From: <u>CPC-Commissions Secretary</u>
To: <u>Feliciano, Josephine (CPC)</u>

Subject: FW: 247 Upper Terrace; Parcel 2628/045 **Date:** Thursday, October 21, 2021 11:56:41 AM

Commission Affairs

San Francisco Planning 49 South Van Ness Avenue, Suite 1400, San Francisco, CA 94103

Direct: 628.652.7600 | www.sfplanning.org San Francisco Property Information Map

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From: phold2@yahoo.com <phold2@yahoo.com>

Sent: Thursday, October 21, 2021 11:48 AM

To: Koppel, Joel (CPC) <joel.koppel@sfgov.org>; Moore, Kathrin (CPC) <kathrin.moore@sfgov.org>; 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: Watty, Elizabeth (CPC) <elizabeth.watty@sfgov.org>; CPC-Commissions Secretary <commissions.secretary@sfgov.org>; Horn, Jeffrey (CPC) <jeffrey.horn@sfgov.org>; MandelmanStaff, [BOS] <mandelmanstaff@sfgov.org>

Subject: Fw: 247 Upper Terrace; Parcel 2628/045

Dear Commissioners.

As close neighbors, we are concerned about the development proposed at 247 Upper Terrace. Recently we sent the following email (below) to the Planner, Jeffrey Horn. We never received a response to our latest email of 10/18/21. Our initial communication to Mr. Horn was sent on October 12-the same day neighbors received notice of the October 28 Public Hearing.

We did, however, receive a letter from the Sponsor Architect, which essentially stated the project was code compliant-his tone was *it's a done deal*, which we find presumptuous.

This development proposal has been processed in a one-sided manner, in favor of the sponsor. The community, notably the next door neighbor, has not been allowed a voice in the matter. Compromise between the two parties has not been attempted. Communication has not followed noticing protocol. The affect of the development on the next door neighbor has not been considered, despite the fact that the sponsor could have all desired units by adjusting the architectural design (as noted in our email below) while preserving a small piece of the next door neighbor's existing

sunlight and air circulation.

We continue to hold hope for a just compromise that can be mutually beneficial to both sides.

Thank you for your attention.

Patricia and Frederick Holden 298 Upper Terrace

---- Forwarded Message -----

From: phold2@yahoo.com <a

Cc: Fred Holden < fredholdenjr@gmail.com >; evelynmarsf@gmail.com < evelynmarsf@gmail.com >

Sent: Monday, October 18, 2021, 10:03:34 PM PDT **Subject:** Re: 247 Upper Terrace; Parcel 2628/045

Dear Jeffrey,

Thank you for responding. Ms. Mar, the next door neighbor, and I sought guidance at the Planning Help Desk today. The two planners we spoke to today had different opinions on noticing rules.

One said that notice to neighbors is required 30 days prior to the public hearing. The other planner said notice to neighbors is required 20 days prior.

Nothing was received by neighbors within the required radius until Tuesday October 12. The hearing is scheduled for 12 business days from that time. My husband and I, along with other nearby neighbors, attended the prelim in 2019. We requested in writing on the pro-forma prelim agenda provided by the sponsor, that we be notified by email of status updates. I personally called the architect right after the meeting, to confirm that we would be kept advised electronically. We relied on their assurance that we would be notified. We did not receive any electronic noticing at all-which would have prevented the delay in snail mail noticing, as per the pandemic.

Given the lack of notice, Ms. Mar and none of the interested neighbors have had adequate time to digest the plans. Unfortunately, like everyone the pandemic narrowed our focus to health, obtaining vaccines and protecting our families, rather than keeping up with nearby development proposals. Our question to you is:

- The design, of the south side elevation, includes a pop-out which will effectively
 "wall off" (to a height of up to 4 stories) the next door neighbor's primary rooms
 (living room, master bedroom and deck). The effect of the pop-out may not have
 been apparent to your design team, when viewing the proposed plan on google
 earth.
- Given this dramatic intrusion into the next door neighbor's air and light space,
 will you explore the idea of this pop-out being eliminated, while still providing the

applicant with their desired number of units?

I believe you will be speaking by phone to the Ms. Mar tomorrow morning. I hope this will give you further clarification on what Ms. Mar is asking for.

We all sincerely hope that a just compromise can be effected for the benefit of both parties.

Thank you for your attention.

Patricia & Frederick Holden 298 Upper Terrace

On Monday, October 18, 2021, 04:14:14 PM PDT, Horn, Jeffrey (CPC) < ieffrey.horn@sfgov.org > wrote:

Hi Patricia.

Thank you for the comments, to respond to your questions:

- The project is deemed to meet all Planning Code requirements and the Department supports the project. The project is seeking Conditional Use Authorization for a building that is larger than 3,000 square feet in size and a rear yard less than 45% of lot's depth, which is a requirement of the Corona Heights SUD.
- 2. Yes, the project meets Planning Code requirements. The geotechnical memo you reference is the required level of review needed for our Environmental Planners to complete their review per the California Environmental Quality Act (CEQA). The project's building permit will go through additional and full structural and geotechnical review when the project's structural plans have been drafted. This is the typical process in San Francisco, first a project's architectural design is approved by Planning Department, afterwards the structural plans are created and then viewed by the Department of Building Inspection.
- 3. Correct, the notice did not include any plans, but there was a webpage provided, also available at https://sfplanning.org/page/public-notices-project-applications

4. The Department does not consider there to be any outstanding issues, if there were, we would not have deemed the project ready to have a Planning Commission hearing. To your specific comment, off-street parking for each unit is not a requirement of the Planning Code.
Please let me know if you have any additional questions.

Thank you,

Jeff Horn, Senior Planner

Southwest Team, Current Planning Division

San Francisco Planning

49 South Van Ness Avenue, Suite 1400, San Francisco, CA 94103

Direct: 628.652.7366 | www.sfplanning.org

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I am currently working from home during this time and will be available through email.

From: phold2@yahoo.com <phold2@yahoo.com>

Sent: Wednesday, October 13, 2021 9:55 AM **To:** Horn, Jeffrey (CPC) <<u>ieffrey.horn@sfgov.org</u>>

Cc: Fred Holden < fredholdenjr@gmail.com >; Desiree Roldan < desroldan@gmail.com >

Subject: 247 Upper Terrace; Parcel 2628/045

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Dear Mr. Horn,

We are neighbors across the street from this proposed project. All have been taken aback by the project status and progress, because the sponsors have not discussed or given surrounding neighbors the opportunity to learn more details about the project. There was a prelim plan discussion about two years ago, when the sponsors positioned their ideas as a "retirement project", with the assumption that they will be living there.

Our specific questions are:

- 1. What stage is this proposed development in currently? Is the development ready to get final approval? Does the Corona Heights SUD apply here?
- 2. Have all Planning Requirements been met, including geotechnic, setbacks and open space requirements? I don't see a geotechnic plan in the materials, only a general letter from geotech company. Will a plan be required?
- 3. Plans showing open space limits/requirements is not included, or I've missed it. Can you direct me to that?
- 3. What other outstanding issues exist? Parking, for example, will be severely restricted, especially with the addition of the new units.

I apologize for our lack of knowledge about this project. Nevertheless the community needs to know more about the impacts this development will have on their lives.

Thank you for your help.

Patricia Holden

Patricia and Frederick Holden

298 Upper Terrace

 From:
 CPC-Commissions Secretary

 To:
 Feliciano, Josephine (CPC)

 Subject:
 FW: 2017-0118780FA-02

Date: Thursday, October 21, 2021 11:44:35 AM

Commission Affairs
San Francisco Planning
49 South Van Ness Avenue, Suite 1400, San Francisco, CA 94103
Direct: 628.652.7600 | www.sfplanning.org
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----Original Message-----

From: Alison Heath <alisonlheath@gmail.com> Sent: Thursday, October 21, 2021 11:25 AM

To: Koppel, Joel (CPC) <joel.koppel@sfgov.org>; Moore, Kathrin (CPC) <kathrin.moore@sfgov.org>; 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: Ionin, Jonas (CPC) <jonas.ionin@sfgov.org>; CPC-Commissions Secretary <commissions.secretary@sfgov.org>; Enrique Landa <e5@associatecapital.com>

Subject: 2017-011878OFA-02

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Dear President Koppel and Commissioners:

I am writing in support of the Power Station's request for office allocation. The Potrero Boosters have long advocated for a reasonable jobs/housing balance and are pleased that the Power Station has been able to achieve the highest ratio of housing of all the Central Waterfront projects and at its abilty to deliver 725 units of much needed affordable housing.

As an aside, I was fortunate to have had the opportunity to tour Station A this week and can't overstate my delight at Associate Capital's early commitment to stabilize the building and begin the process of one of the West Coast's most ambitious adaptive reuse projects.

Alison Heath

Potrero Boosters Development Committee Chair

From: <u>Ionin, Jonas (CPC)</u>
Cc: <u>Feliciano, Josephine (CPC)</u>

Subject: FW: *** PRESS RELEASE *** MAYOR LONDON BREED CELEBRATES OPENING OF DROP-IN RESOURCE CENTER

FOR YOUTH

Date: Thursday, October 21, 2021 9:57:28 AM

Attachments: 10.20.2021 HYPE Center.pdf

Jonas P Ionin Director of Commission Affairs

San Francisco Planning

49 South Van Ness Avenue, Suite 1400, San Francisco, CA 94103

Direct: 628.652.7589 | www.sfplanning.org San Francisco Property Information Map

From: "Press Office, Mayor (MYR)" <mayorspressoffice@sfgov.org>

Date: Wednesday, October 20, 2021 at 5:55 PM

To: "Press Office, Mayor (MYR)" < mayorspressoffice@sfgov.org>

Subject: *** PRESS RELEASE *** MAYOR LONDON BREED CELEBRATES OPENING OF DROP-IN

RESOURCE CENTER FOR YOUTH

FOR IMMEDIATE RELEASE:

Wednesday, October 20, 2021

Contact: Mayor's Office of Communications, <u>mayorspressoffice@sfgov.org</u>

*** PRESS RELEASE ***

MAYOR LONDON BREED CELEBRATES OPENING OF DROP-IN RESOURCE CENTER FOR YOUTH

HYPE Center is part of a \$9.3 million initiative to better serve San Francisco youth impacted by commercial sexual exploitation and homelessness

San Francisco, CA — Mayor London N. Breed, the Department on the Status of Women, and non-profit organization Freedom Forward today celebrated the opening of the HYPE (Helping Young People Elevate) Center, a drop-in center designed and developed by local youth that provides critical services and resources for 14- to 25-year-olds across the Bay Area.

The new HYPE Center will be open to all youth in need, with a specific focus on reaching young people that have experienced commercial exploitation, been impacted by systematic oppression, or experienced homelessness. Part of the San Francisco Safety, Opportunities, and Lifelong Relationships (SF SOL) Collaborative, the Center brings together multiple services, resources, and activities—all of which were specifically identified by a group of local youth—under one roof and through one platform to make it easier for young people to get the help they need and get it quickly.

"The HYPE Center is part of our effort to not only create better outcomes for our youth, but also to amplify their voices and experiences," said Mayor Breed. "These young people have had to endure pain and trauma that no one should ever have to go through, and they know better than anyone the services and resources that have made a difference in their own lives

and can create better futures for other young people, especially those who are victims of human trafficking or have experienced homelessness. I am proud of all the young people and advocates that have worked so hard to make the opening of this Center a reality."

Non-profit organizations Freedom Forward and On the Move partnered to hire 11 "Youth Founders" ages 16 to 25 to develop HYPE Center's mission, facilitate its design, and identify the specific needs of youth. The Center launched virtually in January 2021 and has served more than 200 young people since its launch, and is now open for in-person services.

Services include on-site legal and intensive case management support, mental health services, educational services, coding classes, self-defense workshops, and family support. Additionally, the Center aggregates data to analyze how youth utilize services and resources across providers, soliciting feedback to understand youth needs and outcomes holistically.

"San Francisco is fortunate to have an abundance of resources, but that doesn't mean those resources are accessible to those who most need them. We have heard time and time again that the 'system' is not designed by nor for youth, but what if youth were a central part of designing systems? What if youth were not only at the table when decisions were being made, but were the primary decision-makers? The HYPE Center's goal is to shift how decisions are made and how services are accessed, and to support youth in their own leadership and autonomy," said Anastasia Mallillin, Director of Freedom Forward's HYPE Center.

The current list of youth-identified organizations providing services include:

- AnnieCannons, Inc.
- WestCoast Children's Clinic
- Bay Area Legal Aid
- Justice At Last
- Huckleberry Youth Programs
- Family Builders
- Five Keys Bay Area
- IMPACT Bay Area

Additional services will be joining the space over time as recommended by young people.

In 2019, the California Department of Social Services awarded the San Francisco Department on the Status of Women (DOSW) and the SF SOL Collaborative a three-year, \$9.3 million grant, enabling the City to develop models of care to promote better outcomes for youth impacted by commercial sexual exploitation or other circumstances.

"The HYPE Center is the culmination of true collaboration and innovation among San Francisco's leading advocates for youth and we could not be more excited about what's to come," said Kimberly Ellis, Director of the Department on the Status of Women. "Young people need a safe place and environment where they can start making decisions about changing their lives and living out dreams, dreams they often have been told they can't achieve and don't deserve."

The HYPE Center is a centerpiece of the SF SOL (Safety, Opportunities, and Lifelong Relationships) Initiative, which brings organizations together to better serve youth experiencing commercial sexual exploitation. SF SOL is working to ensure that all youth,

especially those that are typically the most excluded and marginalized have opportunities to thrive.

"Every day, young people are exploited, right here in our city of San Francisco," said Alia Whitney-Johnson, Freedom Forward's co-founder and Executive Director. "Many people think of youth sex trafficking as something that happens far away, but it happens in our city as well. Most of these youth have had touch points with our foster care system. Our systems and services have failed them. HYPE offers something different. Rather than pathologizing youth because of the things they have been through, we focus on their dreams and self-determination. The HYPE Center is accessible to all youth so that survivors don't have to identify with labels when they walk in the door."

"Youth who have overcome barriers and traumas can help pave the way for other youth to choose what they want and live up to their potential. This means having a space by youth, for youth, like HYPE. As youth, we see things that are usually missed by those in charge, providers, and the system as a whole. HYPE is how we change things," said Janel Gonzalez, HYPE Center Youth Founder.

For more information about the HYPE Center, to connect youth, or to get involved, please visit HYPECenterSF.com or write to hypecenter@freedom-forward.org.

###

From: CPC-Commissions Secretary
To: Feliciano, Josephine (CPC)
Subject: FW: Oil Well Drilling

Date: Thursday, October 21, 2021 9:55:25 AM

Commission Affairs

San Francisco Planning 49 South Van Ness Avenue, Suite 1400, San Francisco, CA 94103

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From: Starr, Aaron (CPC) <aaron.starr@sfgov.org>

Sent: Thursday, October 21, 2021 9:52 AM

To: Diamond, Susan (CPC) <sue.diamond@sfgov.org>; Koppel, Joel (CPC) <joel.koppel@sfgov.org>; Fung, Frank (CPC) <frank.fung@sfgov.org>; Moore, Kathrin (CPC) <kathrin.moore@sfgov.org>; CPC-Commissions Secretary <commissions.secretary@sfgov.org>; Imperial, Theresa (CPC) <theresa.imperial@sfgov.org>; Chan, Deland (CPC) <deland.chan@sfgov.org>; Tanner, Rachael (CPC) <rachael.tanner@sfgov.org>

Subject: Oil Well Drilling

Commissioners,

Kelley Groth from Supervisor Chan's office asked I forward this to Commissioner Moore based on her questions last week about oil drilling; however, I'm sending it to all in case anyone else is interested.

"Commissioner Moore had asked about backyard drilling, and just this morning the State's oil and gas regulator proposed the state ban new oil drilling within 3,200 feet of schools, homes, and hospitals. Would you mind forwarding her this AP <u>article</u>?"

Thanks,

Aaron Starr, Manager of Legislative Affairs Legislative Affairs

San Francisco Planning
49 South Van Ness Avenue, Suite 1400, San Francisco, CA 94103
Direct: +1628-652-7533| sfplanning.org
San Francisco Property Information Map

From: <u>CPC-Commissions Secretary</u>
To: <u>Feliciano, Josephine (CPC)</u>

Subject: FW: Project Sponsor Letter - 4512 23rd Street (Case No. 2019-019698AHB) - Agenda Item 10

Date: Wednesday, October 20, 2021 1:55:40 PM

Attachments: 4512 23rd Street - Project Sponsor Letter 10.20.21.pdf

Commission Affairs

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From: Ryan Patterson <ryan@zfplaw.com>
Sent: Wednesday, October 20, 2021 1:02 PM

To: Koppel, Joel (CPC) <joel.koppel@sfgov.org>; 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>; Moore, Kathrin (CPC) <kathrin.moore@sfgov.org>

Cc: Ajello Hoagland, Linda (CPC) linda.ajellohoagland@sfgov.org>; Ionin, Jonas (CPC) <jonas.ionin@sfgov.org>; CPC-Commissions Secretary <commissions.secretary@sfgov.org>; Brian O'Neill <bri>brian@zfplaw.com>; Chandni Mistry <chandni@zfplaw.com>

Subject: Project Sponsor Letter - 4512 23rd Street (Case No. 2019-019698AHB) - Agenda Item 10

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Dear Commissioners:

Please find a letter attached regarding 4512 23rd Street.

Thank you very much,

Ryan J. Patterson Zacks, Freedman & Patterson, PC 601 Montgomery Street, Suite 400 San Francisco, CA 94111

Telephone: (415) 956-8100 Facsimile: (415) 288-9755 Email: ryan@zfplaw.com www.zfplaw.com

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ZACKS, FREEDMAN & PATTERSON

A Professional Corporation

601 Montgomery Street, Suite 400 San Francisco, California 94111 Telephone (415) 956-8100 Facsimile (415) 288-9755 www.zfplaw.com

October 20, 2021

VIA E-MAIL

President Joel Koppel and Commissioners San Francisco Planning Commission 49 South Van Ness Ave, Suite 1400 San Francisco, CA 94103

Re: 4512 23rd Street (Case No. 2019-019698AHB)

Hearing Date: October 21, 2021

Agenda Item 10

Dear President Koppel and Commissioners:

Our office represents Paramount Estate, LLC, owner of 4512 23rd Street. Our client has applied to construct a 13-unit residential housing development on a vacant lot through the HOME-SF Program. The Project Sponsor has committed to reserve 25% of the units as below market rate for low-income tenants. The Project meets, and in many respects exceeds, all HOME-SF requirements, and provides significant community benefits. The Project has received broad community support and represents a unique opportunity to provide affordable by design units in a neighborhood with limited housing options for low-income individuals and working families. The Project is a unique opportunity to demonstrate our commitment to diversity, inclusiveness, and equity in housing, and meet the goals of the Federal Affirmatively Furthering Fair Housing law. Additionally, as a code-compliant housing development, state law requires that the Project be approved at the proposed density and prohibits the imposition of any conditions that impact the viability or affordability of the Project. We therefore respectfully request the Planning Commission's approval of the project.

The Project Meets or Exceeds all HOME-SF Requirements

The HOME-SF Program was created to encourage housing projects that reserve units onsite at below market rate rent in a percentage higher than otherwise required by the Inclusionary Housing Ordinance. To accommodate these below market rate units, the HOME-SF Program allows for certain zoning modifications.

Here, the Project reserves 25% of the units as affordable for low-income tenants, which is double the typical Inclusionary Housing Ordinance requirement. The below market rate units will be permanently deed restricted and available for low-income San Franciscans in perpetuity. Additionally, 46% of the units are more than one-bedroom, which is above the 40% HOME-SF requirement. In total, 61% of the bedrooms are in units with more than one bedroom, well over the 50% HOME-SF requirement. Moreover, the HOME-SF Program encourages larger units that

"incorporate family friendly amenities," such as increased storage space and open space. All the units provided in this Project exceed the minimum dwelling size requirements, providing more space for families. The Project also exceeds the open space requirements and provides a codecompliant rear yard.

The Project is a model for transit-first housing. The site is located within three minutes walking distance of four different bus lines, provides thirteen class II bicycle parking spaces, and does not include on-site parking to encourage tenants to utilize sustainable transportation methods. The Project is on a vacant lot, which means no housing units will be lost as part of the project. Every unit and every bedroom will be a net gain in housing for the City.

