

**Deborah Holley**

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**From:** Kevin Brunner <kevinbron@aol.com>  
**Sent:** Thursday, March 15, 2018 10:46 AM  
**To:** richhillissf@gmail.com; brittany.bendix@sfgov.org  
**Subject:** Discretionary Review for 1889-91 Green St

Dear Mr. Hillis and Ms. Bendix:

Pardon "the late in the game" concern regarding the above project. I own 2704 Laguna St, a condominium unit in a two unit, town house style building just to the South of the subject property. I manage 2706 Laguna St. which is the other unit in the building. Both units have views overlooking the subject property on Green St.

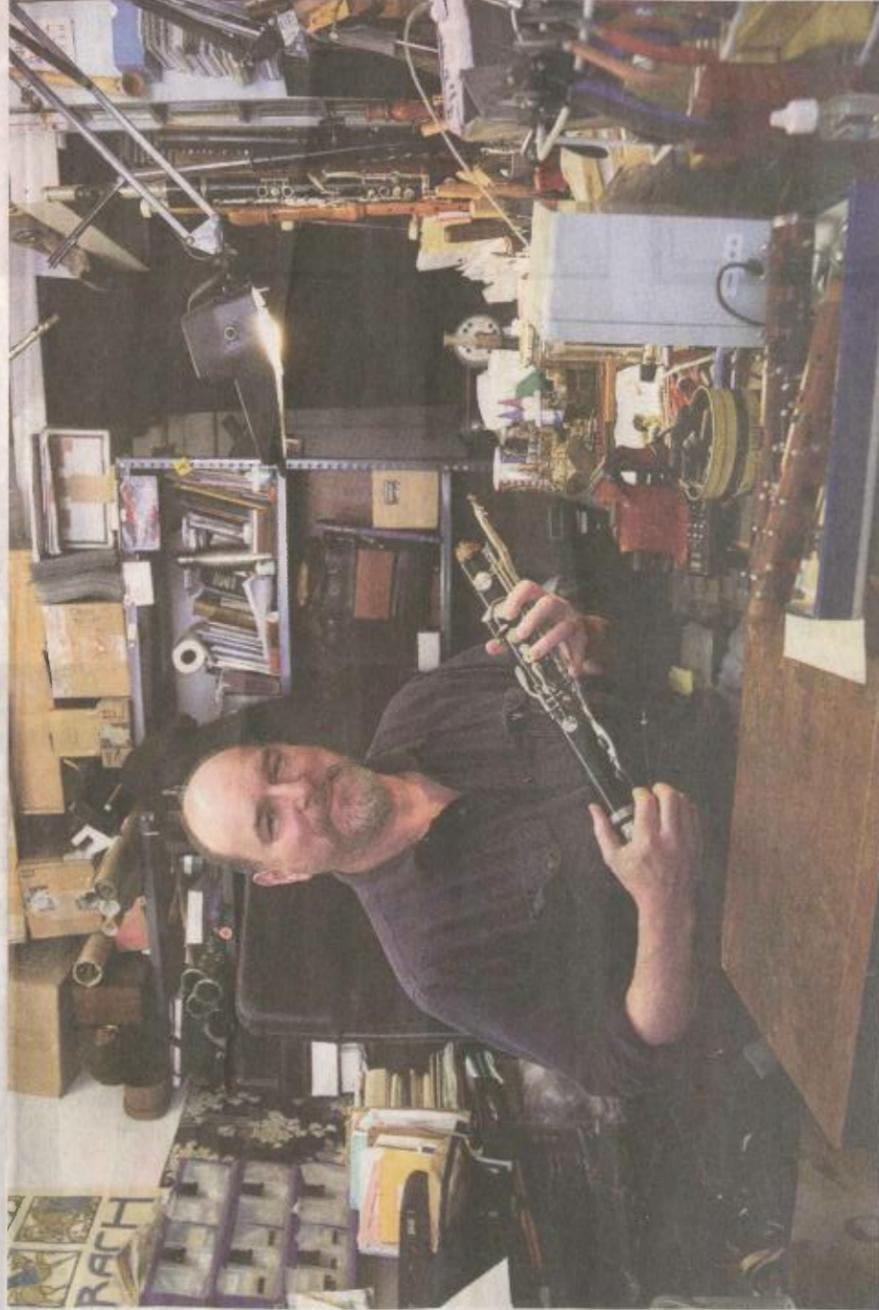
I reviewed the initial application materials that were sent to me in 2015, and all seemed ok - the property owner seemed to be within his rights to expand the property and add a roof deck. I decided that I did not need to get involved at that time. However upon looking at the Discretionary Review in a bit more detail, it seems as if an "Outdoor Cinema" is now planned for the roof deck ( A1.3 page 6). There was no mention of an "Outdoor Cinema" on the initial plans that I saw. I suppose it is possible that I missed it, but irregardless of that, I don't think it is an appropriate use or feature for a rooftop in a dense urban environment . I'm not sure how the Planning Commission will see this but it would seem to permit something that would impact neighbors and the neighborhood in a significant way. I would ask you to consider this planned " Outdoor Cinema " and take a good look at the peace and quiet that neighbors and a neighborhood currently enjoy.

Additionally, I believe the Discretionary Review was filed over a light issue to property line windows at 1899 Green St. Although the neighbor at 1899 Green St has no legal right to the existing property line windows, my experience has always been that neighbors and planners considering expansion of building envelopes in San Francisco try and accommodate these conditions. If that is no longer the case or is not customary any longer, I would like to know. Thank you for considering this and thank you to all the Commissioners for your service to the City of San Francisco.

Sincerely,

Kevin Brunner  
15 21st Ave  
San Francisco, CA 94121

## Musical Craftsman



Daniel Deitch is a rare woodwind instrument repairman and performer of baroque music. He works at his shop, the Woodwind Workshop, which is located on Clement Street. For more information, see story on page 7.

Photo: Patrick McKinnie

## Despite good economy, storefronts still empty

by Thomas K. Pendergast

Almost 13 percent of storefronts along the major commercial corridors of the Richmond District are now sitting empty, a little less than one out of six, according to a Richmond Review survey.

The survey looked at four major commercial corridors – Geary, Balboa, California and Clement, between Arguello

Boulevard and Ocean Beach. The block-by-block survey was necessary because flaws in the City's tracking system appear to have grossly undercounted the number of ground-level businesses now sitting empty, as city officials themselves acknowledge.

The significance of empty storefronts is not just limited to neighborhood blight and graffiti, but also indicates jobs not available and tax revenues not being generated. Clement Street seems to be hardest hit. Of the 260 businesses with signage on the ground floor, 44 appeared to be empty, or just short of 17 percent of the total commercial corridor.

Balboa Street is a little better, but not much. Of the 221 businesses with signage on the ground-floor, about 17 percent, or 38 storefronts, appear empty.

Geary Boulevard, the Richmond's longest commercial corridor, has about 361 businesses with signage on the ground-floor, with some 25 apparently sitting empty, or about seven percent. California Street has about 46 storefront businesses, with six appearing empty.

Collectively, there are about

Continued on page 2

## Muni detours Eighth Avenue traffic diversion plan

by Thomas K. Pendergast

The SF Municipal Transportation Agency's (MTA) Muni diversion plan planned for Eighth Avenue after a community backlash led them to reconsider the project's direction.

Ten speed humps are to be installed on Eighth Avenue, between Cabrillo and Lake streets, a four-way stop is to be installed at the intersection with Lake Street and another four-way stop is planned for the intersection of Cabrillo Street and Ninth Avenue.

The part of the plan that was



Photo: Thomas K. Pendergast

San Francisco Supervisor Sandra Lee Fewer (left) listens to the concerns of residents living near the Eighth Avenue traffic plan.

abandoned, however, would have diverted northbound traffic off of Eighth Avenue at Anza Street using physical barriers,

forcing drivers to make the same choice, while bicyclists and pedestrians could still travel freely down Eighth Avenue unimpeded.

Since it was expected that northbound and southbound traffic would be funneled onto Seventh and Ninth avenues – where two schools sit, one on each street – both safety and traffic congestion concerns were raised.

There is an elementary school at the Zion Lutheran Church, located on Ninth Avenue and Anza Street. On Seventh Avenue, between Cabrillo and Balboa streets, there is the Frank McCoppin Elementary School.

On weekdays, at about 8:45 a.m., Seventh Avenue can get congested with cars when parents drop their children off, and again there is heavy traffic in the afternoon when the school lets out. There is also a Safeway market at Seventh Avenue and Cabrillo Street, which attracts a lot of traffic day and night.

On the evening of Jan. 31, in the auditorium of the school at Zion Lutheran Church, more

Continued on page 9

## Agencies choose plan to fight fires after quake

by Thomas K. Pendergast

A new plan to expand the emergency water system for firefighting after a major earthquake seems to be gaining support among San Francisco city officials, but questions remain about options yet to be explored.

After the 1906 earthquake and subsequent fire – which killed an estimated 3,000 people, many of them probably incinerated because of 300 broken water mains and 23,000 breaks on service connections in the domestic water supply which shut off water for the ensuing conflagration – the City built the Auxiliary Water Supply System (AWSS), a separate high-pressure water system composed of pipelines and pumps designed to withstand a major tremor.

At the time, most of the City was on the east side of the peninsula, so the original system was only built out as far west as 12th Avenue in the Richmond District, and eventually it was built out to 19th Avenue in the Sunset District. In the decades that followed, the City expanded westward but the AWSS system did not follow, leaving about 15 neighborhoods vulnerable to a devastating firestorm, including the Outer Richmond and Sunset districts, along with Bayview Heights, Crocker Amazon, Excelsior, Ingleside, Little Hollywood, Mission Terrace, Outer Mission, Sea Cliff, Stonestown and Sunnyside neighborhoods.

After responsibility for the AWSS was transferred from the SF Fire Department to the SF Public Utilities Commission (SFPUC) by Mayor Gavin

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## Hearing about commercial vacancies

Continued from page 1

888 Richmond businesses with signage on the ground-floor, of which 113 are in need of a tenant.

One of the problems in trying to deal with the issue of vacant storefronts is the lack of reliable figures calculated by the City, which came out at a Feb. 5 meeting of the SF Board of Supervisors' Land Use and Transportation Committee.

District 1 Supervisor Sandra Lee Fewer sat in on the meeting and asked officials from the SF Department of Building Inspection why, as recently as 2016, the department showed no vacancies anywhere in the Richmond.

"I beg to differ," Fewer said of the statistic claiming no empty storefronts. "Just ask a neighbor who lives near Balboa and Sixth Avenue."

On the southeast corner of that intersection sits an empty four-unit commercial building. According to city records, the last business to rent the site was a restaurant, which closed in 2015. The former anchor business at the location, a popular neighborhood café called Javaholics, served as a gathering place for many neighborhood residents since the mid-'90s. It has been sitting empty for several years.

City records show the building is owned by Jeffrey and Sophie Lau.

Sophie Lau appeared before the Department of Building Inspection's director's hearing on Jan. 16 to explain why the building has been sitting empty for so long after it was cited by the department.

"Due to online business, dot-com business, it's very hard to find commercial tenants," Lau said. "So far, we have not found suitable tenants and we already filed the application form (with the City), so I don't even know why I am needed here today. According to the rules, I believe I have a 270 day grace period. I believe the citation was written in September of last year, so roughly about 270 days. So, somewhere by May or June of this year, if the store's not rented, then we have to pay something like \$700."

A department official raised questions about Lau's efforts to find new tenants.

"We're advertising and trying to get the proper tenants. I also contacted quite a few commercial agents. I can submit all the names and phone numbers," she said. "What is the problem here? It is a disadvantage for us to not get income, to not get tenants. So, while we're suffering the va-



Photo: Thomas K. Pendergast

The commercial space formerly occupied by a coffee shop, located at Sixth Avenue and Balboa Street, has been empty for years.

cancy, you're trying to penalize us? That's quite unfair, isn't it?"

"So, that means that you should have available the ability to submit records, copies of your communications or listings with other brokers or agents," the department's assistant director Ronald Tom told Lau. "You say you've actually put up signs on all three storefronts, each one showing that they are available, that the conditions inside currently are not in disrepair and that a potential tenant could walk in and not be climbing over debris, climbing over something that's not suitable for show. So, that's the situation you have now?"

"The store is rentable, yes," Lau said.

Tom told Lau that if she finds tenants for three of the spaces by the end of the 270-day period, she will not have to pay the penalty, which is \$711 for each space.

After leaving the meeting, Lau elaborated more about her plans for the building.

"We'll try our best to rent out the store, but anything is possible. If any developer wants to buy the building we're willing to talk, but in the meantime we're looking for commercial tenants to fill up the vacancies, so at least we don't have to lose so much income," she said. "Two of the citations were for restaurants. It's not that easy to find another restaurant operator to take over."

Lau addressed the space that formerly housed Javaholics.

"We are looking for proper tenants. If they don't pay the rent that we feel is reasonable enough, we're not going to give (it) away."

She declined to give specifics as to how much rent she is expecting for the commercial spot. "It depends on what kind of business, what kind of food. It all depends. And how long the lease is," she said.

Two ordinances have been

passed in recent years to try and get a handle on the citywide problem of vacant commercial storefronts, one in 2009 and another in 2014. The first requires property owners to register vacant commercial and residential buildings with the department and to pay a \$711 registration fee once a year after the building has been vacant for more than 30 days. Failure to register and pay the fee can result in a penalty fee of \$6,399.

A similar ordinance was adopted in 2014 applying to commercial storefronts that have been vacant for more than 30 days. The \$711 fee, however, is not due in these cases until 270 days have elapsed since registration of the empty storefront, to allow the owner time to find a new tenant or buyer or make repairs and improvements.

The department says the buildings or storefronts recorded in its registries are mostly identified through citizen complaints. Self-reporting by the property owner, as required in the ordinances, results in fewer registry entries than citizen complaints.

"Complaint-driven is not going to work," Fewer said at the committee meeting. "We have to be more proactive. I'm astonished to see the report shows that I did not have any vacant storefronts in my district. It's just ridiculous."

District 6 Supervisor Jane Kim took landlords to task for holding out to get higher rents.

"I lost so many small businesses (in District 6) last year, in a year that we were doing incredibly well economically," Kim said. "There are definitely landlords out there who are completely unreasonable about their expectations for rent. Just as in Supervisor Fewer's district (on Balboa) where there was one landlord who evicted three tenants because they wouldn't pay more rent that she wanted to charge them."

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Received at CPC Hearing 3/15/18  
E. Jardines

**Jardines, Esmeralda (CPC)**

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**From:** Albert Hernandez <asfalbert@gmail.com>  
**Sent:** Thursday, March 15, 2018 3:18 PM  
**To:** Jardines, Esmeralda (CPC); Hilary.Ronen@sfgov.org  
**Cc:** ryen@pristineparking.com

Hi Esmeralda,

My name is Albert Hernandez and I am 32 year Bay Area native. I am always delighted to see local business owners such as Ryen transform otherwise unnoticed and under-utilized locations such as 701 Valencia into thriving community spaces.

