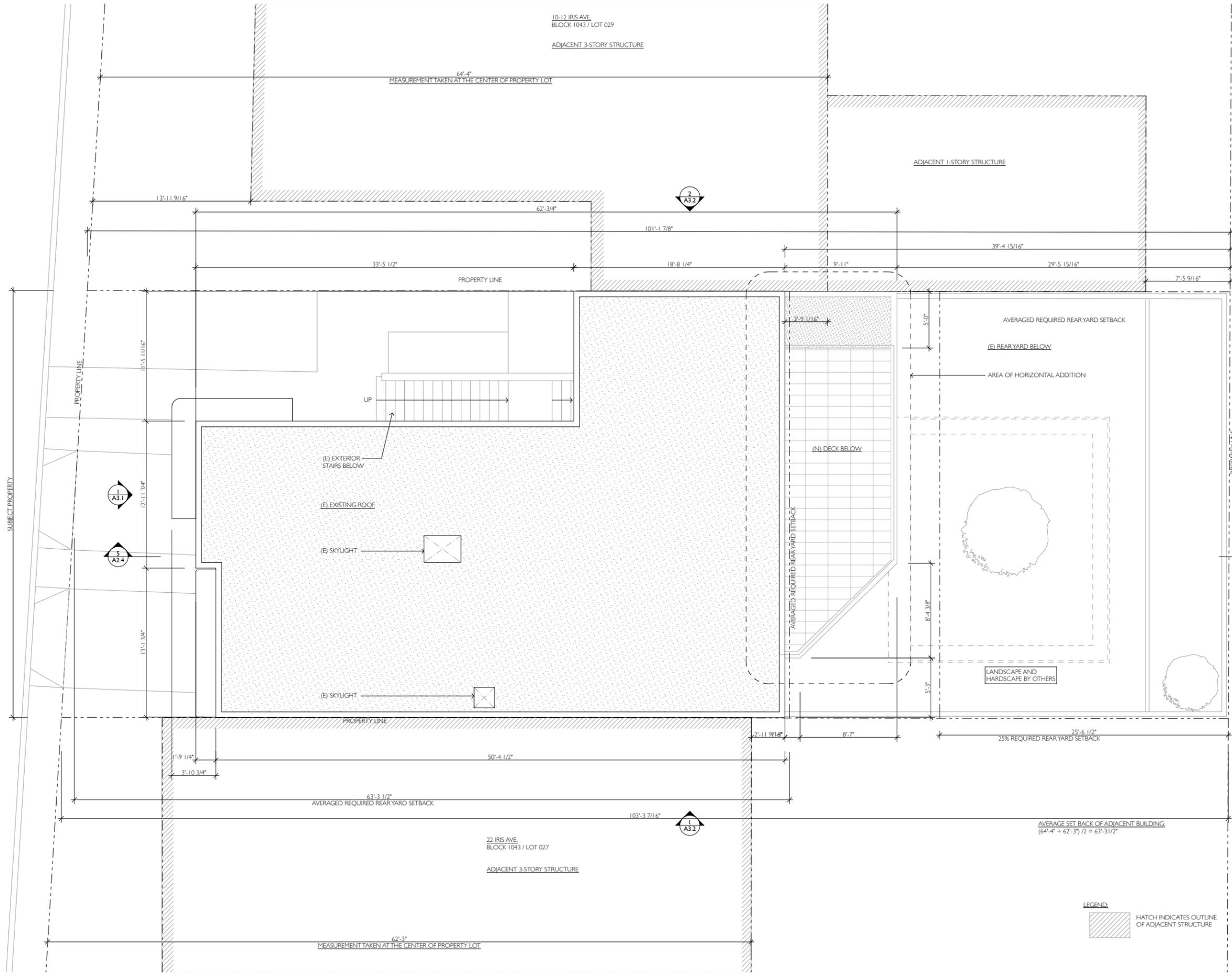
10-12 IRIS AVE
BLOCK 1043 / LOT 029
ADJACENT 3-STORY STRUCTURE