The project is also located in the Twin Peaks/Corona Heights neighborhood, which historically has been an affluent neighborhood that lacks diversity and affordable housing options. The Federal Fair Housing Act directs local governments to take meaningful actions to foster inclusive communities and address disparities in housing opportunities, and to affirmatively further fair housing in all actions and programs. This development is a unique opportunity for San Francisco to demonstrate our shared commitment to diversity, inclusiveness, and equity in housing. This is the exact type of project that was envisioned when the HOME-SF Program was created.

The Project Design Reflects Neighborhood Input and Has Received Broad Community Support

The Project Sponsor has held multiple community meetings and maintained open lines of communication throughout the design process to create a project that is sensitive to neighborhood concerns. In addition to the required pre-application meeting, the Project Sponsor held three, well attended community meetings to discuss the project. These meetings were followed up with numerous calls and discussions with neighbors and community representatives.

As a result of these discussions, the Project Sponsor voluntarily implemented numerous design elements to address concerns and limit impacts to neighboring properties. The building height was reduced by ten feet and is below what the HOME-Program allows, and the Project includes a generous, nearly 25-foot front setback on the fifth floor, resulting in a 600 square foot reduction in living space, to provide more access to light and air for neighbors. The building height has also been reduced by minimizing the parapets on the fourth and fifth floor decks, as well as eliminating elevator penthouse to the roof deck, all to reduce massing and provide additional light and air to neighbors. Opaque windows were also added to address privacy concerns.

The Project Sponsor has gone to great lengths to reduce the massing of the building, while still providing a significant number of new, family-friendly, affordable by design units. As a result of this extensive outreach, the Project has received broad support from the neighbors and the community at large. Neighbors on Corbett Avenue have submitted letters of support, in addition to over 100 letters from the public. Local housing advocacy groups, including YIMBY Action and the San Francisco Housing Action Coalition, have both called on the Planning Commission to approve the project.

Despite the Project Sponsor's continued outreach and best efforts to resolve all outstanding issues, several neighbors still oppose the project. Although the neighbors raise several ancillary construction-related issues, the main objection is that the Project simply is too dense and provides too many units. The neighbors' contention is in direct conflict with the purpose and goals of the HOME-SF Program. The City is in a housing crisis and this Project not only meets, but exceeds the requirements of the HOME-SF Program. The Project represents a significant opportunity for the City to put working families first and provide thirteen, desperately needed new units, including three below marker rate units, in a neighborhood that severely lacks affordable housing options.

With regard to construction impacts, the Project will be designed by licensed engineering professionals and carried out by licensed contractors in accordance with all City requirements and industry best practices. Although minor temporary inconveniences in this urban setting are unavoidable when constructing new units to address the housing crisis, the Project Sponsor will continue to engage neighbors throughout the construction process to ease impacts as much as possible. The Project Sponsor is clearly responsive to neighborhood concerns and is dedicated to completing the project in a responsible and expedient manner.

The Project Provides Additional Community Benefits

In addition to the affordable, transit-first design that will benefit working families, the Project also implements several features that align with the City's broader climate and sustainability goals. The Project is all electric, environmentally friendly, and consistent with the REACH building code for energy efficiency. The project is solar ready, with the ability to achieve net zero electricity consumption in all common areas. Building materials will be sustainable and environmentally friendly.

The Project Sponsor has also committed to providing additional benefits to the neighborhood. The decades old retaining wall along 23rd Street will be replaced, which will increase the structural integrity and stability of the hillside. A new ADA-compliant pedestrian pathway connection will improve accessibility from 23rd Street and Argent Alley to the Corbett and Market Street bus stops. All the underground utilities below 23rd Street will be modernized, including new sewer, water, electricity, and cable broadband access. The landscaping in the right-of-way area adjacent to the site will be improved with the removal of one dying, nonnative, hazardous tree and the addition of three new native trees.

In sum, this underutilized, vacant lot will be developed with an energy efficient, thoughtfully designed, transit-first project that will not only provide affordable housing but will improve the entire surrounding area.

The Project Clearly Falls Within the CEQA Class 32 Categorical Exemption

CEQA exempts certain classes of projects that do not have the potential to cause a significant effect on the environment. The Class 32 exemption consists of urban infill projects that meet the following

conditions: (a) The project is consistent with applicable general plan and zoning policies and standards; (b) the project is within city limits on a project site five acres or less and substantially surrounded by urban uses; (c) the site has no value as habitat for endangered, rare or threatened species; (d) the project would not result in any significant effects relating to traffic, noise, air quality, or water quality; and (e) the site can be adequately served by all required utilities and public services. On September 20, 2021, the Planning Department determined that Project meets all the conditions to qualify for the Class 32 urban infill exemption and therefore is categorically exempt from further CEQA review.

Project opponents have made unsubstantiated claims that the Project site is a sanctuary for endangered species, including the American badger. A focused biological resources assessment was conducted by Coast Ridge Ecology, LLC, which determined that rare, endangered, or threatened species are not expected to occur on the site. Coast Ridge Ecologists' report found that the site is heavily disturbed, no native soils were present, the site is dominated by highly invasive plant species, and no impacts to rare wildlife species are expected to occur. With respect to American badgers specifically, Coast Ridge Ecologists' report found no evidence of badger mounds that are normally associated with badger habitat. The report further found that the site was too small and heavily disturbed to provide suitable badger habitat, and that any badger sighting would be considered an "extremely rare event." Coast Ridge Ecologists' report notes that in the Bay Area the badger's typical habitat is grassland, which is not present at the project site. The project opponents have also suggested that there may be hawks or other birds living in the tree, but does not provide any evidence to support this statement. Coast Ridge Ecologists only observed common bird species during their site survey and found no indication of active nests of any kind.

The Planning Department agrees that an American badger is "extremely unlikely" to use the property because of a lack of suitable habitat and determined that the project site has no value as habitat for endangered rare or threatened species. Project opponents also made the same arguments in a tree removal permit appeal for the removal of one unhealthy, hazardous tree from the right-of-way area adjacent to the Project site. The Board of Appeals unanimously rejected the appeal, concurred with the findings of Coast Ridge Ecologists, and found that no wildlife would be harmed by removal of the tree. In rejecting the appeal, Vice President Rick Swig stated that the appeal contentions demonstrated no real merit. This vacant, highly disturbed lot in the middle of a densely urbanized area clearly does not provide suitable habitat for endangered rare or threatened species. The Project falls squarely within the Class 32 urban infill exemption and therefore is categorically exempt from further CEQA review.

Approval of the Project is Required under State Law

Gov. Code § 65589.5, the Housing Accountability Act ("HAA"), prohibits the City from disapproving a code-compliant residential project unless the City finds a significant, quantifiable, direct, and unavoidable public health and safety impact, based on objective, identified written standards, where there is no feasible method to satisfactorily mitigate or avoid the identified impact. As described above and confirmed in the staff report for this item, the Project meets or

exceeds all Planning Code requirements for HOME-SF projects and therefore is a code-compliant residential project. There is no evidence to demonstrate that Project would cause a significant, quantifiable, direct, and unavoidable impact. Therefore, this code-compliant Project must be approved at the density proposed and prohibits the imposition of any conditions that would impact the viability or affordability of the Project.

We also note that the HAA defines "disapproval" to include a failure to comply with the time periods specified in Gov Code § 65950. For projects determined to be exempt from CEQA, as is the case here, Gov Code § 65950 requires action within 60 days from the date of that determination. The Planning Department determined that the Project is exempt from CEQA on September 20, and therefore the City is required to act by November 19. Any attempt to delay the approval of the Project beyond that deadline would be a violation of the HAA.

Conclusion

The project meets or exceeds all HOME-SF and Planning Code requirements, and provides a unique opportunity to provide thirteen new units for working families in a neighborhood that lacks affordable options. The Project provides significant community benefits and has received broad community support. The Project is clearly exempt from CEQA and the HAA requires the project to be approved. We therefore respectfully request the Planning Commission approve the project without delay.

Very truly yours,

ZACKS, FREEDMAN & PATTERSON, PC

Ryan J. Patterson

From: Ionin, Jonas (CPC)

Feliciano, Josephine (CPC); Young, Sharon (CPC); Dito, Matthew (CPC) Cc:

Subject:

Date: Wednesday, October 20, 2021 11:30:40 AM

Commissioners,

Please be advised that the 17th Ave and Anza St items will be continued from your hearing tomorrow to a date in Dec.

Jonas P Ionin Director of Commission Affairs

San Francisco Planning

49 South Van Ness Avenue, Suite 1400, San Francisco, CA 94103 Direct: 628.652.7589 | www.sfplanning.org

San Francisco Property Information Map

From: <u>Ionin, Jonas (CPC)</u>
Cc: <u>Feliciano, Josephine (CPC)</u>

Subject: FW: *** PRESS RELEASE *** SAN FRANCISCO CELEBRATES MAJOR CLIMATE SUCCESS WITH 25 YEARS OF

COMPOSTING

Date: Wednesday, October 20, 2021 10:34:20 AM **Attachments:** 10.20.2021 Composting 25th Anniversary.pdf

Jonas P Ionin Director of Commission Affairs

San Francisco Planning

49 South Van Ness Avenue, Suite 1400, San Francisco, CA 94103

Direct: 628.652.7589 | www.sfplanning.org San Francisco Property Information Map

From: "Press Office, Mayor (MYR)" <mayorspressoffice@sfgov.org>

Date: Wednesday, October 20, 2021 at 10:33 AM

To: "Press Office, Mayor (MYR)" < mayorspressoffice@sfgov.org>

Subject: *** PRESS RELEASE *** SAN FRANCISCO CELEBRATES MAJOR CLIMATE SUCCESS

WITH 25 YEARS OF COMPOSTING

FOR IMMEDIATE RELEASE:

Wednesday, October 20, 2021

Contact: Mayor's Office of Communications, <u>mayorspressoffice@sfgov.org</u>

*** PRESS RELEASE ***

SAN FRANCISCO CELEBRATES MAJOR CLIMATE SUCCESS WITH 25 YEARS OF COMPOSTING

City's curbside composting program leads the nation, providing all San Franciscans with easy composting at home and furthering the City's zero waste efforts

San Francisco, CA — Mayor London N. Breed today commemorated 25 years of organics recovery in what has been hailed as the most successful, comprehensive, and innovative composting program in the country. Since 1996, residents and businesses have recovered organic material, primarily food scraps, away from landfills and applied to local farmland, vineyards, and ranches. Today, the City collects more than 500 tons per day from the green bin.

"I'm so proud of our residents and businesses that continue to step up and redefine what it means to be a sustainable city," said Mayor Breed. "For decades now, San Franciscans have steadily increased the food scraps they've collected in the green bin, helping us get closer to that Zero Waste City we aspire to be. This perseverance and dedication has showcased what's possible to cities all around the world looking to emulate our practices."

To commemorate this milestone, Mayor Breed and the Department of the Environment are asking residents to challenge themselves throughout the upcoming holiday season by using their green and blue bins more than their black bin. To support these efforts, the Department of the Environment launched an eight-week public awareness campaign offering residents a free

compost pail for their home. Throughout the campaign, residents will be reminded with helpful tips and resources that encourage them to rethink old habits and move towards zero waste.

"As our City's total emissions continue to drop thanks to decades of successful climate action, we're still faced with the challenge of pulling the carbon that already exists out of the air," said Debbie Raphael, Director of the Department of the Environment. "When you use the green bin, you're converting food waste that would've otherwise gone to landfill, into rich, nutrient-dense compost that feeds our farms and simultaneously captures CO2 from the atmosphere. There's no better time than now to improve our consumption behaviors and ultimately reduce waste."

Composting is critical to California's fight against climate change. When used on local agriculture, soils amended with compost are richer in nutrients, reducing the need for chemical fertilizers and have improved water retention. This not only helps plants thrive but also reduces the risk of wildfires. Additionally, compost improves the overall quality and health of the soil, benefitting microbes and plants that in turn sequester carbon from the air. In contrast, food scraps improperly disposed in the black bin can turn into material that release harmful methane gases into the atmosphere. Methane is more than 25 times as potent as carbon dioxide at trapping heat in the atmosphere, so achieving significant reductions in methane emissions is critical for meeting our climate goals.

San Francisco's food scrap collection program for composting, the first of its kind in the nation, began in 1996 as a community-led effort at The San Francisco Wholesale Produce Market, now called The SF Market. Shortly afterwards, the city's largest hotel chains worked with the City to implement food scrap collection for composting. Building off of that success, a compost pilot program in the Richmond District was initiated, and in 2001, curbside collection of organic material to all properties became available on a voluntary basis. By 2009, San Francisco was the first City in the nation to mandate composting and recycling through the three-bin collection system residents, and businesses are familiar with today. As a direct result of San Francisco's innovative policies and initiatives, the State legislature in 2016 passed Senate Bill 1383, which requires all jurisdictions to provide organic collection services to residents and businesses by 2022, among other policies to reduce methane emissions.

Today, food scraps and landscape debris properly collected in the green bin are transported to Recology's Blossom Valley Organics, a state-of-the-art facility near Vernalis, California. There, contaminants like plastics are sorted from the organic material. The filtered material is then shredded, laid out in windrows, and carefully managed to balance moisture in the air. These steps encourage naturally-occurring microbes to break down the organic matter and destroy any harmful pathogens. After 60 days, the compost material is sold to local farmers to amend their soils. San Francisco's curbside food scrap collection program has diverted more than 2.5 million tons of compostable material from landfill disposal.

"It's on all of us to push further and redefine what it means to be an environmental City, which is why our staff have worked hard to ensure operations and best practices that are better for the planet," said Vanick Der Bedrossian, co-owner of San Francisco's La Méditerranée restaurant, one of the City's certified Green Businesses due to their waste reduction efforts and lower carbon footprint. "We're grateful to be a part of a community and City that shares these values, and welcome others to take the next step by joining the City's Green Business Program."

At the 2018 Global Climate Action Summit, Mayor Breed committed San Francisco to new zero waste goals and challenged other cities to take the same pledge. Specifically, the City pledged to reduce its municipal solid waste generation by 15% by 2030 and reduce disposal to landfill by 50% by 2030. Today, San Francisco recovers more material than perhaps any other city in the United States due in part to compulsory recycling and composting. However, continued bold action and new investments are critical to reaching the City's goals.

Residents wishing to learn more about the award-winning campaign and obtain a free compost pail can visit sfgasrelief.org. For more information on the Department of the Environment's Green Business Program, please visit sfenvironment.org/green-businesses.

###

From: <u>Ionin, Jonas (CPC)</u>
Cc: <u>Feliciano, Josephine (CPC)</u>

Subject: FW: *** PRESS RELEASE *** MAYOR LONDON BREED AND SUPERVISOR RAFAEL MANDELMAN INITIATE STEPS

TO REFORM ELECTRONIC MONITORING PROGRAM

Date: Wednesday, October 20, 2021 9:04:27 AM

Attachments: 10.20.2021 Electric Monitoring.pdf

Jonas P Ionin Director of Commission Affairs

San Francisco Planning

49 South Van Ness Avenue, Suite 1400, San Francisco, CA 94103

Direct: 628.652.7589 | www.sfplanning.org San Francisco Property Information Map

From: "Press Office, Mayor (MYR)" <mayorspressoffice@sfgov.org>

Date: Wednesday, October 20, 2021 at 9:03 AM

To: "Press Office, Mayor (MYR)" <mayorspressoffice@sfgov.org>

Subject: *** PRESS RELEASE *** MAYOR LONDON BREED AND SUPERVISOR RAFAEL MANDEL MAN INITIATE STEPS TO REFORM ELECTRONIC MONITORING PROGRAM

FOR IMMEDIATE RELEASE:

Wednesday, October 20, 2021

Contact: Mayor's Office of Communications, <u>mayorspressoffice@sfgov.org</u>

*** PRESS RELEASE ***

MAYOR LONDON BREED AND SUPERVISOR RAFAEL MANDELMAN INITIATE STEPS TO REFORM ELECTRONIC MONITORING PROGRAM

Need for improvements as number of individuals out of custody on alternative forms of incarceration, including electronic monitoring, increased from 37% in 2016 to 63% in 2020

San Francisco, CA — Mayor London N. Breed and Supervisor Rafael Mandelman have initiated steps to work with the Sheriff and the Adult Probation Department to reform San Francisco's electronic monitoring program. This public safety tool needs reforms to achieve its original deterrence function, while also serving as an alternative to incarceration.

As first steps, the Mayor has requested the Sheriff and Adult Probation Department (APD) develop and present recommendations regarding how to best strengthen the electronic monitoring program in San Francisco so that its original deterrence function can be fulfilled. Supervisor Mandelman submitted a letter of inquiry to the Adult Probation Department for information regarding APD's electronic monitoring program and requested a Budget and Legislative Analyst report to compare and contrast San Francisco's program for electronic monitoring to other similar jurisdictions.

"Electronic Monitoring is essential in our work to reduce incarceration. But if it is failing as a tool for deterrence then it is failing those we are trying to keep out of jail and we are failing

the public," said Mayor London Breed. "By working with the Sheriff and Adult Probation, we can reform and strengthen this important public safety tool that can keep people out of jail, and prevent future contact with the criminal justice system."

"One out of every three people on pretrial electronic monitoring in San Francisco removes their ankle monitor or commits other crimes," said Supervisor Rafael Mandelman. "If one out of every three cells in our jail had broken locks we would do something about it. We must continue to invest in alternatives to incarceration—and we must ensure that those alternatives are effective so that we keep the public safe and break the cycle of recidivism and reincarceration."

In July, Supervisor Mandelman sent a letter of inquiry to the Sheriff requesting data on the effectiveness of electronic monitoring for the pretrial population, including a breakdown of charges against those released on pretrial electronic monitoring. In response to his request, the Sheriff released the following information:

- As of July 31, 2021, there were 328 active clients on electronic monitoring, of whom 126 failed to comply with the terms of their electronic monitoring.
- Many people released on electronic monitoring failed repeatedly to comply with the terms of their release during the past year: 381 persons failed 1 time, 160 persons failed 2 times, 66 persons failed 3 times, 27 persons failed 4 times, 4 persons failed 5 times, 3 persons failed 6 times, 2 persons failed 7 times, and 1 person failed 9 times.
- Many of those released on electronic monitoring were charged with a variety of violent crimes including Assault with a Deadly Weapon, Kidnapping, Child Molestation, Attempted Murder, Rape, Robbery, and Carrying a Loaded Gun.

Given the concerning nature of this data, Supervisor Mandelman is requesting an analysis from the Budget and Legislative Analyst to determine how these statistics compare with other California jurisdictions. Supervisor Mandelman also sent a letter of inquiry to the Adult Probation Department to gather additional data on the effectiveness of post-sentencing electronic monitoring.

The use of electronic monitoring has significantly increased in San Francisco over time. The percentage of individuals out of custody and on alternative forms of incarceration like electronic monitoring increased from 37% in 2016 to 63% in 2020. In July of this year, the California Policy Lab published a report regarding pretrial release and found that roughly half of the individuals released were accused of committing a new crime while out of custody and nearly half failed to show up for court. The report also found about 1 in 6 defendants allegedly committed a new violent crime while out of custody. The report based their findings on data from May 2016 to December 2019 which covered 9.881 cases of people charged with crimes in San Francisco and released from jail before trial.

From: <u>CPC-Commissions Secretary</u>

Cc: Horn, Jeffrey (CPC); Feliciano, Josephine (CPC)

Subject: FW: Please support bringing new homes at 4512 23rd Street

Date: Wednesday, October 20, 2021 8:40:12 AM

Commission Affairs

San Francisco Planning 49 South Van Ness Avenue, Suite 1400, San Francisco, CA 94103

Direct: 628.652.7600 | www.sfplanning.org San Francisco Property Information Map

Expanded in-person services at the Permit Center at 49 South Van Ness Avenue are available. Most other San Francisco Planning functions are being conducted remotely. Our staff are <u>available by e-mail</u>, and the Planning and Historic Preservation Commissions are convening remotely. The public is <u>encouraged to participate</u>. Find more information on our services <u>here</u>.

From: Wendy He <wendy@maanglobal.com> Sent: Monday, October 18, 2021 10:59 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 muchneeded 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.