I have worked with Ryen on several philanthropic projects, primarily for the 501C3 organization "Cuba Skate", for which I am a Brand Ambassador. Whenever I have approached him about donations, the answer was never "How much do you need?" – it was always "How much can you pack?". His last donation was upwards of \$1K of product (Shoes, socks, shirts and skateboards), all of which was donated to youth in Havana, Cuba.

Ryen has not only been a pleasure to work with professionally, but he has a sincere interest in the well-being of all those around him. I'm admittedly slightly overweight, and Ryen has been more than happy to discuss healthy life choices with me whenever I have asked – yet another reason I believe he is so passionate about this food-related project. With the community space available, locals will now have access to healthier options (provided by other locals!) aside from nearby fast food chains.

Ryen is analytical, critical, thoughtful and I have no doubt he will find solutions to any concerns neighboring residents may have.

Sincerely,

-Albert Hernandez

[Stashedboxes](#) Editor / Writer / Social Media guru

## Jardines, Esmeralda (CPC)

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**From:** Wayne Walker <waynewalkersf@gmail.com>  
**Sent:** Friday, March 09, 2018 3:59 PM  
**To:** Jardines, Esmeralda (CPC); Ronen, Hillary  
**Cc:** ryen@pristineparking.com  
**Subject:** 701 Valencia St Project - Record #2017-004489CUA - Letter of Support

Dear San Francisco Planning Department,

I am writing to express my support for the proposed Conditional Use Authorization proposal for 701 Valencia Street scheduled to be heard by the Planning Commission on March 15, 2018.

As a 4th generation San Francisco who frequents this district often for both business and pleasure, I feel the proposed re purposing of the parking lot at the corner of 18th and Valencia into a community gathering space is a much needed addition to the neighborhood. The proposal offers inclusiveness to all in our community. With so many infrastructure projects constantly occurring in the city which can cause disruptions and inconveniences to residents and visitors, the low environment impact to quickly transform this space into the proposed purpose should be seen as a major boon. With so many small business owners struggling to make it in this current economy, I can't think of many better ways for the City of San Francisco to be accommodating to them.

I do hope you approve this proposal.

Thanks for your consideration,

Wayne Walker  
[waynewalkersf@gmail.com](mailto:waynewalkersf@gmail.com)



Dear Planning Department,

I am writing on behalf of the Valencia Corridor Merchants Association in regard to a project proposed by Ryen Motzek at 701 Valencia Street. We understand that Mr. Motzek's project will include as few as one and perhaps as many as five food trucks in the Cherin's Parking lot located at 18<sup>th</sup> and Valencia Streets. Due to sharing the space with Cherin's during their normal business hours the number of trucks will be minimal during the day from Tuesday through Saturday and may increase Sundays, Mondays and in the evenings. On Fridays and Saturdays, the hours will extend closing at 11:00 pm (weekdays closing at 9:00 pm). Our feeling is that bringing new life and activity to an otherwise barren and unattractive location will be good for the corridor and the neighborhood. As it stands the parking lot is at best a vacant corner but at times a blight and has been known to attract unsavory behavior. We feel the Mr. Motzek's proposed hours are inline with other restaurants in the area including those, such as Farina Pizza (now closed), with outdoor seating and given the commercial and active nature of the corridor we see his hours and the associated "noise pollution" to be within an acceptable range.

Finally, Mr. Motzek's proposal is one that will service both daytime and evening customers at a reasonable cost which is the type of food establishment that has been disappearing along the street.

In short, we're excited to have something happen on that corner and would like to offer our full support for the project as we understand it.

Sincerely,

**Sean Quigley**

*President*

<https://valenciastreetsf.com/>

*Our Mission is to cultivate and beautify the corridor for the benefit of visitors, residents and merchants. Additionally, we endeavor to combine our voices and views toward the goal of maintaining the unique identity and independent spirit of the neighborhood.*

## Jardines, Esmeralda (CPC)

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**From:** Tyler Dorman <tdorman@gmail.com>  
**Sent:** Tuesday, March 13, 2018 8:32 PM  
**To:** Ronen, Hillary; Jardines, Esmeralda (CPC)  
**Cc:** Ryen Motzek  
**Subject:** 701 Valencia

Hello Esmeralda & Hillary,

I am writing to express my families support of Pristine Parking's work to improve the lot at 701 Valencia.

As a new father and nearly life long resident of the Bay Area, I personally care deeply about the stewardship of all the things that make the community vibrant, safe and integrated.

Ryen has a long history of being successful at engaging communities to champion positive change and lasting impact. Whether it's as a small business owner, community organizer, or city associate — Ryen knows how to bring people together in authentic and tasteful ways.

I have no reason to believe 701 Valencia will be anything short of the above.

Sincerely,  
Tyler

## Jardines, Esmeralda (CPC)

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**From:** Tom Radulovich <tom@livablecity.org>  
**Sent:** Thursday, March 08, 2018 7:16 PM  
**To:** Jardines, Esmeralda (CPC)  
**Cc:** Ryen Motzek; Ionin, Jonas (CPC); Rich Hillis; Richards, Dennis (CPC); Melgar, Myrna (CPC); Rodney Fong; Kathrin Moore; Koppel, Joel (CPC)  
**Subject:** 701 Valencia Street

Dear Ms. Jardines,

Attached are our comments on the proposed parking lot and other uses at 701 Valencia.

701 Valencia Street is a corner lot, fronting onto both 18th and Valencia streets, in the Valencia Street NCT district. The lot is currently used as a parking lot by an appliance store located on a separate lot on the same block.

Parking lots of any kind - accessory or non-accessory - are not permitted in the Valencia Street Neighborhood Commercial Transit District. Ordinance 72-08, approved by the BoS in April 2008, prohibited any Parking Lot in NCT districts, allowing temporary Parking Lots for a period of up to two years, with Conditional Use authorization. Ordinance 298-08, signed into law in December 2008, both established the Valencia Street Neighborhood Commercial District, and included the two subject lots within the NCT district. The ordinance also prohibited driveways along Valencia Street between 15th and 23rd streets. Under Section 184(a) of the Planning Code, nonconforming Parking Lots may continue for five years and 90 days from the date that they became nonconforming (January 2009 in this instance) but the nonconforming use must be discontinued at the end of five years and 90 days. The relevant code sections are attached below.

In addition to the nonconforming parking lot, the lot currently has several nonconforming features. It does not have the greening and permeable surfaces along its sidewalk edge, screening or ornamental fencing, and interior lighting and landscaping required by Section 142 for parking lots in all districts. It does not meet the requirements for active street-fronting uses (Section 145.1) along either 18th or Valencia streets, or the active street-fronting commercial uses facing onto Valencia Street, as required by Section 145.4.

We have spoken to the applicant, Ryen Motzek, who is seeking permission for a Public Parking Lot use, and for food trucks (Restaurant or Limited-Restaurant uses) with an outdoor seating area (Outdoor Activity Area) when the area is not being used for parking. He says the restaurant and outdoor activity uses will take place during the day on Sunday, and in the evening when the lot is not being used for parking. He says that the Public Parking lot use is transitional, and will be phased out within a few months once the restaurants and outdoor activity area are in operation. Restaurants and Limited-Restaurants are principally-permitted uses in the district, subject to the required Operating Conditions of Section 202.2, and an Outdoor Activity Area is also principally permitted in the front of a building.

Our comments on specific uses and features of the proposed project are as follows:

**1. Parking lot use.** A parking lot use is neither necessary nor desirable in this location. We urge you not to recommend a temporary Parking Lot use, and the commission not to approve such a temporary use. The area is heavily used by people walking and people on bikes, and is in a transit-rich area of the city. Valencia is one of the most important cycling routes in the city, and is heavily used by pedestrians, but this stretch of Valencia is a high-injury corridor for pedestrians and cyclists. 18th Street has an important cross-town bus line, and there's a

bus stop immediately adjacent to the lot. Parking on the site worsens the conflicts between automobiles and walking, cycling, and public transit, and compromises the safety of people walking and cycling. Parking lots are a nonconforming, and undesirable, use in the district, and the Valencia NCT controls were intended to phase them out. The parking lot creates an activity desert, interrupting the continuity of the commercial district, and isolating several businesses immediately to the east 18th from the rest of the commercial district. The parking lot is currently a source of irritation for neighbors, and attracts graffiti, litter, and noisy loitering. There are many other desirable uses for the site, including small and locally-owned neighborhood-serving businesses, with housing above. The area has high rents and high housing prices, and needs both more housing and more high-quality storefront spaces. This lot is one of only three remaining lots in the entire commercial district where new development can go without displacing either existing housing or existing storefront commercial uses and institutions. A parking lot use should not be permitted at all. At worst, it should be continued for no more than a year.

**2. Valencia driveway.** Section 155(r) of the Code prohibits driveways on Valencia Street. Section 303(t), which set the conditions under which a temporary parking lot use may be permitted, prohibits access to a parking lot from "any frontages protected in Section 155(r)" [Sec. 303(t)(3)(D)]. The Department cannot approve a temporary parking lot that uses Valencia Street for access, and must require that parking and loading access and egress to the lot for any approved use be from 18th Street, and not from Valencia Street, with and the Valencia Street edge of the lot used for a landscaped seating area, as described below.

**3. Screening and greening.** Section 303(t) requires of any temporary parking lot use that "the proposed facility meets or exceeds all relevant urban design requirements and policies of this Code and the General Plan regarding wrapping with active uses and architectural screening" [Sec. 303(t)(3)(D)]. The screening and greening requirements for any vehicular use area in Section 142 are for at least 5' depth of landscaping or other permeable surface, and screened with ornamental fencing. Since the parking lot use will, at worst, be short-term, and at best non-existent, we suggest that the ZA use his discretion under Section 142 to require one of the alternative edge treatments, which include "pedestrian lighting, benches and seating areas". A landscaped seating area with a kiosk or food truck, together with some planters and permeable paving, could satisfy the requirements for the alternative landscape treatments to "provide a visual effect that promotes and enhances the pedestrian experience through the use of quality urban design; Promote the reduction of stormwater runoff; and Use climate appropriate plant materials." This edge treatment is also consistent with the proposed long-term use, a restaurant and outdoor activity area. A parking lot, that parks cars up to the sidewalk, obviously, meets none of these requirements; if the Commission approves a temporary parking use, a landscaped seating area with food service should be provided at all times next to the sidewalk, not just when the area isn't being used for parking.

**4. Restaurant and outdoor activity use.** A restaurant and outdoor activity use on the site is a huge improvement over current parking lot use, and replaces what is now a blight on the neighborhood with a new amenity. The long building front occupied by Cherin's appliances, immediately to the south of 701 Valencia, is shabby, has obscured windows, and offers little of interest to pedestrians. This stretch of otherwise lively Valencia often feels derelict at night; the parking lot makes the effect worse. An outdoor activity which operates into the evening hours and on Sundays will enliven that stretch of Valencia, and connect the activity of Valencia down 18th towards Mission Street. The business model - small kiosks or food trucks - are amenable to locally-owned small businesses without a lot of capital, and we have urged the applicant to work with La Cocina to expand small business opportunities for Mission District residents.

**5. Operating Conditions.** We have spoken with the applicant, and feel confident that he has a plan for complying with the operating conditions, aka the "good neighbor standards", in the code - keeping the area clean and secure during outside business hours, and controlling noise and other impacts. We ask that the project provide electrical power to any food trucks or kiosks so that they don't run noisy and polluting diesel motors.

Thank you for your attention.

Best,

Tom Radulovich  
Executive Director  
Livable City & Sunday Streets  
301 8th Street, Suite 235  
San Francisco CA 94103  
415 344-0489  
[www.livablecity.org](http://www.livablecity.org)  
tom@livablecity.org

\* \* \* Applicable Planning Code sections \* \* \*

#### SEC. 142. SCREENING AND GREENING OF PARKING AND VEHICLE USE AREAS.

Off-street parking and "vehicle use areas" adjacent to the public right-of-way shall be screened as provided in this Section.

(a) Screening of Parking and Vehicle Use Areas less than 25 Linear Feet Adjacent to a Public Right-of-Way.

(1) Every off-street parking space within a building, where not enclosed by solid building walls, shall be screened from view from all Streets and Alleys through use of garage doors or by some other means.

(2) Along rear yard areas and other interior open spaces, all off-street parking spaces, driveways and maneuvering areas within buildings shall be screened from view and confined by solid building walls.

(3) Off-street parking spaces in parking lots shall meet the requirements of Section 156 and other applicable provisions of Article 1.5 of this Code. Such parking areas shall be screened from view as provided in Section 156(c) of this Code.

(b) Vehicular Use Areas That Are Greater than 25 Linear Feet along the Public Right-of-Way. All lots containing vehicular use areas where such area has more than 25 linear feet along any public right-of-way shall provide screening in accordance with the requirements of this Section and the Ornamental Fencing Section 102.32. The following instances shall trigger the screening requirements for these vehicle use areas:

(1) Any existing vehicular use area that is accessory to an existing principal use if such use expands gross floor area equal to 20 percent or more of the gross floor area of an existing building;

(2) Any repair rehabilitation or expansion of any existing vehicular use area, if such repair, rehabilitation or expansion would increase the number of existing parking spaces by either more than 20% or by more than four spaces, whichever is greater; or

(3) The excavation and reconstruction of an existing vehicular use area if such excavation and reconstruction involves the removal of 200 square feet or more of the asphalt, concrete or other surface devoted to vehicular use. This provision does not apply to the resurfacing due to emergency work to underground utilities if such work is intended to maintain safety or other public purpose beyond the control of the property owner.

(c) Perimeter Screening. All vehicular use areas that are greater than 25 linear feet adjacent to the public right-of-way shall provide a screening feature around the perimeter of the lot adjacent to the public right-of-way. Screening shall add to the visual diversity of the use and need not be an opaque barrier. This feature shall be at least one of the following:

(1) Ornamental fencing or a solid wall that is 4 feet in height and a 5 foot deep permeable surface with landscaping along the perimeter of the lot that is adjacent to a public right-of-way and compliant with the applicable water use requirements of Administrative Code Chapter 63; or

(2) A combination of permeable landscaping compliant with the applicable water use requirements of Administrative Code Chapter 63 and ornamental fencing where the permeable surface and landscaping is the equivalent area of a 5 foot deep average perimeter landscaping that has been otherwise configured to result in either: (i) a public space or amenity that is accessible from the public right-of-way or (ii) a natural drainage

system, such as combined swales, retention basins, detention basins or rain gardens, to reduce stormwater runoff.

