

Received at CPC Hearing 12/5/19

To: The San Francisco Planning Commission
Myrna Melgar-President
Joel Koppel -Vice-President
Frank Fung
Milicent Johnson
Kathrin Moore
Dennis Richards

From:

**SF-Tenderloin Residents, Parents, Businesses
and Organizations (signatures attached)**

Re: Application for Change of Use: Retail to Cannabis Retail at 500 Jones St., SF

Applicant: Hakeem Mashal

Record #: 2019-013201DRP

Permit Application: 201906214145

102

[illegible]

To: The San Francisco Planning Commission
 Myrna Melgar-President
 Joel Koppel -Vice-President
 Frank Fung
 Milicent Johnson
 Kathrin Moore
 Dennis Richards

From:

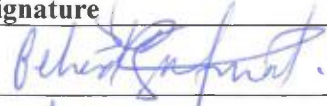



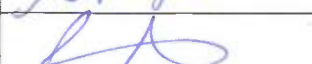
**SF-Tenderloin Residents, Parents, Businesses
 and Organizations (signatures attached)**

Re: Application for Change of Use: Retail to Cannabis Retail at 500 Jones St., SF

Applicant: Hakeem Mashal

Record #: 2019-013201DRP

Permit Application: 201906214145

	Name	Signature	Zip Code
332 AlSabeeel Congregant	Gehad Morsy		94102
333	Asma Dobay		94102
334	Esteshhad Morsy		94102
335	Bushra Dubaie		94102
336	Heba S. Morsy		94102
337	Shada Dubaie		94102
338	Gabriele Strasser		94102
339	Rafiah Morsy		94102
340	Marjan Turdaling		94102
341	Eman Dobay		94102
342	Iamia Mbariki		94102
343	mamul debay		94102
345	Fawzia Aldubaie		94102
346	Alaa Aldubaie		94102
347	Sumaya Aldubaie		94102
348	Sarah Radman		94102
349	Rukaya Radman		94102
350	Nosiba Morsy		94102
351	Sheila Suarez		94102

To: The San Francisco Planning Commission

Myrna Melgar-President
Joel Koppel -Vice-President
Frank Fung
Milicent Johnson
Kathrin Moore
Dennis Richards

From:



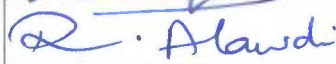
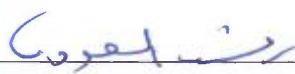
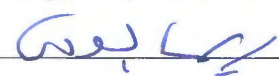

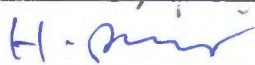

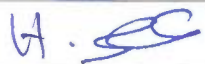
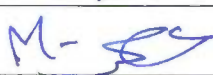
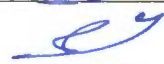
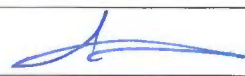


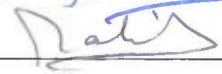



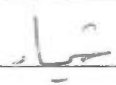
SF-Tenderloin Residents, Parents, Businesses
and Organizations (signatures attached)

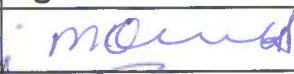



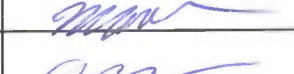


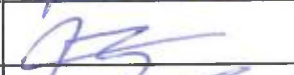

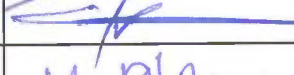
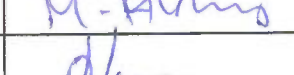


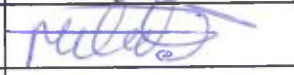



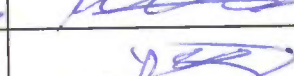






Re: Application for Change of Use: Retail to Cannabis Retail at 500 Jones St., SF

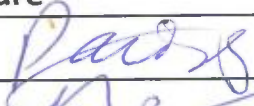



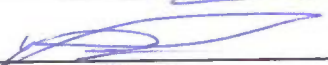


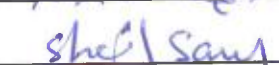




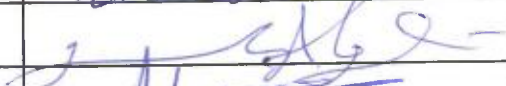


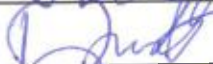


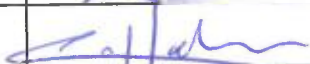


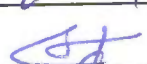


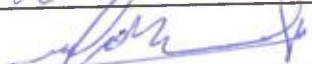


Applicant: Hakeem Mashal

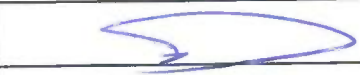



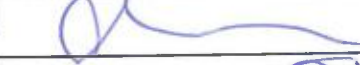







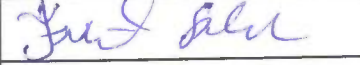

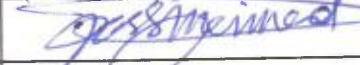
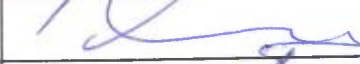
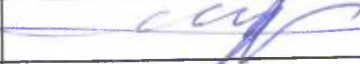

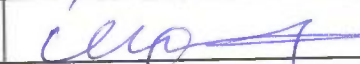






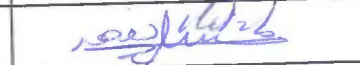
Record #: 2019-013201DRP





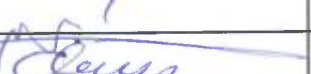
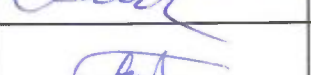








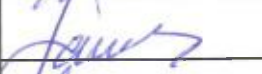




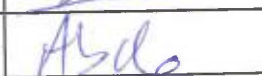
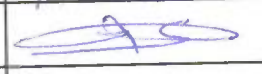





Permit Application: 201906214145

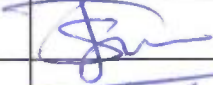

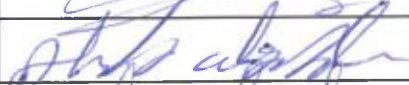
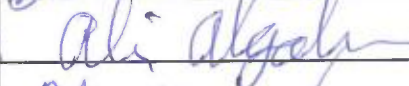

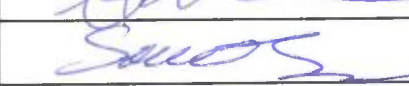

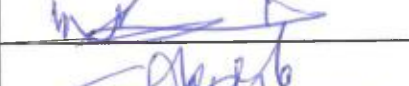











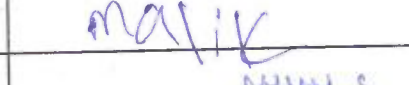



	Name	Signature	Zip Code
259	ARwa Alatab		94102
260	Kamal Alawdi		94102
261	Rayan Alawdi		94102
262	Rajad Alawdi		94102
263	Ramaa Alawdi		94102
264	Haleemah Alawi		94102
265	Howa Alghaithy		94102
266	Maria Alghaithy		94102
267	Famzeh Alghaithy		94102
268	Malik Alghaithy		94103
269	Abdullah Alghaithy		94103
270	Abeer		94102
271	Mosam Ali		94102
272	Sohe Abdon		94110
273	Nelik Evangelatos		94103
274	Abdullah Evangelatos		94103
275	Expier Al		94110
276	Bushra Alawdi		94102
277	Leppo		94103






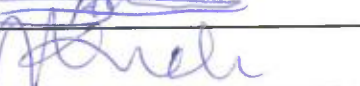






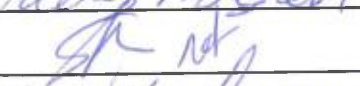
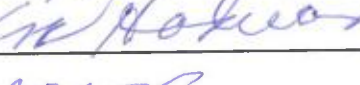

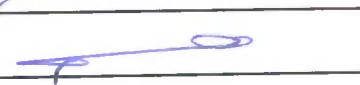









	Name	Signature	Zip code
1	Mohammed ALDEB		94115
2	Hamza Bassim		94109
3	Dawood Alameri		94109
4	Hesham ALQAD		94158
5	Musa Mam		94109
6	Azzan alameri		94102
7	MOHAMED ALPOBIS		
8	Mouad Sadi		94109
9	Maktar Bouarissa		94109
10	Said Mezoud		94118
11	Mohamed Hammar		94109
12	Mohamed Alghithy	M. Alghithy	94102
13	Mahed AlGachini		94102
14	Fadi, Radu		94102
15	Mohamed Alghithy		94102
16	Mohammad Saeed		94102
17	Amr, Karim		94122
18	Walter		94103
19	Mohammad Samir		94015-
20	Hisham Ahmad		94015-
21	Nabeel Alaseeqi		94103
22	ACI BADAHI		94109
23	WASIM ASADI		94109
24	Woureddine		94102
25	Abdelhak Adou		94109
26	ANOR HARRAK		94109

	Name	Signature	Zip code
28	Rashed Alkanea		94102
28	Mohammad al salhi		11-22-20
29	Kharifah ALNABEB		11-122/20
30	Ali Alhadi		11-22/20
31	Hamoudessadi		94102
32	Taher Kaide		94109
33	Nahedh Ali badani		94109
34	Sheif Samy		94122
35	ABDULAS		94109
36	Mohammed Ali, Saleh		94109
37	Wahib AlQwal-		94109
38	AdAL Altahami		94102
39	gamel Algahim		94102
40	Mateher Zamil Ar.		94102
41	Dia Shanneb		94102
42	Aiman Dubaie		94102
43	Amr Abbaadani		94109
44	Karim Burtan		94109
45	Sam Hadwan		94107
46	Ahmed Saad		94117
47	Samir Alkhatani		94115
48	Chahid Aldehrahman		94109
49	ABDEL		94117
50	Wah' mohamed		94102
51	ABDELEKBIOL DIAOU		94158
52	ALI KADZ		94102
53	medan		

	Name	Signature	Zip code
54	Omar Alkhamer		94103
55	Alshadheb Bafarj		94109
56	Yusuf piped		94133
57	Alw Saleh		94102
58	Mohamed Zanyar		94109
59	Hatem Embemmed		94109
60	Anwar albadani		94109
61	BEN RFTAH		94109
62	KHALIL CHAPEN		94109
63	MOEZ BENCHRIFIA		94109
64	A Ahmed		94109
65	Fahed Y. saad		94109
66	Tibari Bahouche		94109
67	IMAD YASSINE		94115
68	Ahmed Chokri		94115
69	Mohamed Hilal		9121
70	ADIL IMAN		94115
71	Kakim Ben		94133
72	Abd Alaoay		94805
73	AZZAM alameri		94102
	XXXXXXXXXX		94102
74	Elias Aldubail		94102
75	Alvador		94109
76	Ibrahim		94102
77	Habib AL Fahd		94109
78	Faisal ALABSI		94102

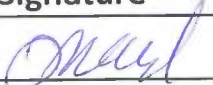


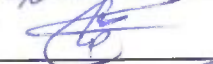
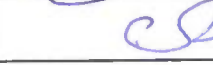
	Name	Signature	Zip code
79	Shamsan Hadwan		94102
80	Mohamed Alamer		94109
81	Bashar Saleh		94109
82	Saleh M Al-Badwi		94109
83	ALJALUDRI		94108
84	DERHEM ALSAIDI		94109
85	Zemah Nokeded		94109
86	Salah Alkhalaf		94109
87	Niaz Alqadhi		94109
88	Ali Najjar		94109
89	Ahmed Ibrahim		94109
90	Demet Taper		94102
91	Hohamod Salt		92107
92	AMZALHUBI		94109
93	MUHUBI ALI		94102
94	Hisham Saleh		94102
95	FAMAZ ABU Khadijah		94104
96	Muamar Alhansheli		94102
97	AKRAM ALQADHI		94102
98	Tawfick Yahya		94132
99	Khaled Albadani		94102
100	Salah Ali		94109
101	Abdulrkeeb Hadwan		94102
102	YAHYA ALQADHI		94109
103	Mohamed Abid		94102
104	Seem M. Hani		94138
105	Hassan Radwan		94102

	Name	Signature	Zip code
106	EMRAN SHAIK		94102
107	YONES Mana		94109
108	Abdul		94121
109	Ahmed S. ALGAZAL		94109
110	Ali K. ALGAHIM		94109
111	MOHAMMED ISMAIL		94109
112	Mohammed Almazali		94109
113	Samir Zerou		94121
114	LAHCEN ATENAL		94109
115	Mohamed Ahmed		94103
116	MOHAMED CHEBAR		94103
117	Younes Bouzel		94103
118	Sam Rida		94102
119	MUSCEH ELMUFLHI		94102
120	Yusuf Radman		94102
121	Abdulhameed Radman		94102
122	Osama Abdulrahman		94102
123	Hafed Dabine		94107
124	Khaled Radman		94102
125	Waleed Radman		94107
126	Abdulh Albadni		94102
127	ADMAN ALAMER		94102
128	Rico Alamgah		94102
129	Saleh Yahia		94102
130	Muhammad Sheice		94102
131	MALIK ALI		94102
132	Abdo Sade		94102
133			

	Name	Signature	Zip code
134	Mohammed ALKhalil		94115
135	Khalid		94109
136	Hateem Abdullah		94102
137	SALEH Mottawal		94102
138	Jaimez Rivero		94111
139	Abdul Ali		94109
140	Ahmed Hugu's		94519
141	NORMAN MOSSMA		94538
142	HANDSMAN		94115
143	HASSAN BAWDAN		
144	Damal Mameri		94578
145	SHALED ALGHAZAL		94014
146	Mohamed Lotu		94112
147	AMMED ALMUTLIM		94102
148	Gawar elbein		94109
149	Naig		94109
150	TRISAMER LAM		94108
151	M HADWAN		94102
152	MARWAN SMTI		94109
153	Azi 2 Ahmed		94110
154	Mohammed Almahbashi		94115
155			94109
156	Lhalel		94109
157	Ali		94109

[illegible]

178
179
180
181
182

Name	Signature	Zip code
OMAR		94109
ABDI		94109
Yahia		94109
Hani Alagham		94109
Samir Altareb		94109

183

Name	Signature	Zip code
Mohammad Ramiz		95829

184
185
186
187
188
189
190
191

Name	Signature	Zip code
Ahmad Ali		94102
Hamzah Awn		94801
Rahmat Ullah		94102
Abduljafar Alowdi		94102
Idris OSMAN		94102
ABDO		94102
Amadou thiam		94124
AHMED TARI AME		94133

Myrna Melgar-President
Joel Koppel -Vice-President
Frank Fung
Milicent Johnson
Kathrin Moore
Dennis Richards

**SF-Tenderloin Residents, Parents, Businesses
and Organizations (signatures attached)**

Permit Application: 201906214145

[illegible]

To: The San Francisco Planning Commission

Myrna Melgar-President
 Joel Koppel -Vice-President
 Frank Fung
 Milicent Johnson
 Kathrin Moore
 Dennis Richards

From:

**SF-Tenderloin Residents, Parents, Businesses
 and Organizations (signatures attached)**

Re: Application for Change of Use: Retail to Cannabis Retail at 500 Jones St., SF**Applicant: Hakeem Mashal****Record #: 2019-013201DRP****Permit Application: 201906214145**

	Name	Signature	Zip Code
205	Bushra AlDoois	Bushra	94102
206	Samy Alkhamd	Samy	
207	ABeer Ahmed	ABeer	94102
208	Sultana rosh alfaier	sultana	94102
209	ASalah Alkhanashole	asala	94102
210	Marawan Al Al Alawdi	marwa	94102
211	Moneeb alawdi	Moneeb	94102
212	Marwa alawdi	marwa	94102
213	Hafed alawdi	Hafed	94102
214	Dalat Saleh	Dalat	94102
215	Asma ali	Asma	94102
216	Fatieme Ali	fatieme	94102
217	Mohamed Ali	Mohamed	94102
218	Emaan Ali	Emaan	94102
219	Tahany Alkhomech	Tahany	94102
220	Samad Alkhomech	Samad	94102
221	Abdel Rahman Alkhomech	Abdel	94102
222	Zoutoun aldash	Zoutoun	94102

To: The San Francisco Planning Commission
 Myrna Melgar-President
 Joel Koppel -Vice-President
 Frank Fung
 Milicent Johnson
 Kathrin Moore
 Dennis Richards

From:

**SF-Tenderloin Residents, Parents, Businesses
 and Organizations (signatures attached)**

Re: Application for Change of Use: Retail to Cannabis Retail at 500 Jones St., SF

Applicant: Hakeem Mashal

Record #: 2019-013201DRP

Permit Application: 201906214145

	Name	Signature	Zip Code
221	Mona Albadani	Mona	9402
224	Gameed Hamed	Gameed	9402
225	Rana Hamed	Rana	9402
226	Wamel Alhakim	Wamel	9402
227	Mawal ghabeb	Mawal	9402
228	Zeyad Alhallem	Zeyad	94103
229	Shaima Alhakim	Shaima	94103
230	Salme Alhallem	Salme Alhallem	94103
231	Mohammed Alhafay	Mohammed	94115
232	Kathryn Kelly	Kathryn	94115
233	William Fady	William	94115
234	Abderrhman Saade	Abderrhman	94102
235	Ali Saade	Ali	9403
236	Alia Saade	Alia	9403
237	Gabtesam Abdullah	Gabtesam	94115
238	Mohamed Saade	Mohamed	94115
239	Asmaa Abdulmaly	Asmaa	94102

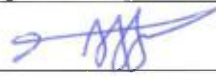


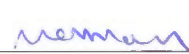

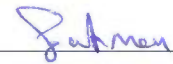







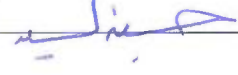

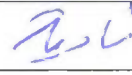
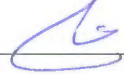

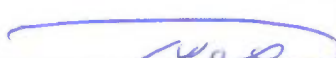
To: The San Francisco Planning Commission

Myrna Melgar-President
 Joel Koppel -Vice-President
 Frank Fung
 Milicent Johnson
 Kathrin Moore
 Dennis Richards

From:

**SF-Tenderloin Residents, Parents, Businesses
 and Organizations (signatures attached)**

Re: Application for Change of Use: Retail to Cannabis Retail at 500 Jones St., SF**Applicant: Hakeem Mashal****Record #: 2019-013201DRP****Permit Application: 201906214145**

	Name	Signature	Zip Code
240	Souhir Saraj		94102
241	Shahma Mohamed		94103
242	Amro Elsakhwar		94103
243	Mariam Elsakhwar		94103
245	Ibrahim Elsakhwar		94103
246	Fatma Elsakhwar		94103
247	Amirah Saad		94102
248	Salah Yahya		94102
249	Alla Yahya		94102
250	Yusef Yahya		94102
251	Samiak Yahya		94102
252	Nashetah Saad		94102
253	Walaa		94102
254	Hussain		94102
255	Jana		94102
256	Nadia		94102
257	Ali		94102
257	Isa Yahya		94102
258	Motssq Yahya		94102


