

From: [CPC-Commissions Secretary](#)
To: [Feliciano, Josephine \(CPC\)](#)
Subject: FW: Response to Commissioner's Comments and Questions October 7, 20121 re: DEMO CALCS
Date: Friday, October 08, 2021 9:55:07 AM
Attachments: [Nikitas March 26, 2009 Statement.pdf](#)

Commission Affairs

San Francisco Planning
49 South Van Ness Avenue, Suite 1400, San Francisco, CA 94103
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From: Thomas Schuttish <schuttishtr@sbcglobal.net>
Sent: Thursday, October 07, 2021 10:28 PM
To: Koppel, Joel (CPC) <joel.koppel@sfgov.org>; mooreurban@aol.com; Chan, Deland (CPC) <deland.chan@sfgov.org>; Diamond, Susan (CPC) <sue.diamond@sfgov.org>; Fung, Frank (CPC) <frank.fung@sfgov.org>; Imperial, Theresa (CPC) <theresa.imperial@sfgov.org>; Tanner, Rachael (CPC) <rachael.tanner@sfgov.org>
Cc: Hillis, Rich (CPC) <rich.hillis@sfgov.org>; STACY, KATE (CAT) <Kate.Stacy@sfcityatty.org>; JENSEN, KRISTEN (CAT) <Kristen.Jensen@sfcityatty.org>; YANG, AUSTIN (CAT) <Austin.Yang@sfcityatty.org>; CPC-Commissions Secretary <commissions.secretary@sfgov.org>; Ionin, Jonas (CPC) <jonas.ionin@sfgov.org>; Merlone, Audrey (CPC) <audrey.merlone@sfgov.org>; Teague, Corey (CPC) <corey.teague@sfgov.org>; Sanchez, Scott (CPC) <scott.sanchez@sfgov.org>; Watty, Elizabeth (CPC) <elizabeth.watty@sfgov.org>
Subject: Response to Commissioner's Comments and Questions October 7, 20121 re: DEMO CALCS

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Dear Commissioners,

Today Commissioner Diamond acknowledged a letter requesting a hearing on the Demo Calcs. She requested a review of the entire Planning Code Section 317 (which was implemented in 2008) not just the Demo Calcs. Commissioner Imperial followed up with a request for the the link between DBI and Planning on the issue of Demolitions.

The suggestion of a broader review may take a long time. Meanwhile the Demo Calcs continue to be

in need of immediate adjustment. The Commission has the legislative authority to adjust the Demo Calcs sooner, rather than later. The Commission should adjust the Demo Calcs as soon as it can be put on an Agenda. Perhaps it could even be on the Consent Calendar.

The development of Section 317 took many, many years, through other Commissions and other Staff. And other members of the public. The intent was to prevent Demolitions that were masked as Alterations. This was something that had been going on for years in San Francisco. I have only been showing photos and talking about this issue of extreme Alterations, primarily in Noe Valley, since 2014.

Coincidentally, yesterday I found an amazing article from 2012, which is attached below. I had never seen it before and some of the quotes, if accurate, are astonishing to read.

As I stated today in General Public Comment (and submitted comments for the Minutes), there have been two reforms of Section 317 since 2015. They are: The Residential Flat Policy and CUAs for all RH-1 Demolitions of sound housing. These are good reforms and are in tandem with the policy to preserve sound housing. Adjusting the Demo Calcs would also preserve sound housing. Like the Residential Flat Policy it only requires Planning Commission action.

I have often thought that "Tantamount to Demolition" is not the best way to describe Section 317's intent. As stated in the Findings the intent is to preserve housing, not demolish it. See Planning Code Section 317 (a).

By adjusting the Demo Calcs' thresholds or values in Section 317 (b) (2) (B) and (b) (2) (C), by the percentages permitted in Section 317 (b) (2) (D), the Commission would simply be using the legislative authority it has possessed since 2008 to preserve housing and prevent demolitions.

And frankly after all this time, most notably since March 26, 2009 (See SFGOVTV Item No. 9) when the Commission approved the Code Implementation Document, it seems like adjusting the Demo Calcs would be a reform that should get done sooner, rather than later, never mind several months out, running into 2022. I have quoted Mr. Nikitas' 2009 statement at the CID approval hearing repeatedly, but here it is again, attached below, in his own hand writing as found in Docket #06.0070ET. Please read it, particularly his closing sentence or if you want, watch the entire hearing.