(d) The Zoning Administrator is authorized to modify the requirements of subsection thereby allowing alternative landscape treatments to partially or wholly satisfy this screening requirement provided that alternative landscape treatments such as landscaped berms, perimeter plantings, pedestrian lighting, benches and seating areas, or additional landscaping and tree plantings are provided elsewhere on the site and will be visible from the public right-of-way or are provided in the public right-of-way as regulated by Section 810B of the Public Works Code. The Zoning Administrator may authorize such modification only upon finding that the proposed alternative landscape treatment would:

- (1) Provide a visual effect that promotes and enhances the pedestrian experience through the use of quality urban design;
- (2) Promote the reduction of stormwater runoff and
- (3) Use climate appropriate plant materials, as defined in Public Works Code Section 802.1, that are compliant with the applicable water use requirements of Administrative Code Chapter 63.

#### SEC. 159. REQUIRED OFF-STREET PARKING NOT ON THE SAME LOT AS THE STRUCTURE OR USE SERVED.

(c) All Uses Other Than Dwellings. Required off-street parking spaces for all uses other than dwellings shall be located on the same lot as the use served, as an accessory use, or within a walking distance of 800 feet, as either a principal or a conditional use, depending upon the use provisions applicable to the district in which such parking is located.

#### SEC. 156. PARKING LOTS.

(a) Definition. For purposes of this section, a "parking lot" is defined as an off-street open area or portion thereof solely for the parking of passenger automobiles. Such an area or portion shall be considered a parking lot whether or not on the same lot as another use, whether or not required by this Code for any structure or use, and whether classified as an accessory, principal or Conditional Use.

(b) Conditional Use.

(1) Where parking lots are specified in Articles 2, 7, or 8 of this Code as a use for which Conditional Use approval is required in a certain district, such Conditional Use approval shall be required only for such parking lots in such district as are not qualified as accessory uses under Section 204.5 of this Code. The provisions of this Section 156 shall, however, apply to all parking lots whether classified as accessory, principal, or Conditional Uses.

\* \* \*

#### SEC. 184. SHORT-TERM CONTINUANCE OF CERTAIN NONCONFORMING USES.

The period of time during which the following nonconforming uses may continue or remain shall be limited to five years from the effective date of this Code (May 2, 1960), or of the amendment thereto which caused the use to be nonconforming. Every such nonconforming use shall be completely eliminated within 90 days after the expiration of such period.

(a) A Parking Lot or any other Any nonconforming commercial or industrial use of land where no enclosed building is involved in such use, except for permanent off-street Parking Lots in the C-3-O, C-3-R, and C-3-G Districts existing on the effective date of Ordinance No. 414-85, provided that such lots are screened in the manner required by Section 156(e); such permanent uses shall be eliminated no later than five years and 90 days from the effective date of an amendment to this Code that makes such permanent uses nonconforming.

#### SEC. 204.5. PARKING AND LOADING AS ACCESSORY USES.

In order to be classified as an accessory use, off-street parking and loading shall meet all of the following conditions:

(a) Location. Such parking or loading facilities shall be located on the same lot as the structure or use served

by them. (For provisions concerning required parking on a separate lot as a principal or Conditional Use, see Sections 156, 159, 160 and 161 of this Code.)

\* \* \*

### SEC. 303. CONDITIONAL USES.

\* \* \*

(t) Non-accessory Parking. When considering a Conditional Use application for non-accessory parking for a specific use or uses, the Planning Commission shall find affirmatively that the project satisfies the following criteria, in addition to those of subsection 303(c), as applicable.

(1) In all zoning districts, the Planning Commission shall apply the following criteria:

(A) Demonstration that trips to the use or uses to be served, and the apparent demand for additional parking, cannot be satisfied by the amount of parking classified by this Code as accessory, by transit service which exists or is likely to be provided in the foreseeable future, by car pool arrangements, by more efficient use of existing on-street and off-street parking available in the area, and by other means;

(B) Demonstration that the apparent demand for additional parking cannot be satisfied by the provision by the applicant of one or more car-share parking spaces in addition to those that may already be required by Section 166 of this Code;

(C) The absence of potential detrimental effects of the proposed parking upon the surrounding area, especially through unnecessary demolition of sound structures, contribution to traffic congestion, or disruption of or conflict with transit services, walking, and cycling;

(D) In the case of uses other than housing, limitation of the proposed parking to short-term occupancy by visitors rather than long-term occupancy by employees; and

(E) Availability of the proposed parking to the general public at times when such parking is not needed to serve the use or uses for which it is primarily intended.

\* \* \*

(3) For Non-Accessory Parking in C-3, RC, NCT, and RTO Districts:

(A) The rate structure of Section 155(g) shall apply;

(B) The project sponsor has produced a survey of the supply and utilization of all existing publicly-accessible parking facilities, both publicly and privately owned, within one-half mile of the subject site, and has demonstrated that such facilities do not contain excess capacity, including via more efficient space management or extended operations;

(C) In the case of expansion of existing facilities, the facility to be expanded has already maximized capacity through use of all feasible space efficient techniques, including valet operation or mechanical stackers;

(D) The proposed facility meets or exceeds all relevant urban design requirements and policies of this Code and the General Plan regarding wrapping with active uses and architectural screening, and such parking is not accessed from any frontages protected in Section 155(r);

(E) Non-accessory parking facilities shall be permitted in new construction only if the ratio between the amount of Occupied Floor Area of principally or conditionally-permitted non- parking uses to the amount of Occupied Floor Area of parking is at least two to one;

(F) The proposed facility shall dedicate no less than 5% of its spaces for short-term, transient use by car share vehicles as defined in Section 166, vanpool, rideshare, or other co-operative auto programs, and shall locate these vehicles in a convenient and priority location. These spaces shall not be used for long-term storage or to satisfy the requirement of Section 166, but rather are intended for use by short-term visitors and customers. Parking facilities intended for sole and dedicated use as long-term storage for company or government fleet vehicles, and not to be available to the public nor to any employees for commute purposes, are not subject to this requirement;

(G) For new or expanding publicly owned non-accessory parking facilities in the C-3, RC, NCT, and RTO Districts, the following shall also apply:

(i) Expansion or implementation of techniques to increase utilization of existing public parking facilities in the vicinity has been explored in preference to creation of new facilities, and has been demonstrated to be infeasible;

(ii) The City has demonstrated that all major institutions (cultural, educational, government) and employers in the area intended to be served by the proposed facility have Transportation Demand Management programs in place to encourage and facilitate use of public transit, carpooling, car sharing, bicycling, walking, and taxis;

(iii) The City has demonstrated that conflicts with pedestrian, cycling, and transit movement resulting from the placement of driveways and ramps, the breaking of continuity of shopping facilities along sidewalks, and the drawing of traffic through areas of heavy pedestrian concentration, have been minimized, and such impacts have been mitigated to the fullest extent possible; and

(iv) The proposed parking conforms to the objectives and policies of the General Plan and any applicable area plans, and is consistent with the City's transportation management, sustainability, and climate protection goals.

\* \* \*

## Jardines, Esmeralda (CPC)

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**From:** tanner wilkin <wilkintanner@gmail.com>  
**Sent:** Thursday, March 08, 2018 5:25 PM  
**To:** Jardines, Esmeralda (CPC)  
**Cc:** ryen@pristineparking.com  
**Subject:** Support for the 701 Valencia project

Hi Esmeralda,

I want to offer my support for the project at 701 Valencia street. My wife and I enjoy spending much of our time in this area with friends and family. We feel this project is coming from a place of positivity and hope to see the project progress into something the entire community can embrace and support. I am confident this project overall will bring people together while promoting a safe environment.

Thank you for your time and hope to see this project move forward.

Tanner Wilkin

## Jardines, Esmeralda (CPC)

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**From:** Stephen Satterfield <isawstephen@gmail.com>  
**Sent:** Thursday, March 08, 2018 12:17 PM  
**To:** Ronen, Hillary; Jardines, Esmeralda (CPC); ryen@pristineparking.com  
**Subject:** 701 Valencia.

To Whom it May Concern:

I'm writing to express my support of the community space 701 Valencia. As a food writer and community member in the Bay Area for the decade, I've seen our city's rich food culture come under stress given the often prohibitive cost barriers to entry for brick and mortar restaurants. These barriers negatively affect our communities and the kinds of restaurants and talented young chefs who emerge from our city, preserving our reputation as a culinary destination. Now more the ever, mobile food businesses offer an opportunity to build communities and launch restaurant businesses without the overhead. You can see what this has done for the tourism and culture of places like Portland and Austin. We need to continue to stay ahead of these trends and 701 Valencia helps us do that.

Kindly,

*Stephen Satterfield*  
founder: [@whetstonemagazine](#)  
skype: @isawstephen |

phone: [\(404\) 509-2864](#)  
insta: [@isawstephen](#)  
|  
tweet: [@isawstephen](#)

## Jardines, Esmeralda (CPC)

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**From:** sara budin <sbudin18@gmail.com>  
**Sent:** Thursday, March 08, 2018 4:47 PM  
**To:** richhillissf@gmail.com; Melgar, Myrna (CPC); planning@rodneyfong.com; Koppel, Joel (CPC); Moore, Kathrin (CPC); Richards, Dennis (CPC); Jardines, Esmeralda (CPC)  
**Cc:** Ronen, Hillary  
**Subject:** 701 Valencia Street Project : thoughts and concerns

Planning Department Commissioners,

I am writing on behalf of myself, my husband and my 5 year old daughter regarding the proposed plan to develop the space at 701 Valencia Street (Cherin's Appliance parking lot). I have lived across the street at 3496 18th Street for 12 years and I have personal interest in how this space is used and developed since it is essentially in my "front yard".

First and foremost, I respect the idea of working to re-imagine the space into something more community oriented and I appreciate the efforts to think "outside the box". That said, I have some concerns. Since, I am unable to attend the hearing on March 15, I appreciate if you can review my concerns and include them in the discussion on the proposed development. At best, my intentions are to trouble shoot and insure that all points of view are being heard, considered and addressed now in order to diminish any dissatisfactions some residential neighbors may be feeling.

- **Noise** : This is my biggest concern. The corner of 18th Street and Valencia is a crossroads for a variety of activities. Over the years, many street musicians set up on the corner and play late into the night and I have made many noise complaints to the police over the years, but I have come to realize that my noise complaints are not high up on the list of issues that are Police Department must deal with. The most recent example is of a marching band that plays on a regular basis on weekday nights and the sound is so loud that it makes it hard for my child to get to sleep (with closed double pane windows and a white noise sound machine). Based on my personal experience of the bands and loud pedestrians, I am concerned that a crowd of people eating (and drinking) across the street will create a great deal of noise too and interfere with child's sleep - especially on weekdays when she is attending school. In addition, if the proposed establishment chooses to play music of anytime over a speaker system, this will also reinforce the sound level to rise as customers tend to speak more loudly if they are talking over loud music.
- **Alcohol:**
  1. My first concern around the consumption of alcohol is how it directly relates to noise. The more people drink, the louder people speak and as a result the more disruptive it becomes in my home for my child to rest.
  2. Is this only beer service? How late is alcohol served?
  3. Will the space be designed to keep people within the confines of the parking lot while drinking or will customers be able to easily get a beer and walk over the simple cable that currently serves as the barrier between the parking lot and the sidewalk? This is a question of safety.
- How does the current proposal address creating a space as being "**family oriented**"? I understand the offerings of food and seating foster a family environment and I am curious if there is anything else planned that may further create a "family oriented" feeling? Is there something about the space that is especially inviting and unique for parents and children? I welcome further thoughts and ideas around

this from the site developer. As a parent, I actually love the idea of a family oriented space and to me that means that the space offers activities that will keep my child entertained while we are eating.

- **Hours of operation?** I understand that this might be influenced by demand but out of respect for the neighbors that are residential and not commercial, it would be appreciated to agree on reasonable closing times (8pm) - especially on weekdays when people and especially children need to get to sleep.
- **Sidewalk Safety:** What are the plans to manage possible lines of people waiting to enter the space? Will there be designated personnel to manage people in lines? When the marching band plays and when other events have occurred in this space, people tend to take over the sidewalks and spill into the bike lanes on the street. Obviously this is not a safe situation for any pedestrians, cyclists or car drivers.

Thank you for your time and I appreciate you being able to share and represent my thoughts and concerns in my absence.

Sincerely,  
Sara Budin  
3496 18th ST

## Jardines, Esmeralda (CPC)

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**From:** Robert Bilbao <roberttaylorbilbao@gmail.com>  
**Sent:** Thursday, March 08, 2018 10:24 PM  
**To:** Jardines, Esmeralda (CPC); Ronen, Hillary  
**Cc:** Ryen Motzek

Esmerelda,

I'm writing to provide my support for the proposed 701 Valencia Project.

As a San Francisco Bay Area native/San Francisco resident that has spent a lot of time working and socializing on the Valencia corridor, I think I speak for several of our residents that the neighborhood is ever-changing. Some changes are viewed as positive, but many can be deemed the opposite. The 701 Project, to me, represents the exact type of change that we are looking for as residents of this great neighborhood. It's a step forward, with a simultaneous nod to the past. This project holistically supports the city, the neighborhood, and all the people in it. For consumers and business owners alike, it takes a run down parking lot and transforms it to a beautiful safe space. Also, from what I understand, the project sponsor is very cooperative. I'm sure if there were any concerns from nearby business owners or neighbors that they would be addressed in a considered and timely manner.

Economically it's a win. Socially it's a win. It's a no-brainer for me. I look forward to seeing this proposed project come to life.

--

Best,

Robert Bilbao  
Hall Capital Partners LLC  
<https://www.linkedin.com/in/robertbilbao>

## Jardines, Esmeralda (CPC)

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**From:** Rad Reyes <rreyes@putnamtoyota.com>  
**Sent:** Thursday, March 08, 2018 11:10 AM  
**To:** Jardines, Esmeralda (CPC); Ronen, Hillary  
**Cc:** ryen@pristineparking.com  
**Subject:** 701 Valencia St

Hello Esmerelda,

I'm writing to show my full support to the proposed changes to 701 Valencia St. As a long time resident of San Francisco, I see nothing but a positive outcome as a result of this change. As a family of 6, it would be nice to have a safe community space us to hang out. As you know, the City is changing rapidly...a lot of the culture and character is being stripped away. I feel that this would be a step in the right direction towards building a positive community feeling for all. I strongly ask you so support this project.

Hoping for your consideration,

Rad Reyes  
**Putnam Toyota | Service Manager**  
650.373.4366 Direct  
650.340.6900 Main  
[rreyes@putnamtoyota.com](mailto:rreyes@putnamtoyota.com)

## Jardines, Esmeralda (CPC)

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**From:** Patrick Beaudouin <me@patrickbeaudouin.net>  
**Sent:** Thursday, March 08, 2018 11:07 PM  
**To:** Jardines, Esmeralda (CPC); Ronen, Hillary  
**Cc:** ryen@pristineparking.com  
**Subject:** Support for 701 Valencia Proposal

Esmeralda,

I am writing to express my full support for the proposed changes to the 701 Valencia St. parking lot.