ADJACENT 1-STORY STRUCTURE

22 IRIS AVE
BLOCK 1043 / LOT 027
ADJACENT 3-STORY STRUCTURE



IRIS STREET



LEGEND:
[Hatched Box] HATCH INDICATES OUTLINE OF ADJACENT STRUCTURE



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PROJECT
**RESIDENTIAL HORIZONTAL
ADDITION/REMODEL**

16 IRIS AVENUE, SAN FRANCISCO, CA
BLOCK/LOT: 1043 / 028

STAMP:

TITLE:
**PROPOSED ROOF
PLAN**

REV.	PRINTING:	DATE:
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A2.3



2 PROPOSED EAST (REAR) ELEVATION
SCALE: 1/4" = 1'-0"



1 PROPOSED EAST (FRONT) ELEVATION
SCALE: 1/4" = 1'-0"

STAMP:

TITLE:
**PROPOSED WEST
(FRONT) AND EAST
(REAR) ELEVATION**

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—	311 NOTICE	09.03.14
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JOB NO: 14004 - 16 IRIS AVE.
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A3.1

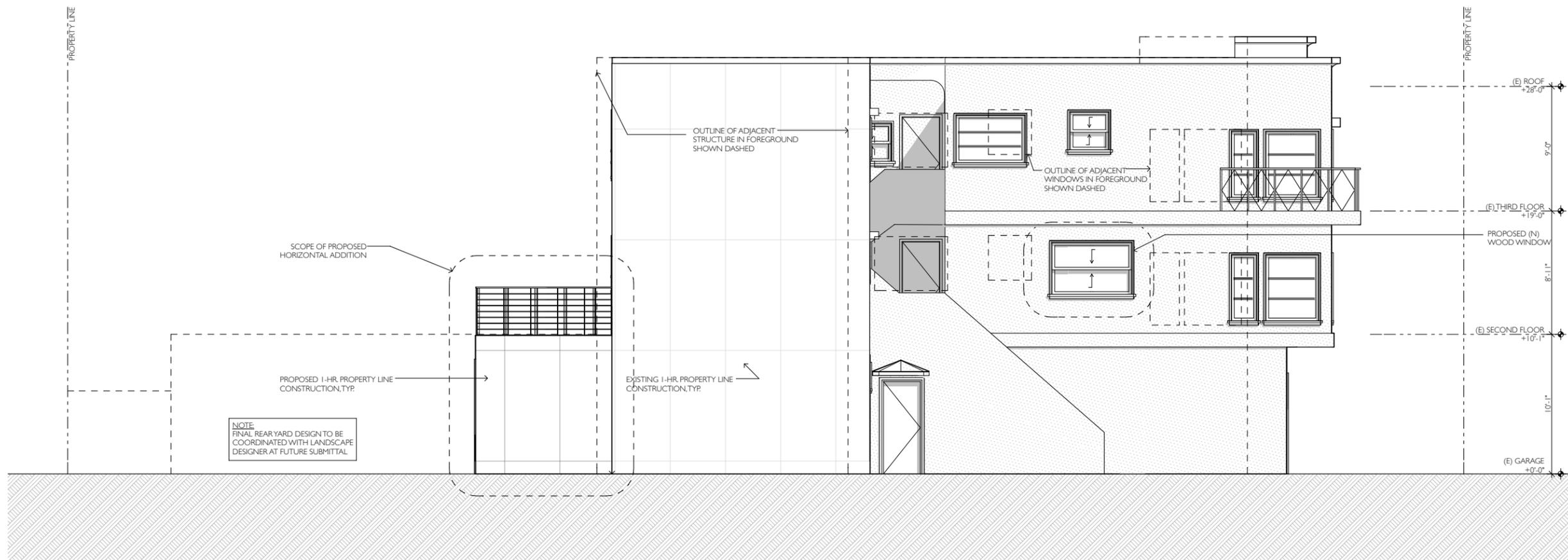
STAMP:

TITLE:
PROPOSED SOUTH
(SIDE) & NORTH
(SIDE) ELEVATIONS

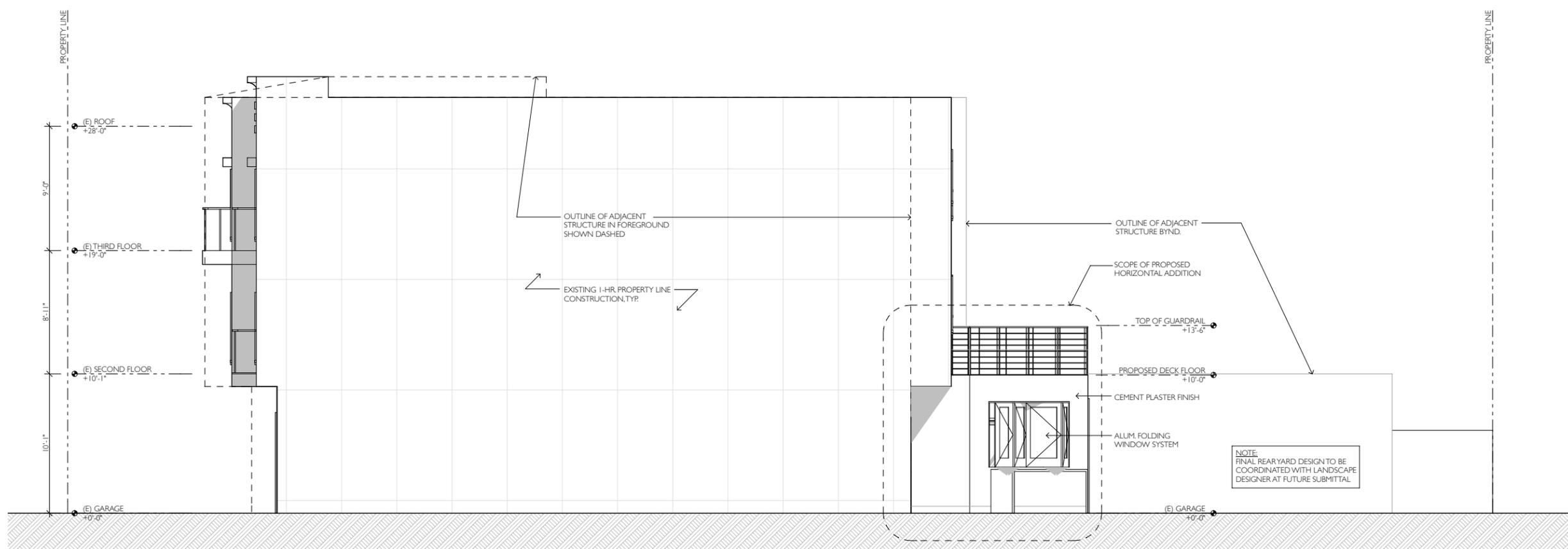
REV.	PRINTING:	DATE:
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JOB NO: 14004 - 16 IRIS AVE.
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CHECKED BY: Y.A.
PRINTED: 12/1/14
SHEET:

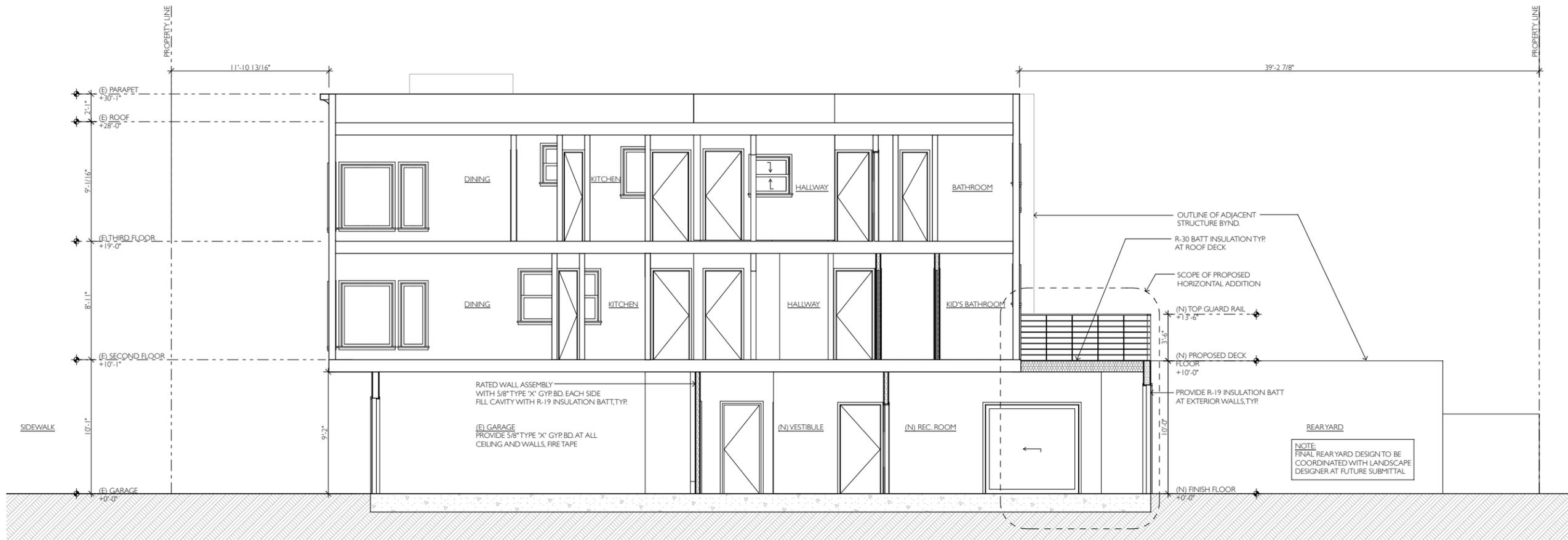
A3.2
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2 PROPOSED NORTH (SIDE) ELEVATION
SCALE: 1/4" = 1'-0"