Wendy He wendy@maanglobal.com

San Francisco, California 94116

From: <u>CPC-Commissions Secretary</u>

Cc: Horn, Jeffrey (CPC); Feliciano, Josephine (CPC)

Subject: FW: Form Submission - 4300 17th Street Support Form - I support 4300 17th mixed-affordable housing project

Date: Wednesday, October 20, 2021 8:37:58 AM

Commission Affairs

San Francisco Planning

49 South Van Ness Avenue, Suite 1400, San Francisco, CA 94103

Direct: 628.652.7600 | www.sfplanning.org San Francisco Property Information Map

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From: 'Squarespace' via 4300 17th Street Letters of Support <4300-17th-street-letters-of-

support@googlegroups.com>

Sent: Wednesday, October 20, 2021 7:00 AM

To: 4300-17th-street-letters-of-support@googlegroups.com

Subject: Form Submission - 4300 17th Street Support Form - I support 4300 17th mixed-affordable

housing project

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

Sent via form submission from mixed affordable housing @ 4300 17th Street

Name: Jeremy Haile

City: San Francisco

Email: jeremyhaile@yahoo.com

Subject: I support 4300 17th mixed-affordable housing project

Message: I am writing in support of the mixed-affordable housing project proposed at 4300 17th Street in San Francisco. San Francisco is one of the most beautiful and magical cities on Earth. However, San Francisco is also home to one of the most infamous housing crises on Earth. While this modest project certainly won't solve San Francisco's housing crisis, it will solve it for those families that would live in these units and could be a blueprint for small

scale, infill opportunities in the future.

--

You received this message because you are subscribed to the Google Groups "4300 17th Street Letters of Support" group.

To unsubscribe from this group and stop receiving emails from it, send an email to <u>4300-17th-street-letters-of-support+unsubscribe@googlegroups.com</u>.

To view this discussion on the web visit https://groups.google.com/d/msgid/4300-17th-street-letters-of-support/560790856.1925.1634738418705.JavaMail.root%40v6-aux-55594b6f4c-6gv5f.

From: <u>CPC-Commissions Secretary</u>
To: <u>Feliciano, Josephine (CPC)</u>

Subject: FW: Item 13, Record No. 2016-005365CUA 230 Anza Street: Preserve rent-controlled units in D1!

Date: Wednesday, October 20, 2021 8:37:32 AM

Commission Affairs

San Francisco Planning 49 South Van Ness Avenue, Suite 1400, San Francisco, CA 94103 Direct: 628.652.7600 | www.sfplanning.org

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From: Sue Vaughan <selizabethvaughan@gmail.com>

Sent: Wednesday, October 20, 2021 5:22 AM

To: Koppel, Joel (CPC) <joel.koppel@sfgov.org>; Moore, Kathrin (CPC) <kathrin.moore@sfgov.org>; 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>; CPC-Commissions Secretary <commissions.secretary@sfgov.org>; Breed, Mayor London (MYR) <mayorlondonbreed@sfgov.org>

Confinitissions.secretary@sigov.org>, breed, ividyor condon (ivith) <mayoriondonbreed@sigov.org>

Cc: BOS-Legislative Aides <bos-legislative_aides@sfgov.org>;

westsidecommunitycoalition@gmail.com; Board of Supervisors, (BOS)

<board.of.supervisors@sfgov.org>

Subject: Item 13, Record No. 2016-005365CUA 230 Anza Street: Preserve rent-controlled units in D1!

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

Item 13, Record No. 2016-005365CUA 230 Anza Street: Preserve rent-controlled units in D1!

Commissioners:

Thank you for your service on the Planning Commission. You put in long hours of hard work.

I urge you to reject the proposed demolition at 230 Anza Street because San Francisco needs to protect its rent-controlled units. Instead, please direct the sponsor to complete renovations on the property and bring the building up to code with two habitable, rent-controlled units that our city and the Westside desperately needs.

With hundreds of rent-controlled apartments losing protected status, rising housing prices, and the continued displacement of families on the westside, it's critical that we preserve these units. Projects like this that could replace rent-controlled units with market rate housing will not only enrich developers, but also make the cost of housing increasingly prohibitive for renters and working families. We cannot set a precedent that would allow owners to neglect properties so that they or a future owner would be able to demolish deteriorated properties for maximum profit instead of maintaining the original, invaluable units of rent-controlled housing.

I join my community and the Westside Community Coalition, Westside Tenants Association, and Richmond District Rising in demanding that the Planning Commission prioritize bringing rent controlled units up to code to provide the safe and stable housing our community needs, not tear it down to build luxury housing. Thank you!"

Sue Vaughan District 1 94121 From: <u>CPC-Commissions Secretary</u>
To: <u>Feliciano, Josephine (CPC)</u>

Subject: FW: Item 12, Record No. 2018-009812CUA 1268 17th Avenue: Preserve rent-controlled units in D5!

Date: Wednesday, October 20, 2021 8:37:26 AM

Commission Affairs

San Francisco Planning 49 South Van Ness Avenue, Suite 1400, San Francisco, CA 94103 Direct: 628.652.7600 | www.sfplanning.org

San Francisco Property Information Map

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From: Sue Vaughan <selizabethvaughan@gmail.com>

Sent: Wednesday, October 20, 2021 5:17 AM

Subject: Item 12, Record No. 2018-009812CUA 1268 17th Avenue: Preserve rent-controlled units in D5!

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

Item 12, Record No. 2018-009812CUA 1268 17th Avenue Commissioners:

I urge you to reject the proposed demolition at 1268 17th Ave because San Francisco needs to protect its rent-controlled units, not encourage speculative upscaling of properties that threaten the affordability of housing on the Westside.

With hundreds of rent-controlled apartments losing protected status, rising housing prices, and the continued displacement of families on the Westside, it's critical that we preserve these units. Projects like this that would enable the replacement of two existing rent-controlled units with three upscaled units will not only enrich developers,

but also make the cost of housing increasingly prohibitive for renters and working families.

I join my community and the Westside Community Coalition, Westside Tenants Association, and Richmond District Rising in demanding that the Planning Commission prioritize bringing rent controlled units up to code to provide the safe and stable housing our community needs, not tear it down to build luxury housing. Thank you!

Sue Vaughan District 1 94121 From: <u>Ionin, Jonas (CPC)</u>
To: <u>Feliciano, Josephine (CPC)</u>

Subject: FW: CHN Memo Re 4300 17th St. Continuance Date: Wednesday, October 20, 2021 8:35:43 AM

Attachments: CHN.SFPCFNL.pdf

Jonas P Ionin
Director of Commission Affairs
San Francisco Planning
49 South Van Ness Avenue, Suite 1400, San Francisco, CA 94103
Direct: 628.652.7589 | www.sfplanning.org https://www.sfplanning.org/
San Francisco Property Information Map https://sfplanninggis.org/pim/

On 10/19/21, 8:57 PM, "paul allen" <sfcapaul@mac.com> wrote:

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

Dear Commissioners:

On behalf of Corbett Heights Neighbors, please find attached a memorandum to you in PDF format regarding the October 14, 2021 Continuance of Agenda Item 17(a), 4300th Street 2019-013808VAR.

Thank you.

Paul A. Allen Secretary, Corbett Heights Neighbors 415-829-8700



Memorandum

To: San Francisco Planning Commissioners:

Joel Koppel (joel.koppel@sfgov.org)
Kathrin Moore (kathrin.moore@sfgov.org)
Deland Chan (deland.chan@sfgov.org)
Sue Diamond (sue.diamond@sfgov.org)
Frank S. Fung (frank.fung@sfgov.org)
Theresa Imperial (theresa.imperial@sfgov.org)
Rachael Tanner (rachael.tanner@sfgov.org)

cc: Jonas P. Ionin, Director of Commission Affairs (jonas.ionin@sfgov.org)

Rich Hillis, Planning Director (rich.hillis@sfgov.org)

Corey Teague, Zoning Administrator (<u>corey.teague@sfgov.org</u>) Supervisor Rafael Mandelman (<u>rafael.mandelman@sfgov.org</u>)

Jeff Horn, Senior Planner (jeffrey.horn@sfgov.org)

From: William Holtzman, President (wmmia@icloud.com)

Paul A. Allen, Secretary (sfcapaul@mac.com)

Date: October 19, 2021

Re: October 14 Continuance of Agenda Item 17(a); 4300 17th Street 2019-013808VAR

Dear Commissioners:

On behalf of Corbett Heights Neighbors, previously designated as "organized opposition" to the grant of the CUAs and variances associated with the above calendared item, we write to express our shock that this matter was, literally in the first minutes of the October 14 hearing, continued until November without fair notice to CHN or the many neighbors who set aside their afternoon in order to voice their opposition to this Project and, tellingly, for a reason that seems wholly contrived. This is inexplicable and unacceptable.

Aware that this item was at the end of the October 14 agenda, we tuned in at bit past 1:00 p.m., just before the Commissioners voted for a Continuance. We will not make the same mistake again. As Mr. Ionin noted, the Director of Commission Affairs did not receive any request to continue the matter. At Mr. Hillis's prodding, Mr. Horn declared that "I have heard from the Project Sponsor [presumably, Mr. Pluta] of a willingness for

the Project to be continued in anticipation of upcoming legislation to be heard by the Commission on corner lots," referencing Supervisor Mandelman's well known proposal. Who sought the Continuance? The Sponsor? The Planning Department? Both? We are not told.

Given the procedural irregularity here, the well known and widespread public opposition to this Project, and CHN's prior status as "organized opponents" one would have thought that quaint notions of fair play would have caused the Planning Department — or someone — properly to notify CHN in advance rather than be blindsided at 1:08 pm. At the very least, that and perhaps even Commission rules should have caused the matter of a Continuance to be considered when the Project was called at its assigned place on the published agenda. We cannot imagine that this chain of events would have occurred at an in-person hearing, rather than a virtual one.

Context is important. The now continued item is version 2.0 of the Project. Following the Department's disapproval recommendation of version 1.0 and, tacitly, the Commission's concurrence at a hearing one year ago, version 2.0 was many months in the making yet still prepared without any consultation with neighbors or our neighborhood association. It was initially set for a hearing in *early September*, apparently at Sponsor's request and with the support of the Department, but granted a Continuance until October 14 at CHN's request and with the support of Supervisor Mandelman. The reason for our request was that there had been no outreach to the community during the year-long process during which the Project was revised; and that short advance notice at summer's end was all but guaranteed to yield fewer neighborhood comments and speakers. In order to prepare for this October 14 hearing, scores of individuals were involved, more than 160 letters written, and speakers lined up.² All for naught.

While we can imagine that there might be extraordinary circumstances that would warrant a Continuance in the first minutes of a Hearing, we do not understand how this could be one of them. The reason offered by Mr. Hillis was to "get beyond" the Commission's hearing on Supervisor Mandelman's "Corner Lot Density Exception" legislation. What does that mean?

First, the proposed legislation was introduced on May 18. Surely 6 months was ample time for the Project Sponsor and the Planning Department to consider its implications here, if any. That the Sponsor, with the Department's concurrence, previously sought a

¹ The Department continues to accept at face value that the Sponsor presented the Project to CHN and has engaged in extensive outreach. October 14, 2021 San Francisco Planning Department Executive Summary at p. 3. Almost a year ago CHN advised the Department that this was not correct but the myth somehow endures. CHN Supplemental Memorandum, November 16, 2020 at p. 1.

² See Appendix A, on page 4, for a graphical depiction of the approximate location of the neighbors who took the time to write letters in opposition to the Project.

September hearing belies the notion that, at 1:08 p.m. on October 14 and with no notice to CHN or interested neighbors, more time is needed by someone for... something. Second, the proposed legislation has not yet even cleared the Land Use Committee to which it was referred, much less been voted on by the full Board of Supervisors. Third, what is the relevance and materiality of a — as far as we can determine, unscheduled — Commission hearing on the proposed legislation? We are not told.

Fourth, and most importantly, *on its face* the corner lot legislation does not apply to the facts at hand. To the contrary, it speaks only of waiving density limits for up to four units (not including ADUs) on corner lots.³ But density is not the issue. Instead, the issue is that the Project seeks a host of CUAs and a zoning variance because, among other things, it contravenes the Corona Heights Large Residence Special Use District and Section 134 of the Planning Code in that, most essentially, the Project would yield "full lot coverage" (i.e. exceeding the minimum 45% backyard threshold) on the newly severed lot. That is not a question of density.

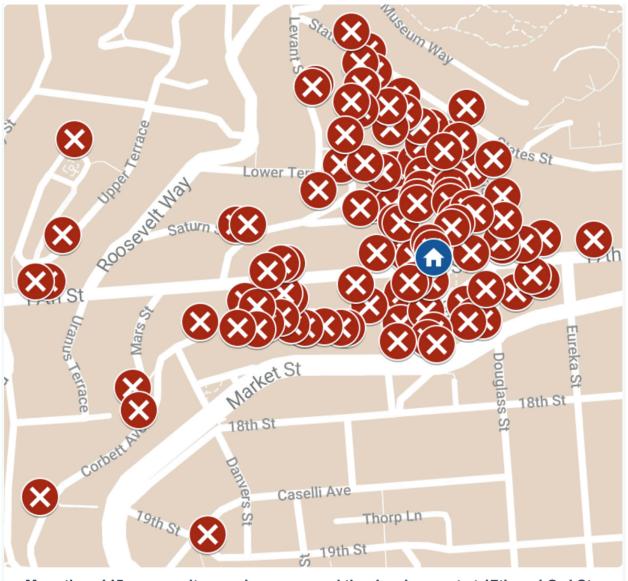
We find the last minute request for and action on someone's request for Continuance as articulated by Messrs. Hillis and Horn unfair, disrespectful to the many neighbors poised to testify, and wholly unsupported. As presently drafted, Supervisor Mandelman's proposed Corner Lot bill is simply not relevant: it is not law, and even if it were the law today it would have no bearing on the Commission's consideration of the exceptional requests to abandon, *ad hoc*, the 45% yard requirement, among others.

In sum, the continuance and the request therefor remain inexplicable. Accordingly, CHN hereby requests (1) a say in the date and time at which Mr. Pluta's Project will be heard, consistent with all standards of due process and fair play; and (2) advance notice of the day and time of the Commission's hearing, not yet posted on Planning's website but referenced in Mr. Hillis's "get beyond" comment, at which consideration will be given to Supervisor Mandelman's Corner Lot Density proposal.

³ File No. 210564. See proposed Sec. 207(c)(8).

Appendix A:

Graphical Depiction of Location of Neighbors Who Have Written to the Commission In Opposition



More than 145 community members opposed the development at 17th and Ord St.

From: Giacomucci, Monica (CPC)

To: Koppel, Joel (CPC); Moore, Kathrin (CPC); Chan, Deland (CPC); Diamond, Susan (CPC); Fung, Frank (CPC);

Imperial, Theresa (CPC); Tanner, Rachael (CPC)

CC: CTYPLN - COMMISSION SECRETARY; Ionin, Jonas (CPC); Sucre, Richard (CPC)

Subject: Potrero Power Station Office Allocation - Revised Draft Motion

Date:Tuesday, October 19, 2021 7:58:54 PMAttachments:2017-0118780FA-02 Revised Draft Motion.pdf

2017-0118780FA-02 Revised Draft Motion with Tracked Changes.pdf

Good evening, President Koppel and members of the Commission,

Since your packets were published last week, City Attorney staff have requested some clarifying edits to the Draft Motion for the Potrero Power Station Office Allocation scheduled to come before you as the third item on the regular calendar at this Thursday's (10/21) Planning Commission hearing. The edits are concentrated within the Conditions of Approval of the Draft Motion on pages 17 through 20. For your convenience, I've attached a PDF of the revised Draft Motion with tracked changes as well as a "clean" version of the final edited Draft Motion.

Please don't hesitate to contact me if you have any questions about the attached revised Draft Motion or about the proposal in general.

Thank you, Monica

Monica Giacomucci, Senior Preservation Planner Southeast Quadrant Team, Current Planning Division (she/her/hers)

San Francisco Planning

49 South Van Ness Avenue, Suite 1400, San Francisco, CA 94103

Direct: 628.652.7414 | www.sfplanning.org San Francisco Property Information Map

Expanded in-person services at the Permit Center at 49 South Van Ness Avenue are available. Most other San Francisco Planning functions are being conducted remotely. Our staff are <u>available by e-mail</u>, and the Planning and Historic Preservation Commissions are convening remotely. The public is <u>encouraged to participate</u>. Find more information on our services <u>here</u>.





PLANNING COMMISSION DRAFT MOTION OFFICE DEVELOPMENT AUTHORIZATION

HEARING DATE: October 21, 2021

Record No.: 2017-0118780FA-02 Project Address: 420 23rd Street

Zoning: PPS-MU (Potrero Power Station Mixed Use) Zoning District

> 65-PPS/240-PPS Height and Bulk District Potrero Power Station Special Use District

Block/Lot: 4175/002, 017; 4232/001, 006

Project Sponsor: Enrique Landa, California Barrel Company, LLC

420 23rd Street

San Francisco, CA 94107

Property Owner: California Barrel Company, LLC

420 23rd Street

San Francisco, CA 94107

Staff Contact: Monica Giacomucci - (628) 652-7414

monica.giacomucci@sfgov.org

ADOPTING FINDINGS RELATED TO AN ALLOCATION OF OFFICE SQUARE FOOTAGE UNDER THE OFFICE JOBS/AFFORDABLE HOUSING BALANCE INCENTIVE RESERVE, WHICH IS PART OF THE ANNUAL OFFICE DEVELOPMENT LIMITATION PROGRAM, PURSUANT TO PLANNING CODE SECTIONS 320-325 TO ESTABLISH 896,323 GROSS SQUARE FEET OF OFFICE SPACE WITHIN A PHASED PROJECT LOCATED AT 420 23RD STREET, LOTS 002 AND 017 IN ASSESSOR'S BLOCK 4175, AND LOTS 001 AND 006 IN ASSESSOR'S BLOCK 4232, WITHIN THE PPS-MU (POTRERO POWER STATION MIXED USE) USE DISTRICT, POTRERO POWER STATION SPECIAL USE DISTRICT, AND 65-PPS/240-PPS HEIGHT AND BULK DISTRICT, AND ADOPTING FINDINGS UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT.

PREAMBLE

On January 30, 2020, the Planning Commission adopted Motion No. 20635, certifying the Final Environmental Impact Report (the "FEIR") for the Potrero Power Station Mixed-Use Development Project prepared pursuant to the California Environmental Quality Act (Cal. Pub. Resources Code §§ 21000 et seq.) ("CEQA"). At the same hearing, the Planning Commission adopted Resolution No. 20637, recommending to the Board of Supervisors approval of the General Plan Amendments consistent with the Potrero Power Station Special Use District, Resolution No. 20640, recommending to the Board of Supervisors approval of a Development Agreement between the City and County of San Francisco and California Barrel Company LLC ("Development Agreement"), Resolution No. 20639, recommending to the Board of Supervisors approval of amendments to the Planning Code and Zoning Map amendments to establish the Power Station Special Use District ("PPS-SUD") and Height and Bulk districts, Motion No. 20638, approving the Potrero Power Station Design for Development, and Motion No. 20636, approving findings pursuant to CEQA (including a statement of overriding considerations and a mitigation monitoring and reporting plan (the "MMRP") for the Project.

On February 25, 2020, the City and County of San Francisco Port Commission (the "Port") adopted Resolution No. 20-12, consenting to the Development Agreement, approving a ground lease between the Port and California Barrel Company LLC (the "Port Lease"), delegating authority to the Port's Executive Director to enter into one or more Memoranda of Understandings with various City agencies, including the San Francisco Public Utilities Commission ("SFPUC"), the San Francisco Department of Public Works ("SFDPW") and the Department of Building Inspection ("DBI"), relating to each agency's role and responsibility, adopting environmental findings under CEQA, including the MMRP and a statement of overriding considerations.

On April 21, 2020, the Board of Supervisors adopted Ordinance No. 0062-20 (File No. 200040) approving the Development Agreement, waiving or modifying certain provisions of the Administrative Code, Planning Code, Subdivision Code, and Zoning Map, and adopting environmental findings under CEQA (including the MMRP and a statement of overriding considerations), public trust findings, and findings of consistency with the General Plan and Planning Code priority policies, Ordinance 0061-20 (File No. 200039), amending the Planning Code and the Zoning Maps to establish the Power Station Special Use District and Height and Bulk districts, Ordinance 0064-20 (File No. 200174), amending the General Plan to conform the General Plan with the Potrero Power Station Special Use District, and Resolution 0164-20 (File No. 200217), approving the Port Lease.