As a Bay Area native, freelance photographer and former student at SFSU I have wished for more positive, multi purpose public spaces appropriate for those of all ages. As someone who spends a lot of time in the mission district, I feel the plans put forth represent a responsible and community-focused approach to harnessing the potential that the lot has and will transform what is now a normal parking lot to a positive space for the local community and visitors. I also appreciate the plan's vision of providing value to the local businesses like Cherin's (whose longevity are an important backbone to the local economy and society).

Thank you.

--

**Patrick Beaudouin**  
[www.patrickbeaudouin.net](http://www.patrickbeaudouin.net)

## Jardines, Esmeralda (CPC)

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**From:** Nick Perez <nickperez007@gmail.com>  
**Sent:** Thursday, March 15, 2018 2:31 AM  
**To:** Ronen, Hillary; Jardines, Esmeralda (CPC)  
**Subject:** Cherins lot

I'm sending this email to support the new project on the cherins lot. I think it will be a great improvement to that corner. I have worked for Ryen for many years and everything he's put his mind to has been successfully completed. I truly think that this project will benefit the community.

Nicholas Perez

## Jardines, Esmeralda (CPC)

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**From:** Nersi Nejad <nersinejad@gmail.com>  
**Sent:** Wednesday, March 14, 2018 8:51 PM  
**To:** Ronen, Hillary; Jardines, Esmeralda (CPC)  
**Cc:** ryen@pristineparking.com  
**Subject:** In support of 701 Valencia

Hillary and Esmeralda,

Hope this email finds you both very well. I'm writing to show my full support of the proposed community space at 701 Valencia Street.

I have been a resident of San Francisco for 10 years (and the Bay Area for 30), as well as a son to two extremely hard working immigrant parents that have owned small businesses in the SOMA district from 1990-2005. Additionally I have spent many years working in the service industry on Valencia Street. That said, I am extremely familiar with the ever-changing community, culture, and ecosystem of San Francisco and the Mission District.

The proposed project will DEFINITELY have a positive contribution to the local inhabitants, small businesses, and overall aesthetic of the community at large. I can say this with complete confidence as both a active member of the community, and as a former business student who specialized in poverty.

I understand that there might be hesitation to initiatives like this, as many people have already opened businesses with no regard for the local community. Ryen Motzek is someone I know who genuinely cares about the community and its residents.

Thank you for you attention and your consideration to the matter,

Nersi Nejad

[nersinejad@gmail.com](mailto:nersinejad@gmail.com)

## Jardines, Esmeralda (CPC)

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**From:** Megan Labrador <megan.labrador@gmail.com>  
**Sent:** Friday, March 09, 2018 8:09 PM  
**To:** Jardines, Esmeralda (CPC); Ronen, Hillary  
**Cc:** ryen@pristineparking.com  
**Subject:** 701 Valencia parking lot

Hi Esmeralda ,

I am writing a letter of support for the 701 Valencia Project. I am a longtime resident of San Francisco, and a female, who lives nearby the parking lot and spends most of my time in this part of the neighborhood. I am in support because I feel this particular change will be good for the neighborhood. I say "this particular change" because not all change has been positive for the community. We are in dire need for spaces like this that preserves the integrity of the area while allowing for space, that is uncommon in SF, to be used and available for people of all financial backgrounds. Spaces for small businesses to utilize is a rarity, especially in an area where small businesses are getting pushed out quicker than we can count.

In addition, safety is a huge concern for me. Currently the lot is a place where crime happens frequently. It's a dark, dilapidated, sketchy corner is one of the most vibrant and progressive neighborhoods in the world. Gentrification is often cited when change happens, but I can say with confidence that such a project is not gentrification, it's an opportunity to support the middle class while creating a safe space for all.

I hope that the city of San Francisco recognizes the efforts put forth by the project sponsor by offering undivided support. This is a positive change.

Sincerely,

Megan Labrador

## Jardines, Esmeralda (CPC)

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**From:** Justin Ching <jkalaniching@yahoo.com>  
**Sent:** Thursday, March 15, 2018 12:22 PM  
**To:** Jardines, Esmeralda (CPC); Ronen, Hillary  
**Cc:** Ryen Motzek  
**Subject:** RE: 701 Valencia St

Hello Hillary and Esmeralda!

I am writing in support of the changes to Cherins Parking lot, 701 Valencia St. I have been an employee of the Mission area and a resident of San Francisco for the past 10+ years.

I've always looked at cherins lot wishing it was used more efficiently and creatively.

The idea of creating a more visually pleasant environment to relax on lunch and even grab some great food sounds amazing.

I look forward to the changes and know this project will benefit the community!

Thank you!

- Justin Ching

## Jardines, Esmeralda (CPC)

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**From:** jonathan lopez <lolow415@gmail.com>  
**Sent:** Wednesday, March 14, 2018 8:16 PM  
**To:** Jardines, Esmeralda (CPC); Ronen, Hillary  
**Cc:** Ryen Motzek  
**Subject:** 701 Valencia

Hello Esmeralda,

I am writing in regards to the lot at 701 Valencia st. I grew up on Valencia street and was also employed by Ryen Motzek for a few years. He always fully supported his employees, easy to communicate with, and i believe he has the community's best interest at heart. He is the hardest worker i know, and know that he will work hard to make the community a better place.

I also have seen a lot of broken car windows there before, and i believe a more lit and populated space would be a deterrent to theft in the area.

Sincerely,

Jonathan Lopez

## Jardines, Esmeralda (CPC)

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**From:** John Johnson <jj@makeitsizzle.com>  
**Sent:** Friday, March 09, 2018 11:33 AM  
**To:** Ronen, Hillary; Jardines, Esmeralda (CPC)  
**Cc:** ryen@pristineparking.com  
**Subject:** Please support the 701 Valencia community space project

Dear Hillary and Esmeralda,

I'm writing to support Ryen and his team in the creation of a community space at 701 Valencia. The proposed gathering place will add great comfort and a sense of pride for the neighborhood. These spaces are the protein of urban life.

Ocean beach, for one example, at the end of Judah was the home for drug abuse, it was common to see syringes discarded, dangerously littering the streets, and vandalism was rampant. Now, thanks to a few community-conscious locals (like Ryen) the entire street from Judah to Sloat has been given new life. Community gardens have sprung-up with established places for children to feel safe and for neighbors to gather.

As San Francisco gets squeezed between a repellently ostentatious crust of newly rich and an increasingly demoralized mass of the hopelessly poor, it's essential to support spaces like the one Ryen is proposing and to support people who deeply care for the neighborhood.

I know Ryen personally and I have complete faith that his community-first intentions, his determination and supporting friends will make this area blossom. Please back Ryen in allowing this space to be revitalized and help create a safer, richer community.

Regards, John R. Johnson  
(415) 819-6192

p.s. Please feel free to call me for character references or any questions you may have.

## Jardines, Esmeralda (CPC)

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**From:** greg demartini <gregdemar91@yahoo.com>  
**Sent:** Monday, March 12, 2018 11:06 AM  
**To:** Ronen, Hillary; Jardines, Esmeralda (CPC)  
**Cc:** ryen@pristineparking.com  
**Subject:** Plans for Cherin's lot (701 Valencia)

Hello,

I heard that there are plans to update the Cherin's lot on the corner of 18th and Valencia. I just wanted to write in and say that I think this is a great idea, seeing as it's already occupied by food trucks. This would be an excellent opportunity to utilize the space for new businesses and a fun exciting place where families and friends can meet up outside and enjoy the mission. As well as bring new life to the somewhat stagnant piece of property. At night that lot can get pretty hairy with individuals drinking/smoking and the usual homeless bathroom activities. I write this in hopes of being able to enjoy a tasty meal and drink with good friends and family at 701 Valencia soon!

Sincerely,

Gregory DeMartini

Sent from my iPhone

## Jardines, Esmeralda (CPC)

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**From:** gilbert van citters <gilbertvc@gmail.com>  
**Sent:** Friday, March 09, 2018 5:37 PM  
**To:** Ronen, Hillary; Jardines, Esmeralda (CPC)  
**Cc:** ryen@pristineparking.com  
**Subject:** I Support The 701 Valencia Project

Hello,

I am writing to voice my support for the 701 Valencia Project.

I work a block away at 2141 Mission Street and adding an outside area close to work for eating lunch would be a great gift to me and other workers in the area. I would love to see the space utilized in a way that provides outside seating. For those of us working in low light environments for 10+ hours a day, lunch is an opportunity to get outside into the sunlight and to connect with other locals in the area. This project would have an extremely positive impact on me and other local workers.

I am also writing to voice my support for Ryen Motzek.

I first met Ryen when he was a guest speaker during SF Design Week. He was giving a lecture on the importance of authenticity in design and using passion, not profit to guide one's career. His message was inspiring to me and the room full of young designers. I've had the pleasure of getting to know Ryen sense that lecture and it's clear to me he is a stand-up guy who practices what he preaches and cares deeply about the SF community.

Please move forward with this project.

Sincerely,  
Gilbert Van Citters

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Gilbert Van Citters  
Designer

[gilbertvc.com](http://gilbertvc.com)

## Jardines, Esmeralda (CPC)

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**From:** Geetika Agrawal <geetika@lacocinasf.org>  
**Sent:** Wednesday, March 14, 2018 2:56 PM  
**To:** Jardines, Esmeralda (CPC)  
**Subject:** Support for 701 Valencia

Dear Ms. Jardines,

I'm writing this letter in support of Ryan Motzek's proposal for 701 Valencia Street. Evan Kidera who works with Ryan and runs Senor Sisig reached out about the project, and I spent time speaking to him about the exciting vision they both have for the space. Valencia Street has always been a vibrant corridor in the Mission District but it has seen rapid change that is quickly leaving behind many of the micro-locally owned businesses who reflect a more diverse set of residents of the Mission.

As the Program Director at La Cocina, I work with food businesses run by immigrant women food entrepreneurs, and know the value that having regular sales in busy locations can have in growing businesses. Evan and Ryan seem to care about adding diversity to the corridor and dedicated to making those opportunities available to a diverse set of business owners. They have shown thoughtfulness in their initial community outreach. We believe that this proposal to activate an underutilized lot has potential to create new opportunities for the types of small businesses that can rarely activate spaces such as these in our current climate. It is a chance to bring something different to a neighborhood and city where these opportunities feel fewer and far between.

We look forward to working with Evan on the project to see a La Cocina entrepreneur who is from the community participate in the activation of the space.

Warmly,  
Geetika

--  
Geetika Agrawal  
Program Director

[La Cocina](#) | [geetika@lacocinasf.org](mailto:geetika@lacocinasf.org) | 415.824.2729 ext 305

## Jardines, Esmeralda (CPC)

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**From:** Dustin Waters <dustinlawrencewaters@gmail.com>  
**Sent:** Tuesday, March 13, 2018 6:08 PM  
**To:** Jardines, Esmeralda (CPC); Ronen, Hillary  
**Cc:** Ryen Motzek  
**Subject:** 701 Valencia St. Plan

Hello,

I am writing in support of the proposed 701 St. Valencia St. Plan. I am a Bay Area native and I have spent many years working in the Mission District, first in the restaurant industry and then as a History teacher at St. Peter's School for seven years. As someone that has spent several years working in and with the community of the Mission I think that the 701 Valencia St. Plan would be a simple and creative way to transform the existing run down parking lot currently there into a clean and safe area where local vendors and the community can come together to enjoy a revived community space.

Thanks for your time and consideration,

Dustin Waters  
(650) 771-2033

## Jardines, Esmeralda (CPC)

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**From:** Daniel Beck <danielbeckphoto@gmail.com>  
**Sent:** Monday, March 12, 2018 10:06 AM  
**To:** Jardines, Esmeralda (CPC); Ronen, Hillary  
**Cc:** ryen@pristineparking.com  
**Subject:** 701 Valencia Lot

Hi Esmeralda,

I'm sending this email in Full Support of the 701 Valencia Lot planning.  
I live in San Francisco and I think that we all should have more public spaces.  
Yesterday (03/11) I was at that lot while Sunday Streets SF was happening and I could see how many people would benefit from a community space with food trucks and vendors in the Mission District/ Dolores/ Noe Valley Area.

Thank you very much!  
Daniel



**Daniel Beck Photography**  
--- [danielbeckphoto.com](http://danielbeckphoto.com) ---  
[www.thebecksstudio.com](http://www.thebecksstudio.com)

## Jardines, Esmeralda (CPC)

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**From:** Craig Stoll <craig@delfinasf.com>  
**Sent:** Wednesday, March 14, 2018 2:44 PM  
**To:** Jardines, Esmeralda (CPC); Ronen, Hillary  
**Cc:** Ryen Motzek; Anne Stoll  
**Subject:** Support for 701 Valencia Street Project, Record #2017-004489CUA

Hi SF City Hall-

I am writing to express my Full Support for the proposed food truck park at the Cherin's Appliances parking lot. My enthusiasm, in great part, comes from my belief in Ryen Motzek, a fellow entrepreneur and businessman whose vision and integrity I've admired for years.

My wife and I own nearby restaurants Delfina, Pizzeria Delfina and Locanda, where we have worked with Ryen over the past 15 years to help with creative solutions to parking challenges.

I convinced Cherin's to first lease their lot to us in 2003 and then hired Ryen's company to run it in order to provide a parking option for Delfina guests.

Ryen has always been honest, fair, responsive and communicative, attributes that we value in a business relationship.

Our needs have changed over time and now most guests from outside the Mission rideshare to us, so parking has gone by the wayside...

But we're still friends and we know that Ryen has a great love for San Francisco and hires great people. In fact every one of his employees became part of our restaurant family at each of the spots they provided valet for.

A project like the one proposed for Cherin's parking lot fosters community and is a perfect grassroots way to build community.

It allows entrepreneurs without huge resources an opportunity to start a business with less commitment than they would otherwise be required. Oftentimes, these are woman and minority-owned businesses.

Business-wise, we welcome a critical mass of reasons to come to the Mission and enjoy all that the neighborhood has to offer.

It's a fun, delicious use of an otherwise dark, vacant lot on a great corner of an excellent block.

We would love to see this space activated and this proposal get passed.

Best Regards,

Craig Stoll  
415-819-6457

Craig Stoll  
**Delfina Restaurant Group**  
3621 Eighteenth Street  
San Francisco, CA 94110  
415-552-4094  
delfinasf.com

## Jardines, Esmeralda (CPC)

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**From:** Chris Block <chrisblock1961@gmail.com>  
**Sent:** Thursday, March 08, 2018 10:42 PM  
**To:** richhillissf@gmail.com; Melgar, Myrna (CPC); planning@rodneyfong.com; Koppel, Joel (CPC); Moore, Kathrin (CPC); Richards, Dennis (CPC); Jardines, Esmeralda (CPC)  
**Subject:** 701 Valencia Street food truck project

Dear Planning Commissioner,

I am writing to comment on the 701 Valencia Street food truck project which is being proposed sharing a back wall with the building (3481 18th Street) I own with the my husband, Thomas Pena, who was the chef-owner of Regalito Rosticeria for 10 years before we sold the business to Eduardo and his family. Eduardo was a long time employee before he purchased the business from us.