To: The San Francisco Planning Commission

Myrna Melgar-President
 Joel Koppel -Vice-President
 Frank Fung
 Milicent Johnson
 Kathrin Moore
 Dennis Richards

From:

SF-Tenderloin Residents, Parents, Businesses
 and Organizations (signatures attached)

Re: Application for Change of Use: Retail to Cannabis Retail at 500 Jones St., SF**Applicant: Hakeem Mashal****Record #: 2019-013201DRP****Permit Application: 201906214145**

	Name	Signature	Zip Code
278	Intisam Saad	Intisam	94103
279	Wadija Shabeh	Wadija	
	A		
280	Radwa Hussien	Radwa	94103
281	Ahmed Hussien	Ahmed	94103
282	Shamun Alhusamy	Shamun	94103
283	Ahmed samy	Ahmed	94103
284	Araf Almasig	Araf	94103
285	Salma Ahmed	Salma	94102
286	Summar Dabry	Summar	94103
287	Ayman Mohamed	Ayman	94102
288	Mohamed Ayman	Mohamed	94102
289	Mithak AlSanea		94102
290	Hitham ALAwdi	Hitham	94102
291	Sahar AlSanea	Sahar	94102
292	Fahd ALAwdi	Fahd	94102
293	Noria Ageel	Noria	94102
294	Zinb AlSanea	Zinb	94102

To: The San Francisco Planning Commission
 Myrna Melgar-President
 Joel Koppel -Vice-President
 Frank Fung
 Milicent Johnson
 Kathrin Moore
 Dennis Richards

From:





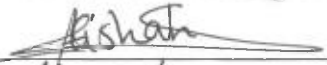
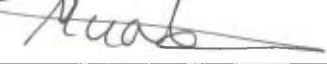
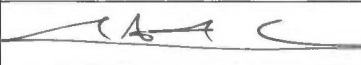



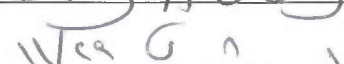






**SF-Tenderloin Residents, Parents, Businesses
 and Organizations (signatures attached)**

Re: Application for Change of Use: Retail to Cannabis Retail at 500 Jones St., SF

Applicant: Hakeem Mashal

Record #: 2019-013201DRP

Permit Application: 201906214145

	Name	Signature	Zip Code
295	nawal Ghaleb		94102
296	Kamal Al hikam		94102
297	Asma Almethi		94102
298	Hawa Alghaithy		94102
299	Aishah Sade		94102
300	Muad Ahmed		94102
301	Khadijah Ahmed		94102
302	Jalel Alebray		94103
303	Tatiane Alebray		94102
304	S. Alebray		94102
305	Boushratancka		94129
306	Usli G		94102
307	Hakeem Tanaka		94103
308	Ali Tanaka		94103
309	Othod Naji		94103
310	Shuara Naji		94102
			
311	Tahany Alhameedi	Tahany	94102
312	Sanad Alhameedi	Sanad	94102
313	Shahad Sanad	Shaad	94102
314	maxr Sanad	maxr	94102

To: The San Francisco Planning Commission
 Myrna Melgar-President
 Joel Koppel -Vice-President
 Frank Fung
 Milicent Johnson
 Kathrin Moore
 Dennis Richards

From:

**SF-Tenderloin Residents, Parents, Businesses
 and Organizations (signatures attached)**

Re: Application for Change of Use: Retail to Cannabis Retail at 500 Jones St., SF

Applicant: Hakeem Mashal

Record #: 2019-013201DRP

Permit Application: 201906214145

	Name	Signature	Zip Code
315	Abdo Nagi		94102
316	Kabata Alhatbani		94102
317	Mohamed Mnuir		94103
318	Ahmed Mnuir		94103
319	Damngy		95118
320	Ameer Mnuir		94102
321	Mnuir Mnuir		94102
322	Shehd Mnuir		94102
323	Zanab Al		94102
324	Norla Alkeed		94107
325	Aisha Sade		94102
326	wad Ahmed		94107
327	Khadijah Ahmed		94102
328	Zaidi Al Hazja		94110
329	Ritley Sanaa		94102
330	Ronan		94102
331			94103

Myrna Melgar-President
Joel Koppel -Vice-President
Frank Fung
Milicent Johnson
Kathrin Moore
Dennis Richards

**SF-Tenderloin Residents, Parents, Businesses
and Organizations (signatures attached)**

Permit Application: 201906214145

[illegible]

To: The San Francisco Planning Commission

Myrna Melgar-President
Joel Koppel -Vice-President
Frank Fung
Milicent Johnson
Kathrin Moore
Dennis Richards

*Atto
n. christensen*

Re: Application for Change of Use: Retail to Cannabis Retail at 500 Jones St., SF

Applicant: Hakeem Mashal

Record #: 2019-013201DRP

Permit Application: 201906214145

From: Tenderloin Residents, Parents, Businesses and Organizations (signatures attached)

Date: November 19, 2019

Dear Commissioners,

It has come to our attention that an Application for Change of Use to a Cannabis Dispensary at 500 Jones Street was filed in late August, 2019 by Hakeem Mashal. As concerned residents, parents, organizations and business owners we are writing to detail our concerns and to ask that this application be denied.

Background: Despite the fact that voters in the state of California voted to legalize recreational cannabis use in the state, not all counties and municipalities have permitted their operation due to deep concerns about the negative effects their presence will have on their communities. In fact, only 1 in 7 municipalities have allowed them and fewer than 1/3 of California counties allow them. Our neighboring counties of Marin and San Mateo have issued few to no permits which then encourages those residents to buy their supplies in San Francisco which has a more permissive atmosphere.

But even more relevant to our position, is the fact that certain areas and districts **within San Francisco** itself have denied permits outright (Sunset) forbid them altogether (Chinatown) or have declared moratoriums (District 11 and District 3). Thus, there are already precedents in San Francisco for denying applications and forbidding the presence of these shops.

Arguments Supporting the Denial of This Application/Applicant:

***Relevant Experience of the Applicant:** We have reviewed the detailed documents outlined on the Planning Commission's website that pertain to the requirements for and responsibilities of dispensary owners. These are quite complex businesses that require considerable oversight, inventory control, armed security, compliance with state and local regulations and sound financial management.

We have also learned that this applicant does NOT have any relevant experience with the above-stated requirements nor does he have any experience in operating or managing any kind of dispensary. To grant a permit to such a naive and inexperienced person is simply a recipe for disaster, especially in a dense and already crime-ridden neighborhood like the Tenderloin.

We have also discovered that he does not only intend to sell cannabis but also wants to expand to in-store consumption! There are clear regulations that stipulate age limits, visibility requirements, smoke hazards and separation from the sales area. In the hands of an inexperienced owner, it will surely be a fiasco. Issues such as intoxication levels, public safety, etc, would certainly also be problematic.

And the argument that someone who "has been negatively impacted" by prior arrest or imprisonment is not sufficient grounds to permit such a person to manage/run such a complex operation. What is the relevant experience? Arrest or prior incarceration hardly qualify as "business management expertise".

***Location and Impact on the Community:** As all of you are already aware, the Tenderloin (District 6) is the most densely populated neighborhood in the city with more than 4,000 children and youth living there in very crowded conditions with virtually no open or safe space to walk or play. There are also at least 4 schools in the area (although not exactly within the 600ft limit) and kids walk these streets every day on their way to/from school or organized after-school activities such as the Boys and Girls Club on Jones Street and Boedekker Park and Clubhouse which are only 2 and 3 blocks away from this proposed site.

Parents are already overwhelmed with trying to protect their kids and prevent them from experimenting with drugs that are readily available on every corner of the Tenderloin. Allowing a recreational dispensary will not only encourage kids to try it but sets a negative example that thwarts any goals toward building healthy lives.

That the Tenderloin is already awash in drugs is an understatement! It is "ground-zero" for open-air drug dealing, drug related criminal activity and rampant use, abuse and overdoses on every street and alley. According to police reports there were over 800 drug-dealing arrests in the past year alone! A recreational dispensary is the LAST thing the neighborhood needs. The argument from supporters that "it is going to happen anyway" is a weak and flimsy one that disregards the needs and serious concerns of the many residents and organizations in this neighborhood who oppose this application.

***Negative Impact on the Business Community:** As you are also well aware, San Francisco has been battling the empty storefront issue in all neighborhoods, the flight of small businesses in general and the negative effects that empty storefronts create in a given neighborhood.

It is a fact that cannabis dispensaries do not enhance the quality of life for surrounding businesses for several reasons. First, they are ALL CASH businesses due to Federal Banking laws and stipulations. That is, even though cannabis may be legal in some areas, the banking laws have not changed and financial institutions are not allowed to handle cannabis-related transactions (loans, credit cards, cash management, etc). Thus, the fact that they are cash businesses makes them prime targets for robberies. The near certain probability of such violent crimes in a densely populated area such as the Tenderloin is of grave concern.

Secondly, the presence of armed guards outside a business is not "customer friendly" and people who want to do business at a neighboring store become frightened and worried. And thirdly as proof, in District 11 where there were 3 licenses granted within one block (!) they have contributed to the deteriorating business climate as new vacancies have arisen nearby.

In conclusion, we ask you to carefully review and seriously consider our concerns and that you agree that our arguments provide sufficient basis to deny both the applicant and his application for a recreational cannabis dispensary at 500 Jones Street.

Thank you in advance for your consideration.

Sincerely,

The Residents, Parents and Organizations of the Tenderloin (undersigned)

My name is Michael Nulty, Community Organization and Civic Leader I have reached out to many aspects of the community to help them voice their concerns and issues at this hearing today.

500 Jones Street, Discretionary Review Concerns:

(Green Paper report)

In 2013 the Tenderloin had 71 corner stores

In 2017 the Tenderloin has 57 corner stores

Loss of 14 corner stores the Tenderloin community needs food access and options.

(Pink Paper)

Our concerns if the 498 O'Farrell Street address will be operating if 500 Jones Street is approved today and will the owner still operate an **off-sale alcohol license** and **cigarette sales**.

Other concerns of a community efforts to improve the **quality of life** in the immediate area and what measures will 500 Jones offer to continue to improve the area.


Other concerns include pedestrian safety in a **high injury corridor** and the effect to nearby senior center, tourist businesses, and market rate housing development.

(White paper last page)

The last concern is that under federal regulations those who use drugs that are illegal under federal law, including cannabis used medicinally, are ineligible for federal public assistance. Landlords are also permitted **under federal law to evict residents for using cannabis or other drugs**.

<https://www.ncbi.nlm.nih.gov/pmc/articles/PMC6383967/> Published online 2019 February

Healthy Retail as a Strategy for Improving Food Security and the Built Environment in San Francisco

Meredith Minkler, DrPH,  Jessica Estrada, BS, Shelley Dyer, MEd, Susana Hennessey-Lavery, MPH, Patricia Wakimoto, RD, DrPH, and Jennifer Falbe, ScD, MPH

Author information Article notes Copyright and License information [Disclaimer](#)

ABSTRACT

In low-income neighborhoods without supermarkets, lack of healthy food access often is exacerbated by the saturation of small corner stores with tobacco and unhealthy foods and beverages. We describe a municipal healthy retail program in San Francisco, California, focusing on the role of a local coalition in program implementation and outcomes in the city's low income Tenderloin neighborhood. By incentivizing selected corner stores to become healthy retailers, and through community engagement and cross-sector partnerships, the program is seeing promising outcomes, including a "ripple effect" of improvement across nonparticipating neighborhood stores.

We describe a municipal healthy retail program in San Francisco, California, focusing on the role of a local coalition in program implementation and outcomes in the city's low income Tenderloin neighborhood.

INTERVENTION

Through San Francisco's Healthy Retail SF (HRSF) program, selected corner stores in food insecure neighborhoods are provided store redesigns and incentives if they increase selling space for fresh produce to at least 35%, limit space for tobacco and alcohol combined to 20% or less, and meet other requirements (www.Healthyretailsf.org). The incentives, worth approximately \$24 000 per store, promote stores' financial viability and offset start-up costs of selling produce and potential losses in tobacco and alcohol sales. Store incentives are part of the "three-legged stool" model undergirding HRSF ([Figure 1](#)). The "Redesign & Physical Environment" leg includes incentives like store redesign, facade improvements, free or discounted appliances, and art to replace tobacco, alcohol, and soda ads.

The "Business Operations" leg, guided by the Office of Economic and Workforce Development, includes technical assistance in areas such as developing a business model, sourcing healthy products, implementing point-of-sale (POS) systems, and partnering with demand-side projects (e.g., healthy food vouchers; www.EatSF.org).¹ The "Community Engagement" leg, led in the Tenderloin by the Tenderloin Healthy Corner Store Coalition (the Coalition) with assistance from the San Francisco Department of Public Health (DPH) includes benefits like marketing research, promotional events, and assistance with store redesigns.

Participating corner stores in the Tenderloin were selected following a formal application process. Factors such as store location, size, and level of commitment were key considerations in the selection process, which was led by the Coalition with input from customers and residents living near prospective HRSF stores.

PLACE AND TIME

Many Tenderloin residents and corner stores are directly or indirectly affected by HRSF, though healthier food access and improved store profits. But interested residents also play a key role in the program through the Coalition, which is comprised of residents, community organizations, DPH, and university partners. Operated under the nonprofit Tenderloin Neighborhood Development Corporation, the Coalition employs eight food justice leaders (FJLs)—local residents who are paid a living wage and trained in research, organizing, and

advocacy. FJLs conduct outreach and education and collect both store-level observational data (through a modified “Retail Standards for Health and Sustainability” tool),³ and individual-level data through surveys with hundreds of residents regarding their shopping-related concerns, preferences, and practices.

PERSON

The HRSF program operates in several food-insecure neighborhoods, with a focus on the city’s 45 square block Tenderloin neighborhood, 32% of whose 28 000 residents live in poverty,² The Tenderloin has no supermarket, but does have 57 corner stores, approximately 80% of which are run by immigrant families.¹ Founded in 2012, the Coalition played a key role in helping craft and pass the ordinance creating HRSF in 2013 and in implementing the program beginning in 2014. A pilot corner store was redesigned in the Tenderloin in 2014, followed by nine more from 2015 to 2018, five in the Tenderloin.

PURPOSE

HRSF seeks to improve healthy food access while decreasing availability and advertising of tobacco and other unhealthy products in food-insecure neighborhoods. In addition, it aims to increase the financial viability of local corner stores that become healthy retailers, and to help transform food-insecure neighborhoods through community engagement and development.

IMPLEMENTATION

Cross-sector partnerships and community engagement, led by local collaboratives like the Coalition, are key to HRSF’s implementation ([Figure 1](#)). HRSF is housed in City Hall’s Office of Economic and Workforce Development, and partners with the Small Business Development Center and an architectural firm, Sutti Associates. The Coalition and DPH, in partnership with participating stores and Sutti architects, install equipment and signage (see before-and -after pictures in [Figure 2](#)).

Finally, the Coalition plays a critical role that city entities cannot: advocating for policies to promote healthy food access and affordable housing.

EVALUATION

Monthly POS data on sales in HRSF stores of produce, tobacco, alcohol, and three other product categories are collected at or before each store’s healthy retailer launch and monthly thereafter. Analyses of sales data on product categories beyond tobacco and produce are not yet available. However the first four Tenderloin HRSF stores with full data from baseline through the first 12 months of follow-up showed a 35% increase in produce units sold.² Tobacco units sold decreased by an average of 35% in three of these stores, with the fourth seeing no change in the percentage of sales from tobacco but an increase in absolute units sold.

Also encouraging was the FJLs’ observational store assessments conducted in the majority of Tenderloin corner stores in 2013 to 2015 and 2017. Although the number of corner stores declined from 71 in 2013 to 57 in 2017, the assessment participation rate remained at 67% or greater, reaching a high of 91% in 2017.² Each store’s rating of one to four stars, based on aggregate scores of availability and promotion of healthy and unhealthy products, revealed a dramatic increase in the number of stores achieving three to four stars (best).² The percentage of stores with only one to two stars decreased from 77% to 49% from 2013 to 2017. FJLs disseminate these results through shopping guides containing store ratings, highlights and pictures.² The dramatic improvement in the Tenderloin stores’ assessment ratings coupled with data from merchant interviews,¹ suggested support for a “ripple effect,” through which stores not participating in HRSF also moved toward a healthier retail mode



**Alliance for a Better District 6
P.O. Box 420782
San Francisco, CA 94142-0782**

December 5, 2019

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

Re: 500 Jones Street, Discretionary Review request (Infinity Wellness)

Planning Commissioners:

Our first objection to this Discretionary Review request is the misleading use of address the X-Press Market uses the address 498 O'Farrell Street and the proposed Infinity Wellness Cannabis Retailer plans on using the storefront address 500 Jones Street.

Our second objection to the Discretionary Review request is seeing another lose of a corner store that serves the needs of the surrounding community. Over a four year period 14 corner stores have closed in the Tenderloin this tread needs to be reversed. Protecting the services for the low-income community and those living in SRO's who are in need a food and other consumer goods daily. The Tenderloin neighborhood, 32% of whose 28,000 residents live in poverty. The Tenderloin has no supermarket, but does have corner stores with 80% of which are runned by immigrant families.

In recent months this square block has advocated for changes to improve the quality of live. The closing of the Niles Cafe Hookah Lounge at (544 Jones ST) and adjunct parklet were Niles allowed customers to smoke hookah and disturb nearby residents; the rerouting of 27 Bryant busline with a bus stop on Jones/O'Farrell Sts.; advocating for a pit stop in front of the senior center on O'Farrell St.; utilizing Shannon Alley at least three times a year for flea markets and block parties, supporting the development of 450 O'Farrell Street Housing project (the development surrounds the building that the proposed Infinity Wellness Cannabis Retailer plans to operate on both O'Farrell and Jones Street).

And lastly we have concerns on how Infinity Wellness will impact nearby tourist businesses and tourism. In addition the Tenderloin is dealing with high injury pedestrian accidents so public safety concerns have become a "state of emergency".

Until we hear responses to our concerns we **can not support** a Discretionary Review request.

Sincerely,

Michael Nulty
Executive Director



P.O. Box 420846, San Francisco, CA 94142-0846 (415) 339-8327
Serving our community since 1998

Re: 500 Jones Street, Change of Use (seeking a Discretionary Review)

Planning Commissioners:

Tenant Associations Coalition of San Francisco is writing not support of *Infinity Wellness* (Cannabis Retailer) request for Discretionary Review at 500 Jones Street. Our coalition partners surveyed the immediate area and talked with nearby residents.