On March 3, 2020, the voters of San Francisco approved an initiative ordinance entitled the "San Francisco Balanced Development Act" listed on the ballot as Proposition E ("Prop E"). Prop E amended Planning Code sections 321 and 322 to generally restrict the square footage of permitted office development under the annual limit (established by Proposition M) if the City does not meet certain affordable housing production goals as identified by the Final Regional Housing Need Allocation adopted by the Executive Board of the Association of Bay Area Governments on July 13, 2013. Notwithstanding the amount of office square footage remaining under the annual limit, Prop E also permits the Planning Commission to approve new office development for projects where the requested office allocation exceeds 49,999 square feet, the office development is part of a project that involves the construction of affordable housing, and the project does not require the use of any San Francisco Affordable Housing Development Funding. Prop E requires that the office project provide affordable housing at a ratio of at least 809 housing units affordable to households (with household incomes no greater than 120% of Area Median Income), for each 1,000,000 square feet of new office development (or fraction thereof) sought pursuant to Prop E.



On September 17, 2021, Enrique Landa of California Barrel Company (hereinafter "Project Sponsor") filed Application No. 2017-0118780FA-02 (hereinafter "Application") with the Planning Department (hereinafter "Department") for an Office Development Authorization to establish 896,323 gross square feet of office use on the Potrero Power Station development site (hereinafter "Project") at 420 23rd Street, Lots 002 and 017 in Assessor's Block 4175 and Lots 001 and 006 in Assessor's Block 4232 hereinafter "Project Site").

On October 21, 2021, the San Francisco Planning Commission (hereinafter "Commission") conducted a duly noticed public hearing at a regularly scheduled meeting on Office Development Authorization Application No. 2017-0118780FA-02.

The Planning Department Commission Secretary is the custodian of records; the File for Record No. 2017-0118780FA-02 is located at 49 South Van Ness Avenue, Suite 1400, 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 has reviewed and considered the portions of the FEIR that are relevant to the Project, finds that the Addendum to the FEIR under is adequate, accurate, and objective, reflects the independent analysis and judgment of the Planning Department and the Planning Commission, and concurs with the determination that no additional environmental review is required for the reasons set forth in the Addendum; and

MOVED, that the Commission reaffirms and adopts the CEQA Findings and Statement of Overriding Considerations adopted for the EIR on by Motion No. 20636, which approved findings pursuant to CEQA (including a statement of overriding considerations and a mitigation monitoring and reporting plan (the "MMRP") for the Project; and,

MOVED, that the Commission hereby authorizes the Office Allocation as requested in Application No. 2017-0118780FA-02, 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 Potrero Power Station Mixed-Use Development Project is a multi-phased, mixed-use development, involving the construction of a variety of residential, commercial, parking, community facilities, and open space land uses, all in accordance with the Development Agreement. Residential uses will include both market-rate and affordable housing, and commercial uses will include office, research and development/life science, retail, hotel, entertainment/assembly, and production, distribution, and repair (PDR) uses. The Project includes public access areas and open space, playing fields and other active open space uses, a dock facility and other shoreline improvements, transportation improvements and an internal grid of public streets, shared public ways, and utilities infrastructure. Overall, the Project consists of up to approximately 5.4 million gross square feet of development.



The Development Agreement and the Potrero Power Station Special Use District principally permit office uses throughout the Project Site. Other than Blocks 2, 3, 11, 12, and 15, however, any potential non-retail sales and service uses (including office use) are limited to the basement level, ground floor and mezzanine only. To obtain a building permit establishing any new office use larger than 24,999 gross square feet, an Office Allocation under Planning Code Sections 321 and 322 is required.

The Office Allocation seeks authorization to establish up to 896,323 gross square feet of additional office space on the Project Site over the term of the Development Agreement (30 years). In Motion 20801, the Planning Commission granted a separate Office Allocation to establish 403,760 square feet of office use at Station A located on Block 15. While the Station A building is part of the overall Potrero Power Station development project, it is separate from this Office Allocation, and is not subject to the provisions of the Office Jobs/Affordable Housing Balance Incentive Reserve under Planning Code Section 321(a)(7). The design of any new office building must be approved through the Design Review process established by the Development Agreement and the Potrero Power Station Special Use District.

3. Site Description and Present Use. The Project Site is an approximately 29-acre area generally bounded by 22nd Street to the north, the San Francisco Bay to the east, 23rd Street to the south, and Illinois Street to the west. This Motion applies to an approximately 21.0-acre portion of the Project Site currently owned by the Project Sponsor, consisting of Assessor's Block 4175/Lot 002 and Lot 017, and Block 4232/Lot 001 and Lot 006 (as more specifically defined as the "Developer Property" in the Development Agreement) (the "CBC Property"). This sub-area includes a large portion of the site of the former Potrero Power Station, which was most recently owned and operated by PG&E and by NRG Potrero LLC.

Existing structures at the CBC Property consist primarily of vacant buildings and facilities. The CBC Property currently has little vegetation other than occasional ruderal weeds and unmaintained vegetation. Current uses at the CBC Property include warehouses, parking, vehicle storage, and office space. The most visually prominent of the structures remaining on the CBC Property are: the Unit 3 Power Block (including a 128-foot tall steel frame boiler structure and 40-foot tall turbine-generator- condenser structure and the four-story concrete control room building; the adjacent 300-foot tall concrete boiler exhaust stack; and Station A.

A portion of the site is not owned by the Project Sponsor, and is owned by PG&E ("PG&E sub-area"). PG&E is currently using the PG&E sub-area for storage, offices, as a headquarters for San Francisco utility maintenance operations, gas and electric transmission, and an electrical transmission substation. The Port owns some land on the east side of the Project Site, consisting primarily of vacant land with unmaintained landscaping surrounded by a fence, rip rap, and some shoreline improvements.

4. Surrounding Properties and Neighborhood. The Project Site is located within the Central Waterfront neighborhood. Properties in the general vicinity of the Project Site feature industrial and warehouse uses, many of which are vacant. Directly to the north of the Project Site is the 35-acre Pier 70 Mixed-Use District Project Site; a portion of this recently approved project commenced construction in May 2018. This area consists of historic shipyard property being used for a variety of temporary uses, including event venues, artist studios, storage, warehouse, parking, recycling yard, and office space. The Pier 70 Mixed-Use District project has been approved for development of up to approximately 4.2 million gross square feet of residential, commercial, retail/arts/light-industrial, and open space uses and improvements to existing structures; construction is planned to occur over several development phases from 2018 through 2029.



San Francisco Bay lies directly east of the Project Site. To the south of the Project Site, across 23rd Street, are commercial warehouses housing DHL Express and SF Storage, among other tenants, and the PG&E Transbay Cable converter station. Farther to the south along the bay shore is Warm Water Cove Park. To the west of the Project Site, across Illinois Street from the PG&E sub-area, is the American Industrial Center, a large, multi-tenant light industrial building. Adjacent to the Project Site to the west is PG&E's Potrero Substation, a functioning high-voltage transmission substation serving San Francisco. Farther west, beyond the American Industrial Center, are the residential areas of the Potrero Hill and Dogpatch neighborhoods. The nearest existing residential uses are located on Third Street, approximately 600 feet west of the Project Site.

5. Public Outreach and Comments. The Project Sponsor engaged in a robust community outreach program throughout the development and refinement of the Project design over the past several years. Community engagement included roughly 170 community meetings, public site tours, workshops and presentations, Project Sponsor office hours, presentations to the Eastern Neighborhoods Community Advisory Committee, the Potrero Boosters, the Dogpatch Neighborhood Association, SPUR, the Housing Action Coalition, the Port, the Historic Preservation Commission, and the Planning Commission.

To date, the Department has received no correspondence regarding the Office Allocation subject to this Motion.

- 6. Planning Code Compliance. The Design for Development, adopted by the Planning Commission by Motion No. 20638 on January 30, 2020, sets forth design and land use standards and guidelines applicable within the SUD and consistent with the Development Agreement. Applicable provisions of the Planning Code apply unless otherwise provided in the SUD under Planning Code Section 249.87.
 - A. Potrero Power Station Special Use District. Any application for vertical improvements at the Project Site is subject to the provisions of the Potrero Power Station Special Use District under Planning Code Section 249.87 in addition to any other applicable requirements of the Planning Code as provided in the SUD. Non-residential uses, including but not limited to Office uses, are principally permitted throughout the site except for the Stack and public and private open spaces. Any subsequent application for vertical improvements at the Project Site that contains a portion or portions of the requested 896,323 gross square foot Office Authorization will be reviewed for compliance with the Design for Development, Potrero Power Station Special Use District, and any additional applicable codes prior to approval by the Planning Director.
- 7. Office Allocation Criteria. 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 must consider the following criteria established by Code Section 321(b)(3):
 - A. 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 21, 2021, the Large Cap has a balance of XXX,XXX square feet. However, the Project proposes to make use of the Office Jobs/Affordable Housing Balance Incentive Reserve, as detailed in Section 8 below.

The Project will enable the development of the Potrero Power Station Mixed-Use Development project, and further the intent of the Central Waterfront Area Plan to create an economically diversified and lively jobs center on a previously underutilized utility site with connections to nearby Development Agreement sites at Mission Rock and Pier 70. As stated in the Potrero Power Station Development Agreement, the Project has the potential to provide a variety of office spaces that address the needs of small and large companies in a range of industries. Although the coronavirus pandemic resulted in reduced demand for office uses in the short-term, the proposed Project would create new office spaces at the Project Site over a 30-year period in a burgeoning and desirable area of San Francisco. As a result, the Project will help ensure a smooth and enduring transition as the market for office continues to stabilize. In addition, the Project will stimulate the area's economic recovery and growth by employment opportunities for construction professionals as well as employees of future office tenants.

The Project is located in a transit-rich area, and the offices created by this Office Allocation will be accessible by foot, bicycle, and public transportation. The Project Site is already within a short walk of the 23rd Street stop on SFMTA's KT Muni Metro light rail line and the 91-3rd Street Muni Bus line, and within just a few blocks of the 48-Quintara Muni bus line. While region-serving public transit lines are not walkable from the Project Site, the Caltrain Station at 4th and King Streets is easily accessible from the KT Muni Metro line. Finally, the Potrero Power Station Development Agreement provides for a new multimodal street network connecting to the Dogpatch and Pier 70, which will host a future 55-Dogpatch SFMTA bus line running run along 22nd Street and enter the site at Maryland Street. This new bus line will increase public transit access to the Potrero Power Station site.

Overall, per the Development Agreement with the City, the Project provides a balance between economic growth, housing, and transportation and provides overarching public benefits. These include, but are not limited to: rehabilitation of Station A and the Unit 3 Boiler Stack; creation of 6.9 acres of publicly accessible open space, including Power Station Park, Stack Plaza, and the Point; and the reopening of over 1,000 linear feet of shoreline to the public for the first time in 150 years.

Other proposed public benefits include a robust Workforce Agreement, which guarantees a significant financial contribution to training programs aimed at both construction and end-user employment opportunities onsite. The Project will include the construction of an on-site community recreation center of at least 25,000 gross square feet in size provided rent-free to a community facility operator, along with funding for tenant improvements. Additionally, the Project will provide funding or space to the San Francisco Public Library for a library to be located on the Project site. Finally, the Project will construct two childcare facilities on which will be available for lease to a licensed nonprofit operator without charge for rent, utilities, property taxes, building services, or repairs, for a minimum of four years. The Office Allocation will enable these public benefits.

B. The suitability of the proposed office development for its location, and any effects of the proposed office development specific to that location.

The Development Agreement principally permits non-residential uses (including office uses) on every block of the Project Site, with the exception of the Stack and open spaces at Power Station Park, Stack Plaza, and the Point. Other than Blocks 2, 3, 11, 12, and 15, however, any potential non-retail sales and



service uses (including office use) are limited to the basement level, ground floor and mezzanine only. Each Design Review application for a building containing office use will be reviewed by Department staff for compliance with the land use controls of the Design for Development, Development Agreement, and Planning Code Section 249.87.

- C. Whether the proposed project includes development of New Affordable Housing Units such that all of the following are satisfied:
 - (i) The New Affordable Housing units are on-site or located within a Community of Concern as designated by the Board of Supervisors;

As noted below in Section 8, the Office Allocation will require the provision of affordable units on-site or in a Community of Concern pursuant to Prop E.

(ii) The New Affordable Housing Units will be developed pursuant to a requirement included in a development agreement authorized by Government Code Section 65865 or any successor section for the proposed office development;

The overall Project will create a significant amount of affordable housing units pursuant to a Development Agreement. The Development Agreement's affordable housing plan provides that 30% of all residential units built at the Project Site are designated as below market rate units, inclusionary units, or in-lieu fee units. The Project may not satisfy the affordable housing obligations of the Development Agreement solely by payment of in lieu fees, because the Development Agreement caps the total number of affordable units that may be substituted by payment of an in-lieu fee to 258 dwelling units Inclusionary Rental Units and Inclusionary For-Sale Units provided in satisfaction of the Development Agreement's affordable housing plant must be restricted, on average, to a Housing Cost that is affordable to Households earning not more than 72% and 99% of Area Median Income ("AMI"), respectively.

(iii) The number of New Affordable Housing Units is no less than 100% of the New Affordable Housing Units required to house the future employees of the proposed project's office development in accordance with the City's Affordable Housing Demand Ratio.

As noted below in Section 8, consistent with Prop E's calculation of the number of affordable housing units required to house the future employees of the office development, the Office Allocation will require the provision of affordable units at a ratio of at least 809 affordable housing units for each 1,000,000 square feet of new office development (or fraction thereof) in the project.

D. The extent to which the project incorporates Community Improvements that exceed the requirements of zoning and City ordinances applicable to the project.

As noted above, the overall Potrero Power Station Mixed-Use Project provides for long-term deployment of public benefits. The DA provides for the construction of an on-site community recreation center of at least 25,000 gross square feet in size provided rent free to a community facility operator along with funding for tenant improvements. Additionally, the Project will provide funding or space to the San Francisco Public Library for a library to be located on the Project site or within ¾ mile from the Project



site. The Project Site will include two on-site childcare facilities totaling not less than 6,000 gross square feet in size each. These facilities will be available for lease to a licensed nonprofit operator without charge for rent, utilities, property taxes, building services, or repairs, with minimum terms of four years. After this initial term, they will be available to a licensed nonprofit operator for an additional period of four years, at a cost not to exceed actual operating and tenant improvement costs reasonably allocated to similar facilities in similar buildings. The overall Potrero Power Station Mixed-Use Project will create approximately 6.9 acres of new public open space including the Power Station Park, Stack Plaza, Waterfront Park, and several smaller plazas and pathways throughout the Project site. All open spaces at the Project Site — with the exception of the Point and some areas directly along the shoreline, which are owned by the Port — will be privately owned and publicly accessible. The Office Allocation will help facilitate these Community Improvements.

- 8. Office Jobs/Affordable Housing Balance Incentive Reserve Findings. The proposed project is eligible to use the Office Jobs/Affordable Housing Balance Incentive Reserve under Planning Code Section 321(a)(7). At the election of a project sponsor, the Planning Commission may grant an authorization for a proposed office development notwithstanding the annual limit specified in Planning Code Section 321(a)(1) if all of the following criteria are satisfied:
 - A. The proposed office development contains more than 49,999 square feet of additional office space.
 - The requested office development contains 896,323 gross square feet of additional office space to be developed over the term of the Development Agreement.
 - B. The proposed project of which the office development is a component includes development of New Affordable Housing units in an amount no less than 100% of the New Affordable Housing Units required to house the future employees of the proposed project's office development in accordance with the City's Affordable Housing Demand Ratio, and such units are either: (a) on-site, or (b) located off-site within a Community of Concern as designated by the Board of Supervisors and developed pursuant to a requirement included in a development agreement authorized by Government Code Section 65865 or any successor Section for the proposed office development. If the project sponsor elects to satisfy Section 415.5 of the Planning Code by payment of an Affordable Housing Fee to the City, then one-half (50%) of the New Affordable Housing Units credited to satisfaction of that inclusionary housing requirement by payment of the Fee in accordance with Subsection 415.5(b)(1)(C) shall also be counted toward satisfaction of this Subsection (a)(7)(B). For projects developed in multiple phases as provided in an approved development agreement authorized by Government Code Section 65865 or any successor Section, the total of all New Affordable Housing Units required to be Produced by the development agreement in all phases shall be considered in evaluating a project sponsor's application for an allocation of office space pursuant to this Subsection (7) at any time.

The "City's Affordable Housing Demand Ratio" means 809 housing units affordable to households with household incomes no greater than 120% of Area Median Income per 1,000,000 square feet of new office development, as detailed in the Jobs Housing Nexus Analysis of May 2019, which determined that the Affordable Unit Demand Factor for 1,000 square feet of new San Francisco office development is currently 0.80892 affordable housing units. Therefore, the proposed Office Allocation of 896,323 gross square feet



requires the production of 725 affordable units, either constructed on-site or within a Community of Concern over the term of the Development Agreement (Community of Concern must be designated by the Board of Supervisors as part of a development agreement). Approximately 780 affordable units, representing 30% of the 2,601 overall dwelling units estimated on the site, are proposed within the Development Agreement.

If the Project constructs housing subject to Planning Code Section 415.5 and elects payment of an Affordable Housing Fee to the City as the method of compliance, then one-half (50%) of the New Affordable Housing Units credited to satisfaction of that inclusionary housing requirement by payment of the Fee in accordance with Subsection 415.5(b)(1)(C) shall also be counted toward satisfaction of Planning Code Section 321(a)(7)(B), as calculated pursuant to Planning Commission Resolution No. 20792 or any subsequent Planning Commission resolution.

Separate from the affordable housing requirement of the Jobs/Affordable Housing Balance Incentive Reserve, the Development Agreement also contains a proportionality requirement that ties office and life science development to the provision of affordable housing units. Specifically, the Project must provide 128 affordable dwelling units, either on-site or through payment of the Affordable Housing Fee, each time the City issues a First Certificate of Occupancy for a building that causes the total cumulative area of office and/or life science land uses on the Project Site to exceed 500,000 gross square feet, 1,000,000 gross square feet, and 1,500,000 gross square feet. Three of these "proportionality events" should occur over the full build-out of the Project. Within 45 days after each "proportionality event," the Project Sponsor must notify the Mayor's Office of Housing and Community Development (MOHCD) of the number and type of credits that the Project Sponsor has obtained or will obtain to satisfy the proportionality requirement ("proportionality election"). If the Project Sponsor chooses to provide In-lieu fee credits or credits for land dedication, the fees or delivery of land must be provided within 30 days of the proportionality election. If the Project Sponsor elects to build the units on-site in a market rate building, it must deliver those units within 3 years of the issuance of the first construction document for the office building.

The full affordable housing production requirement of Planning Code Section 321(a)(7)(B) must be met within the 30-year term of the adopted Development Agreement and is addressed in more detail in Condition of Approval No. 5 of this motion.

C. No other City of San Francisco Affordable Housing Development Funding will be used to fund capital development costs of such affordable housing component of the project.

The Project will not use any City of San Francisco Affordable Housing Development Funding to fund the capital development costs of the affordable housing units required as a result of the requested office allocation. As was explicitly noted in the Development Agreement, the Project will rely in part from revenues from the office buildings proposed by the Project to finance any associated community benefits provided over the term of the Development Agreement, including but not limited to affordable housing units.

9. **General Plan Compliance.** The Project is, on balance, consistent with the Objectives and Policies of the General Plan for the reasons set forth below.



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.

OBJECTIVE 3

PROVIDE EXPANDED EMPLOYMENT OPPORTUNITIES FOR CITY RESIDENTS, PARTICULARLY THE UNEMPLOYED AND ECONOMICALLY DISADVANTAGED.

Policy 3.2

Promote measures designed to increase the number of San Francisco jobs held by San Francisco residents.

TRANSPORTATION ELEMENT

Objectives and Policies

OBJECTIVE 2

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

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.

CENTRAL WATERFRONT PLAN

Land Use

Objectives and Policies

OBJECTIVE 1.1

ENCOURAGE THE TRANSITION OF PORTIONS OF THE CENTRAL WATERFRONT TO A MORE MIXED-USE CHARACTER, WHILE PROTECTING THE NEIGHBORHOOD'S CORE OF PDR USES AS WELL AS THE HISTORIC DOGPATCH NEIGHBORHOOD.

Policy 1.1.4

Maintain the integrity of the historic Dogpatch neighborhood.

Policy 1.1.8



Consider the Potrero power plant site as an opportunity for reuse for larger-scale commercial and research establishments.

Built Form Objectives and Policies

OBJECTIVE 3.1

PROMOTE AN URBAN FORM THAT REINFORCES THE CENTRAL WATERFRONT'S DISTINCTIVE PLACE IN THE CITY'S LARGER FORM AND STRENGTHENS ITS PHYSICAL FABRIC AND CHARACTER.