Thomas Pena and I have lived in the Mission for 25 years and have owned this building for almost 15 years. When we placed all the resources we had into this corner of San Francisco it was not in good shape and the over \$1,000,000 we invested into creating an award winning Mexican restaurant was well worth it and made a huge difference in revitalizing this area. At the same time, the well noted over saturation of restaurants in the Mission has made it tough to be profitable on a consistent basis.

This food truck project should be in an area that needs more street traffic and activity like the area around SOMA Eats. The real problem at 18th and Valencia is not an active pedestrian corner but that with the over saturation of restaurants even this very active street life is not always enough to assure profitability.

Thank you very much,

Chris Block  
415-730-0922

## Jardines, Esmeralda (CPC)

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**From:** Brian Vandeputte <brian.vandeputte@gmail.com>  
**Sent:** Thursday, March 08, 2018 4:03 PM  
**To:** Jardines, Esmeralda (CPC); Ronen, Hillary  
**Cc:** ryen@pristineparking.com  
**Subject:** 701 Valencia Support!

Hi Esmeralda!

I'm writing to support the proposed changes to the community space at 701 Valencia. I believe converting a poorly utilized space into a positive gathering spot for the community is necessary if San Francisco plans to continue being a city for all.

Best,  
Brian

## Jardines, Esmeralda (CPC)

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**From:** Brian Christopher <btcdesigns@gmail.com>  
**Sent:** Friday, March 09, 2018 12:32 PM  
**To:** Jardines, Esmeralda (CPC)  
**Cc:** Ryen Motzek  
**Subject:** Please support 701 Valencia Project

Hello Esmeralda,

I am writing to ask you to please support the 701 Valencia Project looking to add valuable community space to an already vibrant and bustling neighborhood.

As a resident of the Mission since 2006, I believe this would be a perfect and much needed addition to the street. On a warm weekend on Valencia st. (which you know can happen year round) you will see local vendors, musicians, activists, chefs and pop-ups lining the sidewalk from 17th to 22nd street, looking to attract shoppers and passers-by. This is a testament to the need for a safe open space that the community can share and thrive in together. Valencia St. is a hub for activity in the Mission, and with larger chains and corporations moving in to capitalize off of the thriving business district, the smaller and locally owned businesses are getting pushed out and forced to close.

Allowing a place for small and local business to pop up would greatly serve the neighborhood and bring the community back together on Valencia st.

I know the applicant Ryen Motzek well, and I know that as a local resident and business owner he is looking out for the best interest of the neighborhood and the community. I urge you to please support this project, for the culture and people of the Mission and San Francisco.

Thank you,  
Brian Christopher  
510-910-3698

## Jardines, Esmeralda (CPC)

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**From:** Boris Mackovic <bomack@me.com>  
**Sent:** Thursday, March 08, 2018 12:03 PM  
**To:** Jardines, Esmeralda (CPC)  
**Cc:** Motzek Ryen; Ronen, Hillary  
**Subject:** Support for the 701 Valencia project

Hello Esmeralda:

I recently noticed a flyer about some proposed improvements to this site. I can't make the hearing but wanted to express 100% support for this idea.

My church is exactly one block away and so is the volunteering that I do so I'm in this area at least a few times a week, and some weeks I'm there everyday. I think it would be super to have another option available where people can go to eat and relax. There really aren't many options for gardens or parklets in the area so I think this would be a great addition to the neighborhood. How can you not support turning what basically is a greatly underused eyesore into a great community gathering place?!

Thanks!

Boris Mackovic  
415 705 7304

## Jardines, Esmeralda (CPC)

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**From:** contact@aarondelacruz.com  
**Sent:** Thursday, March 15, 2018 3:37 PM  
**To:** Jardines, Esmeralda (CPC); Ronen, Hillary  
**Cc:** ryen@pristineparking.com  
**Subject:** 701 Valencia

Esmeralda and Hillary,

My name is Aaron De La Cruz and I am writing this letter on behalf of Ryen Motzek and his request to help revitalize the parking lot located at 701 Valencia. I have lived in SF for the past seventeen years, am a proud home owner as of the last three, and plan on raising my three children here as well. I have seen this city change for the good and for the not so good during my time here and one thing i have noticed is some of the the vibrant uniqueness getting wiped away. This has happened by big construction and the displacement of long term residents that has also taken away the culture of the city. Ryen has displayed the importance of community through his dedication to public art. I believe having a place for people to gather and share ideas, food and music could be a great asset to the mission district as this is what makes this neighborhood unique, as well as keeps the heart of San Francisco beating.

I hope you consider my request to invest in this opportunity and I look forward to bringing my family here.

Thank you for your time.

**Aaron De La Cruz**

E: [contact@aarondelacruz.com](mailto:contact@aarondelacruz.com)

[www.aarondelacruz.com](http://www.aarondelacruz.com)

[instagram.com/aarondelacruz.com](https://www.instagram.com/aarondelacruz.com)

## Jardines, Esmeralda (CPC)

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**From:** Julie Leadbetter <jjuleadbetter@gmail.com>  
**Sent:** Thursday, March 15, 2018 4:28 PM  
**To:** richhillissf@gmail.com; Melgar, Myrna (CPC); planning@rodneymfong.com; Koppel, Joel (CPC); Moore, Kathrin (CPC); Richards, Dennis (CPC); Jardines, Esmeralda (CPC); Ronen, Hillary; Anna Hamilton  
**Subject:** 701 Valencia

Good afternoon, Commissioners.

I live at 716 Valencia Street, directly across the street from the proposed commercial lot, food truck village, and outdoor beer garden. I've lived in this apartment and worked in community planning, affordable housing, and homeless services in the north mission for 20 years. I'm here as someone deeply invested in this community and I'm sorry that this moment brings me in conflict with someone hoping to offer a local business, yet I believe the neighbors have something valuable to say that is indicative of regulatory and enforcement problems on the Valencia Street Corridor and specific to this project as proposed.

It is my understanding that we are here today because the project sponsor has been operating the valet parking business and food trucks for nearly 12 years without the proper permissions and that it was a complaint about his unregulated use of this lot that triggered this process. The remedy for this unpermitted business activity now seems to be that the City departments are assisting the business owner to make this unregulated, illegal use, into a legal business and to give him the ability to increase the potential for creating the very problems that caused the complaints. Meanwhile over the last few years neighbors have been calling police non-emergency and trying to reach out to Cherins about noise impacts, and have not received any assistance or response until recently when this project came to light. It's my opinion that the regulatory and enforcement mechanisms and proposed conditions and mitigations for this project, the parking lot, and parts of the Valencia Street Corridor do not adequately support a balanced neighborhood, having greatest impact on those of us trying to live and offer small business here. Approval of this project sends a message that businesses don't need to play by the written rules of planning and permitting OR the unwritten rules of good neighbor standards.

For that reason, I oppose this project. However if you are leaning toward supporting this then I encourage you call on neighbors after our 2 minutes so we can clearly articulate our mitigations. Without further mitigations, it's likely that we would go ahead and appeal this project and increase our pressure on Cherin's as the lease holders. I'd prefer to reach stronger mitigations and see if this project could be less impactful than we currently know it to be.

### Problems & Mitigations

- Temporary use as a commercial lot should be limited to 6 months to a year to allow for evaluation of the impacts at an earlier interval. It is currently proposed for 3 years.
- The business should not be allowed to operate until they can prove that the mitigations are in place.
- Food truck village and beer garden are proposed for operating hours that begin in the evening and last past any outdoor use currently on the block. It will draw more people into the outdoor space any other use on the block. Outdoor uses on block serve a maximum of 20 people, stop at 10pm. The food

truck village has the potential of serving as many bodies as will fit on the lot (100-150-200) and is hoping to do this until 11pm.

- Hours of operation should end at 8pm due to its potential for large numbers of people, or the number of patrons should be restricted, or the number of food trucks operating at any one time should be restricted.
- The project currently has no mitigations for sound or noise reductions other than electrical for the food truck generators. Project sponsor should install electricity prior to allowing operations to begin.
- Project sponsor should do as other beer gardens or dense outdoor seating areas do on the block and provide a tented structure or built structure to reduce the noise.
- No amplified sound should be allowed for this project. Project sponsor has indicated that he wants to have amplified music.
- This block is over-activated and saturated with destination uses that serve visitors primarily, and provide challenges for residential neighbors who are trying to live here. (The Chapel music venue, Tacolicious, Parklets, existing outdoor seating, Sunday Streets)
- Despite this, the existing businesses have done a great job of mitigating their impacts and are extremely responsive to neighbors. Tented structures are used for noise reduction, lines are managed properly and professionally, noise in outdoor seating is monitored and has strict hours not going passed 10pm. These mitigations make for a community worth living in.
- The only exception to this good neighborliness on the block has been Cherins and the unpermitted business activities on their lot.
- In my view it is unfair to the businesses who are investing in the neighborhood and working to with residential neighbors.

Given this, I do not believe that the report and the suggested conditions are strong enough or precise enough to provide the mitigations necessary to make this project acceptable for the adjacent neighbors or fair to the existing businesses.

Sincerely,

Julie Leadbetter  
716 Valencia Street

## Jardines, Esmeralda (CPC)

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**From:** Andy Caceres <andycaceres1@gmail.com>  
**Sent:** Thursday, March 15, 2018 3:38 PM  
**To:** Jardines, Esmeralda (CPC); Ronen, Hillary  
**Cc:** ryen@pristineparking.com  
**Subject:** 701 Valencia St.

To parties concerned,  
I am writing in support of Ryen Motzek's plans for 701 Valencia St.

As a latino immigrant to the Bay Area, I have always known "The Mission" to be unique in its obvious display of culture.

The ethnically diverse food, music, art and sense of community in this area are fundamental to its character. I think the plans for a clean, safe space where people can enjoy food and art is a great alternative to the current state of the parking lot.

I have known Ryen for over 20 years and have had the privilege of working both alongside and for him in that time.

He provided me a job opportunity working for his valet company which services many restaurants and events in The Mission.

I have seen, first-hand, what this lot can be like when there are just cars parked there in the evenings and having a designated area which allows for people (not cars) and this culture to endure is a clearly better option.

Thanks for your time and consideration regarding this.

Sincerely,

Andy Caceres

# SENATE BILL 827

INFORMATIONAL PRESENTATION  
SAN FRANCISCO PLANNING COMMISSION  
MARCH 15, 2018

Received at CPC Hearing

San Francisco  
**Planning**

# AGENDA

- Summary of bill
- Preliminary analysis of potential effects on San Francisco
- Outstanding questions

## OVERVIEW OF SB 827

- Introduced by Senator Scott Wiener on January 3, 2018
- Amended in the Senate on March 1
- Schedule for moving forward TBD
- Co-sponsors:
  - Nancy Skinner (East Bay)
  - Phil Ting (SF)
  - Ben Hueso (San Diego)

Received at CPC Hearing 3/15/18  
P. Kezo

SB 827 3

## OVERVIEW OF SB 827

- Increase housing development near high quality transit statewide
  - Within specified distances of transit:
    - Sets minimum enforceable height and FAR limits*
    - Removes density limits and parking requirements*
  - Does not otherwise change local approval process
    - e.g. Conditional Use, demolition controls, inclusionary requirements*
  - Can be layered with other State laws (SB35, Density Bonus, etc)
  - Requires relocation support and right to return for any displaced rental tenants

# OVERVIEW OF SB 827

SB 827 Proposed Height Limits by Proximity to Transit and Right-of-Way Width

Category	Radius Affected	Transit Type	ROW Width (feet)	
			>=70 ft Base w/SDB	<70 ft Base w/SDB
A	1/4 mile	Major transit stop OR Stop on a high quality transit corridor	85 ft ~105 ft	55 ft ~75 ft
B	1/2 mile	Major transit stop	55 ft ~75 ft	45 ft ~65 ft

SDB= State Density Bonus

- High quality transit corridor
  - Bus route that runs at least every 15 minutes during peak commute hours
- Major transit stop
  - Rail station
  - Ferry terminal served by bus or rail service
  - Intersection of two high quality transit corridors

# SB 827 IN SAN FRANCISCO — WHERE IT COULD APPLY

## SB827 Potentially Affected Areas of San Francisco

- Major Transit Stations (Rail station, ferry terminal or intersection of 2 frequent bus routes)
- Stops on Muni routes that run every 15 minutes during peak
- Muni routes that run every 15 minutes during peak
- 1/4 mile from frequent transit stop: minimum 85ft (170 ft w/ SDB) or 55ft (75 w/SDB)
- 1/2 mile from major transit station: minimum 55 ft (75 ft w/SDB) or 45 ft (65ft w/SDB)
- Parks and Open Space



## SB 827 IN SAN FRANCISCO – HOW IT COULD APPLY

- If parcel is located within qualifying area, a developer could ask for the following “transit-rich bonus”:
  - Height – up to 45 ft, 55 ft. or 85 ft.
  - Density – no density limits
  - Parking – no parking required
- Local objective standards enforceable as long as they don’t reduce development potential below:
  - **2.5 FAR** for 45 ft height
  - **3.25 FAR** for 55 ft height
  - **4.5 FAR** for 85 ft height

# SB 827 IN SAN FRANCISCO – HOW IT COULD APPLY

- Typical Lot
- 2,500 square foot
- RH-1 zoning
- 40-X height district
- Located on a ROW wider than 70 ft.

	Current Zoning	SB 827 Zoning
Density	1 (2 w/ADU)	10 ~16
Height	35 ft	85 ft
FAR	Varies	4.5
Parking	1	0

## **SB 827 IN SAN FRANCISCO – HOW IT COULD APPLY**

- **Unchanged:**
  - Sec. 415 Inclusionary requirements
  - Review and entitlement process
  - Controls on loss or demolition of units (Sec. 317)
  - Ability to apply for Density Bonus, SB35 streamlining, etc.