Additionally on January 23, 2020 former Director Rahaim said Staff was working on the issue of the Demo Calcs. That is more than a year and a half ago. Again, it is unnecessary to wait another several months to adjust the Calcs. (See SFGOVTV 1/23/2020 at the 3:56:15 mark)

As stated above, the Planning Commission has legislative authority to adjust the Demo Calcs.

It may be a good idea to have a hearing on Section 317 overall at some point, particularly since there were several failed attempts to eliminate it from the Code (i.e. the RET and the Peskin legislation). But it is important to adjust the Demo Calcs as soon as possible, irrespective of the possible timing of a comprehensive review of Section 317.

Sincerely,
Georgia Schuttish

<https://www.sfweekly.com/news/bringing-down-the-housing-how-builders-game-the-system/>

From: [CPC-Commissions Secretary](#)
Cc: [Feliciano, Josephine \(CPC\)](#)
Subject: FW: Extreme sign deregulation vote this week
Date: Friday, October 08, 2021 9:34:21 AM
Attachments: [image001.png](#)

Commission Affairs

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From: Linda <licwa@yahoo.com>
Sent: Thursday, October 07, 2021 12:33 PM
To: CPC-Commissions Secretary <commissions.secretary@sfgov.org>
Cc: Randy Shaw <randy@thclinic.org>; nfreeman@tndc.org; John of San Francisco <john33sf@yahoo.com>; Michael Nulty <sf_district6@yahoo.com>; David Elliott Lewis <ideazones@yahoo.com>; Woody LaBounty <wlabounty@sfheritage.org>; Howard' via SF Preservation Consortium <sfpreservationconsortium@googlegroups.com>; Zrants GM <zrants@gmail.com>; SF Neon <sfneonbook@gmail.com>
Subject: Fw: Extreme sign deregulation vote this week

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---- Forwarded Message ----

From: Linda <licwa@yahoo.com>
To: David Osgood <osgood@rinconneighbors.com>; Howard <wongaia@aol.com>
Sent: Thursday, October 7, 2021, 11:11:00 AM PDT
Subject: Fw: Extreme sign deregulation vote this week

FROM: Linda Chapman, Nob Hill homeowner
FOR: Planning CommisionP

Please consider my thoughts for extreme sign regulations.
My neighborhood, half a century now, is Nob Hill. Chinatown and TL the next districts over.
Please don't forget us.

I am so sorry an emergency timeframe precluded broader community discussion of nuaunces--unintended consequences from extending certain restrictive controls to business signs..

For example: I view with alarm a photo distributed to make an example of **Powell Street** (a block from where I was a homeowner about 20 years). Stripped down like a suburban mall. Gone the beautiful neon streetscape that Dean Macris and I appreciated together. Gone the marquees and quirky, picturesque storefronts-- modeled like a ship, like a fish.

City policies stripped the grand streetscape of Market Street's theater marquees.

Later, came actions that retained and restored iconic business signage for locations after a business is gone.

Later still, Staff initiatives identified "ghost signs" in my part of the city. (Is refurbishing vestiges of history good to do, or is it best to conserve them?)

Just as reminders of "be careful what you ask" --

Did 1990s "sign reforms" **cause the losses** for historic San Francisco districts (or is loss due to natural attrition that can be reversed)?

Would we enable planners to turn to desert the place I grew up-- locations where tourists find their reasons to visit our city-- the districts I knew from history walks?

sent by Linda Chapman-- a Nob Hill neighbor

----- Forwarded Message -----

From: Randal Ann On Wednesday, October 6, 2021, 10:22:09 PM PDT, Randall Ann
<randallannhoman@gmail.com> wrote:

Hi Linda,

Thanks for the heads up. How did you find out about this hearing on sign controls? Could you point us to the site where we sign up to call in to the hearing?

Many thanks,

--Randall and Al

Randall Ann Homan and Al Barna
neonspeaks.org sfneon.org



Neon Speaks Festival & Symposium

On 10/6/21, 9:45 PM, "Linda" <licwa@yahoo.com> wrote:

Thursday soon after 1PM Planning Commission holds a hearing on Stefani plan to relax some controls for business signs in neighborhood business districts.