We concluded after careful consideration that losing another corner store in the Tenderloin neighborhood will not serve the average low-income resident who needs access to affordable consumer goods. The Tenderloin has seen a decline in corner stores from 71 in 2013 to 57 in 2017 with 80% of these stores being run by immigrant families. Furthermore the Tenderloin neighborhood has no supermarket, so access to groceries needs for vulnerable populations like the seniors, disabled, and children must be considered .

The Tenant Associations Coalition of San Francisco advocates for residents in Single Room Occupancy hotels that do not have access to cooking facilities and we support neighborhood serving corner stores and similar merchants.

We call for a discretionary review to save another corner store for the nearby residents, tourists, and neighborhood workforce. And mediate the negative impacts.

Thank you for your consideration.

Sincerely,

September 13, 2019

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

Re: Discretionary Review at 500 Jones Street (Infinity Wellness)

Planning Commissioners:

Our adhoc group *Tenants Unite* has been around for over a decade now improving the lives of both homeless people and those living in single room occupancy hotel rooms (SRO's). During that time we have worked with many groups and individuals achieving a number of successes.

We understand that there are many factors in granting a conditional use permit, the zoning authority usually has only determined that the Cannabis Retailer is at least 600 feet away from any school, public or private.

We request a public hearing for a Discretionary Review.

The Tenderloin is a high-crime neighborhood, particularly violent street crime such as robbery and aggravated assault. Seven of the top 10 violent plots (out of 665 in the entire city as measured by the San Francisco Police Department) are adjacent plots in the Tenderloin and Sixth and Market area.

The city's Tenderloin roughly 50-block area is "smothered by lawlessness" according to US Attorney David Anderson in a August, 2019 press release. In 2016 the legalization of marijuana San Francisco is creating policies. The Tenderloin has the problem, officials are torn on how to address drug dealing and drug addiction.

San Francisco is the nation's leader in property crime... "In the Tenderloin we have vulnerable populations-- people of color, the most children, the second-highest concentration of elders. And they are held hostage by drug dealers."

On September 5, 2000, the San Francisco Health Commission unanimously passed a resolution adopting a Harm Reduction Policy for Substance Abuse.

Harm reduction is a public health philosophy, which promotes methods of reducing the physical, social, emotional, and economic harms associated with drug and alcohol use and other harmful behaviors on individuals and their community. Harm reduction methods and treatment goals are free of judgment or blame and directly involve the client in setting their own goals.

We do not see any positive impacts from a Cannabis Retailer, therefore we object to the proposed Discretionary Review request at 500 Jones Street.

Please contact us when a Discretionary Review is scheduled.

Sincerely,

Kevin Monroe
Tenants Unite
cc:San Francisco Planning Department
Tenants Unite

September 15, 2019

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

Re: 500 Jones Street, Change of Use/Discretionary Review Concerns

Planning Commissioners and Planning Staff:

Tenderloin Tenants and several of our coalition partners have express reservations of the purposed building permit application at 500 Jones St.

There are 247 low income housing apartment complexes which contain 24,039 affordable apartments for rent in San Francisco. Many of these rental apartments are income based housing with 15,216 apartments that set rent based on your income. In San Francisco, HUD housing programs support 7,271 rental assistance apartments through programs like Project-based Section 8.

Under current federal regulation, those who use drugs that are illegal under federal law, including cannabis used medicinally, are ineligible for federal public housing assistance. Landlords are also permitted under federal law to evict residents for using cannabis or other drugs.

Until federal law is changed having a Cannabis Retailer in the heart of the Tenderloin were many have already been displaced defeats keeping everyone housed.

Thank you.

Wilma Gurwork
Tenderloin Tenants

PS. We are writing this letter to policy makers because our all-volunteer group does not have the expertise or funds to formally request a Discretionary Review and pay \$640. We feel the potential harm this project could do far out weights any positive impacts.

San Francisco Building and

1188 FRANKLIN STREET • SUITE 203
SAN FRANCISCO, CA 94109
EMAIL: tim@sfbuildingtradescouncil.org



Construction Trades Council

TEL. (415) 345-9333

www.sfbuildingtradescouncil.org

*A Century of Excellence
in Craftsmanship*

LARRY MAZZOLA, JR.
President

TIM PAULSON
Secretary - Treasurer

JOHN DOHERTY
VINCE COURTNEY, JR.
Vice Presidents

December 1, 2019

San Francisco Planning Commissioners
1660 Mission Street, Suite 400
San Francisco, CA 94103-2479

Re: 865 Market St.

Dear Commissioners:

On behalf of the San Francisco Building and Construction Trades Council, I am writing this letter to express our support for the development at 865 Market St. as proposed by Westfield Development.

Thank you in advance for your consideration.

Respectfully yours,

Tim Paulson
Secretary Treasurer



SAN FRANCISCO PLANNING DEPARTMENT

Received at CPC Hearing 12/5/19
J. V. Vimer

Planning Commission Draft Motion

HEARING DATE: DECEMBER 5, 2019

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

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

Record No.: 2018-007267OFA
Project Address: 865 Market Street
Zoning: C-3-R (Downtown-Retail) Zoning District
120-X, 160-S Height and Bulk District
Block/Lot: 3705/042
Project Sponsor: Chris Kitchen
Unibail-Rodamco-Westfield
2049 Century Park East, Suite 4100
Los Angeles, CA 90067
Property Owner: HM Center Investment, LP
P.O. Box 130940
Carlsbad, CA 92013
Staff Contact: Jonathan Vimr – (415) 575-9109
Jonathan.vimr@sfgov.org

ADOPTING FINDINGS TO APPROVE AN ALLOCATION OF OFFICE SQUARE FOOTAGE UNDER THE 2019-2020 ANNUAL OFFICE DEVELOPMENT LIMITATION PROGRAM PURSUANT TO SECTIONS 320 THROUGH 325 OF THE PLANNING CODE TO ALLOW UP TO 49,999 GROSS SQUARE FEET OF OFFICE USE AT 865 MARKET STREET, LOT 042 IN ASSESSOR'S BLOCK 3705, WITHIN THE C-3-R (DOWNTOWN-RETAIL) ZONING DISTRICT AND THE 120-X, 160-S HEIGHT AND BULK DISTRICT. THE PROJECT WOULD CONVERT UP TO 49,999 GROSS SQUARE FEET OF RETAIL, ACCESSORY OFFICE, AND MISCELLANEOUS (MECHANICAL/CIRCULATION) SPACE INTO 49,999 GROSS SQUARE FEET OF GENERAL OFFICE USE ON THE SEVENTH AND EIGHTH FLOORS.

PREAMBLE

On April 17, 2018, Gibson, Dunn & Crutcher LLP, on behalf of Unibail-Rodamco-Westfield (hereafter, "Project Sponsor") filed Application No. 2018-007267OFA (hereinafter "Application") with the Planning Department (hereinafter "Department") for an Office Development Authorization to authorize the office conversion of up to 49,999 square feet of commercial space at 865 Market Street, Block 3705, Lot 042 (hereinafter "Project Site").

The Project is exempt from the California Environmental Quality Act ("CEQA") as a Class 1 categorical exemption.

On November 7, 2019 the San Francisco Planning Commission (hereinafter "Commission") conducted a duly noticed public hearing at a regularly scheduled meeting on Office Development Authorization Application No. 2018-007267OFA. At that hearing the Commission continued the project to December 5, 2019.

The Planning Department Commission Secretary is the custodian of records; the File for Record No. 2018-007267OFA is located at 1650 Mission Street, Suite 400, San Francisco, California.

The Commission has heard and considered the testimony presented to it at the public hearing and has further considered written materials and oral testimony presented on behalf of the applicant, Department staff, and other interested parties.

MOVED, that the Commission hereby authorizes the Office Development Authorization as requested in Application No. 2018-007267OFA, subject to the conditions contained in "EXHIBIT A" of this motion, based on the following findings:

FINDINGS

Having reviewed the materials identified in the preamble above, and having heard all testimony and arguments, this Commission finds, concludes, and determines as follows:

1. The above recitals are accurate and constitute findings of this Commission.
2. **Project Description.** The Project includes the allocation of up to 49,999 gross square feet from the Annual Office Development Limitation program and accompanying interior remodel of at the Westfield San Francisco Centre (also known as the Westfield Mall). The Centre contains Nordstrom as an anchor tenant in addition to numerous other retailers. As proposed, the multi-tenant retail uses at floors 1-3 would be retained, as would Nordstrom's space at floors 4-6. Up to 49,999 square feet of existing retail, accessory office, and miscellaneous (mechanical and circulation) spaces would be converted to general office use at floors 7-8, with a small entry lobby to these office levels located at the ground floor fronting Fifth Street.
3. **Site Description and Present Use.** The Project site occupies an entire corner parcel (with a lot area of approximately 75,624 square feet), with approximately 265-ft of frontage along Market Street and 274-ft of frontage along Fifth Street. It is developed with an eight story (over multiple sub-grade levels) commercial building completed in 1988 that houses a variety of retail tenants at floors 1-3 and is currently occupied by a single tenant, Nordstrom, at floors 4-8.
4. **Surrounding Properties and Neighborhood.** The Project Site is located within the C-3-R Zoning Districts in the Downtown Area Plan, and near the southwestern corner of the Kearny-Market-Mason-Sutter Conservation District. The immediate context is mixed in character with institutional, residential, hotel, retail, and office uses all in the vicinity. It has excellent access to public transit as it fronts Market Street, possesses a direct connection to the Powell Street BART and MUNI stations, and is just across the street from the Powell Street Cable Car turnaround. Other zoning districts in the vicinity of the project site include: P (Public), C-3-G (Downtown-General), and C-3-S (Downtown-Support). The Kearny-Market-Mason-Sutter Conservation District serves as the heart of San Francisco's retail market and is composed of a rich collection of

early 20th-century commercial buildings utilizing compatible detailing, color, materials, massing, and scale; the Conservation District retains high integrity of character.

5. **Public Outreach and Comments.** To date, the Department has received two (2) letters in support of the project and none in opposition. One member of the public has corresponded with the Department regarding project plans and hearing dates.
6. **Planning Code Compliance.** The Commission finds that the Project is consistent with the relevant provisions of the Planning Code in the following manner:

- A. **Use.** Per Planning Code Section 210.2, within the C-3-R Zoning District Non-Retail Sales and Services uses are principally permitted when located above the sixth floor of the subject building.

The project proposes to convert up to 49,999 square feet of retail, accessory office, and miscellaneous spaces at floors 7-8 to general office use. Therefore, the project meets this planning code requirement.

- B. **Bicycle Parking.** Planning Code Section 155.2 requires at least one Class I bicycle parking space for every 5,000 occupied square feet of office space and a minimum of two Class 2 bicycle parking spaces for any office use greater than 5,000 gross square feet.

The project's office use would require ten Class 1 spaces and two Class 2 spaces to meet this requirement.

- C. **Shower Facility and Clothes Locker Requirement.** Planning Code Section 155.4 requires at least two showers and twelve clothes lockers when gross square footage exceeds 20,000 square feet but is not greater than 50,000 square feet of the office use floor area.

The Project will be required to provide two showers and twelve clothes lockers to meet this requirement.

7. **Office Development Authorization.** Planning Code Section 321 establishes standards for San Francisco's Office Development Annual Limit. In determining if the proposed Project would promote the public welfare, convenience and necessity, the Commission considered the seven criteria established by Code Section 321(b)(3), and finds as follows:

- I. APPORTIONMENT OF OFFICE SPACE OVER THE COURSE OF THE APPROVAL PERIOD IN ORDER TO MAINTAIN A BALANCE BETWEEN ECONOMIC GROWTH ON THE ONE HAND, AND HOUSING, TRANSPORTATION AND PUBLIC SERVICES, ON THE OTHER.

As of October 17, 2019, 979,637 gross square feet of "Small Cap" Office Development was available under the Section 321 office allocation program. The Project will add up 49,999 gross square feet of

office space at the Property. If the Project is approved, approximately 929,638 gross square feet will remain in the Small Cap pool. The proposal represents an allocation of approximately 5.1 percent of the small cap office space currently available.

While the project will promote economic growth as a result of the conversion to office, the project is subject to various development fees, including but not limited to, the Jobs-Housing Linkage Program that would help fund affordable housing. These development fees will contribute to program designed to benefit the surrounding community and city as a whole. The new office space, together with the reconfiguration of the Nordstrom store and exterior and interior improvements, will promote the long-term economic health of the Westfield Centre while having little to no impact on housing, transportation or public services because the Project is reprogramming existing space in a location that is as well served by public transit as any in the city.

Overall, the project will maintain a balance between economic growth and housing, transportation and public services.

II. THE CONTRIBUTION OF THE OFFICE DEVELOPMENT TO, AND ITS EFFECTS ON, THE OBJECTIVES AND POLICIES OF THE GNEREAL PLAN.

The proposed project is consistent with the General Plan, as outlined in Section 8 below.

III. THE QUALITY OF THE DESIGN OF THE PROPOSED OFFICE DEVELOPMENT.

The proposed office space would not require any significant changes to the envelope of the existing building. Rather, existing underutilized retail, accessory office, and miscellaneous spaces would be converted and reconfigured into up to 49,999 square feet of cohesive office space confined to the top two floors (7-8) of the Westfield Centre. This converted space would reflect a high-quality interior renovation of the existing interior areas. As the Property is located within an Article 11 Conservation District, the related exterior alterations require a Major Permit to Alter, which was approved by the Historic Preservation Commission on October 2, 2019 (see Case No. 2018-007267PTA).

IV. THE SUITABILITY OF THE RPOPOSED OFFICE DEVELOPMENT FOR ITS LOCATION, AND ANY EFFECTS OF THE PROPOSED OFFICE DEVELOIPMENT SPECIFIC TO THAT LOCATION.

- a. Use. *The project is located within the C-3-R (Downtown-Retail Zoning District, which principally permits office uses above the sixth floor pursuant to Planning Code Section 210.2. The Project would reconfigure existing retail space and allow for the continued viability of the Westfield Centre and its numerous other tenants.*
- b. Transit Accessibility. *The Project site has exceptional transit access and is well situated for continuation of retail space paired with the expansion of office use. The Property has a direct*

connection to the Powell Street BART and MUNI stations, fronts Market Street and its numerous transit/streetcar lines, and is a block away from a cable car stop.

- c. Open Space Accessibility. *The project is located across the street from Hallidie Plaza, is four blocks from Union Square, and has an active POPOS space.*
- d. Urban Design. *The Project reinforces neighborhood character by converting space with an existing building for office use and completing exterior alterations that are compatible with the surrounding conservation district. As mentioned above, a Major Permit to Alter (see Case No. 2018-007267PTA) for exterior work was approved on October 2, 2019. Any additional exterior changes would require further review by Department preservation staff to ensure continued compatibility with the conservation district.*
- e. Seismic Safety. *The Project will conform to the structural and seismic requirements of the San Francisco Building Code, thereby meeting this policy.*

V. THE ANTICIPATED USES OF THE PROPOSED OFFICE DEVELOPMENT IN LIGHT OF EMPLOYMENT OPPORTUNITIES TO BE PROVIDED, NEEDS OF EXISTING BUSINESSES, AND THE AVAILABLE SUPPLY OF SPACE SUITABLE FOR SUCH ANTICIPATED USES.

- a. Anticipated Employment Opportunities. *The Project would enhance employment opportunities by reconfiguring underutilized space into leasable office space at the upper two floors of the subject building. This conversion will provide new employees in the area, who will patronize new businesses, and will also promote ongoing maintenance of the Westfield Centre.*
- b. Needs of Existing Businesses. *The top two floors, where conversion is proposed, are currently primarily used by Nordstrom for retail floor space and accessory offices. These spaces are underutilized by Nordstrom and the conversion would offer flexibility for the anchor tenant. The Project would also create needed office spaces within the downtown area, creating job opportunities in a highly accessible transit-oriented location.*
- c. Availability of Space Suitable for Anticipated Uses. *Demand for new office space has increased rapidly in the past few years. The Project would address this demand while creating office space suitable for a variety of potential tenants.*

VI. THE EXTENT TO WHICH THE PROPOSED DEVELOPMENT WILL BE OWNED OR OCCUPIED BY A SINGLE ENTITY.

The site will retain its existing multi-tenant retail spaces and anchor tenant department store. The Project Sponsor intends to reconfigure the top two floors into cohesive, flexible office space that could serve one major tenant or multiple small office tenants.

VII. THE USE, IF ANY, OF TRANSFERABLE DEVELOPMENT RIGHTS ("TDR's") BY THE PROJECT SPONSOR.

The project will require approximately 7,102 units of TDR to accommodate the reconfiguration of the top two floors, which the applicant will purchase.

8. **General Plan Compliance.** The Project is, on balance, consistent with the following Objectives and Policies of the General Plan:

DOWNTOWN PLAN AREA

Objectives and Policies

OBJECTIVE 2:

MAINTAIN AND IMPROVE SAN FRANCISCO'S POSITION AS A PRIME LOCATION FOR FINANCIAL, ADMINISTRATIVE, CORPORATE AND PROFESSIONAL ACTIVITY

Policy 2.1

Encourage prime downtown office activities to grow as long as undesirable consequences of such growth can be controlled.

The Project would add office space to a location that is well-served by existing and future public transit options, and is within walking distance to a diversity of goods and services available for employees of the office tenants. The new office use at the Property will likely draw tenants whose employees do not rely on private vehicles, and many employees will be able to walk to the Property from SoMa, Downtown, and Tenderloin neighborhoods. The Project's location and proximity to public transit encourage growth while limiting potential impacts on traffic.

Policy 2.2

Guide location of office development to maintain a compact downtown core and minimize displacement of other uses.

The Project will maintain and improve San Francisco's position as a prime location for financial, administrative, corporate and professional services. The Project will help expanding companies stay in San Francisco and encourage new companies to open offices here, thereby supporting the City's economic vitality. Further, office conversion would be limited to the top two levels and existing retail would remain throughout the rest of the vertical shopping center.

OBJECTIVE 3:

IMPROVE DOWNTOWN SAN FRANCISCO'S POSITION AS THE REGION'S PRIME LOCATION FOR SPECIALIZED RETAIL TRADE.

Policy 3.1

Maintain high quality, specialty retail shopping facilities in the retail core.

The Project will maintain high quality, special retail shopping facilities in the retail core by maintaining all retail uses within the vertical shopping center other than those at floors 7-8, which have become untenable for retail and are currently underutilized. The core function of the eight-floor building as a retail center would be retained.

COMMERCE AND INDUSTRY ELEMENT

Objectives and Policies

OBJECTIVE 2:

MAINTAIN AND ENHANCE A SOUND AND DIVERSE ECONOMIC BASE AND FISCAL STRUCTURE FOR THE CITY.