## **SB 827 IN SAN FRANCISCO — TENANT PROTECTIONS**

- No demolition of rent control units
- City can choose to mandate replacement
- Right-to-remain and tenant protections for any rental tenants:
  - Pay “moving and related expenses”
  - Provide “relocation benefits”
  - Right of first refusal in replacement project

## **SB 827 IN SAN FRANCISCO – QUESTIONS**

- Unclear what discretion City and Commission retain
- Ability to mitigate impacts
- Reduced interest in local affordability programs (e.g. HOME-SF)
- Would not allow rezoning to PDR if zone previously allowed residential

## **SB 827 IN SAN FRANCISCO – QUESTIONS**

- Definition of “high-quality” transit
- Tying zoning directly to transit, bus routes in particular
- CEQA implications for transit projects

## **SB 827 IN SAN FRANCISCO – SUMMARY**

- Broad statewide upzoning around transit
- Intended to address statewide housing shortage
- Continue to monitor amendments
- BOS resolution under consideration

**THANK YOU**

**Paolo Ikezoe**  
**Paolo.Ikezoe@sfgov.org**  
**415-575-9137**

**San Francisco**  
**Planning**

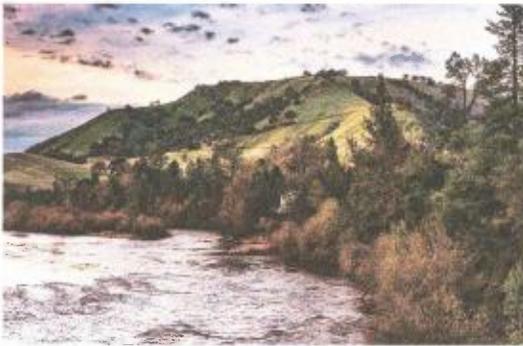


**SIERRA  
CLUB**

**CALIFORNIA**

## The California Environmental Quality Act

Protects our environment. Keeps Californians healthy. Promotes transparency.



The California Environmental Quality Act (CEQA), passed in 1970 and signed into law by then-Governor Ronald Reagan, is one of the foundational environmental laws in California.

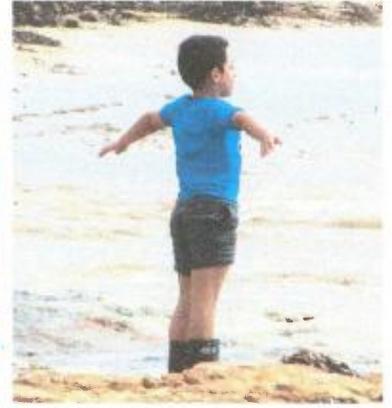
CEQA requires that the environmental impacts of significant projects—from skyscrapers to freeways to sports stadiums—have been publicly disclosed, analyzed and, where feasible, mitigated.

It facilitates compliance with other environmental laws and regulations, and makes sure that responsible parties clean up their pollution.

### CEQA BENEFITS

CEQA has a range of benefits for all Californians. It:

- **Sets up an orderly, manageable track that project proponents and residents can follow as projects are developed.** It helps remove surprise and unpredictability from the construction permitting process.
- **Helps California protect public health and reach its ambitious environmental goals.** The CEQA process has been used to help cut climate pollution, reduce air and water pollution and protect open space, wildlife habitats and farmlands.
- **Ensures that environmental justice and equity are part of the development decision-making process.**



- **It's about transparency.** CEQA gives all Californians the opportunity to know what is planned in their communities and then weigh in to help reduce health and environmental impacts.
- **Holds government agencies and developers accountable.** CEQA ensures that public agencies and private proponents comply with air and water standards.
- **Minimizes court challenges to projects.** CEQA allows concerns to be addressed early in the development process. As a result, numerous studies have routinely shown that CEQA litigation occurs for only about 1% of all projects that must comply with the law.
- **Supports California's economic growth.** Studies have documented that since its enactment in 1970, CEQA has not prevented California from building and thriving.
- **Reflects a changing California.** CEQA is a living document and has been amended continuously since its enactment to make the review process function efficiently.

**CEQA is working to protect California's  
environment and communities.**

**Sierra Club California**

909 12th Street, Suite 202, Sacramento, CA 95814

(916) 557-1100 • Fax (916) 557-9669 • [www.sierraclubcalifornia.org](http://www.sierraclubcalifornia.org)

March 15, 2018

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

RE: SB 827

Dear President Hillis and Members of the Commission:

We write to express our strong opposition to SB827.

SB827 is a profoundly undemocratic proposal that would radically diminish our City's ability to address the housing affordability crisis. As the staff report has determined, SB827 will upzone 96% of all the developable sites in the City, overriding decades of community dialog and planning intended to strengthen neighborhoods and address critical needs.

As a result, SB827 will weaken our City's affordable housing mandates. For example, the bill will significantly undermine the City's recently adopted HOME-SF program that created incentives to build housing in which 30% of the units will be affordable to low and middle-income families. Under SB827, when combined with the state 'density bonus,' developers would only be required to make 13% of the units affordable. SB827 offers a windfall gift to developers and large property owners at the expense of affordable housing.

SB827 is also inequitable and unfair, allowing a public planning process for some neighborhoods and denying that process to others. Attached is a map for the areas in the Bay Area that will be subject to the 'transit-rich' development mandate. What the map makes clear is that the drastic policy will not be equally applied. Transit-rich neighborhoods need more locally specific attention and capacity to address the impacts of development and gentrification. But SB827 deprives those neighborhoods the ability to mitigate the impacts of such development.

SB827's top down mandate will upend San Francisco's community based plans and impose high cost housing on neighborhoods and residents. San Francisco should be able to prioritize our scarce land for more inclusive and affordable housing that is compatible with existing neighborhoods, infrastructure, and transit capacity. We urge the Planning Commission to go on record in opposition to this fundamentally misguided proposal.

Respectfully,

AFFORDABLE HOUSING ALLIANCE

ACCE ACTION

CAUSA JUSTA : JUST CAUSE

CHINATOWN COMMUNITY DEVELOPMENT CENTER

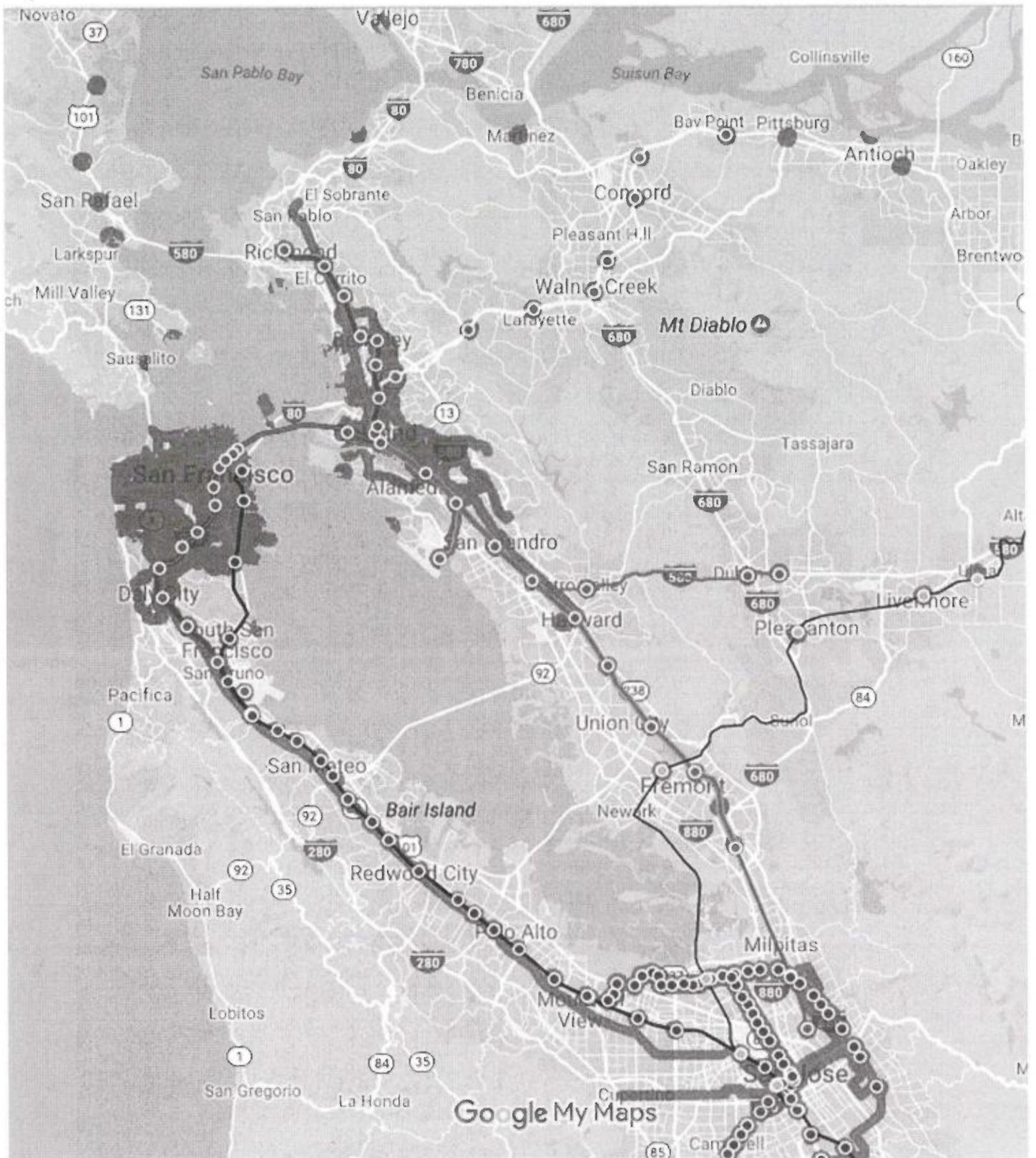
DOLORES STREET COMMUNITY SERVICES

HOUSING RIGHTS COMMITTEE OF SAN FRANCISCO

MISSION ECONOMIC DEVELOPMENT AGENCY

SAN FRANCISCO TENANTS UNION

SENIOR AND DISABILITY ACTION



San Jose Mercury News, March 3, 2018; map source Metropolitan Transportation Commission

Received at CPC Hearing 3/15/18  
P. Kezoc

March 15, 2018

Commissioners:

We oppose SB 827. The bill provides potentially very large increases in zoning and density without time or resources for cities to concurrently adopt measures to mitigate any impacts, as your department has noted.

We have watched the state legislature grapple with housing affordability issues for years, and nothing they have done to increase density, remove local authorities, or change the roles or rights of landlords or tenants has stopped the insane inflation and cost of living increases in our state, or solved the affordability or homeless crisis.

Why would we consider giving local control over land-use to the state government and purely profit-motivated developers? What is the benefit to our communities? Why are our state representatives spending time and energy creating bills that have enormous negative impacts on our communities and our environment?

As we know, SB 827 is not the end of it. If a city is building enough to meet its quotas, SB 828 is will raise them so that no city or community will be able to balance growth to fit its resources for dealing with the needs of higher populations.

If SB 827 passes, the developers will double down and go after the amendments one by one. You must have seen the list of bills in the works in Sacramento.

There are physical limitations that are beyond the scope of the law to fix. Ignoring the absence of competent labor and quality materials will result in more disasters like the one they had in Miami, where a brand new *fast track* pedestrian bridge just collapsed. If we continue to build without taking proper time and insuring the quality of the work and materials going into the projects we are building, we are headed for a huge disaster.

Say no to all state power grabs. Keep local controls at the local level.

Sincerely, 

Mari Eliza, concerned Citizens

P. Ikerwe

[Urging Amendments to California State Senate Bill 827 (Wiener) - Transit-Rich Housing Bonus]

**Resolution urging amendments to California Senate Bill 827, authored by Senator Wiener, to ensure the value of additional height and density is recaptured and that San Francisco's existing affordable housing programs and existing neighborhood character is preserved.**

WHEREAS, Senator Wiener has introduced legislation that would mandate that local jurisdictions confer significant benefits upon developers in exchange for building residential projects within a one-half mile radius of a major transit stop or a one-fourth mile radius of a high-quality transit corridor; and

WHEREAS, San Francisco applauds Senator Wiener's recent amendments to SB 827 to strengthen tenant rights with Right to Remain which mandates that the developer must provide tenants with relocation benefits, comparable rent for 42 months, and right of first refusal in the new building offered at the previous rent; and

WHEREAS, SB 827 would apply to virtually all residential parcels citywide based on the definition of transit rich, essentially allowing the State to override San Francisco's charter authority, circumvent local planning laws and limit value recapture; and

WHEREAS, San Francisco has prioritized transit-oriented development throughout the city and in its various neighborhood area plans, particularly in the downtown core and Transit District Plan and neighborhood commercial corridors through HOME-SF; and

WHEREAS, San Francisco has led the region and the state in housing construction, while taking a balanced approach to development that prioritizes tenant stabilization and recaptures the maximum feasible value from private development for the public benefit, including implementing the highest affordable housing requirements in the country; and

1           WHEREAS, San Francisco has maintained this leadership, even after the dissolution of  
2 the Redevelopment Agency and related affordable housing funding streams, because of its  
3 charter authority and strong local planning process; and

4           WHEREAS, San Francisco has spent years working with communities on long range  
5 planning efforts resulting in value capture for affordable housing, transportation and  
6 infrastructure impacts; and

7           WHEREAS, In Planning Department analysis of SB 827, dated February 5, 2018 and  
8 incorporated herein by reference, staff identified concerns about the State's attempt to  
9 undermine San Francisco's sovereign local Planning Code and Design standards, which are  
10 the backbone of the City's commitment to creating livable, walkable and complete  
11 neighborhoods; and

12           WHEREAS, Local planning laws and regulations have proven critical and effective in  
13 protecting vulnerable communities of concern from the escalating impacts of gentrification,  
14 displacement and speculation; now, therefore, be it

15           RESOLVED, That the Board of Supervisors of the City of and County of San Francisco  
16 is committed to working with other jurisdictions, affordable housing and tenant advocates to  
17 address the State's housing crisis by amending SB 827; and, be it

18           FURTHER RESOLVED, That the Board of Supervisors of the City and County of San  
19 Francisco is committed to working with its State Legislative Delegation to craft the necessary  
20 amendments to SB 827 in order to protect San Francisco's sovereign charter authority;  
21 recapture value from the added benefits of density and height; and, be it

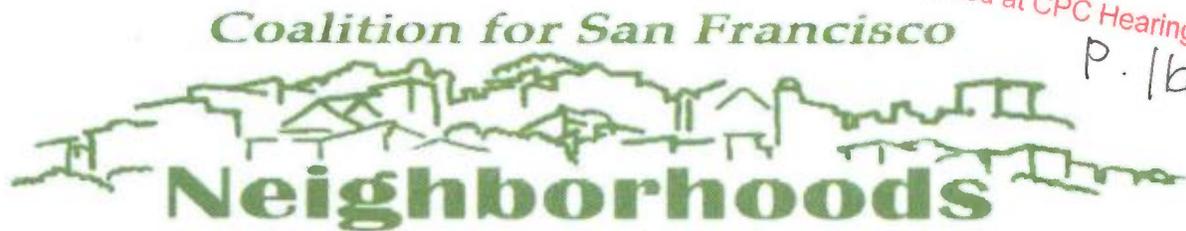
22           FURTHER RESOLVED, That the Board of Supervisors of the City and County of San  
23 Francisco urges state leaders to fund affordable housing streams to address the housing  
24 crises; and, be it

25

1           FURTHER RESOLVED, That the Board of Supervisors of the City and County of San  
2 Francisco will continue to monitor the progress of SB 827 and may provide additional  
3 comments as the bill is heard at committee hearings; and, be it

4           FURTHER RESOLVED, That the Board of Supervisors of the City and County of San  
5 Francisco directs the Clerk of the Board to transmit copies of this resolution to the State  
6 Legislature and the City Lobbyist upon passage.