1 PROPOSED SOUTH (SIDE) ELEVATION
SCALE: 1/4" = 1'-0"



1 WEST-EAST SECTION
SCALE: 1/4" = 1'-0"

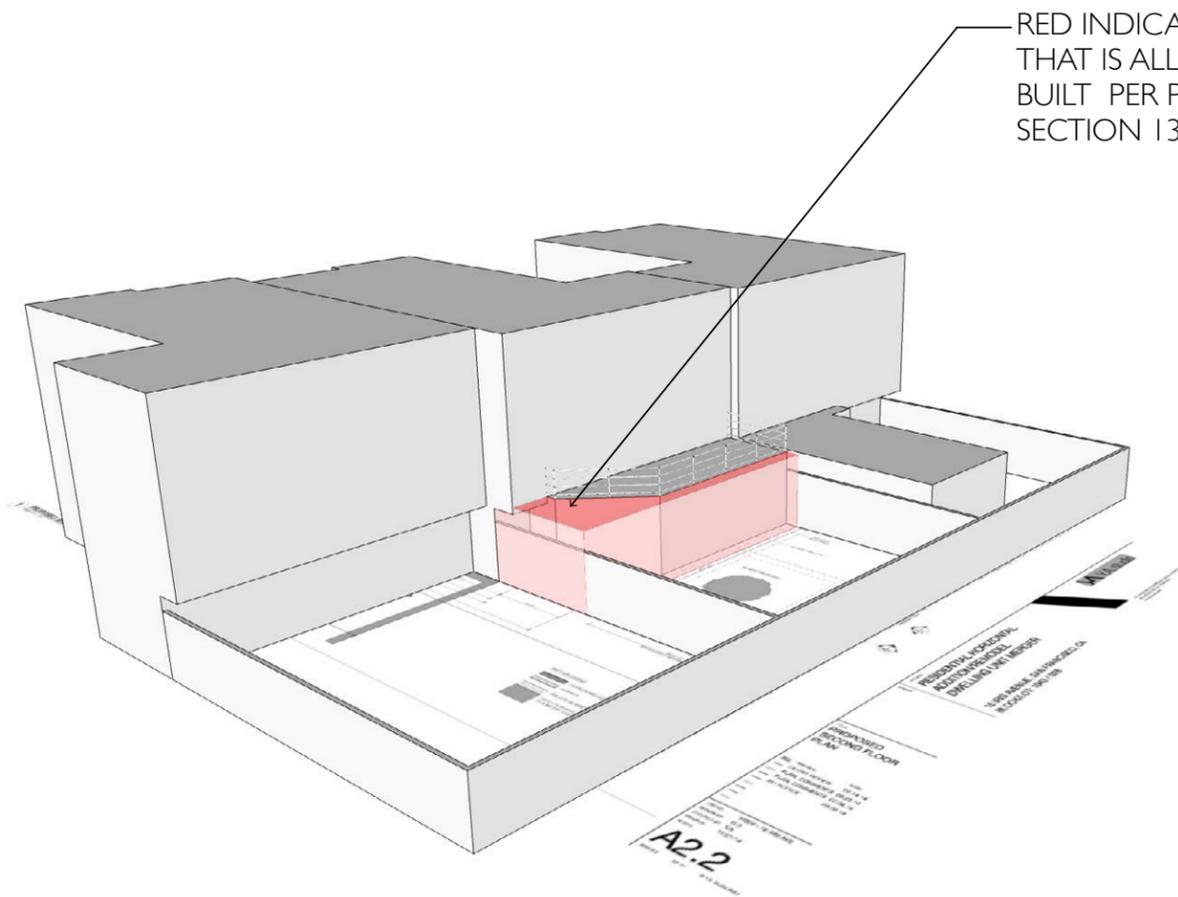
STAMP:

TITLE:
**PROPOSED
BUILDING SECTION**

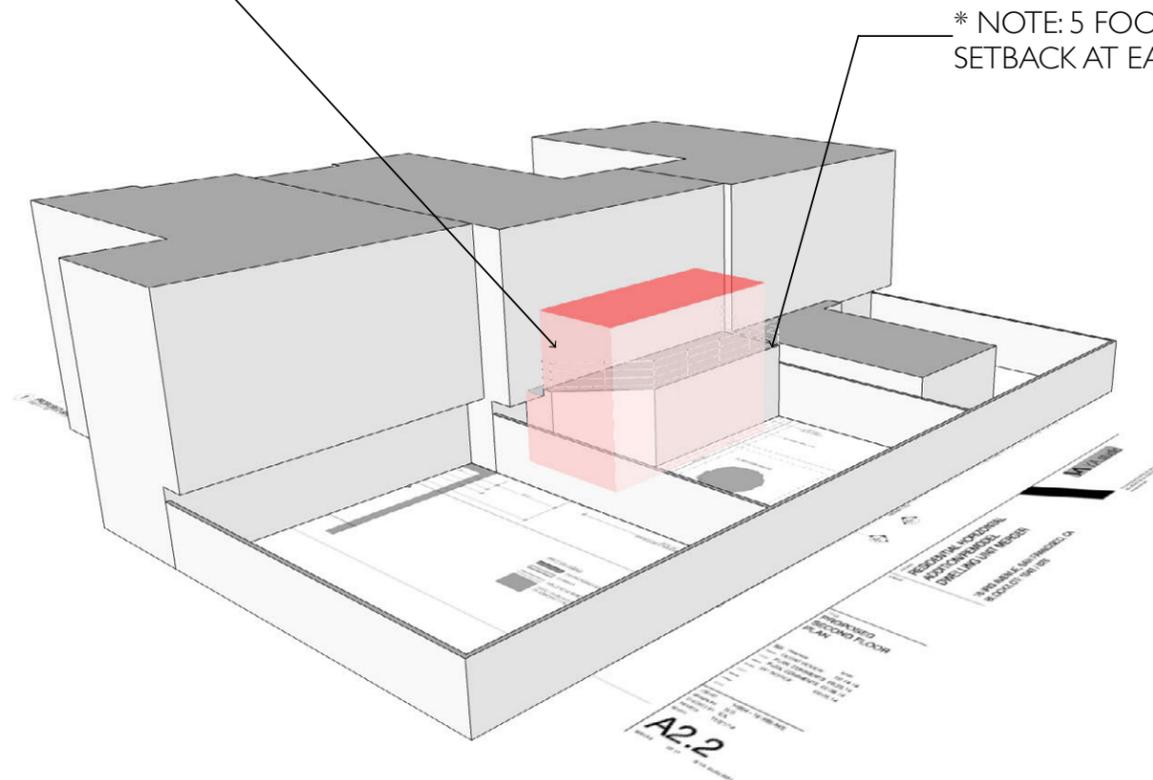
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CHECKED BY: Y.A.
PRINTED: 12/1/14
SHEET:

A3.3



RED INDICATES VOLUME THAT IS ALLOWABLE TO BE BUILT PER PLANNING CODE SECTION 136



* NOTE: 5 FOOT SETBACK AT EACH SIDE

STAMP:

TITLE:
PERSPECTIVES

REV.	PRINTING:	DATE:
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