Policy 2.1

Seek to retain existing commercial and industrial activity and to attract new such activity to the city.

Due to its access to public transit, the downtown area has become a highly desirable location for businesses throughout the Bay Area. The Project will provide ideal office space for additional businesses whose employees value transportation options and the cultural amenities available in San Francisco's downtown area. The Project will retain 574,889 square feet of retail space at the Property.

TRANSPORTATION ELEMENT

Objectives and Policies

OBJECTIVE 2:

USE THE TRANSPORTATION SYSTEM AS A MEANS FOR GUIDING DEVELOPMENT AND IMPROVING THE ECONOMY.

Policy 2.1

Use rapid transit and other transportation improvements in the city and region as the catalyst for desirable development, and coordinate new facilities with public and private development.

The Project is located on Market Street with a direct, basement connection to the Powell Street BART and MUNI station. In addition to BART and the MUNI light rail, employees at the building would have easy access to the F Market Street Car, Powell Street Cable Car, and the numerous bus lines that run along and across Market Street in the downtown area. The Property is at a location well-suited for new office uses. Employees at and visitors of the Project will be able to easily walk, take public transit, or ride bicycles to and from the Project Site, which will keep the Project's transit and traffic impacts to a minimum.

9. **Planning Code Section 101.1(b)** establishes eight priority-planning policies and requires review of permits for consistency with said policies. On balance, the project complies with said policies in that:

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

The site is located in San Francisco's central business district and would make productive use of underutilized space within an existing building. Although retail and accessory office space would be converted to general office use, this would be confined to the top two floors of a vertical shopping center, with retail at all other levels (totaling 574,889 square feet) being retained.

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

The project site does not possess any existing housing. The project is compatible with the existing and proposed mixed-use character of the downtown area, with all related exterior work having been approved by the Historic Preservation Commission (see Case No. 2018-007267PTA).

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

As the Project will not remove affordable housing, the City's supply of affordable housing will be preserved.

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

The Property, located downtown, is extremely well served by public transit. The Property has a direct, basement connection to the Powell Street MUNI and BART station, as well as numerous MUNI bus lines running along Market Street. Employees of the new office uses will be able to walk, ride a bicycle, or take public transportation to the Property and other parts of Downtown, avoiding the need for a single-rider, vehicular commute.

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

The Project does not involve any industrial uses. Future office employees are anticipated to increase the demand for, and patronage of, existing and new retail uses in the building, the immediate vicinity, and throughout Downtown.

- F. That the City achieve the greatest possible preparedness to protect against injury and loss of life in an earthquake.

The Project will be designed and will be constructed to conform to the structural and seismic safety requirements of the Building Code. This proposal will not impact the property's ability to withstand an earthquake.

- G. That landmarks and historic buildings be preserved.

The Property contains a Category V-Unrated building completed in 1988, but that is located within an Article 11 Conservation District. As such, related exterior alterations were reviewed and approved by the Historic Preservation Commission (see Case No. 2018-007267PTA).

- H. That our parks and open space and their access to sunlight and vistas be protected from development.

The Project will not cast net new shadows or impede views for parks and open spaces in the area, nor have any negative impact on existing public parks and open spaces.

10. The Project is consistent with and would promote the general and specific purposes of the Code provided under Section 101.1(b) in that, as designed, the Project would contribute to the character and stability of the neighborhood and would constitute a beneficial development.
11. The Commission hereby finds that approval of the Office Development Authorization would promote the health, safety and welfare of the City.

DECISION

That based upon the Record, the submissions by the Applicant, the staff of the Department and other interested parties, the oral testimony presented to this Commission at the public hearings, and all other written materials submitted by all parties, the Commission hereby **APPROVES Office Development Authorization Application No. 2018-007267OFA** subject to the following conditions attached hereto as "EXHIBIT A" in general conformance with plans on file, dated October 24, 2019 and stamped "EXHIBIT B", which is incorporated herein by reference as though fully set forth.

APPEAL AND EFFECTIVE DATE OF MOTION: Any aggrieved person may appeal this Office Development Authorization and/or building permit application to the Board of Appeals within fifteen (15) calendar days after the date of this Motion No. XXXX. The effective date of this Motion shall be the date of this Motion if not appealed (After the 15-day period has expired) OR the date of the decision of the Board of Appeals if appealed to the Board of Appeals. For further information about appeals to the Board of Appeals, including current fees, please contact the Board of Appeals at (415) 575-6880.

Protest of Fee or Exaction: You may protest any fee or exaction subject to Government Code Section 66000 that is imposed as a condition of approval by following the procedures set forth in Government Code Section 66020. The protest must satisfy the requirements of Government Code Section 66020(a) and must be filed within 90 days of the date of the first approval or conditional approval of the development referencing the challenged fee or exaction. For purposes of Government Code Section 66020, the date of imposition of the fee shall be the date of the earliest discretionary approval by the City of the subject development.

If the City has not previously given Notice of an earlier discretionary approval of the project, the Planning Commission's adoption of this Motion, Resolution, Discretionary Review Action or the Zoning Administrator's Variance Decision Letter constitutes the approval or conditional approval of the development and the City hereby gives **NOTICE** that the 90-day protest period under Government Code Section 66020 has begun. If the City has already given Notice that the 90-day approval period has begun for the subject development, then this document does not re-commence the 90-day approval period.

I hereby certify that the Planning Commission **ADOPTED** the foregoing Motion on December 5, 2019.

Jonas P. Ionin
Commission Secretary

AYES:

NAYS:

ABSENT:

ADOPTED: December 5, 2019

EXHIBIT A

AUTHORIZATION

This authorization is for a Office Development Authorization to allow 49,999 square feet of office within the existing building located at 865 Market Street, Block 3705 and Lot 042 pursuant to Planning Code Section(s) 320-325 within the C-3-R (Downtown-Retail) Zoning District and a 120-X, 160-S Height and Bulk District; in general conformance with plans, dated October 24, 2019, and stamped "EXHIBIT B" included in the docket for Record No. 2018-007267OFA and subject to conditions of approval reviewed and approved by the Commission on December 5, 2019 under Motion No XXXX. This authorization and the conditions contained herein run with the property and not with a particular Project Sponsor, business, or operator.

RECORDATION OF CONDITIONS OF APPROVAL

Prior to the issuance of the building permit or commencement of use for the Project the Zoning Administrator shall approve and order the recordation of a Notice in the Official Records of the Recorder of the City and County of San Francisco for the subject property. This Notice shall state that the project is subject to the conditions of approval contained herein and reviewed and approved by the Planning Commission on December 5, 2019 under Motion No XXXX.

PRINTING OF CONDITIONS OF APPROVAL ON PLANS

The conditions of approval under the 'Exhibit A' of this Planning Commission Motion No. XXXX shall be reproduced on the Index Sheet of construction plans submitted with the site or building permit application for the Project. The Index Sheet of the construction plans shall reference to the Office Allocation and any subsequent amendments or modifications.

SEVERABILITY

The Project shall comply with all applicable City codes and requirements. If any clause, sentence, section or any part of these conditions of approval is for any reason held to be invalid, such invalidity shall not affect or impair other remaining clauses, sentences, or sections of these conditions. This decision conveys no right to construct, or to receive a building permit. "Project Sponsor" shall include any subsequent responsible party.

CHANGES AND MODIFICATIONS

Changes to the approved plans may be approved administratively by the Zoning Administrator. Significant changes and modifications of conditions shall require Planning Commission approval of a new Office Allocation.

Conditions of Approval, Compliance, Monitoring, and Reporting PERFORMANCE

1. **Validity.** The authorization and right vested by virtue of this action is valid for three (3) years from the effective date of the Motion. The Department of Building Inspection shall have issued a Building Permit or Site Permit to construct the project and/or commence the approved use within this three-year period.

For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

2. **Expiration and Renewal.** Should a Building or Site Permit be sought after the three (3) year period has lapsed, the project sponsor must seek a renewal of this Authorization by filing an application for an amendment to the original Authorization or a new application for Authorization. Should the project sponsor decline to so file, and decline to withdraw the permit application, the Commission shall conduct a public hearing in order to consider the revocation of the Authorization. Should the Commission not revoke the Authorization following the closure of the public hearing, the Commission shall determine the extension of time for the continued validity of the Authorization.

For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

3. **Extension.** All time limits in the preceding three paragraphs may be extended at the discretion of the Zoning Administrator where implementation of the project is delayed by a public agency, an appeal or a legal challenge and only by the length of time for which such public agency, appeal or challenge has caused delay.

For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

4. **Conformity with Current Law.** No application for Building Permit, Site Permit, or other entitlement shall be approved unless it complies with all applicable provisions of City Codes in effect at the time of such approval.

For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

5. **Development Timeline - Office.** Pursuant to Planning Code Section 321(d) (2), construction of the office development project shall commence within 18 months of the effective date of this Motion. Failure to begin work within that period or to carry out the development diligently thereafter to completion, shall be grounds to revoke approval of the office development under this office development authorization.

For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

6. **Transferable Development Rights.** Pursuant to Section 128, the Project Sponsor shall purchase the required number of units of Transferrable Development Rights (TDR) and secure a Notice of Use of TDR prior to the issuance of a site permit for all development which exceeds the base FAR of 6.0 to 1, up to a FAR of 9.0 to 1. The net addition of gross floor area subject to this requirement shall be determined based on drawings submitted with the Building Permit Application.

For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org

DESIGN – COMPLIANCE AT PLAN STAGE

7. **Final Materials.** The Project Sponsor shall continue to work with Planning Department on the building design. Final materials, glazing, color, texture, landscaping, and detailing shall be subject to Department staff review and approval. The architectural addenda shall be reviewed and approved by the Planning Department prior to issuance.

For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org

8. **Garbage, Composting and Recycling Storage.** Space for the collection and storage of garbage, composting, and recycling shall be provided within enclosed areas on the property and clearly labeled and illustrated on the building permit plans. Space for the collection and storage of recyclable and compostable materials that meets the size, location, accessibility and other standards specified by the San Francisco Recycling Program shall be provided at the ground level of the buildings.

For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org

9. **Rooftop Mechanical Equipment.** Pursuant to Planning Code 141, the Project Sponsor shall submit a roof plan to the Planning Department prior to Planning approval of the building permit application. Rooftop mechanical equipment, if any is proposed as part of the Project, is required to be screened so as not to be visible from any point at or below the roof level of the subject building.

For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org

PARKING AND TRAFFIC

10. **Bicycle Parking (Commercial Only).** Pursuant to Planning Code Sections 155.1 and 155.2, the Project shall provide no fewer than ten Class 1 and two Class 2 bicycle parking spaces. SFMTA has final authority on the type, placement and number of Class 2 bicycle racks within the public ROW. Prior to issuance of first architectural addenda, the project sponsor shall contact the

SFMTA Bike Parking Program at bikeparking@sfmta.com to coordinate the installation of on-street bicycle racks and ensure that the proposed bicycle racks meet the SFMTA's bicycle parking guidelines. Depending on local site conditions and anticipated demand, SFMTA may request the project sponsor pay an in-lieu fee for Class II bike racks required by the Planning Code.

For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

11. **Showers and Clothes Lockers.** Pursuant to Planning Code Section 155.4, the Project shall provide no fewer than two showers and twelve clothes lockers.

For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org.

12. **Managing Traffic During Construction.** The Project Sponsor and construction contractor(s) shall coordinate with the Traffic Engineering and Transit Divisions of the San Francisco Municipal Transportation Agency (SFMTA), the Police Department, the Fire Department, the Planning Department, and other construction contractor(s) for any concurrent nearby Projects to manage traffic congestion and pedestrian circulation effects during construction of the Project.

For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

PROVISIONS

13. **First Source Hiring.** The Project shall adhere to the requirements of the First Source Hiring Construction and End-Use Employment Program approved by the First Source Hiring Administrator, pursuant to Section 83.4(m) of the Administrative Code. The Project Sponsor shall comply with the requirements of this Program regarding construction work and on-going employment required for the Project.

For information about compliance, contact the First Source Hiring Manager at 415-581-2335, www.onestopSF.org

14. **Transportation Sustainability Fee.** The Project is subject to the Transportation Sustainability Fee (TSF), as applicable, pursuant to Planning Code Section 411A.

For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org

15. **Downtown Park Fee - C-3 District.** The Project is subject to the Downtown Park Fee, as applicable, pursuant to Planning Code Section 412.

For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org

16. **Jobs-Housing Linkage.** The Project is subject to the Jobs Housing Linkage Fee, as applicable, pursuant to Planning Code Section 413.

For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org

17. **Child-Care Requirements for Office and Hotel Development.** In lieu of providing an on-site child-care facility, the Project has elected to meet this requirement by providing an in-lieu fee, as applicable, pursuant to Planning Code Section 414.

For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org

18. **Union Square Park, Recreation, and Open Space Fee.** The Project is subject to the Union Square Park, Recreation and Open Space Fee, as applicable, pursuant to Planning Code Section 435.

For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org

MONITORING - AFTER ENTITLEMENT

19. **Enforcement.** Violation of any of the Planning Department conditions of approval contained in this Motion or of any other provisions of Planning Code applicable to this Project shall be subject to the enforcement procedures and administrative penalties set forth under Planning Code Section 176 or Section 176.1. The Planning Department may also refer the violation complaints to other city departments and agencies for appropriate enforcement action under their jurisdiction.

For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

20. **Revocation due to Violation of Conditions.** Should implementation of this Project result in complaints from interested property owners, residents, or commercial lessees which are not resolved by the Project Sponsor and found to be in violation of the Planning Code and/or the specific conditions of approval for the Project as set forth in Exhibit A of this Motion, the Zoning Administrator shall refer such complaints to the Commission, after which it may hold a public hearing on the matter to consider revocation of this authorization.

For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

OPERATION

21. **Sidewalk Maintenance.** The Project Sponsor shall maintain the main entrance to the building and all sidewalks abutting the subject property in a clean and sanitary condition in compliance with the Department of Public Works Streets and Sidewalk Maintenance Standards.

For information about compliance, contact Bureau of Street Use and Mapping, Department of Public Works, 415-695-2017, <http://sfdpw.org>

22. **Community Liaison.** Prior to issuance of a building permit to construct the project and implement the approved use, the Project Sponsor shall appoint a community liaison officer to

deal with the issues of concern to owners and occupants of nearby properties. The Project Sponsor shall provide the Zoning Administrator and all registered neighborhood groups for the area with written notice of the name, business address, and telephone number of the community liaison. Should the contact information change, the Zoning Administrator and registered neighborhood groups shall be made aware of such change. The community liaison shall report to the Zoning Administrator what issues, if any, are of concern to the community and what issues have not been resolved by the Project Sponsor.

For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

X. Ling

Biosafety Level 1	Biosafety Level 2	Biosafety Level 3
Laboratory settings in which personnel work with low-risk microbes that pose little to no threat of infection in healthy adults.	Laboratories that work with agents associated with human diseases (i.e. pathogenic or infections organisms) that pose a moderate health hazard.	Work on microbes that are either indigenous or exotic, and can cause serious or potentially lethal disease through inhalation.
Research taking place on benches without the use of special contaminant equipment. A BSL-1 lab, which is not required to be isolated from surrounding facilities.	Enhanced measures due to the potential risk of the aforementioned microbes.	The microbes are so serious that the work is often strictly controlled. Access to a BSL-3 laboratory is restricted and controlled at all times.
<ul style="list-style-type: none"> • Mechanical pipetting only (no mouth pipetting allowed) • Safe sharps handling • Avoidance of splashes or aerosols • Daily decontamination of all work surfaces when work is complete • Hand washing • Prohibition of food, drink and smoking materials in lab setting • <u>Personal protective equipment</u>, such as; eye protection, gloves and a lab coat or gown • Biohazard signs 	<ul style="list-style-type: none"> • Appropriate personal protective equipment (PPE) must be worn, including lab coats and gloves. Eye protection and face shields can also be worn, as needed. • All procedures that can cause infection from aerosols or splashes are performed within a biological safety cabinet (BSC). • An autoclave or an alternative method of decontamination is available for proper disposals. • The laboratory has self-closing, lockable doors. • A sink and <u>eyewash</u> station should be readily available. • Biohazard warning signs 	<ul style="list-style-type: none"> • Standard personal protective equipment must be worn, and respirators might be required • Solid-front wraparound gowns, scrub suits or coveralls are often required • All work with microbes must be performed within an appropriate BSC • Access hands-free sink and eyewash are available near the exit • Sustained directional airflow to draw air into the laboratory from clean areas towards potentially contaminated areas (Exhaust air cannot be re-circulated) • A self closing set of locking doors with access away from general building corridors



Received at CPC Hearing 12/5/19
M. Christensen

Dec 5, 2019

To: San Francisco Planning Commission

Subject: United to Save the Mission supports the Union Station Project at 2075 Mission St.

Dear Planning Commissioners

United to Save the Mission has entered into a Memorandum of Understanding (MOU) with Union Station and supports the Project at 2075 Mission Street. This project is a cannabis shop with a well-controlled lounge and potentially space for a future community room.

While we continue to have concerns about the rapid and disproportionate growth of cannabis in low-income communities of color like the Mission, our interactions with this project sponsor and his engagement to honor community concerns lead us to believe that his operations will be a model for equity cannabis in the city, will be compatible with our sensitive community and he will be a meaningful community partner going forward.

Our MOU provides a variety of community benefits and protections for the Mission community from potential adverse impacts of the project. Included in the agreed protections and benefits are:

- Local Hire.
- Special discounts to seniors, low income SRO tenants and Mission residents.
- Design changes to make Union Station neutrally integrated with neighboring establishments, so as not to call attention to it being a cannabis business
- Educational Programs on medical cannabis and family education.