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www.csfn.net \* P.O. Box 320098 \* San Francisco, CA 94132-0098 \* Est. 1972

**RESOLUTION TO OPPOSE SB 827 (TRANSIT-RICH HOUSING BONUS)  
FEBRUARY 2018**

WHEREAS, Senate Bill 827 (SB 827) [Wiener/Ting/Skinner] of the State of California enacts to set aside "local ordinance, general plan element, specific plan, charter or other local law, policy resolution or regulation" to allow building developments to be "exempt" from "maximum controls on residential density or floor area ratio", "minimum automobile parking requirements", "any design standards that restricts developer's ability to construct the maximum number of units consistent with any applicable building code"; and

WHEREAS SB 827 designates that the height minimum for development projects that are "transit-rich housing" (residential development project the parcels of which are all within a 1/2-mile radius of a *major transit stop* (CA Public Resources Code Sec. 21064.3: "has existing rail transit station, a ferry terminal served by either a bus or rail transit service, or the intersection of two or more major bus routes with a frequency of service interval of 15 minutes or less during morning and afternoon peak commute periods)) within 1/4-mile radius of a *high-quality transit corridor* (a corridor with fixed route bus service that has service intervals of no more than 15 minutes during peak commute hours) or within one block of a major transit stop to be 85 feet except when the parcel facing a street that is less than 45 feet wide from curb to curb shall be at least 55 feet tall; and

WHEREAS, SB 827 designates that "if the transit-rich housing project is within 1/2-mile of a major transit stop" but does not meet the prior criteria, "any maximum height limitation that is less than 55 feet, except in cases where a parcel facing a street that is less than 45 feet wide from curb to curb", shall be "not be less than 45 feet"; and

WHEREAS, SB 827 designates that "if the project is exempted from the local maximum height limitation, the governing height limitation for a transit-rich housing project shall be 55 feet or 45 feet; and

WHEREAS, SB 827 enacts that if a parcel has a street frontage on two or more different streets, the height maximum shall be based on the widest street; and

WHEREAS, SB 827 would allow virtually unrestricted housing units by transit contrary to existing San Francisco Planning Code; and

WHEREAS, SB 827 could potentially allow matching heights for the residential streets that share property lines with the "transit-rich housing project" parcels; and

WHEREAS, SB 827 would affect many low-income residents and those of color who predominantly live along the parcels along the transit corridors further exacerbating the affordability when they get evicted for the landowner to be incentivized by this Bill to gain additional height and units; and

WHEREAS, SB 827 would increase the cost of housing making it harder to create and meet affordable housing targets since developers would tend to aim for luxury and market-rate units thereby getting huge windfalls and also SF would welcome that for their tax revenue; and

WHEREAS, SB 827 does not take into consideration the increase in affordable units through SF's existing Accessory Dwelling Unit (ADU) ordinances that seek to create more affordable housing without the impacts that could last for many years should SB 827 pass; and

WHEREAS, SB 827 would negate the powers of the Planning Commission and the Supervisors, including the Mayor of San Francisco from all decisions on any "Transit-rich Project"; and

WHEREAS, if municipalities have to defend their positions that go counter to SB 827, such as not having resulted in truly affordable housing among other consequences, the judicial system would be overburdened as well as local and state resources to hear cases; and

WHEREAS, SB 827 over-reaches in its powers to control nearly 95% of SF with no regard to long-standing diverse communities created out of decades of land use regulations for a much more vibrant and cosmopolitan quality of life for long-time residents and visitors; and

WHEREAS, SB 827 is premature in relation to first having a fully functional transportation system before putting housing along the transit that is supposed to serve the additional load of residents; and

WHEREAS, SB 827 could incentivize landowners on these transit corridors to evict existing merchants to demolish and build to the new state criteria; and

WHEREAS, SB 827 would change the character of the low-density residence neighborhoods throughout the city and the state; and

WHEREAS, SB 827 does not guarantee that residents who may occupy the newly built "Transit-rich Housing Project" would \*not\* drive and therefore add to the congestion in the cities and \*not\* reduce greenhouse gas emissions per se; and

WHEREAS, low-density residential-housing zoned neighborhoods butt up against these transit corridors with specific lower height caps, density and floor area ratios, and new buildings under SB 827 would create a disconnect to the character of the neighborhoods;

RESOLVED, the Coalition for San Francisco Neighborhoods (CSFN) urges all members of its organizations and anybody else agreeing with this Resolution to communicate to the State legislators for the district in which he/she resides to oppose SB 827; and

BE IT FURTHER RESOLVED, that the CSFN urges the California State Senate/Assembly to oppose SB 827; and

BE IT FINALLY RESOLVED, that the CSFN supports the Board of Supervisors' Resolution of February 13, 2018 to oppose SB 827.

HAND IN

For Minutes March 15, 2018 Informational Hearing on SB 827 Georgia Schuttish

Received at CPC Hearing 3/15/18

P. Kezof

This Commission should oppose SB 827.

Commissioners along with staff and residents of San Francisco can best make local land use decisions.

Flawed proposals cannot be fixed by amendments.

SB 827 is too broad, too overarching, and too much like a redevelopment plan than a housing plan, especially with no repeal of Ellis Act, Costa-Hawkins, etc.

FARs are a blunt tool, not currently used to define housing size in San Francisco. They should not be used. This was a major problem with and one reason why the RET was opposed.

Look at the real estate map submitted. Isn't about housing. It's about the speculative potential in The Mission with the marketing/upzoning of The Mission.

This would spread to:

The Excelsior, The Outer Mission, OceanView, Crocker-Amazon, Portola, Silver Terrace, MissionTerrace, The Bayview, etc.

SB 827 is not a housing plan....it is a marketing/upzoning plan for redevelopment.

150 words for special minutes →

Georgia Schuttish  
ALSO SUBMITTING  
REAL ESTATE MAP  
FOR RECORD. Thank you!

**SB-827** (AUTHOR = YIMBY) IS AN *ARBITRARY UP-ZONING SCHEME* RELYING ON STREET WIDTHS & OTHER FACTORS FOR HUGE HEIGHT & DENSITY INCREASES THAT **CIRCUMVENT PROPER & LEGISLATED LOCAL REVIEW UNDER SF's GENERAL PLAN**, IMPARTS BONUS LAND VALUE INCREASES TO **CREATE REAL ESTATE PRICING UNATTAINABLE BY THE MAJORITY WITHOUT** GUARANTEEING ANY HOUSING COST REDUCTION AT THE EXPENSE OF NEIGHBORHOOD LIVABILITY IN SF.

## **TRUMP-LIKE SB-827 KILLS LOCAL CONTROL**

### **SB-827 DOES NOT:**

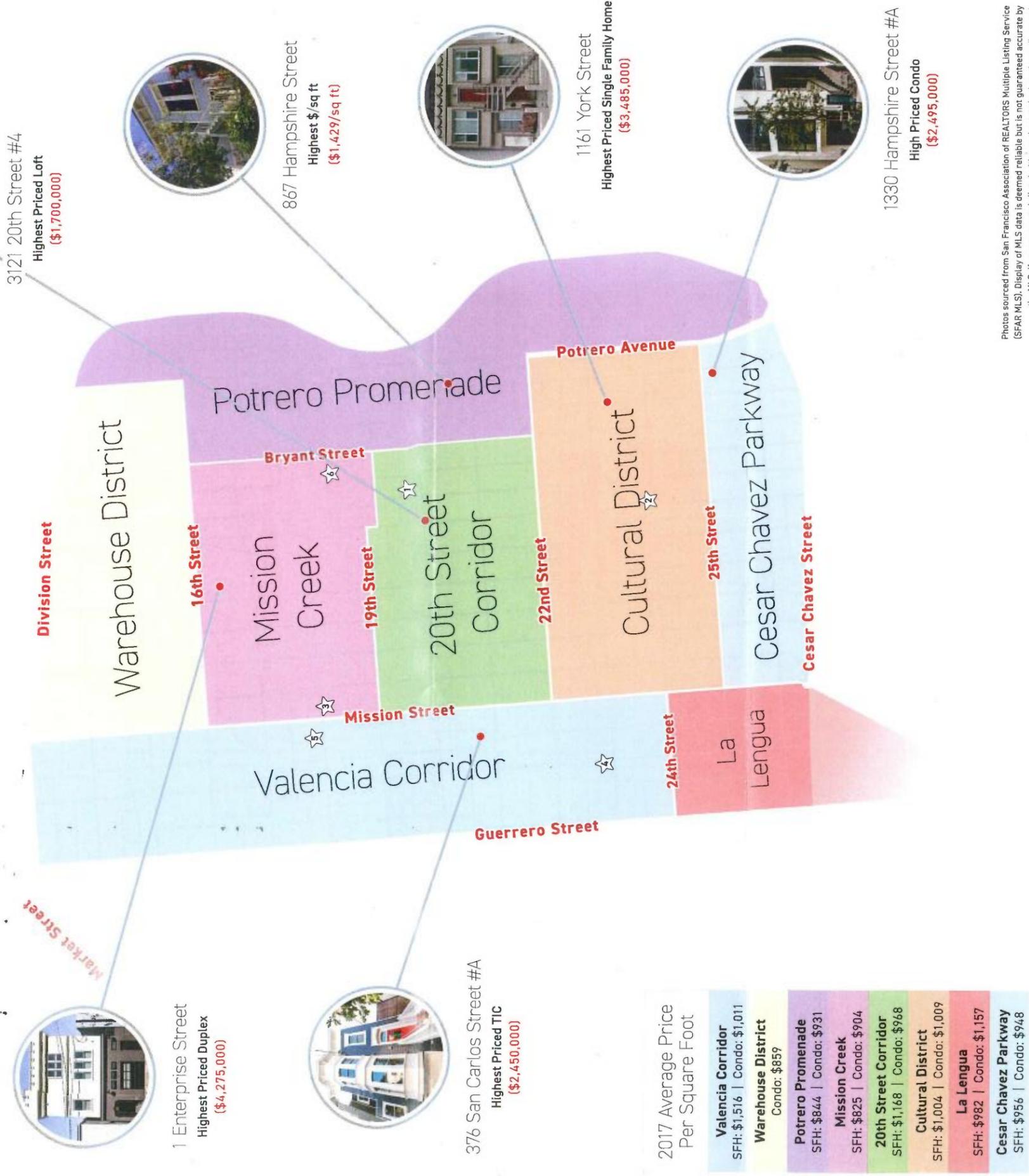
- CONSULT & CONSIDER SF'S COMMUNITIES & DECISION-MAKERS
- INCLUDE COMPLETE ECONOMIC & OTHER ANALYSES OF ITS IMPACTS FROM INCREASED DENSITY, HEIGHTS & LARGER *FARs* (RESERVED TODAY ONLY FOR SF'S *NON-RESIDENTIAL* ZONES BUT NOW APPLIED HERE TO RESIDENTIAL)
- SOLVE INADEQUATE INFRASTRUCTURE SUPPORT TO MOVE THIS FORWARD
- CREATE *NET* NEW UNITS TO SOLVE THE "HOUSING CRISIS"

**OPPOSE SB-827 THAT ADDS MORE AMBIGUITIES & UNCERTAINTIES FOR ANY INFORMED DECISION & BULLDOZES OVER LOCAL AUTHORITY & SHOULD NOT BE TOLERATED.**

Microhoods of

# The Mission

Received at CPC Hearing 3/15/18  
P. Kezoc



2017 Average Price Per Square Foot

<b>Valencia Corridor</b>	SFH: \$1,516   Condo: \$1,011
<b>Warehouse District</b>	Condo: \$859
<b>Potrero Promenade</b>	SFH: \$844   Condo: \$931
<b>Mission Creek</b>	SFH: \$825   Condo: \$904
<b>20th Street Corridor</b>	SFH: \$1,168   Condo: \$968
<b>Cultural District</b>	SFH: \$1,004   Condo: \$1,009
<b>La Lengua</b>	SFH: \$982   Condo: \$1,157
<b>Cesar Chavez Parkway</b>	SFH: \$956   Condo: \$948

Photos sourced from San Francisco Association of REALTORS Multiple Listing Service (SFAR MLS). Display of MLS data is deemed reliable but is not guaranteed accurate by the MLS. If your property is listed with a real estate broker, please disregard.

SOURCE: ASCENDO REAL ESTATE 3/2018

3/15/18  
#10  
Received at CPC Hearing  
P. Ikerol

## Opponents of SB 827

LA City Council President Herb Wesson  
LA City Council Member Paul Koretz  
LA City Council Member David Ryu  
Los Angeles Times  
League of California Cities  
Sierra Club  
Coalition For Economic Survival (CES)  
Alliance for Community Transit-LA  
Alliance of Californians for Community  
Empowerment (ACCE) Action  
Asian Pacific Policy and Planning Council  
(A3PCON)  
Bend the Arc: A Jewish Partnership for Justice  
California Reinvestment Coalition (CRC)  
Central American Resource Center (CARECEN)  
Community Coalition  
Community Development Technologies  
(CDTech)  
Community Health Councils  
East Los Angeles Community Corporation  
(ELACC)  
Esperanza Community Housing Corporation  
InnerCity Struggle (ICS)  
Inquilinos Unidos (United Tenants)  
Investing in Place  
Jobs to Move America  
Koreatown Immigrant Workers Alliance (KIWA)

L.A. Voice PICO  
Little Tokyo Service Center (LTSC)  
Los Angeles Black Worker Center  
Los Angeles Community Action Network (LA  
CAN)  
Los Angeles County Bicycle Coalition (LACBC)  
Los Angeles Forward  
Los Angeles Neighborhood Land Trust  
Move LA  
Multicultural Communities for Mobility (MCM)  
Physicians for Social Responsibility – Los  
Angeles (PSR-LA)  
Restaurant Opportunities Center of Los Angeles  
(ROC LA)  
Santa Monicans for Renters' Rights (SMRR)  
Southeast Asian Community Alliance (SEACA)  
Strategic Actions for a Just Economy (SAJE)  
Strategic Concepts in Organizing and Policy  
Education (SCOPE)  
St. John's Well Child and Family Center  
Thai Community Development Center  
T.R.U.S.T. South LA  
United Neighbors in Defense Against  
Displacement (UNIDAD)  
Women Organizing Resources, Knowledge and  
Services (WORKS)

## Supporter of SB 827

California YIMBY  
California Apartment Association  
California Association of Realtors  
California Building Industry Association  
Los Angeles Business Council  
Los Angeles Chamber of Commerce  
California Infill Builders  
Silicon Valley Leadership Group

3/15/18  
Received at CPC Hearing #16  
P. Herol

JORDAN PARK IMPROVEMENT ASSOCIATION

March 11, 2018

Supervisors Kim, Tang, and Safai,

The Jordan Park Improvement Association (JPIA) strongly opposes SB 827. The City of San Francisco cannot afford to lose local control of planning matters — the quality of our neighborhoods will be compromised substantially. Essentially, this will be one big step towards "Manhattanizing" San Francisco. **JPIA urges you to vote "no" on SB 827.**

Larry Costello, President  
Jordan Park Improvement Association  
146 Jordan Ave.  
San Francisco, CA  
94118  
415-225-5567

Received at CPC Hearing 3/15/18  
General Public  
Comment

March 15, 2018

Mr. Jonas P. Ionin  
Commission Secretary  
San Francisco Planning Commission  
1650 Mission Street, Suite 400  
San Francisco, CA 94103

RE: Central SoMa Plan Proposed Community Facilities District  
Long-Term Capital Funding For Yerba Buena Gardens Capital Improvements

Dear Mr. Ionin and Honorable San Francisco Planning Commissioners:

Yerba Buena Gardens is the greatest Community and Civic Treasure of Central South of Market!