I suggest you and TL Museum call in. I spoke recently in General Public Comment to the need to remove bill board clutter-- while saving neon, "evil" blade signs and some historic business signs.

An advocate proposed emergency action for threats he sees, without nuanced discussion.

I told commissioners they should consult Neon Speaks and Heritage resources.
Offer to send some before recommendations for changes come to a vote,

Linda Chapman

----- Forwarded Message -----

From: Dave Osgood <osgood@rinconneighbors.com>

To: sfpreservationconsortium@googlegroups.com <sfpreservationconsortium@googlegroups.com>

Sent: Tuesday, October 5, 2021, 05:22:08 PM PDT

Subject: Extreme sign deregulation vote this week

Neighbors,

For 50 years, the city has been lightly regulating and cleaning up the obnoxious sign clutter that used to line our streets in every commercial district. So have most cities. These win-win efforts have made our streets more attractive and increased property values. This coming Thursday (10/7), the planning commission will consider backtracking on decades of progress. The ordinance they will consider on Thursday could easily double the number of signs per block. (For a reminder of what this widespread urban blight used to look like, see photos at this secure website <https://www.ResidentsFirstSF.com/signs.html>).

According to Planning's executive summary, a single merchant "possessing too many signs" complained to supervisor Stefani about sign enforcement (page 2). This one complaint launched the supervisor on an energetic campaign to allow more signage in many areas around town. Her staff had the time to walk "every named NC" (neighborhood commercial) district in the city surveying signs, according to the summary (page 7). She even felt the need (assuming you think this proposed ordinance wasn't actually written by a lobbyist) to open up areas for more signage way outside her district. Incredibly, and brazenly, the Planning Department (or mayor) decided to expand Stefani's proposal and is calling for increasing signage in even more areas. No convincing reasons for this are provided. You can read the planning department summary: <https://commissions.sfplanning.org/cpcpackets/2021-007327PCA.pdf>

First of all, repealing reasonable, long-term and widespread laws to get violators off the hook is as sleazy as government can get. (It doesn't get more Trumpy than that.)

Of course they trot out the well-worn argument that businesses could use a break. That is often the case, but effective rules that have been around for decades should not be permanently repealed every time there's a downturn in the economy. Laughingly, Planning provides two graphs to convince us that business is down right now (ya think?), but they are completely silent about how second signs might increase business. (People know what businesses are in their neighborhood. Residents living near West Portal are not going to suddenly discover there is a hardware store there because they put up a second sign.)

Please call in this Thursday (10/7) at 1 PM to speak against the Stefani sign ordinance. It is the first item on

the regular calendar. 415/655-0001 Code: 24955272323

More info:

This proposed ordinance is really quite simple. Current code allows signs on awnings “in lieu of” projecting signs hanging out over sidewalks. This ordinance changes “in lieu of” to “in addition to.” Current code also indicates the many areas where this applies. As noted, the supervisor adds to this list of streets and neighborhoods all around town. Planning expands it even further. I’ve provided a list below.

A big part of the problem is that Planning has allowed awnings to get way out of control. Some elegant storefronts, like Gump’s, have had reasonably narrow awnings over windows and doors, but many businesses are installing big bland vinyl “awnings” that stretch from one side of the building to the other. The neighboring storefronts do the same thing. This ordinance would not limit these awnings but would allow signs on them as big as 40-square-foot **in addition to** projecting signs on top of that. Some areas of the city would be allowed wall signs as well (yes, all three). It is really very radical legislation.

Planning’s executive summary points out that current code is designed “...to safeguard and enhance property values...and protect and enhance the distinctive appearance of San Francisco.” They make no effort whatsoever to explain how weakening the current sign code would do anything but degrade those two goals.

Merchants’ desire for signage seems knee-jerk. I have asked some why they desired a bigger sign, and the response was often awkward silence. Nor can they explain what type of customer (local residents, tourists, nearby workers) they expect to attract because of a second sign, or why. (The big chains like Walgreens do analyze the demographics in detail, and they often have no problem complying with current sign regs.)

