

April 2, 2018
San Francisco Planning Commis
San Francisco Building Inspection Commission
Re: Joint Hearing April 12, 2018 Comments

Dear President Hillis, President McCarthy, Members of BIC and the CPC:

Here are my comments about how you can all work together to deal with the issue of demolitions, which is a a very serious problem as you all know.

The Building Code should maintain its own definition of demolition. Why? Because sometimes the Building Inspectors may have to deal with a situation where no demolition permit was taken out. If there is no Building Code definition for the destruction of a dwelling or other structure, then someone could get away clean.

A version of Tantamount to Demolition (TTD) should remain in the Planning Code as currently written in Section 317. This allows for reasonable alterations of housing. *However TTD should be more stringent.* It should be easy for both Planning Enforcement and Building Inspectors to understand in the field, as well as during the review process before a project is approved. *Reasonable Alterations are good for our housing stock. Demolitions masked and approved as Alterations are not.*

A new version of TTD should be a definition that is descriptive, not based on numerical calculations or criteria. For example: If a project has a vertical expansion, with some exceptions, like a clerestory or dormers, it should be TTD. Why? Because it would be easier for both Departments to be on the same page. And given construction methods, *it probably is a demolition.* I will discuss this more at the hearing if I have time. But recent history has shown that TTD, as it is now, does not work and is contrary to City policy. TTD also raises issues of safety during construction.

There needs to be greater coordination between Departments with regard to unit mergers. If a remodeled second unit has a kitchen with a wine refrigerator, it is likely to be a unit merger not an Alteration. Square footage is not enough to review. This could be easily resolved by the repeal of Planning Code Section 317 (b) (7).

Both Departments need to share information regarding complaints received by each. Building should not issue a CFC if there is a complaint pending with Planning, and Planners need to know about complaints on projects under review. (Most times, complaints are filed by the public with Building, not Planning).

Please see the attached emails from January 27 - 28, 2015 for background on Demolitions. I know you will all resolve this issue. We can all agree that it is important to preserve sound and relatively affordable (financially accessible) housing to make San Francisco thrive.....*as existing housing is the most affordable housing.*

Thank you for taking the time to all meet together. It is a good thing!

Georgia Schuttish

Georgia Schuttish
4/2/2018

From: Hui, Tom (DBI) tom.hui@sfgov.org
Subject: Re: Remodels that seem to turn into demolitions in Noe Valley
Date: January 28, 2015 at 1:02 PM

To: Buckley, Jeff (MYR) jeff.buckley@sfgov.org

Cc: Sanchez, Scott (CPC) scott.sanchez@sfgov.org, Thomas Schuttish schuttishtr@sbcglobal.net, Rahaim, John (CPC) john.rahaim@sfgov.org, scott.weiner@sfgov.org, Rodney Fong planning@rodneymfong.com, Cindy Wu cwu.planning@gmail.com, Johnson, Christine D.(CPC) christine.d.johnson@sfgov.org, Kathrin Moore mooreurban@aol.com, Richards, Dennis (CPC) dennis.richards@sfgov.org, Rich Hillis richhillissf@yahoo.com, Antonini wordweaver21@aol.com, Kim, Jane (BOS) jane.kim@sfgov.org, Cohen, Malia (BOS) malia.cohen@sfgov.org, Secretary, Commissions (CPC) commissions.secretary@sfgov.org, Ionin, Jonas (CPC) jonas.ionin@sfgov.org, Haw, Christine (CPC) christine.haw@sfgov.org, Joslin, Jeff (CPC) jeff.joslin@sfgov.org, Watty, Elizabeth (CPC) elizabeth.watty@sfgov.org, Starr, Aaron (CPC) aaron.starr@sfgov.org, Rodgers, AnMarie (CPC) anmarie.rodgers@sfgov.org, Lowrey, Daniel (DBI) daniel.lowrey@sfgov.org, Strawn, William (DBI) william.strawn@sfgov.org, Jayin, Carolyn (DBI) carolyn.jayin@sfgov.org

Hi Jeff,
Bill and Dam are working with Planning for this case.
Bye
Tom

Sent from my iPhone

On Jan 28, 2015, at 12:47 PM, Buckley, Jeff (MYR) <jeff.buckley@sfgov.org> wrote:

Ms. Schuttish,

I received the packet you left at the Mayor's Office last week and am looking into it. I'll connect with our Zoning Administrator, Planning Director and Department of Building Inspection Director to get a response to the concerns you raise in a coordinated manner.