Sincerely,

Rick Hall, Cultural Action Network

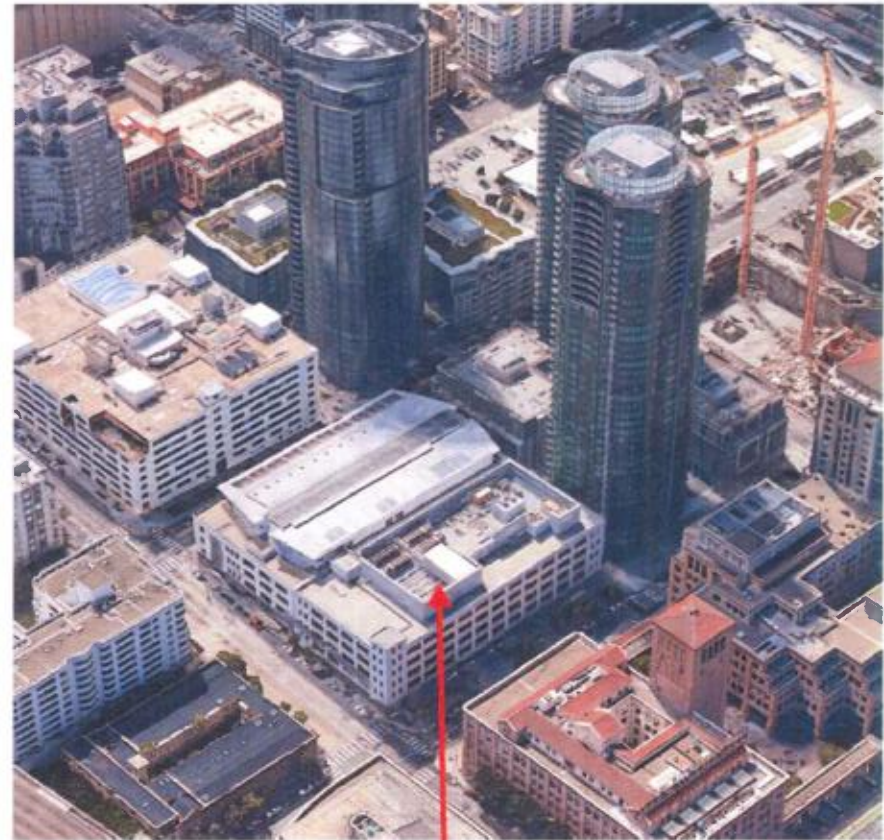
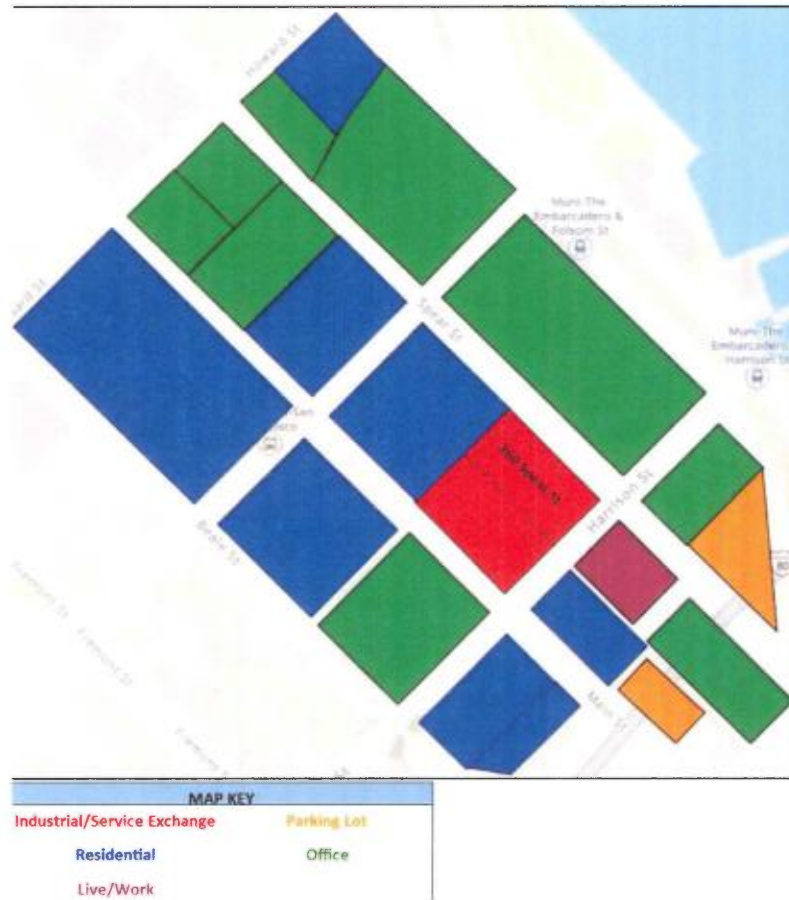
For United to Save the Mission Organizations

360 Spear Street

Internet Service Exchange to Lab
Change of Use



Mixed Use Context



SUBJECT PROPERTY

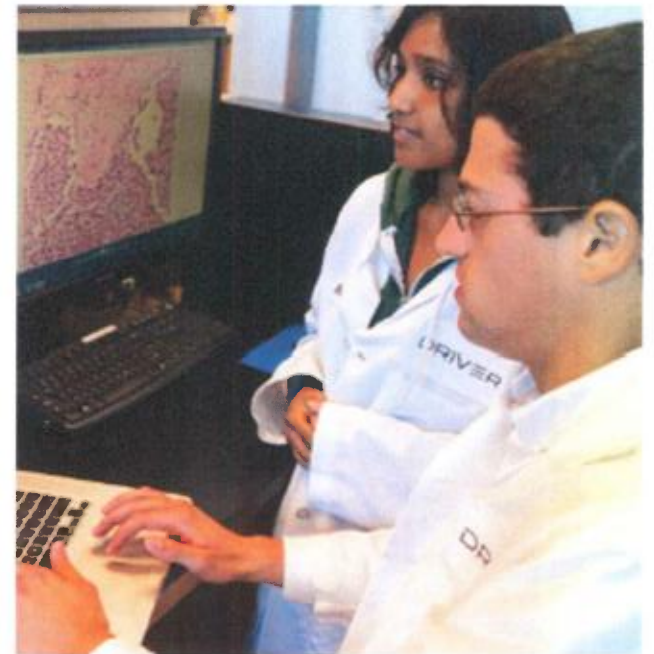
Laboratory-Related Laws and Regulations

Local, State, and Federal Agencies that regulate lab businesses (depending on type):

- San Francisco Department of Public Health
- California Department of Public Health
- California Department of Toxic Substances Control
- California Division of Occupational Safety and Health (Cal/OSHA)
- US Labor Department Division of Occupational Safety and Health (OSHA)
- US Department of Health and Human Services, Centers for Disease Control (CDC)

Law	Topic
SF Health Code, Art. 21, Art. 21A, and Art. 22: Hazardous Materials, Risk Management, and Hazardous Waste Management	Registration, reporting, implementation of "hazardous materials plan", inspection and monitoring, enforcement and emergency powers, penalties
SF Health Code, Art. 25: Medical Waste	Registration, permitting, inspections and monitoring, fees and enforcement powers
California Code of Regulations, Laboratories (17 CCR § 950 et seq)	Topics covered include: <ul style="list-style-type: none"> • production and distribution of biologics, • clinical laboratory regulations, • care of laboratory animals, • water laboratories, • human tissue preservation
California Code of Regulations, Environmental Health Standards for the Management of Hazardous Waste (22 CCR § 66250 et seq)	Topics covered include: <ul style="list-style-type: none"> • identification and listing, • standards applicable to generators, • recyclable materials, • permitting, enforcement, and inspections, • waste minimization, • corrective action.
California Medical Waste Management Act (Health & Safety Code § 117600 et. Seq.)	Permitting, inspection, handling, storage, treatment, and disposal.
Clinical Laboratory Improvement Amendments (42 USC § 263a)	Federal standards applicable to all U.S. facilities or sites that test human specimens for health assessment or to diagnose, prevent, or treat disease.
Federal Code of Regulations, Laboratory Requirements (42 CFR Title 42, § 493)	Registration, accreditation, testing, inspection, enforcement procedures.

What does a lab look like?



*Diagnostic testing
Analytical/biochemistry/biological lab*



MANUFACTURING DESKS



MANUFACTURING



CALIBRATION



VEHICLE ENGINEERING



7.25.1.4.8

Autonomous vehicles Engineering lab

Development Laboratory — Robotics Machines:



Development Laboratory — Culinary Research and Development:



Development Laboratory — Research and Development:



Development Laboratory — Test Kitchen:



*Plant-based alternative food company
Analytical lab*



5. SAMPLE ACQUISITION LABORATORY



6. SEQUENCING/CONFIRMATION LABORATORY



7. GAS ROOM: NITROGEN/COMPRESSED AIR



8. SOFTWARE EDITOR



9. DATA ROOM (CAGE)



10. EXAMPLE

*Genetic testing
Analytical and biological lab*

6. PlayLab Prototyping Lab



8. Client Lab & Workshop Space



1. Collaboration Development & Lab Space



*Product design
Engineering and development lab*

Why are labs necessary and desirable at 360 Spear?



Replacing stagnant non-PDR use with active non-office commercial use in downtown SF



Employees, neighbors, and public protected by numerous health and safety laws



Landscaping and building improvements; building appropriate for labs

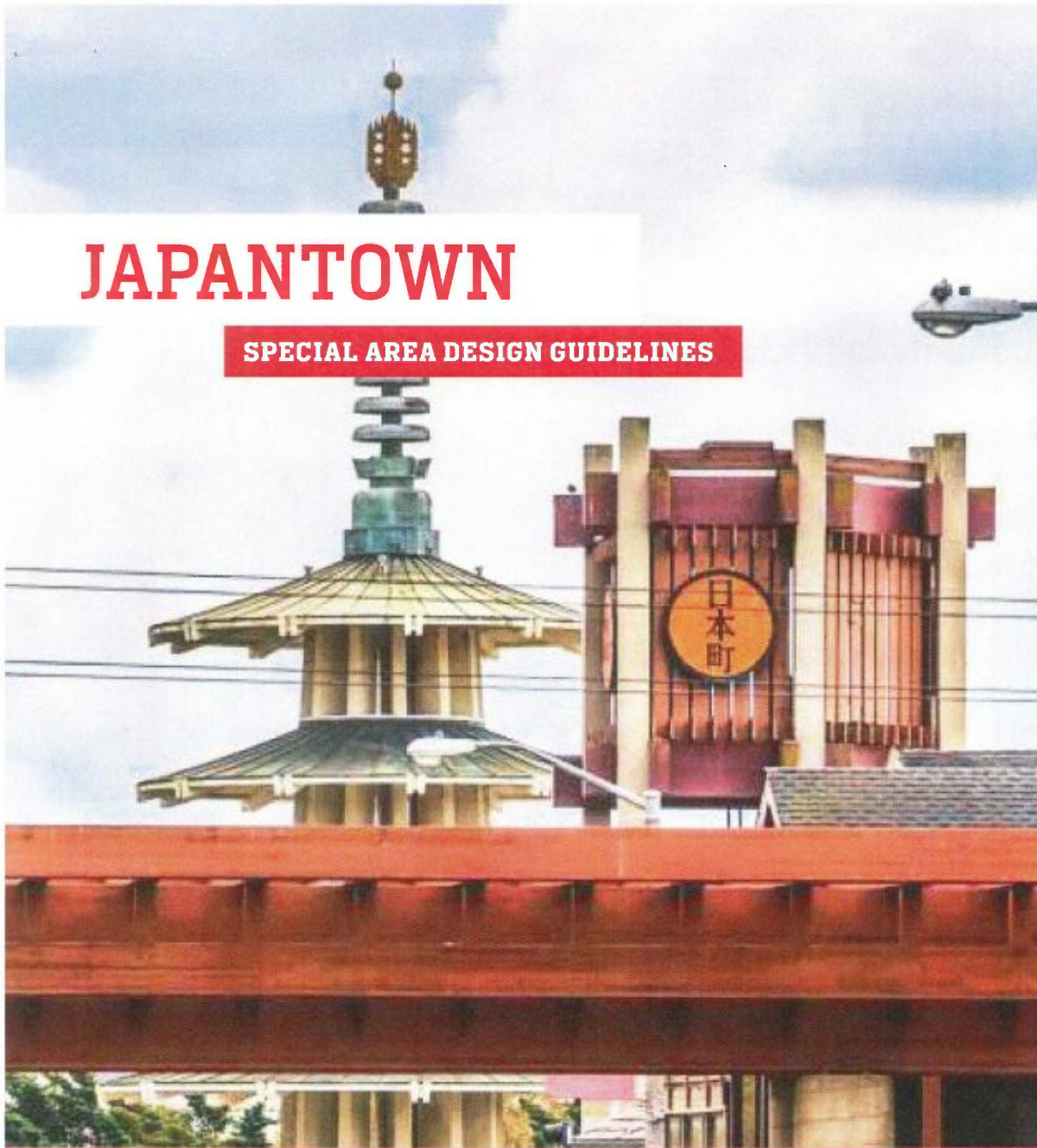


Companies San Francisco should be proud to attract and retain

Recent lab LODs for businesses tackling: brain disorders; cancer treatment effectiveness; autonomous transit; environmentally-friendly alternative food products; molecular diagnostic testing

JAPANTOWN

SPECIAL AREA DESIGN GUIDELINES



PLANNING COMMISSION INFORMATIONAL
6 December 2019

San Francisco
Planning

Japantown history & context

Western Addition Development in 1850s: Storefronts and Victorians.

Post-Earthquake established the physical core formation of Japanese-American Community.

Whether out of frugality or the desire to avoid racial hostility, most buildings, including the Japanese YWCA (1932) and the Buddhist Church of San Francisco (1937), **looked more Western than Japanese.**

In 1942, however, San Francisco's 5,280 **Japanese and Japanese Americans were forced from their homes by the wartime internment** of the entire West Coast Japanese American population.

The remnants of the pre-war Japanese American community that began to return to San Francisco in 1945 set to work rebuilding their Japantown neighborhood.

In 1956, after wholesale eviction of residents and businesses, **Redevelopment Phase A-1 began flattening entire blocks** of buildings south of Post Street...



Japantown history & context



...**community resistance** led to the creation of the ILWU's St. Francis Square Cooperative Apartments, with landscaping by Lewis Halprin, which became **a model of multi-ethnic cooperative development**, and of the Japan Cultural and Trade Center, which reflected the rise of Japan as an economic and manufacturing world power...

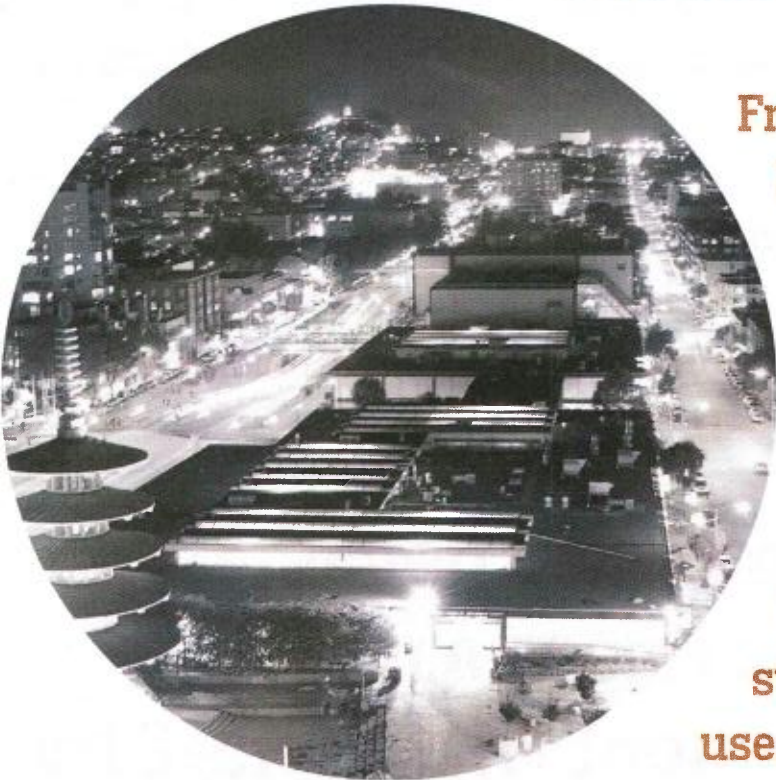
Redevelopment buildings of the 1970s–1980s, such as Buchanan Mall, the JCCCNC, Nichi Bei Kai, JACL, Konko Church and Soto Zen Sokoji Temple, all **proudly express traditional Japanese architectural influences**.

**Redevelopment's devastation
also gave rise to a new
movement within the City**



Japantown history & context

From 2000–2001, the 49-member **Japantown Preservation, Planning & Development Taskforce** began the community planning discussion with their Concepts for a Japantown Community Plan.



From 2006–2009, the Japantown Better Neighborhood Planning (BNP) initiative compiled a trove of data about Japantown, but was ultimately rejected...

Adopted in 2013, Japantown Cultural Heritage and Economic Sustainability Strategy – JCHESS initiated a broader-reaching community review process to create a *ground-breaking* strategy covering community cultural preservation, land use, transportation, and economic sustainability...

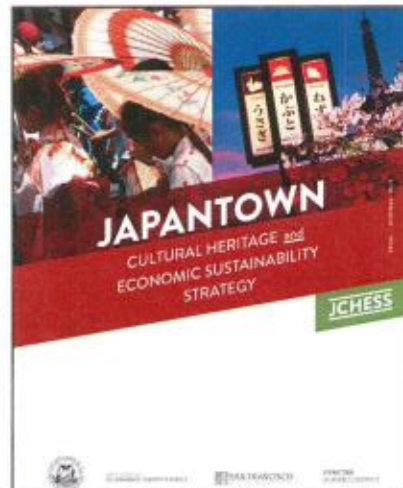
Japantown guideline history

10. Create Japantown Design Guidelines

DESCRIPTION

As described in the existing conditions section, Japantown displays an eclectic mix of building styles, open spaces, landscaping, and public art that contribute to a unique neighborhood character. Japanese inspired design is an element that adds to Japantown's built environment. A draft set of Japantown Design Guidelines were developed by the City and community in order to encourage culturally relevant architecture in new building/site designs and in renovations and additions to older buildings/sites. The draft Japantown Design Guidelines are intended to promote, maintain, and accentuate the authentically expressive qualities of Japanese-inspired designs that contribute to the uniqueness of Japantown.

The draft Japantown Design Guidelines are intended to complement the City's existing design guidelines (described above). Nothing in the draft Japantown Design Guidelines should be interpreted as limiting new development to specific architectural styles, periods of construction, or cultural expressions. These additional Japantown Design Guidelines are intended to embellish building and site development in the neighborhood by integrating Japanese-inspired design aesthetics into suitable building features. The Guidelines specifically speak to building form, massing, ornamentation, materials, and landscaping. It includes sections on "Form and Structure", "Roofs", "Materials and Ornamentation", and "Landscaping, Open Space, and Public Art".



The draft Japantown Design Guidelines are intended to apply to properties within the blocks bounded by Sutter Street, Geary Boulevard, Fillmore Street and Laguna Street, as well as to major development projects located anywhere within the neighborhood based upon recommendations of Planning staff and community input.

BENEFITS

A set of Japantown Design Guidelines can enhance Japanese character and the quality of architectural styles and landscaping in Japantown, thereby creating a more attractive shopping district, improving appearance and cleanliness of the neighborhood and its public space, and enhancing the surrounding cultural and historic landmarks.

CHALLENGES

Design guidelines unto themselves do not guarantee high-quality architecture. Also, given the small quantity of new developments expected in Japantown, there are limited opportunities to implement such guidelines to improve the physical fabric of the neighborhood.