Policy 3.1.9

Preserve notable landmarks and areas of historic, architectural or aesthetic value, and promote the preservation of other buildings and features that provide continuity with past development.

The Project, as described in the Development Agreement and the D4D, includes a program of development accompanied by substantial community benefits designed to revitalize an underutilized industrial site and complement the surrounding neighborhood with a mix of housing, commercial and open space uses. The Project appropriately balances the construction of new housing and commercial uses, including office, with new and improved infrastructure and related public benefits in a sustainable manner.

The Project would help meet the job creation goals established in the City's Economic Development Strategy by generating new employment opportunities and stimulating job creation across all sectors. The Project will provide expanded employment opportunities for City residents at all employment levels, both during and after construction. The Development Agreement, as part of the extensive community benefit programs, includes focused workforce first source hiring—both construction and end-user—as well as a local business enterprise component.

- **10. 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 Project Site does not currently possess any neighborhood-serving retail uses, although the Project Site will provide approximately 100,000 square feet of commercial space for neighborhood-serving retailers over the term of the Development Agreement. The request to establish 896,323 gross square feet of new office use at the site will provide a substantial and enduring supply of employees at the Project Site who may patronize future neighborhood-serving retail uses.
 - 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. Therefore, the proposal will not impact existing housing and neighborhood character, and will enhance the cultural and economic diversity



of the Dogpatch neighborhood by providing new affordable housing opportunities at the Project Site

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

The request to establish 896,323 gross square feet of office uses at the Project Site is made under the Office Jobs/Affordable Housing Balance Incentive Reserve under Planning Code Section 321(a)(7), triggering a requirement to provide 725 affordable housing units either through fee payment or construction. The City's supply of quality affordable housing units will be enhanced and sustained through the proposed office allocation.

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

The Project Site is served by nearby public transportation options due to its proximity to the 23rd Street stop on SFMTA's KT Muni Metro light rail line. It is likewise within easy walking distance to the 91-3rd Street and 48-Quintara Muni bus lines. A future 55-Dogpatch Muni bus line will run through the Project Site, providing additional public transportation options for employees of the proposed office building. Employees who live elsewhere in the Bay Area will have easy access to the Project Site through public transit connections at the 4th and King Caltrain station. The Project Site is and will continue to be served by a rich network of public transit options and the proposal is therefore not expected to overburden neighborhood parking.

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 Site is the former location of a decommissioned power station site which has stood vacant for many years. The Project would not displace any active industrial or service uses. In developing the site with office uses over the term of the Development Agreement, the Project will institute new employment opportunities where none have existed in the recent past, providing additional economic benefit for future residents of the Project Site, the Dogpatch neighborhood, and the City as a whole.

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

Any Design Review applications submitted in the future for buildings containing office uses will be appropriately reviewed according to the requirements of the Design for Development, Potrero Power Station Special Use District, the Planning Code, and applicable building codes. Accordingly, proposed office buildings will be required to be designed and constructed to conform to the structural and seismic safety requirements of the Building Code. As such, any project resulting from the requested office allocation will have the ability to withstand an earthquake.

G. That landmarks and historic buildings be preserved.



The Project Sponsor has demonstrated an ongoing commitment to preserve and adaptively reuse historic buildings on the Project Site as much as possible, most notably the historic Station A. Likewise, future Design Review applications for office buildings will be reviewed for their compatibility with the Central Waterfront Third Street Industrial District which is listed on the California Register of Historic Resources when applicable.

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

The Project Site will contain privately-owned open spaces at full build-out, including the generously sized Power Station Park at the heart of the site, the Point, and a significant portion of the bayshore's waterfront. Although new office buildings may cast shadow on these open spaces, future Design Review applications are not subject to Shadow Analysis under Planning Code Section 295.

- 11. 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.
- **12.** The Commission hereby finds that approval of the Office Development Authorization would promote the health, safety and welfare of the City.



DECISION

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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. 2017-0118780FA-02** subject to the following conditions attached hereto as "EXHIBIT A", which is incorporated herein by reference as though fully set forth.

The project completed environmental review pursuant to the California Environmental Quality Act and Chapter 31 of the San Francisco Administrative Code.

On September 9, 2020, the Planning Department published an Addendum to the Potrero Power Station FEIR. The Addendum concludes that the proposed project would not cause new significant impacts that were not identified in the FEIR, would not result in significant impacts that would be substantially more severe than those identified in the FEIR, and would not require new mitigation measures to reduce significant impacts; no changes have occurred with respect to circumstances surrounding the proposed project that would cause significant environmental impacts to which the project would contribute considerably, and no new information has been put forward to demonstrate that the proposed project would cause new significant environmental impacts or a substantial increase in the severity of previously identified significant impacts. No further environmental review is required.

APPEAL AND EFFECTIVE DATE OF MOTION: Pursuant to Planning Code Section 322(d), any aggrieved person may appeal this Office Development Authorization to the Board of Supervisors within thirty (30) days after the date of this Motion. The effective date of this Motion shall be the date of this Motion if not appealed (after the 30-day period has expired) OR the date of the decision of the Board of Supervisors if appealed to the Board of Supervisors. For further information, please contact the Board of Supervisors at (415) 554-5184, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102.

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.

 $Ihereby\ certify\ that\ the\ Planning\ Commission\ ADOPTED\ the\ foregoing\ Motion\ on\ October\ 21,\ 2021.$



Draft Motion October 21, 2021 RECORD NO. 2017-0118780FA-02 420 23rd Street

Jonas P. Ionin Commission Secretary

AYES:

NAYS:

ABSENT:

RECUSE:

ADOPTED: October 21, 2021



EXHIBIT A

Authorization

This authorization is for an Office Allocation located at 420 23rd Street, Lots 002 and 017 in Assessor's Block 4175, and Lots 001 and 006 in Assessor's Block 4232, pursuant to Planning Code Section(s) **320-325** within the **PPS-MU** District and a **65-PPS/240-PPS** Height and Bulk District and subject to conditions of approval reviewed and approved by the Commission on **October 21, 2021** under Motion No. **XXXXXX**. 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 a 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 **October 21, 2021** under Motion No **XXXXXX**.

Printing of Conditions of Approval on Plans

The conditions of approval under the "Exhibit A" of this Planning Commission Motion No. XXXXXX shall be reproduced on the Index Sheet of construction plans submitted with the site or building permit applications for the Project that rely on this Office Allocation. The Index Sheets 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

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. 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 shall be grounds to revoke approval of the office development under this office development authorization. However, Planning Commission Resolution Nos. 16418 and 17846A establish, among other policies, a policy that Office Allocation projects will be closely monitored, but the Commission will not seek to revoke the Office Allocations of active projects that have exceeded the construction commencement date.
- 2. Diligent Pursuit. Once the first Site or Building Permit has been issued, construction must be continued diligently to achieve completion of all office space and required affordable housing obligations within the 30-year term of the Development Agreement, taking into consideration market conditions and the feasibility of constructing new buildings given the unimproved nature of the Project Site and the requirement that major new horizontal infrastructure (such as streets and utility systems) be completed prior to vertical development. Failure to do so shall be grounds for the Commission to consider revoking some or all of the allocated office space. Section 6.1 of the Development Agreement shall not affect this condition. Commencement of office development under this Motion creates an affirmative obligation (not just a right) to develop the commensurate affordable housing as set forth in this Motion, notwithstanding anything to the contrary in Section 6.1 of the Development Agreement.
- 3. 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, unless the application of such City Codes is prohibited by the Development Agreement.

Provisions

4. Project Sponsor's Consent and Application of Development Agreement. Upon Project Sponsor's delivery to City of written notice of Project Sponsor's election under Development Agreement Section 5.7.3 to apply the requirements of this Office Allocation to the Project, and solely during the effectiveness of this Motion, the requirements of this Motion shall become requirements of the Development Agreement and enforceable against Project Sponsor through the remedies set forth in Section 9.4 of the Development Agreement. The Affordable Housing Obligations set forth in this Motion shall run with the land designated for housing under the PPS-SUD, and Project Sponsor consents to apply the Affordable Housing Obligations to the land designated for housing under the PPS-SUD. As such, the Affordable Housing Obligations shall be the sole obligation of California Barrel Company LLC, as the owner of the land upon which the housing will be developed, unless the City consents to the transfer of such obligations in connection with an approved



Assignment and Assumption Agreement under the Development Agreement.

5. Affordable Housing Obligations. A total of 725 New Affordable Housing Units must be produced in exchange for being permitted to establish up to 896,323 of Office use pursuant to the Office Jobs/Affordable Housing Balance Incentive Reserve. All New Affordable Housing Units required and any eligible Affordable Housing Fee credits permitted per Planning Code Section 321(a)(7)(B) must be produced within the 30-year term of the Development Agreement adopted in Ordinance No. 0062-20. The terms "New Affordable Housing Unit" and "Produced" are defined in Planning Code Section 320.

The affordable housing obligations of this Office Allocation and the obligations of the Development Agreement may be satisfied concurrently. The City may enforce the obligations of the Development Agreement pursuant to the terms of that agreement to ensure compliance with both the Development Agreement and this Office Allocation. Failure to comply with the requirements of the Development Agreement, however, will not modify or otherwise absolve the obligations to provide the required New Affordable Housing Units pursuant to this Office Allocation. Further, in the event of default of the Development Agreement, any unused office allocation at the time of default may be revoked.

DA Housing Plan Info:

Satisfaction of Development Agreement Housing Plan. This Motion does not amend the requirements of the Project's Housing Plan (Exhibit D of the Development Agreement). The Project Sponsor may satisfy the obligations of the Housing Plan by provision of the New Affordable Units, including, as permitted by the Housing Plan (as may be amended from time time), the provision of Inclusionary Units, 100% Affordable Units, and/or the Power Station Affordable Housing In-Lieu Fee, and performance of the Proportionality Requirement (as such terms are defined in the Development Agreement). Similarly, neither the Development Agreement nor this Motion amends or otherwise restricts the right of the Project Sponsor to satisfy the affordable housing obligations of this Office Allocation by provision off-site units within communities of concern, payment of the Power Station Affordable Housing In-Lieu FeeAffordable Housing Fee, or provision of units affordable to households at 120% AMI, as permitted by Planning Code Section 321(a)(7). For avoidance of confusion, for example, the-Project Sponsor may obtain credit under the affordable housing obligations of this Office Allocation by payment of the Power Station Affordable Housing In-Lieu FeeAffordable Housing Fee on more than 258 residential units and/or by production of off-site units, but Project Sponsor would not receive credit under the Housing Plan for payment of such in lieu fees (in excess of 258 units) or provision of such off-site units.

Average AMI Requirements. The average AMI requirements of the Housing Plan (as specified in the Housing Plan's Interim Completion Requirements and Final Completion Requirements) do not amend or otherwise restrict the right of Project Sponsor to satisfy the affordable housing obligations of this Office Allocation by provision of units affordable to 120% AMI households, all as permitted by Planning Code Section 321(a)(7). Under Section 5.7.4 of the Development Agreement, Project Sponsor may elect for any such affordable units (priced or rented to be affordable to 120% AMI households) be exempted from the Housing Plan's average AMI requirements, in which case Project Sponsor would not receive credit under the Housing Plan for such units.

100% Affordable Buildings. The Project's Housing Plan permits the Project Sponsor to satisfy the requirements of the Housing Plan by dedicating parcels within the project site to an Affordable Housing Developer (as defined in the Housing Plan) and causing such parcels to be developed with 100% Affordable Housing

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RECORD NO. 2017-0118780FA-02 420 23rd Street

Projects. Any such 100% Affordable Units shall be counted as affordable units in satisfaction of the Affordable Housing Requirement to the extent the units are affordable to households with no greater than 120% of Area Median Income.

Calculation of Affordable Housing Fee. For purposes of the Project, the Affordable Housing Fee (the fee described in Planning Code Section 415.5(b)(C)) is#the Potrero Power Station Affordable Housing In-Lieu Fee as defined by and assessed in shall be assessed at the amount specified in Section VI of the Housing Plan.

Assignment of Affordable Housing Obligations. The Development Agreement allows the Project Sponsor to transfer its affordable housing obligations set by the Development Agreement if the City consents to the transfer or assignment of such obligations.

6. Development Impact Fees. All Site and Building Permits issued to complete the Project pursuant to this authorization shall be subject to the provisions of Planning Code Article 4 applicable to the Project under the Project's adopted Development Agreement per Ordinance No. 0062-20 (File No. 200040). The development impact fees applicable to the Project are listed in Exhibit P to the Development Agreement.

Monitoring - After Entitlement

- 7. Monitoring and Reporting. The Project Sponsor is required by the Development Agreement to make an Annual Report to the Planning Director regarding the progress of development at the Project Site. Under the Development Agreement, the Planning Director may call a Planning Commission hearing in response to issues raised by the Annual Report, or to ensure that the Project Sponsor diligently pursues its obligations under this Office Allocation. Beyond the reporting required by the Development Agreement, each annual report must also address the status of property transfers, office building construction, office building occupancy, and required affordable housing production pursuant to this Office Allocation.
- 8. Recordation of Office Allocation Upon Use. Prior to the issuance of the first site or building permit for any building containing at least 50,000 gross square feet of office use that relies on this Office Allocation, the property owner shall record a Notice of Special Restrictions to the parcel containing such building denoting the actual Gross Floor Area of the office use within such building. Upon such recordation, the Gross Floor Area of such office use will be permanently deducted from the total remaining available Office Allocation approved by this Motion for the overall Project Site. Such Notice of Special Restrictions shall be reproduced on the Index Sheet of construction plans submitted with the site or building permit application for the building containing office use authorized by this Office Allocation.
- 9. Office Tracking and Property Transfers. The Project Sponsor may convey or transfer parcels comprising the Project Site, pursuant to the requirements of Article 12 of the Development Agreement. The Project Sponsor shall notify the Zoning Administrator in writing of the first pending sale or transfer to occur after the date of this Motion, of each property, developed or not, and shall identify the amount of office space allocated to the transferred property. Said office area shall be deducted from the allocation for the remaining properties in the Project Site and a Notice of Special Restrictions shall be recorded on the transferred property to document the amount of office space allocated to that property. Any such assigned Office Allocation may subsequently be allocated, in part or in full, by the transferee to other parcels on the Project Site any time prior to the issuance of the first certificate of occupancy for a building relying on such assigned Office Allocation. A separate Notice of Special Restrictions shall be recorded on both the subject property and the property

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RECORD NO. 2017-0118780FA-02 420 23rd Street

receiving the transferred allocation denoting the resulting amount of Office Allocation on each property.

- 9.10. Enforcement. Violation of any of the 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, in addition to any remedies that may be available under the Development Agreement. The Planning Department may also refer the violation complaints to other city departments and agencies for appropriate enforcement action under their jurisdiction.
- 10.11. Relinquishment of Office Allocation. The Project Sponsor may relinquish all or a portion of the 896,323 square feet of Office Allocation use-(assuming that the to-be relinquished space has not been constructed and occupied) by submitting in writwritten notice ing—to the Zoning Administrator, which Without limiting the Project Sponsor's rights to relinquish such Office Allocation, the relinquishment would shall become effective upon the Zoning Administrator's issuance of such—a written determination that the relinquishment has occurred. In the event of such relinquishment, the Large Cap shall be appropriately adjusted and the number of required New Affordable Housing Units shall be reduced on a pro rata basis.

Design

11.12. Design Review – New Buildings. Pursuant to Planning Code Section 249.87(n), an applicant must submit a Design Review Application and receive approval from the Planning Director, or the Planning Commission if required, before obtaining the first site or building permit for the construction of a new building to ensure that the design of any new buildings meet the requirements of the Planning Code and the Design for Development.

Operation

12.13. Community Liaison. Prior to issuance of the first 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 with any conditions of approval, contact Code Enforcement, Planning Department at 628.652.7463, www.sfplanning.org

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PLANNING COMMISSION DRAFT MOTION OFFICE DEVELOPMENT AUTHORIZATION

HEARING DATE: October 21, 2021

Record No.: 2017-0118780FA-02 **Project Address:** 420 23rd Street

Zoning: PPS-MU (Potrero Power Station Mixed Use) Zoning District

> 65-PPS/240-PPS Height and Bulk District Potrero Power Station Special Use District

Block/Lot: 4175/002, 017; 4232/001, 006

Project Sponsor: Enrique Landa, California Barrel Company, LLC

420 23rd Street

San Francisco, CA 94107

Property Owner: California Barrel Company, LLC

420 23rd Street

San Francisco, CA 94107

Staff Contact: Monica Giacomucci - (628) 652-7414

monica.giacomucci@sfgov.org

ADOPTING FINDINGS RELATED TO AN ALLOCATION OF OFFICE SQUARE FOOTAGE UNDER THE OFFICE JOBS/AFFORDABLE HOUSING BALANCE INCENTIVE RESERVE, WHICH IS PART OF THE ANNUAL OFFICE DEVELOPMENT LIMITATION PROGRAM, PURSUANT TO PLANNING CODE SECTIONS 320-325 TO ESTABLISH 896,323 GROSS SQUARE FEET OF OFFICE SPACE WITHIN A PHASED PROJECT LOCATED AT 420 23RD STREET, LOTS 002 AND 017 IN ASSESSOR'S BLOCK 4175, AND LOTS 001 AND 006 IN ASSESSOR'S BLOCK 4232, WITHIN THE PPS-MU (POTRERO POWER STATION MIXED USE) USE DISTRICT, POTRERO POWER STATION SPECIAL USE DISTRICT, AND 65-PPS/240-PPS HEIGHT AND BULK DISTRICT, AND ADOPTING FINDINGS UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT.

PREAMBLE

On January 30, 2020, the Planning Commission adopted Motion No. 20635, certifying the Final Environmental Impact Report (the "FEIR") for the Potrero Power Station Mixed-Use Development Project prepared pursuant to the California Environmental Quality Act (Cal. Pub. Resources Code §§ 21000 et seq.) ("CEQA"). At the same hearing, the Planning Commission adopted Resolution No. 20637, recommending to the Board of Supervisors approval of the General Plan Amendments consistent with the Potrero Power Station Special Use District, Resolution No. 20640, recommending to the Board of Supervisors approval of a Development Agreement between the City and County of San Francisco and California Barrel Company LLC ("Development Agreement"), Resolution No. 20639, recommending to the Board of Supervisors approval of amendments to the Planning Code and Zoning Map amendments to establish the Power Station Special Use District ("PPS-SUD") and Height and Bulk districts, Motion No. 20638, approving the Potrero Power Station Design for Development, and Motion No. 20636, approving findings pursuant to CEQA (including a statement of overriding considerations and a mitigation monitoring and reporting plan (the "MMRP") for the Project.

On February 25, 2020, the City and County of San Francisco Port Commission (the "Port") adopted Resolution No. 20-12, consenting to the Development Agreement, approving a ground lease between the Port and California Barrel Company LLC (the "Port Lease"), delegating authority to the Port's Executive Director to enter into one or more Memoranda of Understandings with various City agencies, including the San Francisco Public Utilities Commission ("SFPUC"), the San Francisco Department of Public Works ("SFDPW") and the Department of Building Inspection ("DBI"), relating to each agency's role and responsibility, adopting environmental findings under CEQA, including the MMRP and a statement of overriding considerations.

On April 21, 2020, the Board of Supervisors adopted Ordinance No. 0062-20 (File No. 200040) approving the Development Agreement, waiving or modifying certain provisions of the Administrative Code, Planning Code, Subdivision Code, and Zoning Map, and adopting environmental findings under CEQA (including the MMRP and a statement of overriding considerations), public trust findings, and findings of consistency with the General Plan and Planning Code priority policies, Ordinance 0061-20 (File No. 200039), amending the Planning Code and the Zoning Maps to establish the Power Station Special Use District and Height and Bulk districts, Ordinance 0064-20 (File No. 200174), amending the General Plan to conform the General Plan with the Potrero Power Station Special Use District, and Resolution 0164-20 (File No. 200217), approving the Port Lease.