The Planning Department’s review mentions both the current economic downturn and the unfortunate degradation of the city’s Cultural Heritage districts. They even cite the problem of rents being “doubled and tripled” before the pandemic. Somehow the SF Planning Department concludes that giving building owners more latitude is the best way to improve both issues. Absolutely zero (0) evidence is provided, and just the opposite is true. It is the building owners’ large rent increases (which will certainly be coming back) that hurt small neighborhood-oriented businesses the most. Telling small family-run businesses that they can spend thousands of dollars on a second sign is no help at all. (“Oh, let them buy signs.”) Little degrades the visual character of a Cultural Heritage District more than bland vinyl awnings up and down the street and signage for “Donuts”, “Nudes”, “Liquor”, etc. (see the examples on the website.)

Streets and areas where two or three signs would be allowed on each business but there would be no additional regulation of awnings:

RC, NC-1, NCT-1, NC-2, NCT-2, NC-S, NC-3, NCT-3, Balboa, Bayview, Broadway, Castro St, Cole Valley, Chinatown, Clement, Divisadero, Excelsior, Fillmore, Folsom, Geary, Glen Park, Inner Sunset, Irving St, Haight St, Hayes Gough, Japantown, Judah St, Lakeside, Upper Market, Noriega, North Beach, Ocean Ave, Pacific Ave, Polk St, Sacramento St, SoMa, Taraval, Union, Valencia, 24th St

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From: [Ionin, Jonas \(CPC\)](#)
Cc: [Feliciano, Josephine \(CPC\)](#)
Subject: FW: *** PRESS RELEASE *** MAYOR LONDON BREED NOMINATES MAX CARTER-OBERSTONE TO SAN FRANCISCO POLICE COMMISSION
Date: Thursday, October 07, 2021 4:23:03 PM
Attachments: [10.07.2021 Max Carter-Oberstone.pdf](#)

Jonas P Ionin
Director of Commission Affairs
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From: "Press Office, Mayor (MYR)" <mayorspressoffice@sfgov.org>
Date: Thursday, October 7, 2021 at 4:02 PM
To: "Press Office, Mayor (MYR)" <mayorspressoffice@sfgov.org>
Subject: *** PRESS RELEASE *** MAYOR LONDON BREED NOMINATES MAX CARTER-OBERSTONE TO SAN FRANCISCO POLICE COMMISSION

FOR IMMEDIATE RELEASE:
Thursday, October 7, 2021
Contact: Mayor's Office of Communications, mayorspressoffice@sfgov.org

***** PRESS RELEASE *****

MAYOR LONDON BREED NOMINATES MAX CARTER-OBERSTONE TO SAN FRANCISCO POLICE COMMISSION

Carter-Oberstone, a San Francisco native, would bring years of legal experience to the Commission

San Francisco, CA — Mayor London N. Breed today nominated Max Carter-Oberstone to the San Francisco Police Commission, the seven-member body charged with setting policy for the Police Department and conducting disciplinary hearings when police conduct charges are filed. Carter-Oberstone, who is African American, was born and raised in San Francisco and is an attorney who specializes in appellate litigation and police reform.

“I am extremely proud to nominate San Francisco native Max Carter-Oberstone to the Police Commission,” said Mayor Breed. “His experience advocating for criminal justice reform and community policing efforts comes at a critical time for public safety in our city. I am confident that his lived and professional experience will bring a diverse perspective to this well-respected commission.”

Carter-Oberstone has years of experience as an attorney. He currently serves as the Orrick Justice Fellow at the Policing Project at New York University Law School, where he is charged with spearheading legislative and litigation initiatives. As a fellow, Carter-Oberstone has drafted model laws that regulate various aspects of policing and has advised policymakers on police reform efforts. He has also designed and implemented litigation strategies focused

on constitutional doctrines that affect community-police relations.

“I am humbled by Mayor Breed’s decision to nominate me to the Police Commission. I am hopeful that my professional skills and lived experience will be an asset in assisting the Commission carry out its important duties. The chance to serve the City that I grew up in, in such a critical role is an incredible honor,” says Carter-Oberstone.

Carter-Oberstone is also a Senior Associate in Orrick, Herrington & Sutcliffe’s Supreme Court & Appellate Practice Group, where he litigates a range of matters in the U.S. Supreme Court and other appellate courts. Before joining Orrick, Herrington & Sutcliffe, Carter-Oberstone was an Associate Deputy Solicitor General at the California Department of Justice. He represented the State, state agencies, and constitutional officers in dozens of appellate matters, principally before the U.S. and California Supreme Courts.