KEY LEADERS

Planning Department, community stakeholders, property developers

NEXT STEPS

The Planning Department should complete development of these Japantown Design Guidelines in conjunction with the community and submit them to the Planning Commission for adoption.

Japantown guideline history

Japantown Special Use District

Planning Code Section 249.31(a)(4)

Encourage the representational expression of Japanese architectural design and aesthetic for commercial, cultural, and institutional uses.

Japantown guideline history

Design guideline concepts as early as 2011.

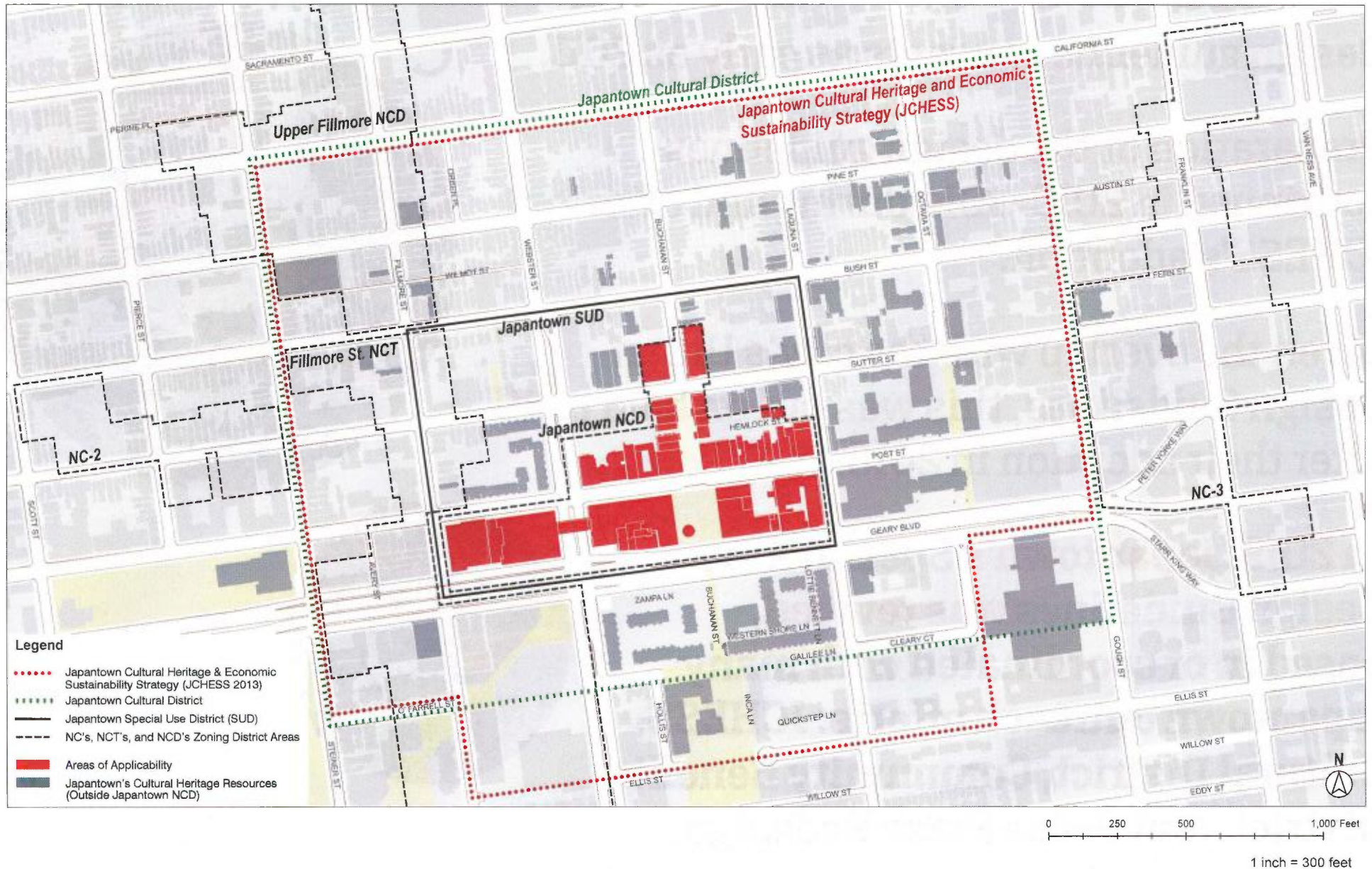
Preparation of the design guidelines continued in 2013–2014 during and after JCHESS's adoption.

Given the overlap with the city's Urban Design Guidelines, this was put on hold until after their adoption in 2018.

In 2019, Japantown's **Special Area Design Guidelines** was revived, based in or coordinated with many Japantown outreach efforts: JCHESS, Cultural District, Community Benefits District, and Peace Plaza Redesign.



Japantown SADGs Applicability Map



Japantown design values

**Human-centered,
Human-scale, Uniqueness**

**Openness and Inclusiveness
Flexibility, Diversity, and Tolerance
Cultural relevancy
Community-Building and Identity**

**Integration, Harmony, and Sensitivity
Sustainability**

**Transparency and Permeability
Continuity Between Old and New**

Japantown concepts & authenticity

Landscape

Landscape and its related arts have never been "accessories" for the lives of Japanese and Japanese Americans. It is rather a source of identity, an opportunity for spiritual breathing, a place for communication and education, and also inspiration for creative ideas.

The Japanese American experience during WWII also proved that landscape for Japanese American is deeply rooted in their everyday lives. Instead of being crowned in a position of high art, it helped maintain their hope for the future and sense of dignity despite their harsh environmental reality.

Privacy

Japanese houses were often made of thinner external elements with wider windows, which have consequently maintained a certain level of interface transparency. To protect the privacy of each tenant in the neighborhood with narrow streets, Japanese houses were more likely designed to minimize transparency without excluding ventilation routes and natural lights. While maintaining a certain level of privacy, external elements such as **sudare**, **koshi**, or **inuyarai** have allowed vibrant and interactive pedestrian experience through providing them "implications" of interior human activities and structural depth.

Sustainability

Mottainai What a shame to waste
Kodomono no tame ni For the sake of the children

Banbutsu Interconnectedness

*from Envisioning Little Tokyo's Future as a Cultural Ecodistrict Thomas Yee

Design

Kanso Simplicity or elimination of clutter

Fu kinsei Asymmetry or irregularity

Shibumi Beautiful by being understated

Shizen Naturalness absence of pretense

Yugen Suggestion rather than revelation

Datsuzoku Freedom from habit or formula

Shijima Tranquility or an energized calm or stillness

Wa Harmony, peace balance

Ma Empty spatial void, interval of space or time

Yohaku no bi Appreciation of the beauty found in what is implied, unstated or unexpressed

*Ryushi Kojima, Architect

San Francisco's Japantown's physical fabric expresses its layered and complex history of land ownership and control, interior choices and exterior impositions, cultural influences and experiences. When discussing the nature of how it expresses "Japanese" qualities or even "Japantown" characteristics, there are a variety of voices that participate and no singular interpretation or definition prevails.

Culture

Metaphor of Onigiri and Spam

Musubi Spam musubi is a Japanese-influenced snack food composed of a slice of grilled Spam on top of a block of rice wrapped in dried seaweed in the tradition of Japanese onigiri. It originated in Hawaii during WWII when Japanese culture met the popular American food. It is evidence of old tradition in a different place resulting in a new practice.

Japantown community process

Recent Community Workshops - November 21 & December 3

Community Feedback - General Comments

- Community Process Outreach
- Area of Applicability
- Principles and Values

Community Feedback - Site Design

- General support
- Clarification regarding the neighborhood "bowl" shape

Japantown community process

Community Feedback - Architecture

- Natural materials
- Harmonize and embrace architecture of different eras and styles
- Respect "layering" and integrate open space
- Building entrances are gateways and should be seen as a journey
- Transitional space between public and private

Community Feedback - Public Realm

- General support
- Landscape and Sustainability are highly valued elements
- Different scales of spaces and design flexibility
- Customized streetscape to highlight neighborhood character
- Integrated public art and accessibility
- Open space designed to create social interaction

Racial & Social Equity Assessment

Potential Benefits, Burdens, and Unintended Consequences and Mitigations

	Description	Stakeholder Impacted	Opportunity to enhance benefit
Benefits <i>The Japantown SADGs should result in...</i>	Clearer expectations from City staff and community during design review, which reduces review time and design costs. This could also address/off-set some of the burdens below.	City staff, project sponsors, community	Consider modifying pre-app meeting application to call attention to these guidelines/how the project addresses them early on in the project.
	Designs that honor the context of Japantown in architecture, landscape, and public space.	City, community	Update guidelines at a future date to demonstrate new examples that continue the guidelines' relevancy.
	Active ground floor character which reinforces pedestrian patronage and business vitality.	City, community	
	Description	Stakeholder Impacted	Mitigation
Burdens <i>The Japantown SADGs could result in...</i>	Potentially somewhat higher construction costs due to higher quality materials and design expectations.	Project sponsors	Look for other ways to reduce costs in the project that do not diminish the public expression or benefits within the project such as through streamlined review.
	Minor limitations on design flexibility.	Project sponsors	Better design and neighborhood cohesiveness should enhance property value.
Unintended Consequences <i>The Japantown SADGs could result in...</i>	Potentially somewhat higher housing or retail rents/costs due to slightly higher construction costs due to higher quality materials and design expectations.	Community	Each site should be reviewed individually to evaluate the scale of those potential burdens and minimize them as is possible.

Japantown Special Area Design Guidelines

SITE DESIGN

- S3.1 Sculpt Building Massing to Respond to Scale and Use of Peace Plaza and Buchanan
- S4.1 Site and Organize New Development to Support Peace Pagoda as a Visual Landmark
- S5.1 Build to Front Lot Line or Vary Building Front Setbacks for Public Landscape Elements
- S8.1 Sculpt Building Massing to Reinforce Neighborhood "Bowl" Shape

ARCHITECTURE

- A1.1 Root Architectural Concepts in Japanese/Japantown Design Principles
- A3.1 Use Natural Materials in Facades and Finish Them Honestly
- A3.2 Demonstrate Material Rhythm in Facade Expression
- A5.1 Shape Rooflines to Support Building Concept and Scale
- A7.1 Integrate Signage with Building Architecture
- A8.1 Use Transparency, Translucency, Screening and/or Layering at the Ground Floor Facade

PUBLIC REALM

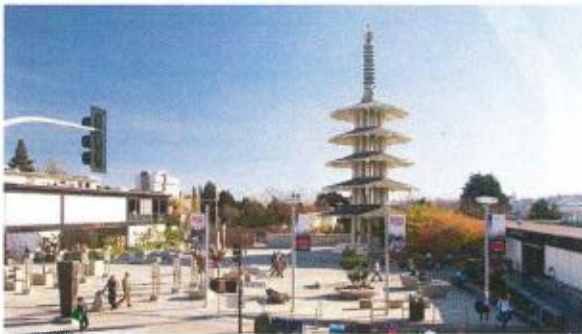
- P3.1 Create Public Space that Supports Cultural Activities
- P6.1 Balance Areas for Social Activity and Personal Space in Public Space Design
- P7.1 Highlight Sustainability Benefits of Open Space

S4.1 ORGANIZE NEW DEVELOPMENT TO SUPPORT PEACE PAGODA AS A VISUAL LANDMARK

Both the Peace Plaza Pagoda and the Nihon Machi sign on Buchanan are important visual markers and can be seen from many public vantage points. New massing can frame these elements to further orient pedestrians.

- » Shape the profiles of vertical building edges to frame views where possible.
- » Shift massing of taller buildings to accommodate visual access from important elevated public viewpoints.
- » Provide setbacks in private development or bay windows in publicly-accessible development to direct views towards these two locations.

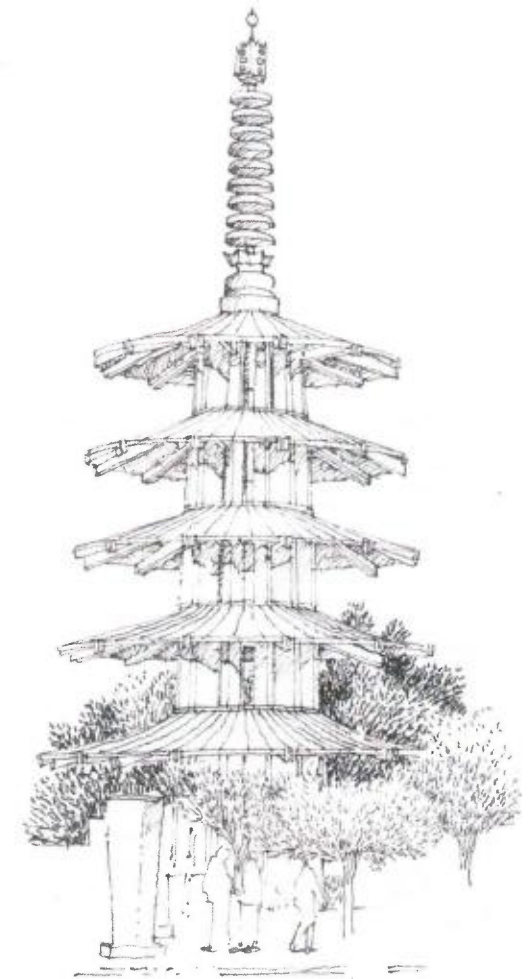
"Views to Peace Pagoda need to be preserved. It is a landmark only if it can be seen from afar."



Building edges can shape views from public space to help the pagoda read even if there is larger development.



Icons in Japantown layer against the backdrop of the city from many vantagepoints and connect them to the city at large.



The Peace Pagoda is a visual and cultural landmark in Japantown.

A8.1 USE TRANSPARENCY, TRANSLUCENCY, SCREENING AND/OR LAYERING AT THE GROUND FLOOR FACADE

Privacy, semi-private, and publicness can layer into a ground floor facade both providing enlivening activity by both provoking interest and curiosity. Storefronts in Japantown are characterized by a fine grain scale that address the pedestrian with elements including varying textures, layering and a pattern of solids and voids.



Landscape elements can help buffer the transition zones between inside and outside.

- » Consider elements that provide transitional spaces between public realm and storefronts such as Engawas (Verandas).
- » Utilize sliding storefront windows where appropriate to the business to encourage openness and transparency.
- » Consider screening elements that provide a sense of layering and depth. Treatments may include wood slats, decorative metals, glass, and interpretations of shoji or paper walls.
- » Expansive, undivided storefronts windows are recommended to support window displays.
- » Use deeply recessed alcoves to highlight entries and contribute to façade layering.



Screens, while they can seem more private, also invite light, some view, and variability.

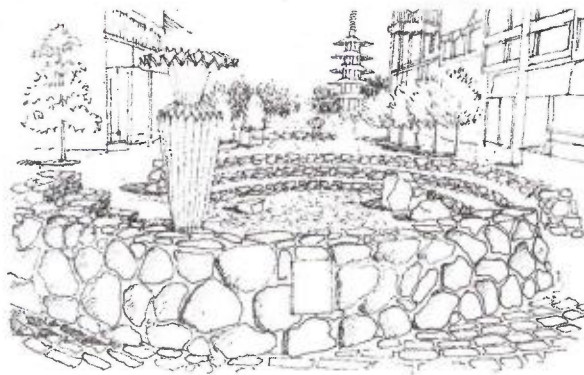
- » A minimal amount of wall surfaces may be appropriate to frame and give emphasis to storefront windows and maintain pattern of solids and voids. Blank surfaces should be textured and considered for sign placement.
- » Contain storefront elements to within approximately 8-9' in height to maintain the existing pattern that supports a human scale. Projecting signage may extend above to meet clearance requirements.



Furnishing and signage can provide spatial layering between the interior and exterior areas.

P6.1 BALANCE AREAS FOR SOCIAL ACTIVITY AND PERSONAL SPACE IN PUBLIC SPACE DESIGN

Public space has a dual role in Japantown, it is both: a place for people to meet, come together, and hold events and a place for personal reflection, a respite and to reconnect with nature. Spaces include both intimate, walkable spaces such as Buchanan Mall and the auto-dominated Geary Blvd. Recommendations are intended to enhance the primary spaces while mitigating the impact of challenging conditions.



Use of natural materials is highly recommended.

- » Incorporate nature into the public realm by utilizing natural materials such as stone, wood and copper for paving and built features. Painted surfaces should be avoided. Provide both unprogrammed space for large crowds and smaller, intimate spaces for daily gathering.
- » Contemporary, sculptural features that draw upon local Japanese culture and history are encouraged. Built features should promote transparency to maintain clear site lines across spaces. Walls above seating height
- » Preserve and maintain existing features that have cultural value to the community including the Ruth Asawa fountain and benches.
- » Maintain abundant sunlight to public spaces.



Landscape may be for a visual natural experience alone.

- » Asymmetric designs that encourage a fluid pedestrian experience are encouraged. Locate built features off center.
- » Coordinate public space design to highlight and respond to building entries and maintain visibility to storefronts.
- » Utilize special paving at crossings to increase crossing safety, highlight district and link open spaces together.
- » Plant continuous street trees at the back of sidewalk to create a buffer from traffic, encourage traffic calming and enhanced pedestrian experience.
- » Use subtle lighting that accentuates landscape, built features and promotes a safe nighttime environment.



The new Peace Plaza design proposal includes a variety of open and sheltered areas.

Japantown Special Area Design Guidelines

Revised Draft Design Guidelines - Friday
Japantown Taskforce Board Meeting - Tuesday

Planned adoption hearing December 19, 2019

For more information

Contact: maia.small@sfgov.org
sfplanning.org/project/japantown-special-area-design-guidelines





SAN FRANCISCO PLANNING DEPARTMENT

MEMO

Received at CPC Hearing 12/5/19
M. Small

DATE: December 3, 2019

RE: Attachment B – Memo for Hearing Date December 5, 2019

Meeting Notes from Review and Comment at the
November 6, 2019 HPC Hearing on Retained Elements Special
Topic Design Guidelines (2018-017235CWP)

REVIEWED BY: Historic Preservation Commission

DRAFTED BY: Allison Vanderslice – (415) 575-9075
allison.vanderslice@sfgov.org

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

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

On November 6, 2019, the Historic Preservation Commission (HPC) reviewed the Retained Elements Special Topic Design Guidelines. At the request of the Planning Department, the HPC provided the below comments on design guidelines. These comments will be provided to the Planning Commission prior to their hearing on the proposed adoption of the guidelines on December 5, 2019.