Jeff Buckley | Senior Advisor
Office of Mayor Edwin M. Lee
City and County of San Francisco

Jeff.Buckley@sfgov.org
(415) 554-7925

From: Hui, Tom (DBI)

Sent: Tuesday, January 27, 2015 7:28 PM

To: Sanchez, Scott (CPC)

Cc: Thomas Schuttish; Rahaim, John (CPC); scott.weiner@sfgov.org; Rodney Fong; Cindy Wu; Johnson, Christine D.(CPC); Kathrin Moore; Richards, Dennis (CPC); Rich Hillis; Antonini; Kim, Jane (BOS); Cohen, Malia (BOS); Buckley, Jeff (MYR); Secretary, Commissions (CPC); Ionin, Jonas (CPC);

Haw, Christine (CPC); Joslin, Jeff (CPC); Watty, Elizabeth (CPC); Starr, Aaron (CPC); Rodgers, AnMarie (CPC); Lowrey, Daniel (DBI); Strawn, William (DBI); Jayin, Carolyn (DBI)

Subject: Re: Remodels that seem to turn into demolitions in Noe Valley

Hi Scott,

Please, work with Dan and Bill for this project.

Good night!

Tom

Sent from my iPhone

On Jan 27, 2015, at 6:17 PM, Sanchez, Scott (CPC) <scott.sanchez@sfgov.org> wrote:

Dear Ms. Schuttish,

Thank you for the thoughtful email. I agree that this is an important issue and will discuss your suggested solutions with our Legislative Affairs and Current Planning staff. I will also review the referenced properties with our Code Enforcement staff and the Department of Building Inspection (DBI).

Regards,

Scott F. Sanchez
Zoning Administrator

Planning Department | City and County of San Francisco
1650 Mission Street, Suite 400, San Francisco, CA 94103
Direct: 415-558-6350 | Fax: 415-558-6409
Email: scott.sanchez@sfgov.org
Web: www.sfplanning.org

Planning Information Center (PIC): 415.558.6377 or pic@sfgov.org
Planning Information Map (PIM): <http://propertymap.sfplanning.org>

<[image001.png](#)>

<[image001.png](#)> <[image003.png](#)> <[image002.png](#)> <[image003.png](#)>

From: Thomas Schuttish [<mailto:schuttishtr@sbcglobal.net>]

Sent: Tuesday, January 27, 2015 11:13 AM

To: Sanchez, Scott (CPC)

Cc: Rahaim, John (CPC); scott.weiner@sfgov.org; Rodney Fong; Cindy Wu; Johnson, Christine D.(CPC); Kathrin Moore; Richards, Dennis (CPC); Rich Hillis; Antonini; Kim, Jane (BOS); Cohen, Malia (BOS); Buckley, Jeff (MYR); Secretary, Commissions (CPC); Ionin, Jonas (CPC); Hui, Tom (DBI)

Subject: Remodels that seem to turn into demolitions in Noe Valley

Dear Mr. Sanchez:

At the Public Comment portion of the Planning Commission on January 22, 2015, I testified about the problem with remodels that actually appear to be demos. I think these "demos" add to the problem of affordability and relative affordability.

I gave you a copy of a letter that I gave to the Commission and I showed two buildings undergoing renovation with remodeling permits at **168 Jersey** and **50/52 Oakwood** (Mission Dolores neighborhood). The photos that I showed in my testimony were of houses that had no facade, no rear walls and no interior. A complete and total gutting of the structure. I also talked about a building at 891 Noe Street that was featured in the previous Sunday's Chronicle Real Estate Section, that appeared to be a unit merger, even though the permit detail report seemed to show they would maintain both units. (asking price: \$5 million) I know there are more of these situations throughout Noe Valley and obviously throughout the Mission, I just have not detailed them, but they are out there. And as we all know existing housing equals affordable or relatively affordable housing as defined by the City.