- 197,250 children from SOMA, the entire City, and tourists delight daily in its wonderful Playground every year, and soon to be expanded with a separate Tot Lot.
- More than 150,000 school children and families visit its Children's Creativity Museum annually and Children's Creativity LeRoy King Carousel
- 87,000 families and San Franciscans of all ages enjoy its popular Ice Rink and Bowling Center each year.
- 146,200 City residents and visitors from around the Nation and the World come each year to its Center for the Arts Gallery and Theater for their extraordinary variety of art installations and live performances.
- 88,000 City residents come annually to its major Civic and Special Events, such as the annual Pistahan Festival and the Celebration of Martin Luther King's Birthday before the stunning fountain named in his honor.
- Just under 100,000 Central City residents and workers enjoy the extensive series of free outdoor musical performances presented by Yerba Buena Arts Gardens Festival in its beautiful Esplanade Park each year.
- Annually more than 25,000 of the Yerba Buena Neighborhood's elders first arrive in the morning during the year for exercise, Tai Chi, or just the solace of this peaceful Gardens.
- The Gardens also attracts close to 3,000,000 people each year that enjoying the park by having lunch, reading a book, visiting the cafes, and generally relaxing.

Due to dissolution of the former Redevelopment Agency, the City will assume ownership of the Gardens and its buildings this year. To ensure that the Gardens will continue to always be the special community and City-resident focused public amenity it has been these last 25 years, the stakeholder organizations of our Yerba Buena Neighborhood have formed the nonprofit The Yerba Buena Gardens Conservancy to master-lease and operate the Gardens from that point forward. We are now in the process of finalizing the provisions of that master lease with the City's Department of Real Estate.

One absolutely key issue to resolve is long-term funding for the Gardens open spaces and buildings' physical renovation needs over the next 30 years. The Office of Community Investment and Infrastructure has just estimated that amount at \$90,000,000 total, spread out over that time period. Fortunately the existing and anticipated sources of funding for Gardens operations, programs, and renovations are projected to cover most of that amount – about \$70,000,000. But that leaves a

significant \$20,000,000 gap with no identifiable source. Both the City and the Conservancy agree it is not fiscally responsible to have no financial plan to cover the full amount needed.

The Central SoMa Plan's proposed Community Facilities District certainly can fill this gap. As a City-owned property, the Gardens will be fully eligible for application of its Mello-Roos funding over coming decades. Our request is that this minimum amount of \$20,000,000 now be included in its projected long-term budget that will be part of the overall Central SoMa Plan to be approved by this Commission, our City Board of Supervisors, and our Mayor.

Sincerely,



Cathy Maupin  
Board Chair  
The Yerba Buena Gardens Conservancy



March 15, 2018

Mr. Jonas P. Ionin  
Commission Secretary  
San Francisco Planning Commission  
1650 Mission Street, Suite 400  
San Francisco, CA 94103

RE: Central SoMa Plan Proposed Community Facilities District  
Long-Term Capital Funding For Yerba Buena Gardens Capital Improvements

Dear Mr. Ionin and Honorable San Francisco Planning Commissioners:

Yerba Buena Gardens is the greatest Community and Civic Treasure of Central South of Market!

As you may know,

- 197,250 children from SOMA, San Francisco, and tourists from all over the U.S. and the world visit its wonderful Playground annually, and more will be able to enjoy when the Tot Lot is completed;
- More than 150,000 school children and families visit the Children's Creativity Museum annually and the historic LeRoy King Carousel (from SF's iconic Playland-at-the-Beach).
- 87,000 San Franciscans of all ages enjoy its popular Yerba Buena Ice Rink and Bowling Center each year.
- 146,200 City residents and visitors from around the Nation and the World come each year to the Yerba Buena Center for the Arts for an extraordinary variety of exhibits and performances.
- 88,000 City residents come annually to Yerba Buena Gardens for major Civic and Large Scale Festivals, such as the Pistahan Festival and Dr. Martin Luther King, Jr.'s Birthday Observance before the stunning memorial fountain named in his honor - the second largest in the nation.
- Just under 100,000 Central City residents and workers enjoy the diverse six month series of free outdoor performances presented by Yerba Buena Arts Gardens Festival each year.
- And annually more than 25,000 of the Yerba Buena Neighborhood's elders enjoy Yerba Buena Gardens in the morning for Tai Chi, socializing or just the solace of this peaceful Gardens.

Due to dissolution of the San Francisco Redevelopment Agency, the City will assume ownership of Yerba Buena Gardens and its buildings this year. To ensure that Yerba Buena Gardens will continue to be the City-resident focused public amenity it has been during the last 25 years, the stakeholder organizations of our Yerba Buena Neighborhood have formed the nonprofit The Yerba Buena Gardens Conservancy to master-lease and operate the Gardens once it transfers. We are currently in the process of finalizing the provisions of the master lease with the City's Department of Real Estate.

An absolutely key issue to resolve is long-term funding for Yerba Buena Gardens open spaces and buildings' physical renovation needs over the next 30 years. The Office of Community Investment and Infrastructure has estimated that amount at \$90,000,000 total, spread out over that time period. Fortunately, the existing and anticipated sources of income for Gardens operations, programs, and renovations are projected to cover most of that amount – about \$70,000,000. But that leaves a significant \$20,000,000 gap with no identifiable source. Both the City and the Conservancy stakeholders agree it is not fiscally responsible to have no financial plan to cover the full amount needed.

The Central SoMa Plan's proposed Community Facilities District can help fill this gap. As a City-owned property, the Gardens will be fully eligible for application of its Mello-Roos funding over coming decades. We join our colleagues to request that \$20,000,000 be included in its projected long-term budget that will be part of the overall Central SoMa Plan to be approved by this Commission, our City Board of Supervisors, and our Mayor.

Yerba Buena Gardens is regarded worldwide as an excellent model of urban planning. The approval of this request will ensure that Yerba Buena Gardens remains a beautiful San Francisco destination for San Franciscans, tourists and conventioners to enjoy well into the future.

Sincerely,



Linda Lucero

Executive/Artistic Director



March 15, 2018

**Board of Directors**

Jon Deane  
*Chair*  
Chan Zuckerberg  
Initiative

Tiffany Zarem  
*Vice-Chair*  
California Academy  
of Sciences

Yumi Clark  
*Treasurer*  
Capital One

Rhiana Maidenberg  
*Secretary*  
Elementary Math &  
Technology Specialist

Melissa Rich  
*At-Large*  
InterSchola (past)

Nithin Iyengar  
*At-Large*  
The Bridgespan Group

Mala Sharma  
Adobe

Sunita Mohanty  
Facebook

Senthil Singaravelu  
Intel

Paul Smith  
Bain & Company

Paul Wang  
Producer

Eduardo Pineda  
Muralist & Educator

Andy Russell  
Google

Kim Milosevich  
Andreessen Horowitz

**Executive Director**

Carol Tang, Ph.D.

Tax ID #94-3178735

Re: Long-term Capital Funding for Yerba Buena Gardens Capital Maintenance and Improvements

Dear Members of the Planning Commission

Yerba Buena Gardens has been a community and civic treasure in Central South of Market for over 20 years. You have received information with the statistics about the number of children, families and visitors served by the Gardens. Our neighborhood has changed over the last 20 years and will continue to change. However, the Gardens continue to be a community asset where families, couples, children and singles come together regardless of socio-economic status.

This treasure needs to be protected with a long-term funding source that responds to the estimated need of \$90,000,000 over the next 30 years. Fortunately the existing and anticipated sources of funding cover most of that amount – about \$70,000,000. But that leaves a significant \$20,000,000 gap.

The proposed Central SoMa Plan's proposed Community Facilities District can fill this gap. We join with other organizations in our community to request that these funds be included in the projected long-term budget that will be part of the overall Central SoMa Plan to be approved by the Planning Commission, Board of Supervisors and the Mayor.

Sincerely,

Pat Schultz Kilduff  
Director, External Affairs

March 14, 2018

Received at CPC Hearing 3/15/18  
Received  
S. Vettel  
General  
Public Comment

Hon. Rich Hillis, President  
San Francisco Planning Commission  
1650 Mission Street, 4<sup>th</sup> Floor  
San Francisco, CA 94103

Re: Central SOMA Plan  
Hearing Date: March 22, 2018

Dear President Hillis and Commissioners:

As you have heard in prior hearings and have yourselves expressed, the City should undertake efforts to achieve a better jobs/housing balance within the confines of the Central SOMA EIR analysis. I have reviewed the proposed Planning Code amendments that you initiated on March 1, 2018, to implement the plan (the "T" case) and have identified several Code provisions that do the opposite by making approval of Central SOMA housing developments difficult or impossible to obtain and/or reduce significantly the number of units that can be approved.

This letter identifies those Code provisions and urges the Commission to amend them before forwarding your recommendation to the Board of Supervisors.

1. Tower Separation. Proposed Section 132.4(d)(3) (on page 23 to 24 of the T case report) mandates a 115-foot separation between any two towers exceeding 160 feet in height, even if they are not on the same property. Subsection (d)(3)(B) provides a means for the Commission to consider exceptions to this mandate, but the exception language is written in such a constrained manner that it would not allow the Commission to consider granting a separation exception for the residential tower at 636 Fourth Street (271 units in a 25-story tower) should an office tower addition at 505 Brannan Street be approved first. For example, the exception language requires any towers granted an exception to have at least a 50-foot height difference (yet 505 Brannan and 636 Fourth Street are both zoned at only 250 feet), have less than 10,000 square foot floor plates (even though the bulk controls allow 12,000 square foot floor plates), and have at least 85 feet of separation (even though the 505 Brannan and 636 Fourth Street lots are immediately adjacent). Instead, the exception language appears to be tailored solely to accommodate two towers at the "Creamery site" at 685 Fourth Street (diagonally across the street from 636 Fourth Street), which not only is granted this tower separation exception but has also been given a height limit of 400 feet, 150 higher than the height limit at 636 Fourth Street just across the street.

I urge the Commission to amend Subsection 132.4(d)(3)(B) to provide you with discretion to consider an approval of the 636 Fourth Street residential tower should the 505 Brannan tower addition move forward first and to direct the Department to consider a higher height limit at 636 Fourth Street (we urged 350 feet in our DEIR comments in order to increase the unit count from 271 units to 392 units) so that two adjacent towers would not be of the exact same height.

2. Ground floor height. In the Eastern Neighborhoods UMU zoning district, new buildings are required to have 17-foot ground floor floor-to-floor heights to accommodate PDR uses. Height limits in those districts were accordingly based on 18-foot modules (48 feet, 58 feet, 68 feet, etc.) so that the higher ground floors would not eliminate an upper residential floor, which would occur were the height limits 45 feet, 55 feet or 65 feet. Ground floor heights of 14 feet are required in all other zoning districts, a height suitable for small retail occupancies, coupled with 5-foot height limit modules.

Section 145.1 of the proposed Code amendments (page 38 of the T case report) imports the requirement for 17-foot ground floors throughout Central SOMA, but the proposed height districts do not have the extra three feet needed to accommodate the higher ground floors (height limits are based on 5-foot modules such as 85 feet, 160 feet and 250 feet). The result of this discrepancy is that mixed use residential buildings will lose a floor of housing (or need to squeeze residential floor ceiling heights to a barely livable dimension) to accommodate a 17-foot ground floor. Also, in direct contradiction of Section 145.1, proposed Section 145.5 (page 39) mandates “active” ground floor uses on all building frontages facing Second, Third, Fourth, Folsom, Brannan and Townsend Streets and defines active uses to exclude PDR. Meaning that the Code prohibits PDR uses along these streets but mandates PDR ceiling heights which will restrict residential uses above.

The 17-foot rule should be limited to commercial buildings, eliminated entirely for buildings that are subject to the active use requirement of Section 145.4, or a 3-foot height bonus should be granted to any residential building providing a 17-foot ground floor. I understand that the Planning Department will recommend to you the first alternative, and I support the Department’s position.

3. WMUG district on Bryant Street. Most of Central SOMA is proposed to be rezoned CMUO, a mixed use district that permits housing, as well as commercial space, including all residential developments on smaller (less than 30,000 square foot) sites, with one exception. The exception is a band of properties along Bryant Street between Fourth and Sixth Streets proposed to be retained in the WMUG zoning district, a district that prohibits all housing. Although there may be some justification for maintaining that prohibition on the Flower Mart block (between Fifth and Sixth Streets), there is none for maintaining it on Bryant Street between Fourth and Fifth Streets.

I urge the Commission to recommend those properties be rezoned CMUG, rather than WMUG.

4. Grandfathering. There have been housing projects approved but not yet built in the Central SOMA area that are not fully consistent with the proposed Code amendments. In other recent rezoning ordinances, the City has included non-codified “grandfather” clauses to exempt those fully approved projects from the new controls. There is no such grandfather clause in the T ordinance. I ask that you recommend to the Board of Supervisors such a standard grandfather clause so that these approved but not yet built housing projects may obtain building permits and move forward.

Sincerely



Steven L. Vettel

cc: Planning Commissioners  
John Rahaim  
Steve Wertheim

March 14, 2018

Hon. Rich Hillis, President  
San Francisco Planning Commission  
1650 Mission Street, 4<sup>th</sup> Floor  
San Francisco, CA 94103

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Sincerely



Steven L. Vettel

cc: Planning Commissioners  
John Rahaim  
Steve Wertheim