Retained Elements

On December 8, 2015, Planning Department preservation staff presented background and research surrounding façade retention to the HPC at their request. This conversation returned to the HPC on April 6, 2016, where staff showed more examples for Commission discussion. HPC requested that staff prepare a draft policy for review. At the August 2, 2017 hearing, the HPC reviewed a draft policy and concluded that the retention of façades from otherwise modified or demolished buildings generally did not meet the Secretary of the Interior's Standards for the Treatment of Historic Properties and generally did not qualify as historic preservation practice. Thus, facadism should be considered more as a potential set of design guidelines to be utilized through the Department's design review process.

Staff prepared a draft set of guidelines that addressed issues of site design and architecture for any element that might be retained on a site, which includes façades, but also mural, spires, walls, or other types of partial construction.

On January 24, 2019, at a joint Planning and Historic Preservation Commission meeting, staff presented a draft set of the Retained Elements Special Topic Design Guidelines for review. These were revised as per Commissions' feedback.

HPC Comments

General

Generally, the HPC was supportive of the Retained Elements Special Topic Design Guidelines. HPC

President Hyland stated that "staff has done a phenomenal job pulling this together from where we started." Commissioners acknowledge the challenge of developing these guidelines; specifically recognizing the difficulty in articulating how retained elements projects are different than historic preservation projects. Additionally, Commissioners acknowledge the challenges of meaningfully combining the old with the new in development projects.

President Hyland agreed that the guidelines provide meaningful direction to projects that will retain a portion of a building and that these would be used for both projects and development of partial preservation alternatives. Commissioner Foley concurred that the guidelines allow staff and developers to work earlier in the process to come out with a better project, to that end he stated that the guidelines would help with communication between staff and developers and would be a good tool going forward.

Commissioners agreed that the retained elements guidelines are distinct from the Secretary of the Interior's Standards for the Treatment of Historic Properties.

Commissioner Pearlman agreed that the appropriate place for these guidelines is as special topic of the Urban Design guidelines.

Commissioner So also noted that murals are included in the retained elements guidelines, she inquired if the Department has guidelines on evaluation of murals and how they should be integrated into projects beyond these guidelines.

Preservation Alternatives Development

HPC Commissioners discussed using the retained elements design guidelines as part of the preservation alternative development process during the EIR process and concluded that the guidelines would be useful in guiding the development of partial preservation alternatives.

President Hyland stated that the Commission has seen a number of retained element projects and alternatives, and that as the Commission is likely to keep reviewing similar design challenges, these guidelines would provide meaning design direction.

Commissioner Pearlman stated "when we look at the alternatives for an EIR... One of the impacts could be full demolition. So we often run into the fact that we don't want it to be fully demolished because there are some elements that could contribute to retaining the context of the site."

Commissioner So requested that a flowchart or other informational document that explains how these guidelines fit into the larger Planning Department's environmental review process. [Staff clarified that additional documentation on CEQA process and preservation alternatives development process would be developed as a document separate from the guidelines.]

Graphics

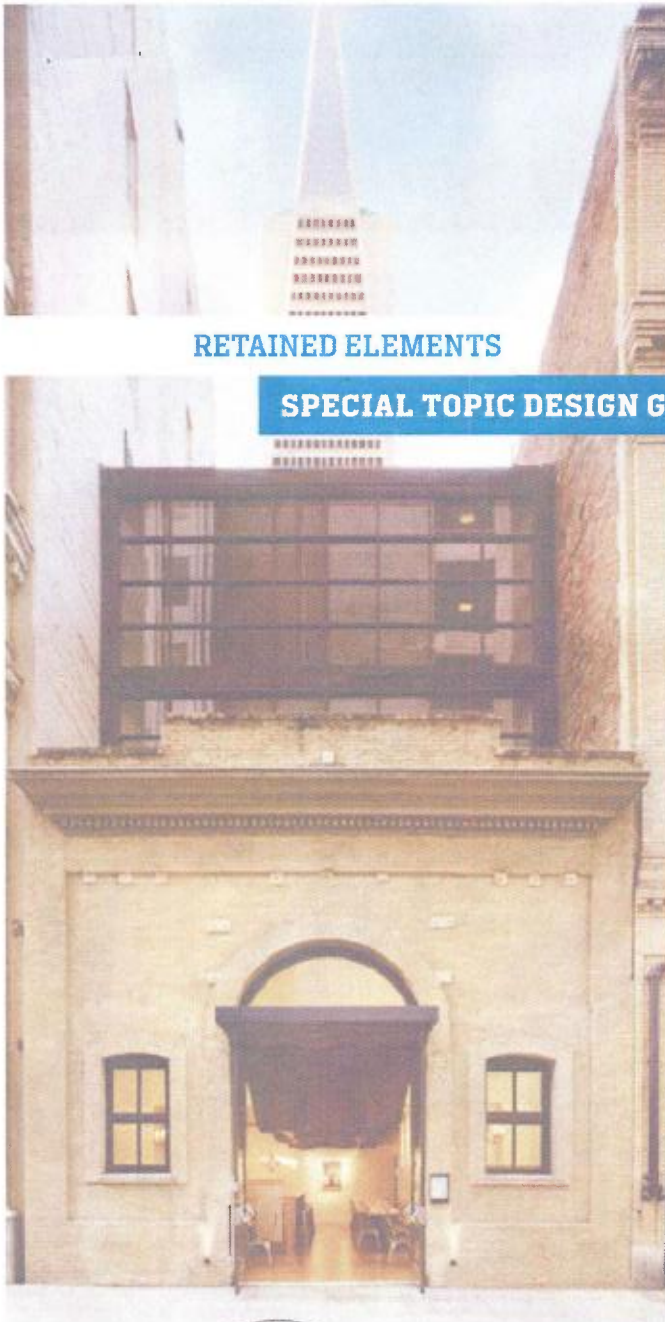
President Hyland noted that the graphics focused on detailed shots of the intersection of the old and the new but that the guidelines were missing good examples showing the scale and the massing of the new with

the existing. President Hyland did acknowledge that the challenges are there are not very many good examples.

Commissioner Black suggested augmenting the photographs to include do and don't photographic examples. Other Commissioners agreed that including both recommended and not recommended examples are common in design guidelines, specifically where applications are better explained by examples of ways that do work and ways that don't work to meet the guidelines.

RETAINED ELEMENTS

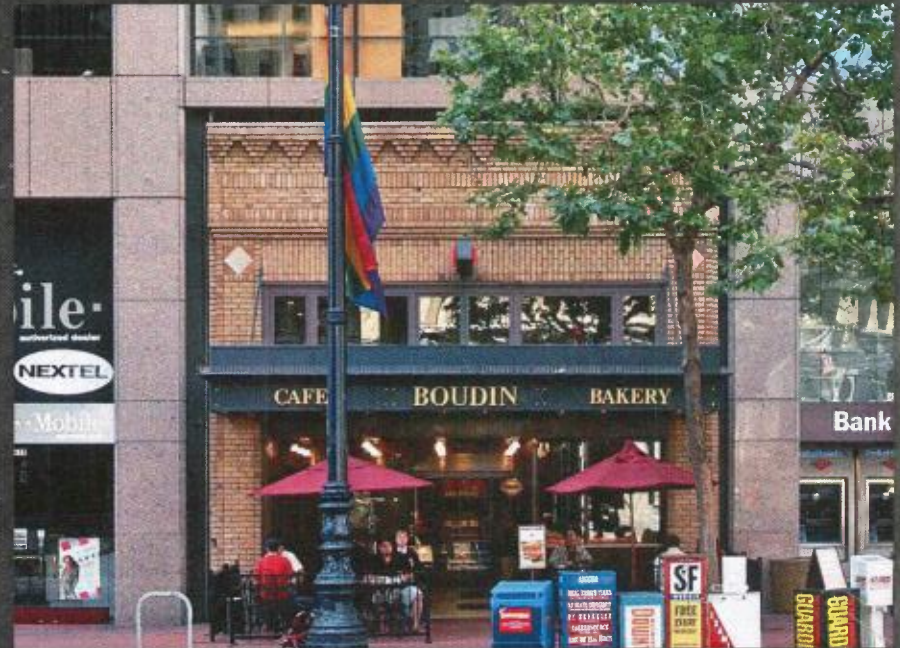
SPECIAL TOPIC DESIGN GUIDELINES



How existing fabric serves the public



How retention works now



"Facadism" policy discussion



Previous Public Hearings

- » **March 18, 2015** HPC clarifies expectations regarding the preparation of preservation alternatives in Environmental Impact Reports.
- » **December 8, 2015** HPC discuss the issue of façade retention and explored a range of projects.
- » **April 6, 2016** HPC discuss examples of façade retention with context about process.
- » **August 2, 2017** HPC reviews draft policy and directs staff to prepare as design guideline document for public use.
- » **January 24, 2019** Joint HPC and Planning Commission hearing to discuss draft design guidelines

November 6, 2019

Historic Preservation Commission hearing to discuss revised design guidelines in anticipation of Planning Commission adoption hearing.

December 5, 2019

Planning Commission hearing with recommended adoption.

Guideline Intent

The Retained Elements Special Topic Design Guidelines direct the respectful and appropriate retention of existing building elements.

The application of these guidelines will *not* achieve conformance with the Secretary of the Interior's Standards for the Treatment of Historic Properties.

Guideline Intent

Increases options. These guidelines establish more respectful options for the use of existing fabric in future development.

Does not change or reduce process. These guidelines do not change the decision-making process around the demolition or rehabilitation of a historic resource.

Guideline Applicability

These guidelines apply when:

- » project applicants choose to use them voluntarily;
- » except to properties identified as City Landmarks or districts under Article 10 or Significant or Contributory Buildings (Category I-IV) under Article 11 of the Planning Code, either the Planning or Historic Preservation Commission require their use by applicants for project approval; or
- » planning staff recommend their use by project applicants on behalf of either Commission, subject to their approval.

Racial & Social Equity Assessment

What are the **intended racial and social equity impacts/outcomes?**

- » To build upon architecture and preservation community efforts to broaden inclusion of cultural expression, creative viewpoints, and decision-making; processes where people of color and women have been historically underrepresented.
- » To expand retention of the built environment in design practice to encourage projects that support neighborhood identity.

Who will **benefit from or be burdened?**

- » Potential increased housing costs could burden tenants/owners > Mitigation: look for ways to reduce costs, review overall benefits in balance, and adapt the element to accommodate feasibility.
- » Minor limitations on design flexibility > Mitigation: Seek to adapt the retained element(s) to the needs of the project without diminishing its integrity.

Application of these guidelines is discretionary by decision-making bodies and intended to help support equitable site outcomes.

Weighing the Options

Determine the **visual contributions** of an existing structure.

- » What exterior features establish the public identity of the structure(s)?
- » Does or has it included a public use?
- » Is it an informal marker?
- » Does it help establish a pattern of similar buildings?
- » Does it present features, scales, or qualities not found commonly in contemporary architecture?

Technically evaluate the existing structure for feasible integration.

- » What is the condition of the existing structure?
- » Will its integration contribute important public-serving aspects in the project?

Weighing the Options

Determine the ideas found in the existing architecture.

- » How much should be retained to support neighborhood context and use?
- » Which critical materials, walls, volumetric elements or details should be retained?
- » Do the potential design options find the right balance of public benefits and project objectives?

If a new building is proposed, evaluate its replacement.

- » Is the new architecture superior to the existing structure?
- » Does the replacement project contribute better in the long-term?
- » Does the replacement project express the same level of detail, materials, and response to distinct neighborhood conditions?
- » Does the replacement project provide the important uses?

Retained Elements Design Guidelines

Site Design

- S1.1** SUSTAIN EXISTING FEATURES THAT DEFINE A NEIGHBORHOOD
- S2.1** ESTABLISH NEW MASSING TO BE COMPATIBLE WITH THE CONTEXT

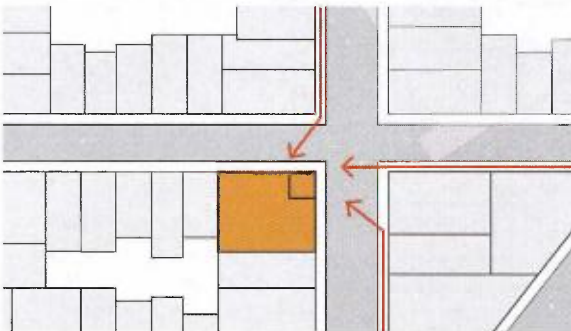
Architecture

- A2.1** MODULATE NEW DEVELOPMENT TO SUPPORT RETAINED MASSING AND FAÇADE EDGES
- A2.2** ARTICULATE A CLEAR RELATIONSHIP BETWEEN NEW DEVELOPMENT AND RETAINED ELEMENTS
- A3.1** HARMONIZE MATERIALS IN NEW DEVELOPMENT WITH RETAINED ELEMENTS
- A6.1** RESTORE AND HIGHLIGHT EXISTING FEATURES
- A8.1** REVIVE AND ANIMATE RETAINED GROUND FLOOR ELEMENTS



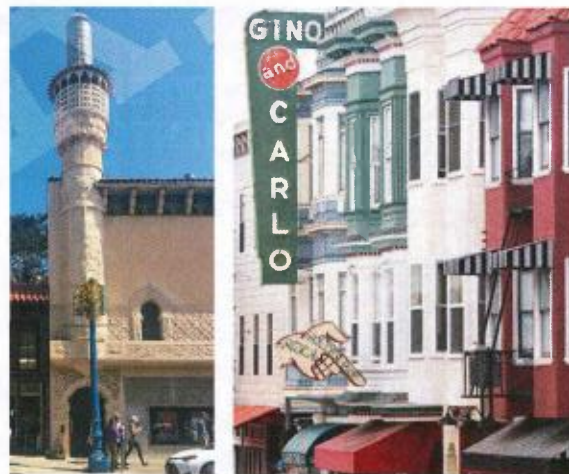
SI.1 SUSTAIN EXISTING FEATURES THAT DEFINE A NEIGHBORHOOD

Buildings often present important and distinct elements that act as landmarks for residents and visitors. Examples include: spires, large signage, clocktowers, murals, gateways, unusual rooftop elements, or other distinct markers.



Analyze: Identify distinct volumes or large design features. Diagram how they are perceived in the neighborhood and how to maintain those vantage points.

- » Retain and highlight interesting roof forms and elements, such as clocktowers, spires, architectural features, fenestration as part of the new building. Maintain their visual presence from key locations and public view corridors.
- » Maintain existing pedestrian pathways and gateways when possible to continue existing pathways, edges, and boundaries in the neighborhood and add new development where volume already exists or naturally participates in the overall massing.
- » Retain partial or fragments of walls only in exceptional circumstances where existing textures, material qualities, or architectural

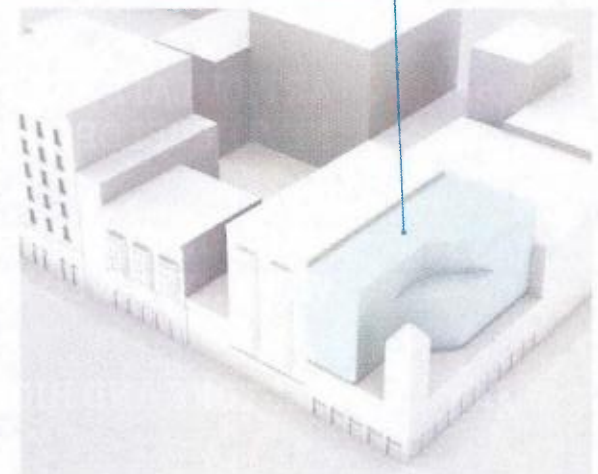


Types of important building elements that mark neighborhoods.

reference produces a distinct neighborhood experience.

- » New volumetric elements can be retained or isolated from other parts of existing structures if they are visually distinctive.
- » Maintain existing murals or art installations when recognized as important to the neighborhood or broader community. This can be done by either leaving them in place or providing a new and sustainable backdrop for their visibility. Provide additional protection for their long-term durability and maintenance.

NEW MASSING IS SCULPTED AROUND THE EXISTING STRUCTURE



Roof types that are more architecturally shaped may require further setbacks and sculpting.

A2.2 ARTICULATE A CLEAR RELATIONSHIP BETWEEN NEW DEVELOPMENT AND RETAINED ELEMENTS

Demonstrating a clear or intentional relationship between new and old parts of building helps a viewer to read the more complex layers of a project. This layering of information, or expression of evolution feels natural in a city environment.



Setbacks and material variation in combination help articulate when different parts of the building were built.

- » New development should be volumetrically distinct from retained elements. Employ a vertical or horizontal hyphen to create a sense of volume change between new development and retained elements. Vertical hyphens should be tall and deep enough that they do not visually collapse from the viewpoint of pedestrians.
- » Contrast material type between an existing wall and a new wall to clarify the use, meaning, access, or construction technique between the two projects. This is especially useful where entry points may be added.

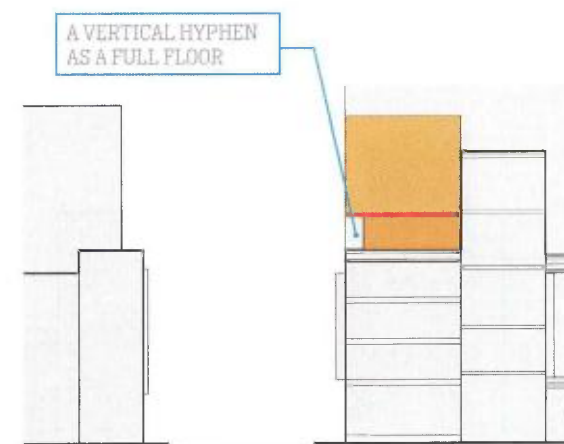


Hyphens can move horizontally and vertically with the profile of the existing structure.



Vertical additions can contextually sit on top of new development by crafting setbacks appropriate to pedestrian viewpoints.

- » Interior spatial volumes defined by existing elements should be distinct from those defined by new development. Retained elements should naturally define, scale, and coordinate with the volumes that sit behind them.
- » For unique locations, such as abandoned industrial sites, retention of features, such as cobblestones, rail spurs, or existing "ruins" should highlight and authentically demonstrate their distinct landscape and organic edges.
- » Avoid minor or architecturally-scaled hyphens or setbacks that only highlight an existing facade as a "surface."



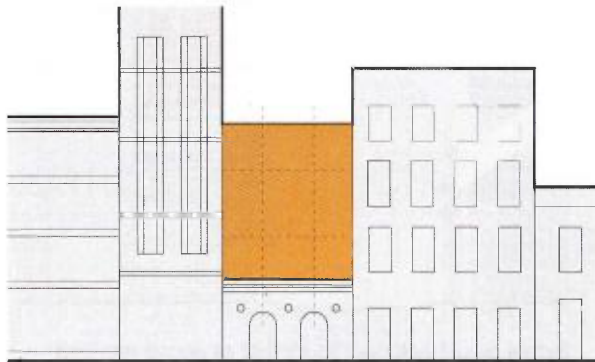
Indent or setback new floors that sit above retained elements to highlight the change in structure, space, and age of new construction.