I think these are buildings (and the ones I will discuss below) that should have come before the Planning Commission because they require a Mandatory DR as demos or as unit mergers. Yet that never happened.

Neighbors cannot file DRs all the time and scrutinize these projects. First of all it is expensive, secondly most neighbors are not experts and do not understand the sketchy plans they receive with a 311 Notice (if they get a 311 Notice), and thirdly the process is intimidating. Trust me, it is a daunting process to file a DR. Plus I can fully understand that for the Staff and the Commission, DRs are annoying.

However these buildings are a problem. Why? Because they contribute to the speculative cycle that fuels the housing market, they add to the lack of affordability in the housing market and when the developers change the facades (front and rear) and radically increase the sizes and square footage, these "new" buildings may not meet the Residential Design Guidelines. And they *do not* meet the Planning Code Section 101.1 for Neighborhood Preservation as well as affordability and relative affordability.

I spoke with the aides in the three Supervisor's offices who are on the Land Use Committee and I left copies of my January 22, 2015 letter with them, as well as leaving a copy with an aide in the Mayor's office who said she would pass it on to Mr. Buckley. In the letter I listed several other buildings that I had written *another* letter about last year when I also testified at the Public Comment portion of the Planning Commission meeting on February 20, 2014. That letter also dated February 20, 2014 which I submitted for the record at the hearing, included the following addresses, as well as before and after photos or the homes and copies of the permit detail report:

4365 26th Street; 90 Jersey Street; 2220 Castro Street; 4318 26th Street; 1375 Noe Street; 4372 25th Street; 865 Duncan Street; 1612 Church Street; 525 28th Street; 1433 Diamond Street.

Most of these homes have sold for between \$3 to \$5 million. And they look completely different from the homes they were previously as the before and after photos show. And actually, this February 20, 2014 letter was attached

to January 10, 2014 letter that I sent to Mr. Metcalf at SPUR along with copies to the Planning Commission, Mayor Lee, Supervisor Weiner, Mr. Hui, Mr. Rahaim.

There is currently another building at **4218 24th Street**, that has been radically altered and the entire facade is completely different, from an Edwardian style with beautiful fenestration to an ultra modern box.

Here are some other addresses: **1151/53 Castro Street** and **1144/46 Castro Street** that each appeared to units that have been merged

Here is my suggestion for a solution to this problem: Much, much greater scrutiny at the time of application for projects that appear to have *extensive* remodeling. Descriptions like "alteration of facade" should call for greater scrutiny from the staff at the intake. So should a simultaneous expansion in the front, rear, side, horizontally and vertically of any project attract greater scrutiny. Perhaps so should huge increase in size and square footage of a proposed project, regardless of the fact that it may be within the Code, attract greater scrutiny. Perhaps also there should be an alert put out on the both the Mandatory Pre Application meeting notice and the 311 in simple English for all those neighbors who may be a novice to the planning process, to have them more actively encourage questions of the project sponsor or to call the Planner or the Building Department. When a project sponsor makes an application, aren't they affirming that what they are submitting on the plans and in the description of the permit application is true? Don't they sign a sheet attesting to that? Shouldn't this be more than just a piece of paper that someone signs?

However to me the bottom line is this: Since decision makers are concerned about the affordable housing problem (or "crisis" as it is often called) here in San Francisco, just as the Mayor spoke so eloquently about it at his State of the City message, then every unit counts. And although this may seem like a modest problem and perhaps, Noe Valley and the Mission and even Bernal Heights are "lost" as neighborhoods of affordable or relatively affordable housing forever, there is still the *existing* housing in the Excelsior, Portola, and the Bayview, as well as the Sunset and the Richmond that needs protection from this insidious type of "remodeling". Remodeling and alteration should be to allow a new kitchen or bath, or another bedroom for a growing family. It should not be what the houses I have mentioned above have become.

And it cannot be entirely up to the public to police this type of thing.

Thank you and have a nice day.

Sincerely,

GEORGIA Schuttish
460 Duncan Street
San Francisco, Ca. 94131