On March 3, 2020, the voters of San Francisco approved an initiative ordinance entitled the "San Francisco Balanced Development Act" listed on the ballot as Proposition E ("Prop E"). Prop E amended Planning Code sections 321 and 322 to generally restrict the square footage of permitted office development under the annual limit (established by Proposition M) if the City does not meet certain affordable housing production goals as identified by the Final Regional Housing Need Allocation adopted by the Executive Board of the Association of Bay Area Governments on July 13, 2013. Notwithstanding the amount of office square footage remaining under the annual limit, Prop E also permits the Planning Commission to approve new office development for projects where the requested office allocation exceeds 49,999 square feet, the office development is part of a project that involves the construction of affordable housing, and the project does not require the use of any San Francisco Affordable Housing Development Funding. Prop E requires that the office project provide affordable housing at a ratio of at least 809 housing units affordable to households (with household incomes no greater than 120% of Area Median Income), for each 1,000,000 square feet of new office development (or fraction thereof) sought pursuant to Prop E.



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On September 17, 2021, Enrique Landa of California Barrel Company (hereinafter "Project Sponsor") filed Application No. 2017-0118780FA-02 (hereinafter "Application") with the Planning Department (hereinafter "Department") for an Office Development Authorization to establish 896,323 gross square feet of office use on the Potrero Power Station development site (hereinafter "Project") at 420 23rd Street, Lots 002 and 017 in Assessor's Block 4175 and Lots 001 and 006 in Assessor's Block 4232 hereinafter "Project Site").

On October 21, 2021, the San Francisco Planning Commission (hereinafter "Commission") conducted a duly noticed public hearing at a regularly scheduled meeting on Office Development Authorization Application No. 2017-0118780FA-02.

The Planning Department Commission Secretary is the custodian of records; the File for Record No. 2017-0118780FA-02 is located at 49 South Van Ness Avenue, Suite 1400, 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 has reviewed and considered the portions of the FEIR that are relevant to the Project, finds that the Addendum to the FEIR under is adequate, accurate, and objective, reflects the independent analysis and judgment of the Planning Department and the Planning Commission, and concurs with the determination that no additional environmental review is required for the reasons set forth in the Addendum; and

MOVED, that the Commission reaffirms and adopts the CEQA Findings and Statement of Overriding Considerations adopted for the EIR on by Motion No. 20636, which approved findings pursuant to CEQA (including a statement of overriding considerations and a mitigation monitoring and reporting plan (the "MMRP") for the Project; and,

MOVED, that the Commission hereby authorizes the Office Allocation as requested in Application No. 2017-0118780FA-02, 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 Potrero Power Station Mixed-Use Development Project is a multi-phased, mixed-use development, involving the construction of a variety of residential, commercial, parking, community facilities, and open space land uses, all in accordance with the Development Agreement. Residential uses will include both market-rate and affordable housing, and commercial uses will include office, research and development/life science, retail, hotel, entertainment/assembly, and production, distribution, and repair (PDR) uses. The Project includes public access areas and open space, playing fields and other active open space uses, a dock facility and other shoreline improvements, transportation improvements and an internal grid of public streets, shared public ways, and utilities infrastructure. Overall, the Project consists of up to approximately 5.4 million gross square feet of development.



The Development Agreement and the Potrero Power Station Special Use District principally permit office uses throughout the Project Site. Other than Blocks 2, 3, 11, 12, and 15, however, any potential non-retail sales and service uses (including office use) are limited to the basement level, ground floor and mezzanine only. To obtain a building permit establishing any new office use larger than 24,999 gross square feet, an Office Allocation under Planning Code Sections 321 and 322 is required.

The Office Allocation seeks authorization to establish up to 896,323 gross square feet of additional office space on the Project Site over the term of the Development Agreement (30 years). In Motion 20801, the Planning Commission granted a separate Office Allocation to establish 403,760 square feet of office use at Station A located on Block 15. While the Station A building is part of the overall Potrero Power Station development project, it is separate from this Office Allocation, and is not subject to the provisions of the Office Jobs/Affordable Housing Balance Incentive Reserve under Planning Code Section 321(a)(7). The design of any new office building must be approved through the Design Review process established by the Development Agreement and the Potrero Power Station Special Use District.

3. Site Description and Present Use. The Project Site is an approximately 29-acre area generally bounded by 22nd Street to the north, the San Francisco Bay to the east, 23rd Street to the south, and Illinois Street to the west. This Motion applies to an approximately 21.0-acre portion of the Project Site currently owned by the Project Sponsor, consisting of Assessor's Block 4175/Lot 002 and Lot 017, and Block 4232/Lot 001 and Lot 006 (as more specifically defined as the "Developer Property" in the Development Agreement) (the "CBC Property"). This sub-area includes a large portion of the site of the former Potrero Power Station, which was most recently owned and operated by PG&E and by NRG Potrero LLC.

Existing structures at the CBC Property consist primarily of vacant buildings and facilities. The CBC Property currently has little vegetation other than occasional ruderal weeds and unmaintained vegetation. Current uses at the CBC Property include warehouses, parking, vehicle storage, and office space. The most visually prominent of the structures remaining on the CBC Property are: the Unit 3 Power Block (including a 128-foot tall steel frame boiler structure and 40-foot tall turbine-generator- condenser structure and the four-story concrete control room building; the adjacent 300-foot tall concrete boiler exhaust stack; and Station A.

A portion of the site is not owned by the Project Sponsor, and is owned by PG&E ("PG&E sub-area"). PG&E is currently using the PG&E sub-area for storage, offices, as a headquarters for San Francisco utility maintenance operations, gas and electric transmission, and an electrical transmission substation. The Port owns some land on the east side of the Project Site, consisting primarily of vacant land with unmaintained landscaping surrounded by a fence, rip rap, and some shoreline improvements.

4. Surrounding Properties and Neighborhood. The Project Site is located within the Central Waterfront neighborhood. Properties in the general vicinity of the Project Site feature industrial and warehouse uses, many of which are vacant. Directly to the north of the Project Site is the 35-acre Pier 70 Mixed-Use District Project Site; a portion of this recently approved project commenced construction in May 2018. This area consists of historic shipyard property being used for a variety of temporary uses, including event venues, artist studios, storage, warehouse, parking, recycling yard, and office space. The Pier 70 Mixed-Use District project has been approved for development of up to approximately 4.2 million gross square feet of residential, commercial, retail/arts/light-industrial, and open space uses and improvements to existing structures; construction is planned to occur over several development phases from 2018 through 2029.



San Francisco Bay lies directly east of the Project Site. To the south of the Project Site, across 23rd Street, are commercial warehouses housing DHL Express and SF Storage, among other tenants, and the PG&E Transbay Cable converter station. Farther to the south along the bay shore is Warm Water Cove Park. To the west of the Project Site, across Illinois Street from the PG&E sub-area, is the American Industrial Center, a large, multi-tenant light industrial building. Adjacent to the Project Site to the west is PG&E's Potrero Substation, a functioning high-voltage transmission substation serving San Francisco. Farther west, beyond the American Industrial Center, are the residential areas of the Potrero Hill and Dogpatch neighborhoods. The nearest existing residential uses are located on Third Street, approximately 600 feet west of the Project Site.

5. Public Outreach and Comments. The Project Sponsor engaged in a robust community outreach program throughout the development and refinement of the Project design over the past several years. Community engagement included roughly 170 community meetings, public site tours, workshops and presentations, Project Sponsor office hours, presentations to the Eastern Neighborhoods Community Advisory Committee, the Potrero Boosters, the Dogpatch Neighborhood Association, SPUR, the Housing Action Coalition, the Port, the Historic Preservation Commission, and the Planning Commission.

To date, the Department has received no correspondence regarding the Office Allocation subject to this Motion.

- **6. Planning Code Compliance.** The Design for Development, adopted by the Planning Commission by Motion No. 20638 on January 30, 2020, sets forth design and land use standards and guidelines applicable within the SUD and consistent with the Development Agreement. Applicable provisions of the Planning Code apply unless otherwise provided in the SUD under Planning Code Section 249.87.
 - A. Potrero Power Station Special Use District. Any application for vertical improvements at the Project Site is subject to the provisions of the Potrero Power Station Special Use District under Planning Code Section 249.87 in addition to any other applicable requirements of the Planning Code as provided in the SUD. Non-residential uses, including but not limited to Office uses, are principally permitted throughout the site except for the Stack and public and private open spaces. Any subsequent application for vertical improvements at the Project Site that contains a portion or portions of the requested 896,323 gross square foot Office Authorization will be reviewed for compliance with the Design for Development, Potrero Power Station Special Use District, and any additional applicable codes prior to approval by the Planning Director.
- **7. Office Allocation Criteria.** 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 must consider the following criteria established by Code Section 321(b)(3):
 - A. 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 21, 2021, the Large Cap has a balance of XXX,XXX square feet. However, the Project proposes to make use of the Office Jobs/Affordable Housing Balance Incentive Reserve, as detailed in Section 8 below.

The Project will enable the development of the Potrero Power Station Mixed-Use Development project, and further the intent of the Central Waterfront Area Plan to create an economically diversified and lively jobs center on a previously underutilized utility site with connections to nearby Development Agreement sites at Mission Rock and Pier 70. As stated in the Potrero Power Station Development Agreement, the Project has the potential to provide a variety of office spaces that address the needs of small and large companies in a range of industries. Although the coronavirus pandemic resulted in reduced demand for office uses in the short-term, the proposed Project would create new office spaces at the Project Site over a 30-year period in a burgeoning and desirable area of San Francisco. As a result, the Project will help ensure a smooth and enduring transition as the market for office continues to stabilize. In addition, the Project will stimulate the area's economic recovery and growth by employment opportunities for construction professionals as well as employees of future office tenants.

The Project is located in a transit-rich area, and the offices created by this Office Allocation will be accessible by foot, bicycle, and public transportation. The Project Site is already within a short walk of the 23rd Street stop on SFMTA's KT Muni Metro light rail line and the 91-3rd Street Muni Bus line, and within just a few blocks of the 48-Quintara Muni bus line. While region-serving public transit lines are not walkable from the Project Site, the Caltrain Station at 4th and King Streets is easily accessible from the KT Muni Metro line. Finally, the Potrero Power Station Development Agreement provides for a new multimodal street network connecting to the Dogpatch and Pier 70, which will host a future 55-Dogpatch SFMTA bus line running run along 22nd Street and enter the site at Maryland Street. This new bus line will increase public transit access to the Potrero Power Station site.

Overall, per the Development Agreement with the City, the Project provides a balance between economic growth, housing, and transportation and provides overarching public benefits. These include, but are not limited to: rehabilitation of Station A and the Unit 3 Boiler Stack; creation of 6.9 acres of publicly accessible open space, including Power Station Park, Stack Plaza, and the Point; and the reopening of over 1,000 linear feet of shoreline to the public for the first time in 150 years.

Other proposed public benefits include a robust Workforce Agreement, which guarantees a significant financial contribution to training programs aimed at both construction and end-user employment opportunities onsite. The Project will include the construction of an on-site community recreation center of at least 25,000 gross square feet in size provided rent-free to a community facility operator, along with funding for tenant improvements. Additionally, the Project will provide funding or space to the San Francisco Public Library for a library to be located on the Project site. Finally, the Project will construct two childcare facilities on which will be available for lease to a licensed nonprofit operator without charge for rent, utilities, property taxes, building services, or repairs, for a minimum of four years. The Office Allocation will enable these public benefits.

B. The suitability of the proposed office development for its location, and any effects of the proposed office development specific to that location.

The Development Agreement principally permits non-residential uses (including office uses) on every block of the Project Site, with the exception of the Stack and open spaces at Power Station Park, Stack Plaza, and the Point. Other than Blocks 2, 3, 11, 12, and 15, however, any potential non-retail sales and



service uses (including office use) are limited to the basement level, ground floor and mezzanine only. Each Design Review application for a building containing office use will be reviewed by Department staff for compliance with the land use controls of the Design for Development, Development Agreement, and Planning Code Section 249.87.

- C. Whether the proposed project includes development of New Affordable Housing Units such that all of the following are satisfied:
 - (i) The New Affordable Housing units are on-site or located within a Community of Concern as designated by the Board of Supervisors;

As noted below in Section 8, the Office Allocation will require the provision of affordable units on-site or in a Community of Concern pursuant to Prop E.

(ii) The New Affordable Housing Units will be developed pursuant to a requirement included in a development agreement authorized by Government Code Section 65865 or any successor section for the proposed office development;

The overall Project will create a significant amount of affordable housing units pursuant to a Development Agreement. The Development Agreement's affordable housing plan provides that 30% of all residential units built at the Project Site are designated as below market rate units, inclusionary units, or in-lieu fee units. The Project may not satisfy the affordable housing obligations of the Development Agreement solely by payment of in lieu fees, because the Development Agreement caps the total number of affordable units that may be substituted by payment of an in-lieu fee to 258 dwelling units Inclusionary Rental Units and Inclusionary For-Sale Units provided in satisfaction of the Development Agreement's affordable housing plant must be restricted, on average, to a Housing Cost that is affordable to Households earning not more than 72% and 99% of Area Median Income ("AMI"), respectively.

(iii) The number of New Affordable Housing Units is no less than 100% of the New Affordable Housing Units required to house the future employees of the proposed project's office development in accordance with the City's Affordable Housing Demand Ratio.

As noted below in Section 8, consistent with Prop E's calculation of the number of affordable housing units required to house the future employees of the office development, the Office Allocation will require the provision of affordable units at a ratio of at least 809 affordable housing units for each 1,000,000 square feet of new office development (or fraction thereof) in the project.

D. The extent to which the project incorporates Community Improvements that exceed the requirements of zoning and City ordinances applicable to the project.

As noted above, the overall Potrero Power Station Mixed-Use Project provides for long-term deployment of public benefits. The DA provides for the construction of an on-site community recreation center of at least 25,000 gross square feet in size provided rent free to a community facility operator along with funding for tenant improvements. Additionally, the Project will provide funding or space to the San Francisco Public Library for a library to be located on the Project site or within 34 mile from the Project



site. The Project Site will include two on-site childcare facilities totaling not less than 6,000 gross square feet in size each. These facilities will be available for lease to a licensed nonprofit operator without charge for rent, utilities, property taxes, building services, or repairs, with minimum terms of four years. After this initial term, they will be available to a licensed nonprofit operator for an additional period of four years, at a cost not to exceed actual operating and tenant improvement costs reasonably allocated to similar facilities in similar buildings. The overall Potrero Power Station Mixed-Use Project will create approximately 6.9 acres of new public open space including the Power Station Park, Stack Plaza, Waterfront Park, and several smaller plazas and pathways throughout the Project site. All open spaces at the Project Site — with the exception of the Point and some areas directly along the shoreline, which are owned by the Port — will be privately owned and publicly accessible. The Office Allocation will help facilitate these Community Improvements.

- 8. Office Jobs/Affordable Housing Balance Incentive Reserve Findings. The proposed project is eligible to use the Office Jobs/Affordable Housing Balance Incentive Reserve under Planning Code Section 321(a)(7). At the election of a project sponsor, the Planning Commission may grant an authorization for a proposed office development notwithstanding the annual limit specified in Planning Code Section 321(a)(1) if all of the following criteria are satisfied:
 - A. The proposed office development contains more than 49,999 square feet of additional office space.
 - The requested office development contains 896,323 gross square feet of additional office space to be developed over the term of the Development Agreement.
 - B. The proposed project of which the office development is a component includes development of New Affordable Housing units in an amount no less than 100% of the New Affordable Housing Units required to house the future employees of the proposed project's office development in accordance with the City's Affordable Housing Demand Ratio, and such units are either: (a) on-site, or (b) located off-site within a Community of Concern as designated by the Board of Supervisors and developed pursuant to a requirement included in a development agreement authorized by Government Code Section 65865 or any successor Section for the proposed office development. If the project sponsor elects to satisfy Section 415.5 of the Planning Code by payment of an Affordable Housing Fee to the City, then one-half (50%) of the New Affordable Housing Units credited to satisfaction of that inclusionary housing requirement by payment of the Fee in accordance with Subsection 415.5(b)(1)(C) shall also be counted toward satisfaction of this Subsection (a)(7)(B). For projects developed in multiple phases as provided in an approved development agreement authorized by Government Code Section 65865 or any successor Section, the total of all New Affordable Housing Units required to be Produced by the development agreement in all phases shall be considered in evaluating a project sponsor's application for an allocation of office space pursuant to this Subsection (7) at any time.

The "City's Affordable Housing Demand Ratio" means 809 housing units affordable to households with household incomes no greater than 120% of Area Median Income per 1,000,000 square feet of new office development, as detailed in the Jobs Housing Nexus Analysis of May 2019, which determined that the Affordable Unit Demand Factor for 1,000 square feet of new San Francisco office development is currently 0.80892 affordable housing units. Therefore, the proposed Office Allocation of 896,323 gross square feet



requires the production of 725 affordable units, either constructed on-site or within a Community of Concern over the term of the Development Agreement (Community of Concern must be designated by the Board of Supervisors as part of a development agreement). Approximately 780 affordable units, representing 30% of the 2,601 overall dwelling units estimated on the site, are proposed within the Development Agreement.

If the Project constructs housing subject to Planning Code Section 415.5 and elects payment of an Affordable Housing Fee to the City as the method of compliance, then one-half (50%) of the New Affordable Housing Units credited to satisfaction of that inclusionary housing requirement by payment of the Fee in accordance with Subsection 415.5(b)(1)(C) shall also be counted toward satisfaction of Planning Code Section 321(a)(7)(B), as calculated pursuant to Planning Commission Resolution No. 20792 or any subsequent Planning Commission resolution.

Separate from the affordable housing requirement of the Jobs/Affordable Housing Balance Incentive Reserve, the Development Agreement also contains a proportionality requirement that ties office and life science development to the provision of affordable housing units. Specifically, the Project must provide 128 affordable dwelling units, either on-site or through payment of the Affordable Housing Fee, each time the City issues a First Certificate of Occupancy for a building that causes the total cumulative area of office and/or life science land uses on the Project Site to exceed 500,000 gross square feet, 1,000,000 gross square feet, and 1,500,000 gross square feet. Three of these "proportionality events" should occur over the full build-out of the Project. Within 45 days after each "proportionality event," the Project Sponsor must notify the Mayor's Office of Housing and Community Development (MOHCD) of the number and type of credits that the Project Sponsor has obtained or will obtain to satisfy the proportionality requirement ("proportionality election"). If the Project Sponsor chooses to provide In-lieu fee credits or credits for land dedication, the fees or delivery of land must be provided within 30 days of the proportionality election. If the Project Sponsor elects to build the units on-site in a market rate building, it must deliver those units within 3 years of the issuance of the first construction document for the office building.

The full affordable housing production requirement of Planning Code Section 321(a)(7)(B) must be met within the 30-year term of the adopted Development Agreement and is addressed in more detail in Condition of Approval No. 5 of this motion.

C. No other City of San Francisco Affordable Housing Development Funding will be used to fund capital development costs of such affordable housing component of the project.

The Project will not use any City of San Francisco Affordable Housing Development Funding to fund the capital development costs of the affordable housing units required as a result of the requested office allocation. As was explicitly noted in the Development Agreement, the Project will rely in part from revenues from the office buildings proposed by the Project to finance any associated community benefits provided over the term of the Development Agreement, including but not limited to affordable housing units.

9. General Plan Compliance. The Project is, on balance, consistent with the Objectives and Policies of the General Plan for the reasons set forth below.



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.

OBJECTIVE 3

PROVIDE EXPANDED EMPLOYMENT OPPORTUNITIES FOR CITY RESIDENTS, PARTICULARLY THE UNEMPLOYED AND ECONOMICALLY DISADVANTAGED.

Policy 3.2

Promote measures designed to increase the number of San Francisco jobs held by San Francisco residents.

TRANSPORTATION ELEMENT

Objectives and Policies

OBJECTIVE 2

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

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.

CENTRAL WATERFRONT PLAN

Land Use

Objectives and Policies

OBJECTIVE 1.1

ENCOURAGE THE TRANSITION OF PORTIONS OF THE CENTRAL WATERFRONT TO A MORE MIXED-USE CHARACTER, WHILE PROTECTING THE NEIGHBORHOOD'S CORE OF PDR USES AS WELL AS THE HISTORIC DOGPATCH NEIGHBORHOOD.

Policy 1.1.4

Maintain the integrity of the historic Dogpatch neighborhood.

Policy 1.1.8



Consider the Potrero power plant site as an opportunity for reuse for larger-scale commercial and research establishments.

Built Form Objectives and Policies

OBJECTIVE 3.1

PROMOTE AN URBAN FORM THAT REINFORCES THE CENTRAL WATERFRONT'S DISTINCTIVE PLACE IN THE CITY'S LARGER FORM AND STRENGTHENS ITS PHYSICAL FABRIC AND CHARACTER.