A3.1 HARMONIZE MATERIALS IN NEW DEVELOPMENT WITH RETAINED ELEMENTS

The choice, quality, location, and detailing of materials and openings can greatly enhance the compatibility between new buildings and existing structures. They should feel like a family rather than trying to match or have one part look like an accessory to the other.

- » In new construction, express a pattern of structural elements and organizing geometry that extends and relates to the overall rhythm of the existing building
- » Extend a common architectural expression between existing and new development, such as: frame and infill, volumetric projections, layered volumes, compositional grids, etc.
- » Intentionally offset or inverse elements in the new development to provide conceptual consistency in the union of the existing and proposed architectural components.

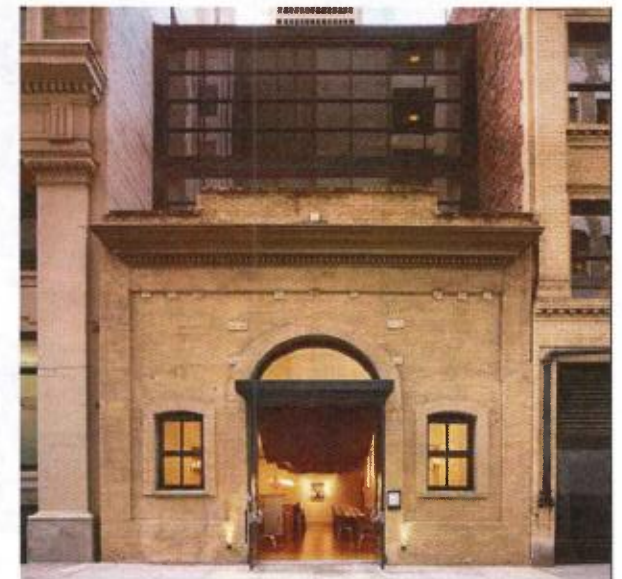
- » Contrast the material qualities of a new development in specific situations to highlight the existing element.
- » New facades should not only be harmonious with retained elements but offer their own architectural integrity.
- » Synchronize or extend fenestration and material patterns and proportions in retained elements; such as: deep punched openings, extensive glazed curtainwall, solid/void ratios, align elements between old and new parts even when other elements are more randomized.



Analyze: Look for common window patterns and material types on the existing structure and in the neighborhood.



Use a similar material in a different way to find harmony and intentional difference in architectural expression.



Using a strong contrast of material qualities with a setback can help new development read as an urban layer.

A6.1 RESTORE AND HIGHLIGHT EXISTING FEATURES

Over time, many existing buildings have been modified to accommodate new uses and needs. When renovated or incorporated into a new project, retained elements should be restored or re-animated, further enhancing authenticity and cohesion.



Analyze: review historic drawings or photographs and document previous openings or building elements on the existing fabric.

- » Some interior spaces, such as those within churches, warehouses, assembly halls, or other publicly-accessible spaces, contain details and spatial characteristics that convey a building's original use. Design sensitive transitions from the retained and new building elements to maintain this connection.
- » Design lighting to accentuate the important aspects of the retained element. Consider how it is legible during the day and night.
- » Open previous window or door openings to revive the originally intended wall transparency or operability.
- » On exterior wall surfaces, remove later layers and restore original cladding surfaces, where possible and when desirable, as some surfaces have acquired significance or character in their own right.
- » Cornices are an example of an architectural feature that should be restored, retained, or recreated. Contemporary materials, such as Glass Fiber Reinforced Concrete (GFRC) or Fiber Reinforced Polyester (FRP), may be employed as a substitute for terra cotta, cast stone, or pressed metal. Ghosting, scarring, and other visual evidence may help explain past alterations.
- » Repair or restore details or distinctive architectural features, such as decorative

entry or rooftop features, to original shape and/or texture.

- » Replace decorative features that were removed through an authentic reproduction. In all features that are restored or replaced, use original or similar material types and finishes.
- » Provide moldings, trim, or other original features surrounding windows that have been previously removed or altered.
- » To ensure a harmonious relationship with the overall new development, all mechanical, electrical, plumbing, and interior partitions should not visually interfere with the existing building's character.

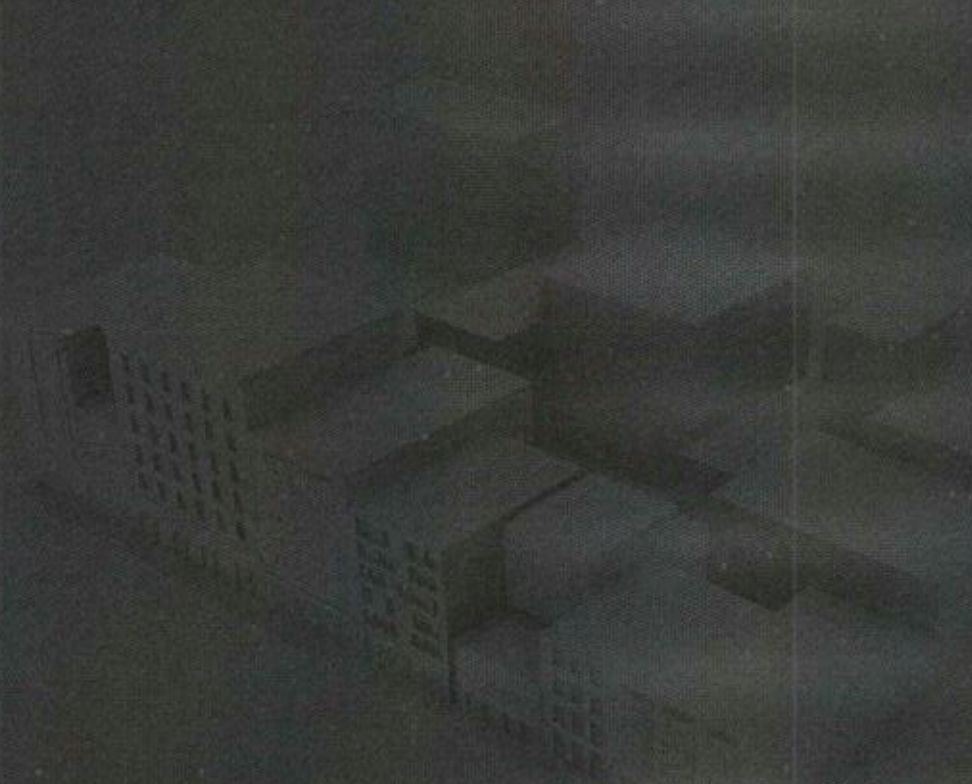


Restoration of existing elements, such as prism glass, can greatly contribute to character and context.

Recommended Adoption

Historic Preservation Commission Review

Final Comment from November 6, 2019

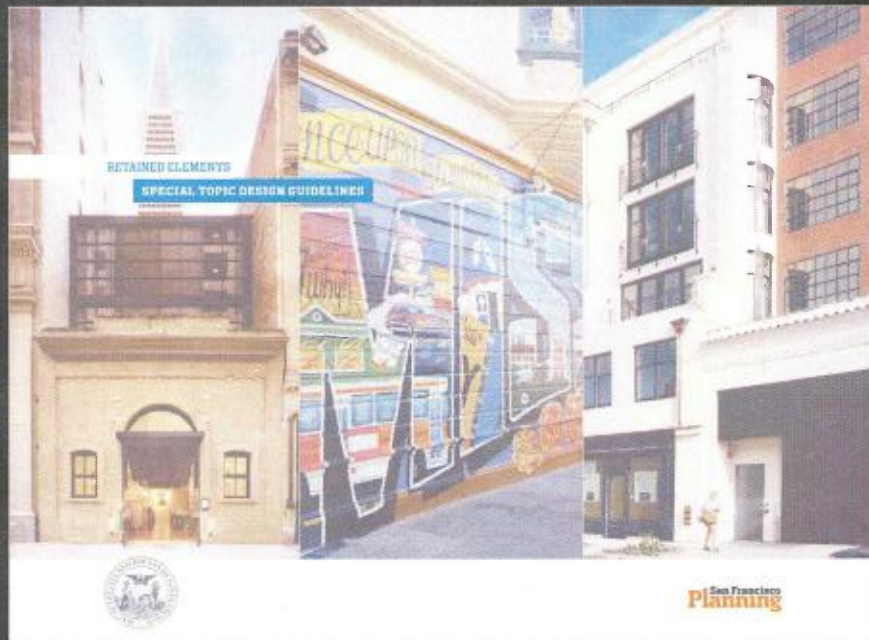


Recommended Adoption

Historic Preservation Commission Review

Final Comment from November 6, 2019

Resolution for Adoption



12/5/19

A. Marlow

**SPUR**

San Francisco | San Jose | Oakland

December 5, 2019

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

**RE: Exemption from Density Limits for Affordable and Unauthorized Units
2019-014348PCA [Board File No. 190757]**

Dear Planning Commissioners,

Thank you for the opportunity to weigh in with SPUR's support for Supervisor Mandelman's ordinance exempting affordable, unauthorized units and residential care facilities from limits on density. SPUR supports the legislation with the modifications proposed by staff.

As we are painfully aware, San Francisco is in an unprecedented housing affordability crisis, and the Planning Code's residential density limits are a contributor to our housing shortage. They arbitrarily limit the construction of multi-unit housing on many otherwise suitable sites, limit the diversity of housing options in neighborhoods, and limit the ability to add or legalize housing in existing buildings. This ordinance will loosen density limits on new affordable units, on existing unauthorized units, and on residential care facilities in RH zoning districts.

Thousands of San Franciscans live in unauthorized dwelling units. These units are often rent-stabilized and affordable, but their unauthorized status puts residents at greater risk of losing their housing, and can prevent owners from securing building permits for necessary building upgrades. Current law only permits one unauthorized unit per lot to be legalized, so owners wishing to legalize their units face a dilemma – keep all the units in legal limbo, or legalize one and remove all the others, even if the others are structurally sound and inhabited. Allowing more than one unauthorized unit per lot to be legalized will give every unauthorized unit a path to legalization. Broadening the path to legalization will give tenants of these units greater housing security, and allow building owners to secure permits for improvements to safety, access, habitability, and comfort.

Residential care facilities provide short or long-term housing and care for many seniors, people recovering from illnesses, and formerly homeless people. Despite a growing need, residential care facilities are disappearing from San Francisco. Principally permitting residential care facilities in RH neighborhoods, as

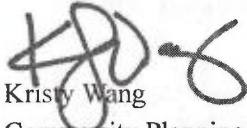
the Board of Supervisors approved earlier this year in other zoning districts, will expand the range of housing choices available in all San Francisco neighborhoods.

The ordinance will also expand the universe of potential accessory dwelling units (ADUs) by creating a path to alter legal, non-conforming structures on through lots to become ADUs. This is yet another important step toward making ADUs easier to build across San Francisco neighborhoods.

We commend Supervisor Mandelman for proposing these sensible policy changes to address the City's worsening housing crisis. These and other reforms will further San Francisco's values of equity, diversity, inclusion, and sustainability, by better accommodating San Franciscans of all ages, incomes, physical abilities, and household types in each San Francisco neighborhood.

Please feel free to contact me with any questions. Thank you for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read 'Kristy Wang', with a stylized flourish at the end.

Kristy Wang
Community Planning Policy Director

CC: Supervisor Rafael Mandelman
SPUR Board of Directors

**3847-3849 Eighteenth Street: DBI Letter
Follow-Up Questions**

1. Serial Permitting / Permit Deficiencies

- a. DBI Staff indicated that "even the combination of issued permits did not document the actual as-built conditions".
 - i. What is the DBI position on the series of permits applied by Project Sponsor?
 - ii. How have the scope of these permits been specifically exceeded?
- b. How have the application for these permits followed the "standard steps"? What field condition changes are specifically cited?
- c. How are permit deficiencies handled?
 - i. Why is there no Shoring Permit?
 1. Why did Project Sponsor / Engineer of Record not provide complete details for shoring / underpinning of adjacent neighbors?
 2. Why did Project Sponsor / Engineer of Record not notify adjacent property owners in writing of proposed excavation?
 3. Why did Engineer of Record not provide Special Inspections for temporary shoring / sequencing of operations?
 - ii. What is DBI position on Project Sponsor failure to apply for Shoring Permit and provide for underpinning of neighbors?
 - iii. Where is the Construction Documents showing sequencing and sectional implementation of retaining walls? Please provide.
 - iv. Why did Project Sponsor provide Cal-OSHA Safety Compliance Permit (for excavations deeper than 5 feet) to DBI when excavation permits specified no more than 4 feet of excavation?
 1. How did Project Sponsor respond to Cal-OSHA investigation?

2. DBI Construction Document Review

- a. If standard DBI protocols were followed, how was Project Sponsor able to "shop" around specific plan review to obtain permits and exceed scope of permits?
- b. Why did DBI staff not detect serial permitting?
- c. Why did DBI staff not detect any violations despite multiple complaints?
- d. Why did DBI Inspector not follow all Construction Document Review comments / instructions?

3. DBI Inspection

- a. Why did the same DBI inspector inspect Start of Work, Close Walls, and Final inspections, issue multiple CFCOs, investigate and close Complaints, and then finally issue the departmental Notice of Violation in response to a Planning Department investigation?
 - i. How does the oversight of multiple permits by one inspector comport with past and current DBI policies and protocols?
 - ii. How does DBI prevent abuse / corruption when all inspections / complaint reviews are done by one DBI inspector?

- iii. Why did DBI not rotate Inspectors for Project?
 - iv. Is DBI reporting suspect projects to City Attorney? Is DBI maintaining a database of suspect projects? Which ones?
 - b. Of the 20 building inspections, 9 final inspections and 6 site visits to investigate complaints that were filed since July 2016, how did all these inspections and inspectors fail to detect all the DBI and Planning Department violations that comprise the respective Notice of Violations issued by each department in 2018 and 2019?
 - i. Why did DBI close complaints made in 2016 to 2018 without notifying the Planning Department?
 - ii. Why did DBI consider permits issued were valid in 2016 to 2018 when closing the complaints made in those years but consider those same permits as invalid when reviewed against 2019 complaint made via Planning Department Discretionary Review application?
 - iii. Why did DBI take so long to issue its NOV after the Planning Department NOV? Why did DBI not investigate before the filing of Discretionary Review?
 - iv. Why did DBI Inspector issue CFCO, even with violations?
 - c. Since Engineer of Record and Permit Applicant for Structural Work are related parties, why did the Engineer of Record not know and did not report to DBI the deficiencies and discrepancies between permits obtained and work performed?
 - i. What did DBI find out when reviewing Special Inspections and Structural Observation Reports against Permits?
 - d. Sequencing of DBI Inspections seems out of order:
 - i. Why was there no DBI inspection of rebar before shotcrete pouring of footings and walls from 01/02/2015 to 01/27/2015?
 - ii. Why did each DBI inspection of rebar not detect extent of excavation?
 - iii. In performing "Rough Framing OK to Cover" inspections, why did DBI Inspector not detect extent of excavation and building expansion?
 - 1. Review Satellite Imaging to explain how DBI Inspector missed the obvious.
 - iv. Special Inspections from A1 Inspection Services cover only January to April 2015 but not any work done in rear yard in July 2016? Where are rest of Special Inspections, much less DBI inspection of rebar?
- 4. Geotechnical Report
 - a. Why is Geotechnical Report not required now given the actual amount of excavation, the extent of retaining walls, and in spite of the misrepresentation by Project Sponsor?
 - b. How are current Engineering Plans and Calculations considered to be accurate / reliable without Geotechnical Report?
 - c. Project Sponsor indicated on August 29, 2019, that a Geotechnical Report was generated and submitted to DBI? Where is it? Was it submitted?
 - d. How does S-05 Information Sheet, dated 05/07/2019, retroactively relieve the requirement for Geotechnical Report for permits obtained in 2014 and 2016?

- i. Does S-05 Information Sheet retroactively apply to other projects that have over-excavated without proper Planning Department permits?
 - ii. Why is S-05 Information Sheet needed now?
 - iii. Why does S-05 Information Sheet create greater discrepancy with Planning Department policy of requiring Geotechnical Report (with >50cy excavation compared to >5000cy excavation for DBI)?
 - 1. Why not compare with Planning Department policy?
- e. Satellite Imagining indicate more than 10 foot cuts during the time when complaints were reviewed by the one DBI inspector.
 - i. How did DBI inspector miss that more than 10 foot cuts were made?
 - ii. How did John Campbell + Associates, Geotechnical Consultants, miss that excavation was more than to replace foundation, but create extensive retaining wall systems?
 - iii. How and why did Engineer of Record exceed the limitations imposed by observations of the Geotechnical Consultants when approving the excavation, shoring and pouring of retaining walls (that were more than 4 to 5 feet wide)?
 - iv. Why did Engineer of Record not request Geotechnical Report and/or another observation by the Geotechnical Consultants when excavating rear yard?
 - v. How and why did Engineer of Record miss that excavation exceeded permits when Structural Observation per Special Inspection Form required Engineer of Record perform "intermittent inspection of retaining wall construction in sections" and "concrete construction" of the retaining wall?

5. Satellite Imagining



6. Will the Building Inspection Commission call for an independent, thorough and transparent investigation? Why not?
7. Information Request:
 - a. Original Construction Documents with Engineering Calculations
 - b. Original Construction Documents with Shoring / Section Pour Instructions
 - c. Original Construction Documents with Fire Department Review
 - d. Engineer of Record Letters
 - e. Original Permits and Job Cards
 - f. Updated Construction Documents to Comply with DBI NOV
8. **To-Do's**
 - a. Engineer Peer Review
 - i. DBI Inspection and Special Inspection Chronology
 - ii. A1 Inspection Services Test Results
 - iii. Geotechnical Consultant Letter
 1. Contact John Campbell + Associates
 - b. Comparison of A1 Inspection Services Reports with DBI Review of Special Inspections

December 5,

Kitchens in Spec Projects not using space efficiently.

Creating restaurant-like spaces. Large square footage = expensive homes, loss of Relative Affordability.

Food delivery trends mean kitchens less for meal preparation and food storage = wasted sq. footage.

Could densify either with horizontal expansion and unit/ADU on ground level or a **vertical expansion which tends to = demolition** have a second unit upstairs.

Extreme Alterations like this have same **consequence** as Demolition.

Example shown did not comply with Staff requests for required Demo Calcs even after two NOPDRs....final plan's Calcs look "squishy".

Example similar to five samples from 2015 where 40% should have been reviewed as Demolition per Staff.

Very difficult for Enforcement. Must be inspected by Staff at just the right time during construction to get proper assessment.

Much better to have strict assessment at intake with less liberal

Demo Calcs or some other Demolition definition to achieve Relative Affordability.