“Max’s familiarity with San Francisco and his distinguished legal career make him a natural fit to serve the city as a Police Commissioner,” said Malia Cohen, President of the San Francisco Police Commission. “I am particularly excited to see how he applies his practical approach to leadership and policy analysis to help advance the Commission’s policy priorities, which include eliminating bias, streamlining the policymaking process, and improving data collection and analysis across a number of critical SFPD systems. I look forward to serving with him on the Commission.”

“This nomination is a wow from me! It is great to see a nominee who is an example to our young folks of how to navigate their way through the obstacles and barriers they face growing up in the Fillmore neighborhood but not finding themselves caught up in the system. That’s what Mr. Carter-Oberstone will represent as a Commissioner; paying it forward with his lived experience and professional skill,” says James Spingola, Executive Director, Collective Impact.

Carter-Oberstone is a graduate of Stanford Law School and Georgetown University and currently lives in Nob Hill with his wife, Nathalie, and son, Everett.

###

From: [CPC-Commissions Secretary](#)
Cc: [Ajello Hoagland, Linda \(CPC\)](#); [Feliciano, Josephine \(CPC\)](#)
Subject: FW: Please support bringing new homes at 4512 23rd Street
Date: Thursday, October 07, 2021 10:05:53 AM

Commission Affairs

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From: Andrew Sullivan <andrew@sulli.org>
Sent: Wednesday, October 06, 2021 12:34 PM
To: CPC-Commissions Secretary <commissions.secretary@sfgov.org>
Subject: Please support bringing new homes at 4512 23rd Street

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Commission Commission Secretary,

I'm writing to express my support for a creative new project that would bring 13 much-needed homes to 4512 23rd Street and urge you to approve this worthy project.

Here are a few of the many reasons that make these thoughtfully-designed new homes uniquely well-suited for this particular location:

1. Adding new homes where there have previously been none. Utilizing the HOME-SF density bonus program, 4512 23rd Street has the potential to maximize the number of homes on a small lot that has been vacant for more than 50 years in a neighborhood where very little multi-family housing has been built.
2. Creating more affordable homes in a city that's become largely unaffordable. Of the 13 units, 25% (3 units) will be below-market-rate homes for our neighbors with lower incomes. This means more homes for more families.
3. Close proximity to public transportation. The site is served by both the 37 and 48 MUNI lines, includes zero parking spaces, and encourages environmentally-friendly transportation

options by providing 13 bicycle parking spaces.

4. Sustainable design. These all-electric homes prioritize energy efficiency and are intended to achieve Net Zero Energy in terms of its common area power consumption.

5. Community benefits. As part of public improvements to 23rd Street, the project team will upgrade underground utility lines and improve public access that will benefit neighbors for years to come!

For these and many other reasons, I urge you to approve these well-designed, well-located, environmentally-friendly new homes without delay.

Andrew Sullivan
andrew@sulli.org

San Francisco, California 94117

From: [Ionin, Jonas \(CPC\)](#)
Cc: [Feliciano, Josephine \(CPC\)](#); [Horn, Jeffrey \(CPC\)](#)
Subject: FW: 4300 17TH Street
Date: Thursday, October 07, 2021 9:15:53 AM

Jonas P Ionin
Director of Commission Affairs
San Francisco Planning
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From: YinLan Zhang <yinlanz@yahoo.com>
Date: Wednesday, October 6, 2021 at 9:59 PM
To: "Ionin, Jonas (CPC)" <jonas.ionin@sfgov.org>
Subject: 4300 17TH Street

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Mr. Horn, Mr. Teague and Mr. Ionin:

The proposed development at 4300 17th Street must be denied as is currently proposed. It does not conform with zoning code and is too large for the current lot. The planning code does not permit the project as proposed. SF might need more housing, but many alternatives exist that would not require so many exemptions to the Planning and Zoning Codes. It is clear that the developer is only interested in maximizing profits over the concerns of the neighbors and neighborhood.

Please stand with your neighbors in opposing this project.

Thank you,

YinLan Zhang