Policy 3.1.9

Preserve notable landmarks and areas of historic, architectural or aesthetic value, and promote the preservation of other buildings and features that provide continuity with past development.

The Project, as described in the Development Agreement and the D4D, includes a program of development accompanied by substantial community benefits designed to revitalize an underutilized industrial site and complement the surrounding neighborhood with a mix of housing, commercial and open space uses. The Project appropriately balances the construction of new housing and commercial uses, including office, with new and improved infrastructure and related public benefits in a sustainable manner.

The Project would help meet the job creation goals established in the City's Economic Development Strategy by generating new employment opportunities and stimulating job creation across all sectors. The Project will provide expanded employment opportunities for City residents at all employment levels, both during and after construction. The Development Agreement, as part of the extensive community benefit programs, includes focused workforce first source hiring—both construction and end-user—as well as a local business enterprise component.

- **10. 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 Project Site does not currently possess any neighborhood-serving retail uses, although the Project Site will provide approximately 100,000 square feet of commercial space for neighborhood-serving retailers over the term of the Development Agreement. The request to establish 896,323 gross square feet of new office use at the site will provide a substantial and enduring supply of employees at the Project Site who may patronize future neighborhood-serving retail uses.
 - 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. Therefore, the proposal will not impact existing housing and neighborhood character, and will enhance the cultural and economic diversity



of the Dogpatch neighborhood by providing new affordable housing opportunities at the Project Site.

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

The request to establish 896,323 gross square feet of office uses at the Project Site is made under the Office Jobs/Affordable Housing Balance Incentive Reserve under Planning Code Section 321(a)(7), triggering a requirement to provide 725 affordable housing units either through fee payment or construction. The City's supply of quality affordable housing units will be enhanced and sustained through the proposed office allocation.

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

The Project Site is served by nearby public transportation options due to its proximity to the 23rd Street stop on SFMTA's KT Muni Metro light rail line. It is likewise within easy walking distance to the 91-3rd Street and 48-Quintara Muni bus lines. A future 55-Dogpatch Muni bus line will run through the Project Site, providing additional public transportation options for employees of the proposed office building. Employees who live elsewhere in the Bay Area will have easy access to the Project Site through public transit connections at the 4th and King Caltrain station. The Project Site is and will continue to be served by a rich network of public transit options and the proposal is therefore not expected to overburden neighborhood parking.

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 Site is the former location of a decommissioned power station site which has stood vacant for many years. The Project would not displace any active industrial or service uses. In developing the site with office uses over the term of the Development Agreement, the Project will institute new employment opportunities where none have existed in the recent past, providing additional economic benefit for future residents of the Project Site, the Dogpatch neighborhood, and the City as a whole.

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

Any Design Review applications submitted in the future for buildings containing office uses will be appropriately reviewed according to the requirements of the Design for Development, Potrero Power Station Special Use District, the Planning Code, and applicable building codes. Accordingly, proposed office buildings will be required to be designed and constructed to conform to the structural and seismic safety requirements of the Building Code. As such, any project resulting from the requested office allocation will have the ability to withstand an earthquake.

G. That landmarks and historic buildings be preserved.



The Project Sponsor has demonstrated an ongoing commitment to preserve and adaptively reuse historic buildings on the Project Site as much as possible, most notably the historic Station A. Likewise, future Design Review applications for office buildings will be reviewed for their compatibility with the Central Waterfront Third Street Industrial District which is listed on the California Register of Historic Resources when applicable.

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

The Project Site will contain privately-owned open spaces at full build-out, including the generously sized Power Station Park at the heart of the site, the Point, and a significant portion of the bayshore's waterfront. Although new office buildings may cast shadow on these open spaces, future Design Review applications are not subject to Shadow Analysis under Planning Code Section 295.

- 11. 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.
- **12.** 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. 2017-0118780FA-02** subject to the following conditions attached hereto as "EXHIBIT A", which is incorporated herein by reference as though fully set forth.

The project completed environmental review pursuant to the California Environmental Quality Act and Chapter 31 of the San Francisco Administrative Code.

On September 9, 2020, the Planning Department published an Addendum to the Potrero Power Station FEIR. The Addendum concludes that the proposed project would not cause new significant impacts that were not identified in the FEIR, would not result in significant impacts that would be substantially more severe than those identified in the FEIR, and would not require new mitigation measures to reduce significant impacts; no changes have occurred with respect to circumstances surrounding the proposed project that would cause significant environmental impacts to which the project would contribute considerably, and no new information has been put forward to demonstrate that the proposed project would cause new significant environmental impacts or a substantial increase in the severity of previously identified significant impacts. No further environmental review is required.

APPEAL AND EFFECTIVE DATE OF MOTION: Pursuant to Planning Code Section 322(d), any aggrieved person may appeal this Office Development Authorization to the Board of Supervisors within thirty (30) days after the date of this Motion. The effective date of this Motion shall be the date of this Motion if not appealed (after the 30-day period has expired) OR the date of the decision of the Board of Supervisors if appealed to the Board of Supervisors. For further information, please contact the Board of Supervisors at (415) 554-5184, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102.

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 October 21, 2021.



Jonas P. Ionin Commission Secretary

AYES:

NAYS:

ABSENT:

RECUSE:

ADOPTED: October 21, 2021



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EXHIBIT A

Authorization

This authorization is for an Office Allocation located at 420 23rd Street, Lots 002 and 017 in Assessor's Block 4175, and Lots 001 and 006 in Assessor's Block 4232, pursuant to Planning Code Section(s) **320-325** within the **PPS-MU** District and a **65-PPS/240-PPS** Height and Bulk District and subject to conditions of approval reviewed and approved by the Commission on **October 21, 2021** under Motion No. **XXXXXX**. 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 a 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 **October 21, 2021** under Motion No XXXXXX.

Printing of Conditions of Approval on Plans

The conditions of approval under the "Exhibit A" of this Planning Commission Motion No. XXXXXX shall be reproduced on the Index Sheet of construction plans submitted with the site or building permit applications for the Project that rely on this Office Allocation. The Index Sheets 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

Significant changes and modifications of conditions shall require Planning Commission approval of a new Office Allocation.



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CONDITIONS OF APPROVAL, COMPLIANCE, MONITORING, AND REPORTING

Performance

- 1. 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 shall be grounds to revoke approval of the office development under this office development authorization. However, Planning Commission Resolution Nos. 16418 and 17846A establish, among other policies, a policy that Office Allocation projects will be closely monitored, but the Commission will not seek to revoke the Office Allocations of active projects that have exceeded the construction commencement date.
- 2. Diligent Pursuit. Once the first Site or Building Permit has been issued, construction must be continued diligently to achieve completion of all office space and required affordable housing obligations within the 30-year term of the Development Agreement, taking into consideration market conditions and the feasibility of constructing new buildings given the unimproved nature of the Project Site and the requirement that major new horizontal infrastructure (such as streets and utility systems) be completed prior to vertical development. Failure to do so shall be grounds for the Commission to consider revoking some or all of the allocated office space. Commencement of office development under this Motion creates an affirmative obligation (not just a right) to develop the commensurate affordable housing as set forth in this Motion, notwithstanding anything to the contrary in Section 6.1 of the Development Agreement.
- 3. 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, unless the application of such City Codes is prohibited by the Development Agreement.

Provisions

4. Project Sponsor's Consent and Application of Development Agreement. Upon Project Sponsor's delivery to City of written notice of Project Sponsor's election under Development Agreement Section 5.7.3 to apply the requirements of this Office Allocation to the Project, and solely during the effectiveness of this Motion, the requirements of this Motion shall become requirements of the Development Agreement and enforceable against Project Sponsor through the remedies set forth in Section 9.4 of the Development Agreement. The Affordable Housing Obligations set forth in this Motion shall run with the land designated for housing under the PPS-SUD, and Project Sponsor consents to apply the Affordable Housing Obligations to the land designated for housing under the PPS-SUD. As such, the Affordable Housing Obligations shall be the sole obligation of California Barrel Company LLC, as the owner of the land upon which the housing will be developed, unless the City consents to the transfer of such obligations in connection with an approved Assignment and Assumption Agreement under the Development Agreement.



5. Affordable Housing Obligations. A total of 725 New Affordable Housing Units must be produced in exchange for being permitted to establish up to 896,323 of Office use pursuant to the Office Jobs/Affordable Housing Balance Incentive Reserve. All New Affordable Housing Units required and any eligible Affordable Housing Fee credits permitted per Planning Code Section 321(a)(7)(B) must be produced within the 30-year term of the Development Agreement adopted in Ordinance No. 0062-20. The terms "New Affordable Housing Unit" and "Produced" are defined in Planning Code Section 320.

The affordable housing obligations of this Office Allocation and the obligations of the Development Agreement may be satisfied concurrently. The City may enforce the obligations of the Development Agreement pursuant to the terms of that agreement to ensure compliance with both the Development Agreement and this Office Allocation. Failure to comply with the requirements of the Development Agreement, however, will not modify or otherwise absolve the obligations to provide the required New Affordable Housing Units pursuant to this Office Allocation. Further, in the event of default of the Development Agreement, any unused office allocation at the time of default may be revoked.

DA Housing Plan Info:

Satisfaction of Development Agreement Housing Plan. This Motion does not amend the requirements of the Project's Housing Plan (Exhibit D of the Development Agreement). The Project Sponsor may satisfy the obligations of the Housing Plan by provision of the New Affordable Units, including, as permitted by the Housing Plan (as may be amended from time time), the provision of Inclusionary Units, 100% Affordable Units, and/or the Power Station Affordable Housing In-Lieu Fee, and performance of the Proportionality Requirement (as such terms are defined in the Development Agreement). Similarly, neither the Development Agreement nor this Motion amends or otherwise restricts the right of the Project Sponsor to satisfy the affordable housing obligations of this Office Allocation by provision off-site units within communities of concern, payment of the Power Station Affordable Housing In-Lieu Fee, or provision of units affordable to households at 120% AMI, as permitted by Planning Code Section 321(a)(7). For avoidance of confusion, for example, the Project Sponsor may obtain credit under the affordable housing obligations of this Office Allocation by payment of the Power Station Affordable Housing In-Lieu Fee on more than 258 residential units and/or by production of off-site units, but Project Sponsor would not receive credit under the Housing Plan for payment of such in lieu fees (in excess of 258 units) or provision of such off-site units.

Average AMI Requirements. The average AMI requirements of the Housing Plan (as specified in the Housing Plan's Interim Completion Requirements and Final Completion Requirements) do not amend or otherwise restrict the right of Project Sponsor to satisfy the affordable housing obligations of this Office Allocation by provision of units affordable to 120% AMI households, all as permitted by Planning Code Section 321(a)(7). Under Section 5.7.4 of the Development Agreement, Project Sponsor may elect for any such affordable units (priced or rented to be affordable to 120% AMI households) be exempted from the Housing Plan's average AMI requirements, in which case Project Sponsor would not receive credit under the Housing Plan for such units.

100% Affordable Buildings. The Project's Housing Plan permits the Project Sponsor to satisfy the requirements of the Housing Plan by dedicating parcels within the project site to an Affordable Housing Developer (as defined in the Housing Plan) and causing such parcels to be developed with 100% Affordable Housing Projects. Any such 100% Affordable Units shall be counted as affordable units in satisfaction of the Affordable Housing Requirement to the extent the units are affordable to households with no greater than 120% of Area



Median Income.

Calculation of Affordable Housing Fee. For purposes of the Project, the Affordable Housing Fee (the fee described in Planning Code Section 415.5(b)(C)) is the Potrero Power Station Affordable Housing In-Lieu Fee as defined by and assessed in the amount specified in Section VI of the Housing Plan.

Assignment of Affordable Housing Obligations. The Development Agreement allows the Project Sponsor to transfer its affordable housing obligations set by the Development Agreement if the City consents to the transfer or assignment of such obligations.

6. Development Impact Fees. All Site and Building Permits issued to complete the Project pursuant to this authorization shall be subject to the provisions of Planning Code Article 4 applicable to the Project under the Project's adopted Development Agreement per Ordinance No. 0062-20 (File No. 200040). The development impact fees applicable to the Project are listed in Exhibit P to the Development Agreement.

Monitoring - After Entitlement

- 7. Monitoring and Reporting. The Project Sponsor is required by the Development Agreement to make an Annual Report to the Planning Director regarding the progress of development at the Project Site. Under the Development Agreement, the Planning Director may call a Planning Commission hearing in response to issues raised by the Annual Report, or to ensure that the Project Sponsor diligently pursues its obligations under this Office Allocation. Beyond the reporting required by the Development Agreement, each annual report must also address the status of property transfers, office building construction, office building occupancy, and required affordable housing production pursuant to this Office Allocation.
- 8. Recordation of Office Allocation Upon Use. Prior to the issuance of the first site or building permit for any building containing at least 50,000 gross square feet of office use that relies on this Office Allocation, the property owner shall record a Notice of Special Restrictions to the parcel containing such building denoting the actual Gross Floor Area of the office use within such building. Upon such recordation, the Gross Floor Area of such office use will be permanently deducted from the total remaining available Office Allocation approved by this Motion for the overall Project Site. Such Notice of Special Restrictions shall be reproduced on the Index Sheet of construction plans submitted with the site or building permit application for the building containing office use authorized by this Office Allocation.
- 9. Office Tracking and Property Transfers. The Project Sponsor may convey or transfer parcels comprising the Project Site, pursuant to the requirements of Article 12 of the Development Agreement. The Project Sponsor shall notify the Zoning Administrator in writing of the first pending sale or transfer to occur after the date of this Motion, of each property, developed or not, and shall identify the amount of office space allocated to the transferred property. Said office area shall be deducted from the allocation for the remaining properties in the Project Site and a Notice of Special Restrictions shall be recorded on the transferred property to document the amount of office space allocated to that property. Any such assigned Office Allocation may subsequently be allocated, in part or in full, by the transferee to other parcels on the Project Site any time prior to the issuance of the first certificate of occupancy for a building relying on such assigned Office Allocation. A separate Notice of Special Restrictions shall be recorded on both the subject property and the property receiving the transferred allocation denoting the resulting amount of Office Allocation on each property.



- 10. Enforcement. Violation of any of the 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, in addition to any remedies that may be available under the Development Agreement. The Planning Department may also refer the violation complaints to other city departments and agencies for appropriate enforcement action under their jurisdiction.
- 11. Relinquishment of Office Allocation. The Project Sponsor may relinquish all or a portion of the 896,323 square feet of Office Allocation (assuming that the to-be relinquished space has not been constructed and occupied) by submitting written notice to the Zoning Administrator. Without limiting the Project Sponsor's rights to relinquish such Office Allocation, the relinquishment shall become effective upon the Zoning Administrator's issuance of a written determination that the relinquishment has occurred. In the event of such relinquishment, the Large Cap shall be appropriately adjusted and the number of required New Affordable Housing Units shall be reduced on a pro rata basis.

Design

12. Design Review – New Buildings. Pursuant to Planning Code Section 249.87(n), an applicant must submit a Design Review Application and receive approval from the Planning Director, or the Planning Commission if required, before obtaining the first site or building permit for the construction of a new building to ensure that the design of any new buildings meet the requirements of the Planning Code and the Design for Development.

Operation

13. Community Liaison. Prior to issuance of the first 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 with any conditions of approval, contact Code Enforcement, Planning Department at 628.652.7463, www.sfplanning.org



From: <u>Ionin, Jonas (CPC)</u>
Cc: <u>Feliciano, Josephine (CPC)</u>

Subject: FW: *** PRESS RELEASE *** BOARD OF SUPERVISORS APPROVES TWO NEW PERMANENT SUPPORTIVE

HOUSING ACQUISITIONS

Date: Tuesday, October 19, 2021 4:15:34 PM **Attachments:** 10.19.2021 PSH Acquisitions.pdf

Jonas P Ionin Director of Commission Affairs

San Francisco Planning

49 South Van Ness Avenue, Suite 1400, San Francisco, CA 94103

Direct: 628.652.7589 | www.sfplanning.org San Francisco Property Information Map

From: "Press Office, Mayor (MYR)" <mayorspressoffice@sfgov.org>

Date: Tuesday, October 19, 2021 at 3:35 PM

To: "Press Office, Mayor (MYR)" <mayorspressoffice@sfgov.org>

Subject: *** PRESS RELEASE *** BOARD OF SUPERVISORS APPROVES TWO NEW PERMANENT

SUPPORTIVE HOUSING ACQUISITIONS

FOR IMMEDIATE RELEASE:

Tuesday, October 19, 2021

Contact: Mayor's Office of Communications, <u>mayorspressoffice@sfgov.org</u>

*** PRESS RELEASE ***

BOARD OF SUPERVISORS APPROVES TWO NEW PERMANENT SUPPORTIVE HOUSING ACQUISITIONS

Acquisition of new units of Permanent Supportive Housing builds on Mayor Breed's Homelessness Recovery Plan

San Francisco, CA — The Board of Supervisors voted today to approve the purchase of two new buildings for Permanent Supportive Housing (PSH). The two buildings, located at 3061 16th Street and 1321 Mission Street, will add 185 new PSH units to Mayor Breed's goal of creating 1,500 PSH units by July 2022. Since the launch of Mayor Breed's Homelessness Recovery Plan in July 2020, the City has purchased or leased 714 PSH units.

"As we continue to address our City's homelessness crisis, we must take advantage of existing resources to get people the help they so desperately need," said Mayor Breed. "During this critical time in our recovery, we need to expand our homelessness response and build on the progress we have made placing thousands of unsheltered people into emergency housing throughout the pandemic. I want to thank the Board of Supervisors for taking this critical step forward to provide housing for our City's most vulnerable communities."

The two sites, identified based on geographic diversity and accessibility to resources, will provide residents with professional property management and onsite support services.

• 3061 16th Street, a 25-room hotel formerly known as the Eula Hotel, will provide

- Transitional Age Youth (18-24) affordable units with onsite social services to help tenants gain and maintain housing and stability.
- 1321 Mission Street, a 160-unit building formerly known as the Panoramic, will provide affordable units with onsite social services to help tenants gain and maintain housing and stability.

For more information on the proposed acquisitions, please visit the Department of Homelessness and Supportive Housing's website: hsh.sfgov.org/get-involved/notices/

"We are excited about the acquisition of the property at 3061 16th Street. This building is a beautiful and safe place where formally homeless transitional age youth can recover from a life of trauma," said District 9 Supervisor Hillary Ronen. "It's almost impossible to get healthy on the streets. Now 25 homeless youth will have a meaningful chance of recovery and success."

"This is a very exciting time for the City," said Shireen McSpadden, Executive Director, Department of Homelessness and Supportive Housing. "With new resources in the budget, we're able to make an impact throughout the city, broadening our effort to include geographic diversity in housing while moving our most vulnerable residents into permanent homes. This is a citywide challenge, and a city-wide effort that we are working together to solve."

The acquisitions of 185 new PSH units build on Mayor Breed's Homelessness Recovery Plan by helping the City create more housing and shelter for homeless residents as San Francisco emerges from the COVID-19 pandemic. Through Mayor Breed's plan, the City will expand capacity in the Homelessness Response System and will make 6,000 placements available for people experiencing homelessness through Coordinated Entry, including 4,500 placements in PSH. This includes acquiring or leasing 1,500 new units of PSH in the next two years, the largest one-time expansion in the City in 20 years.

Progress on Mayor Breed's Homelessness Recovery Plan can be found here: sf.gov/data/homelessness-recovery-plan

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From: <u>Ionin, Jonas (CPC)</u>
Cc: <u>Feliciano, Josephine (CPC)</u>

Subject: FW: *** PRESS RELEASE *** BOARD OF SUPERVISORS APPROVES LGBTQ DATA COLLECTION LEGISLATION

INTRODUCED BY MAYOR LONDON BREED AND SUPERVISOR RAFAEL MANDELMAN

Date: Tuesday, October 19, 2021 4:15:21 PM
Attachments: 10.19.2021 LGBTO Data Collection.pdf

Jonas P Ionin Director of Commission Affairs

San Francisco Planning

49 South Van Ness Avenue, Suite 1400, San Francisco, CA 94103

Direct: 628.652.7589 | www.sfplanning.org San Francisco Property Information Map

From: "Press Office, Mayor (MYR)" <mayorspressoffice@sfgov.org>

Date: Tuesday, October 19, 2021 at 3:51 PM

To: "Press Office, Mayor (MYR)" <mayorspressoffice@sfgov.org>

Subject: *** PRESS RELEASE *** BOARD OF SUPERVISORS APPROVES LGBTQ DATA

COLLECTION LEGISLATION INTRODUCED BY MAYOR LONDON BREED AND SUPERVISOR RAFAEL

MANDELMAN

FOR IMMEDIATE RELEASE:

Tuesday, October 19, 2021

Contact: Mayor's Office of Communications, <u>mayorspressoffice@sfgov.org</u>

*** PRESS RELEASE ***

BOARD OF SUPERVISORS APPROVES LGBTQ DATA COLLECTION LEGISLATION INTRODUCED BY MAYOR LONDON BREED AND SUPERVISOR RAFAEL MANDELMAN

Legislation repeals 12E of the Administrative Code and directs the Department of Human Resources to collect voluntary and confidential sexual orientation demographics from City employees and applicants

San Francisco, CA — The Board of Supervisors today unanimously passed legislation introduced by Mayor London N. Breed and Supervisor Rafael Mandelman to repeal 12E of the Administrative Code and allow the Department of Human Resources to collect voluntary and confidential sexual orientation demographics from City employees and applicants.

With certain narrow exceptions, Chapter 12E (City Employee's Sexual Privacy Ordinance) of the Administrative Code prohibits the City from inquiring into "sexual orientation, practices, or habits" of City employees. In practice, this prohibited collection of sexual orientation and accurate gender identity information from City employees.

"Since day one, I have made it a point of my administration to elevate and support LGBTQ leadership and representation," said Mayor Breed. "This section of the Administrative Code was necessary to protect LGBTQ employees from discrimination and harassment when

initially designed, but it has now outlived its purpose. With the Board's approval, we are advancing our workplace measures to ensure that San Francisco is an inclusive city for all LGBTQ workers."

When enacted in 1985, Chapter 12E was necessary to protect LGBTQ City employees and applicants from potential discrimination at the height of the HIV/AIDS epidemic. At that time, the larger population often assumed that any member of the LGBTQ community might be living with HIV/AIDS and carried a tremendous stigma attached to it. This perception has shifted over time, given that discrimination and harassment based on HIV status, sexual orientation, and gender identity have since become prohibited under federal, state, and local law, as well as City policy.

This new policy builds off Mayor Breed's Executive Directive to assure City services are LGBTQ affirming by requiring departments to provide gender-inclusive options and self-identifiers on all City forms and applications. The directive also expanded required trans inclusion training to all City employees working with the public. Mayor Breed has also prioritized appointing LGBTQ community leaders to City boards and commissions; since her inauguration in 2018, she has appointed or reappointed over 48 LGBTQ commissioners, making up 15% of all appointments.

"LGBTQ City employees drive our buses, fight our fires, and clean our streets," said Supervisor Rafael Mandelman. "This legislation will help us to identify and address the needs of these employees and ensure that we are supporting and expanding San Francisco's LGBTQ workforce."

The City and County of San Francisco is the largest employer in San Francisco, with approximately 37,000 employees who reflect the vibrant and diverse populations of San Francisco and the Bay Area. While the City collects certain confidential demographic information from applicants for City employment, little is known about applicants or the City workforce in terms of LGBTQ identities.

"This important policy change will give the City invaluable data on our LGBTQ+ workforce, and help identify potential barriers to City employment and advancement," said Carol Isen, DHR Human Resources Director. "We look forward to implementing this change and expanding additional equity efforts that support pathways to City employment for the LGBTQ community."

"Collecting information on sexual orientation and gender identity will help us assess and support the needs of our many LGBTQ+ City employees," said Pau Crego, Acting Director of the Office of Transgender Initiatives. "From promoting LGBTQ+ participation in the U.S. Census to leading the way in collecting sexual orientation and gender identity data for City services, in San Francisco we understand how crucial it is for queer and trans communities to be counted."

San Francisco is a leader in LGBTQ rights and has a rich history of LGBTQ and HIV advocacy, art and culture, and groundbreaking legislation and social programming. LGBTQ communities worldwide look to San Francisco as a model to follow—a city that understands how crucial it is for our diverse communities to be seen, counted, respected, and celebrated.

The City remains committed to upholding protections for its LGBTQ applicants and

employees and maintaining the privacy of all its applicants and employees by collecting data about sexual orientation and gender identity on a voluntary and confidential basis. More information on the legislation can be found here/basis/here/ba

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From: <u>Ionin, Jonas (CPC)</u>
Cc: <u>Feliciano, Josephine (CPC)</u>

Subject: FW: *** PRESS RELEASE *** MAYOR LONDON BREED ANNOUNCES PRIVATELY FUNDED REWARDS FOR

INFORMATION LEADING TO CONVICTION OF AUTO BURGLARY FENCING OPERATORS

Date: Tuesday, October 19, 2021 11:25:11 AM
Attachments: 10.19.2021 Auto Burglary Fencing Reward.pdf

Jonas P Ionin
Director of Commission Affairs

San Francisco Planning

49 South Van Ness Avenue, Suite 1400, San Francisco, CA 94103

Direct: 628.652.7589 | www.sfplanning.org San Francisco Property Information Map

From: "Press Office, Mayor (MYR)" <mayorspressoffice@sfgov.org>

Date: Tuesday, October 19, 2021 at 11:09 AM

To: "Press Office, Mayor (MYR)" <mayorspressoffice@sfgov.org>

Subject: *** PRESS RELEASE *** MAYOR LONDON BREED ANNOUNCES PRIVATELY FUNDED REWARDS FOR INFORMATION LEADING TO CONVICTION OF AUTO BURGLARY FENCING

OPERATORS

FOR IMMEDIATE RELEASE:

Tuesday, October 19, 2021

Contact: Mayor's Office of Communications, <u>mayorspressoffice@sfgov.org</u>

*** PRESS RELEASE ***

MAYOR LONDON BREED ANNOUNCES PRIVATELY FUNDED REWARDS FOR INFORMATION LEADING TO CONVICTION OF AUTO BURGLARY FENCING OPERATORS

New initiative will bolster the success of recent strategic deployments to high-traffic tourism, workplace, and retail destinations

San Francisco, CA — Mayor London N. Breed today announced a privately funded cash reward for information leading to the arrest and conviction of individuals involved in organized criminal fencing operations known to fuel vehicle smash-and-grabs. This initiative builds on Mayor Breed's recent expansion of community-based ambassadors and police patrols to high-traffic businesses, tourist, and retail destinations, which has resulted in a 37 percent drop in citywide auto burglaries from the year's July 4 highpoint to the most recent reporting period.

The new initiative is a keystone element in a comprehensive auto burglary strategy that aims to educate motorists and visitors; deter, investigate and arrest active auto burglars; and shut down the upstream criminal enterprises that traffic in stolen goods, fueling street-level auto burglaries. Investigators within the San Francisco Police Department and among regional law enforcement partner agencies in Northern California estimate that fewer than a dozen regular auto burglary crews are responsible for the large majority of auto burglaries that have plagued

Bay Area cities in recent years.

"The frequent auto burglaries in San Francisco are not victimless crimes, they have real financial and emotional consequences for the victims and we're continuing to work to hold people who commit these crimes accountable," said Mayor Breed. "These break-ins hurt our residents, especially working families who do not have the time or money to deal with the effects, as well as visitors to our City whose experiences are too often tarnished after an otherwise positive experience. We've made good progress in recent months since announcing our Tourism Deployment Plan, but there's still more work to do to ensure that everyone feels safe on our streets. I want to thank our partners in the private sector who understand the urgency of this issue, and we want to be very clear to the organized groups who are responsible for the vast majority of these crimes that we are committing the resources and the manpower to hold you accountable."

The new cash reward system, which is being fully funded by private donors in the hospitality and tourism industry, will provide monetary incentives in exchange for information regarding high-level leaders of organized auto burglary fencing operations. Individuals that provide accurate and transparent information will be compensated up to \$100,000 pending the arrest and conviction of individuals involved. In total, funds raised are in excess of \$225,000 so far.

"Organized crime has been driving a lot of the theft in this city. The people at the top have been raking in huge sums of money by paying street-level criminals to do all their stealing for them, making working families miserable in the process. This initiative is going to help us take these rings apart," said Sharky Laguana, President, Small Business Commission.

Recent initiatives helping to reduce auto burglaries

In recent months, Mayor Breed has announced the strategic deployments of police and community-based ambassadors to support San Francisco's reemergence from COVID-19 restrictions and deter property crimes likely to accompany renewed economic activity — including auto burglaries.

Mayor Breed's Tourism Deployment Plan, announced in July, assigned 26 additional police officers on bicycle and foot patrols to an array of high-traffic and highly sought-after travel destinations citywide. Public safety deployments of police officers and community-based partners were also key elements of the Mayor's Mid-Market Vibrancy and Safety Plan launched in May and the Organized Retail Crime Initiative, which Mayor Breed announced last month. The combined emphasis on high-visibility patrols in areas long targeted by auto burglars has been instrumental in reducing auto burglary rates — even as tourism and economic activity begin returning to pre-pandemic levels.

The San Francisco Police Department has also stepped up its "Park Smart" public awareness campaign in recent months. Park Smart is a collaboration among SFPD, the San Francisco Municipal Transportation Agency, the Department of Emergency Management, SF SAFE, the Fisherman's Wharf Community Benefit District, and local tourism and travel partners. Educating motorists and visitors on how to help prevent vehicle burglaries by taking commonsense precautions, Park Smart's recommended strategies when parking vehicles in San Francisco include placing items in trunks; never leaving valuables in view; and parking in lots staffed with attendants whenever possible.

According to San Francisco Police Department CompStat data, the 2021 highpoint for auto burglaries came just two weeks after California began to emerge from its COVID-19 lockdown, with 566 auto burglaries reported citywide for the week ending July 4, 2021.

Deployments of police and community-based patrols launched the following week under Mayor Breed's Tourism Deployment Plan have since led to a sustained drop in auto burglaries — even with Fleet Week, San Francisco Giants post-season games, the return of Golden State Warriors' games to Chase Center and other attractions ushering in a comeback in visitors to the City.

SFPD CompStat data for the most recently reported period, for the <u>week ending Oct. 17, 2021</u>, show that a total of 358 auto break-ins were committed in San Francisco — a drop of 37 percent from the July 4 holiday.

Auto burglary incident counts by year have generally trended down since 2017, when San Francisco recorded 31,409 such incidents. Although 2021 has predictably trended higher than the COVID-19 lockdown year of 2020, it remains well below pre-pandemic rates that reached 25,886 reported auto burglaries for the 2019 calendar year.

"Today's announcement adds a promising new tool to the coordinated efforts of public and private sector partners to fight auto burglaries in San Francisco," said Chief of Police Bill Scott. "We know the profit motives of a few upstream fencing operations are fueling thousands of auto burglaries and other kinds of thefts. This generously funded cash reward enables us to flip the script on profit motives — creating an incentive that can help us bring these criminal enterprises to justice. On behalf of all of us in the San Francisco Police Department, we're grateful to the funders of this generous partnership with our City. We thank Mayor Breed for her leadership, and we're pleased to see strategic deployments of our officers and our community partners making progress to keep auto burglaries down. We're very hopeful that this new initiative will help make San Francisco's so-far successful efforts on auto burglaries even more successful moving forward."

Staff reductions due to unvaccinated officers won't affect patrol functions

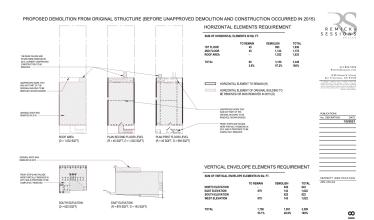
Given the San Francisco Police Department's emphasis on adequately staffing such core police functions as patrol and investigations, reductions in force owing to unvaccinated SFPD members will have no effect on existing high-visibility deployments. Most SFPD employees, including all sworn members, were required to be fully vaccinated by Oct. 13, 2021 under the City's COVID-19 vaccination policy and the San Francisco County Health Officer's "Safer Return Together" health order. Following the Oct. 13 deadline last Thursday, 76 SFPD officers — or 3.5 percent of the Department's sworn members — remained unvaccinated and are ineligible to perform policing functions.

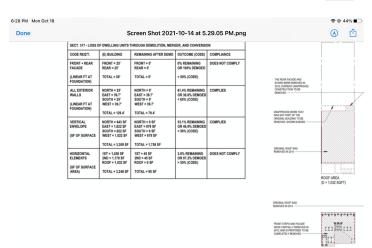
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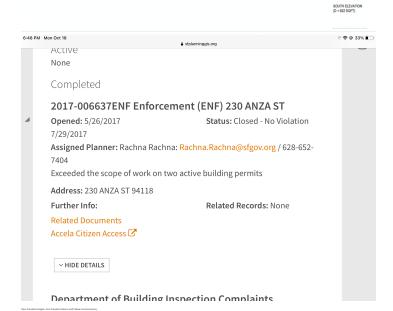


SUMMARY TABLE NON-DEMOLITION DEMONSTRATION TOTAL = 50' TOTAL = 0' ALL EXTERIOR WALLS NORTH = 0' EAST = 39.1' SOUTH = 0' WEST = 39.7'









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From: CPC-Commissions Secretary
To: Feliciano, Josephine (CPC)
Subject: FW: 4512 23rd Street Supporters
Date: Tuesday, October 19, 2021 11:03:43 AM
Attachments: 4512 23rd Street Supporters 10.19.2021.xlsx

Commission Affairs

San Francisco Planning 49 South Van Ness Avenue, Suite 1400, San Francisco, CA 94103 Direct: 628.652.7600 | www.sfplanning.org San Francisco Property Information Map

Expanded in-person services at the Permit Center at 49 South Van Ness Avenue are available. Most other San Francisco Planning functions are being conducted remotely. Our staff are <u>available by e-mail</u>, and the Planning and Historic Preservation Commissions are convening remotely. The public is <u>encouraged to participate</u>. Find more information on our services here.

From: Corey Smith <corey@sfhac.org>
Sent: Tuesday, October 19, 2021 9:05 AM

To: Koppel, Joel (CPC) <joel.koppel@sfgov.org>; Fung, Frank (CPC) <frank.fung@sfgov.org>; Diamond, Susan (CPC) <sue.diamond@sfgov.org>; Chan, Deland (CPC) <deland.chan@sfgov.org>; Imperial, Theresa (CPC) <theresa.imperial@sfgov.org>; Tanner, Rachael (CPC) <rachael.tanner@sfgov.org>; Moore, Kathrin (CPC) <kathrin.moore@sfgov.org> Cc: CPC-Commissions Secretary <commissions.secretary@sfgov.org>; Phillip Kobernick <Phillipkobernick@gmail.com>; Laura Clark <laura@yimbyaction.org>; Todd David <todd@sfhac.org>; Kat Wortham <kat@sfhac.org>; Anders Fung <Anders@maanglobal.com>

Subject: 4512 23rd Street Supporters

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

Members of the San Francisco Planning Commission,

On behalf of the Housing Action Coalition, Progress Noe Valley and YIMBY Action, please see the attached document with signers in support of the <u>4512 23rd Street proposal</u>.

Here is a link to the Housing Action Coalition's <u>report card of the project</u>. Please note that the project was reviewed in May 2020.

Please let me know if you have any questions.

Respectfully, Corey Smith Deputy Director, HAC --

Corey Smith 陈锐 | Pronouns: He/Him Deputy Director | Housing Action Coalition

95 Brady Street, San Francisco, CA 94103 Office: (415) 541-9001 | Cell: (925) 360-5290



Email: corey@sfhac.org | Web: sfhac.org

To opt out of all HAC emails, respond to this email with "unsubscribe all".

Timestamp (EST)	First name	Last name	Email	ZIP code	Letter Subject
2021-09-16 14:25:21 EST	Michael	Chen	mychen10@yahoo.com	94109	Yes to more homes at 4512 23rd Street
2021-09-16 14:31:44 EST	Charles	Ayers	cayers99@gmail.com	94103	Please support bringing new homes at 4512 23rd Street
2021-09-16 14:33:07 EST	Charlene	Chambliss	chamblisscs@gmail.com	94612	Please support bringing new homes at 4512 23rd Street
2021-09-16 14:39:10 EST	David	Goldman	dcgoldman@gmail.com	94114-1685	Please support bringing new homes at 4512 23rd Street

Letter Body

I'm writing to support 13 homes at 4512 23rd Street, and I urge you to approve this project.

It adds housing, including below-market rate housing, to a neighborhood that is highly desirable and has high rents. It is good transit-oriented development and advances the opportunity for more people to live in an environmentally sustainable manner.

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.

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.
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2021-09-16 14:40:46 EST Benjamin Herman	bfh3872@yahoo.com	94131 Please support bringing new homes at 4512 23rd Street	For these and many other reasons, I urge you to approve these well-designed, well-located, environmentally-friendly new homes without delay. I'm writing to express my support for a new housing project that would bring 13 much-needed homes to 4512 23rd Street and urge you to approve this worthy project.
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2021-09-16 14:43:00 EST Jeffrey Glickman	jeffrey.glickman@gmail.com	94114 support bringing new homes at 4512 23rd Street and I hope you will as well	For these and many other reasons, I urge you to approve these well-designed, well-located, environmentally-friendly new homes without delay. 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.
			I've lived in SF for 27 years. I love the city, but hate how the cost of housing is driving so many people out. We need more housing - and quickly.
			Advocates for this project cite a number of reasons why these new homes are 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.
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2021-09-16 14:45:12 EST WILLIAM WEIHL	bill@weihl.com	94114 Please support bringing new homes at 4512 23rd Street	For these and many other reasons, I urge you to approve these well-designed, well-located, environmentally-friendly new homes without delay.

202:	1-09-16 14:47:57 EST	Connor	Dearing	connordearing@gmail.com	94114 Please support bringing new homes at 4512 23rd Street
202:	1-09-16 14:48:22 EST	Jimeno	Rodriguez	jimenor@att.net	94110 Please support bringing new homes at 4512 23rd Street
202:	1-09-16 14:48:24 EST	Allison	Arieff	aja@modernhouse.com	94131 Please support bringing new homes at 4512 23rd Street
202:	1-09-16 15:07:52 EST	Conor	Johnston	conorj@otterbrands.com	94131 Please support bringing new homes at 4512 23rd Street

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

Allison Arieff

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We live one block away on Corbett and fully support this project. BUILD MORE HOMES!

2021-09-16 15:13:51 EST	Sarah	Willmer	swillmer@studio-sw.com	94114 Please support bringing new homes at 4512 23rd Street
2021-09-16 15:29:20 EST	Raul	Maldonado	cheninator@gmail.com	94132 Please support bringing new homes at 4512 23rd Street
2021-09-16 15:53:01 EST	Allan	LeBlanc	allan.leblanc@gmail.com	94131 Please support bringing new homes at 4512 23rd Street

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2021-09-16 16:12:13 EST	Meg	Kammerud	meg.kammerud@gmail.com	94131 Please support bringing new homes at 4512 23rd Street
2021-09-16 16:28:42 EST	Aditya	Agarwal	adityaag@gmail.com	94114 Please support bringing new homes at 4512 23rd Street
2021-09-16 16:31:41 EST	George	Koster	georgekoster9@gmail.com	94131 Please support bringing new homes at 4512 23rd Street
2021-09-16 16:46:08 EST	Ben	Golvin	ben@ecbsf.com	94114 We support new homes at 4512 23rd Street

I'm writing today as a San Francisco home owner 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. I am thrilled to live in this city and want to see us make space and housing for more people in order to ensure that our city remains strong and vibrant.

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

Dear Planning Commissioners and Supervisor Mandelman:

As a long-time Noe Valley resident (since 1985, with a couple of breaks) and housing advocate, I urge you to support the new homes proposed for 4512 23rd Street.

My wife Karen and I often walk by the site, and believe strongly that the property is due for development to create more housing in our wonderful neighborhood.

We look forward to Planning Commission approval, to seeing more construction workers back at work, and to welcoming new neighbors.

Thank you.

2021-09-16 17:00:07 EST Ellen Yanisse ellen.yanisse@gmail.com 94114-1211 Please support bringing new homes at 4512 23rd Street

2021-09-16 17:01:20 EST Allen Arieff aja1029@yahoo.com 94131 Please support bringing new homes at 4512 23rd Street

jaceem@sbcglobal.net

mchugh

94131 New homes at 4512 23rd Street

2021-09-16 17:17:33 EST jacee

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Sincerely,

Allen Arieff, M.D.

Please, please help the project at 4512 23rd Street get approval.

- * It is small scale infill building, for people with a diversity of income levels, including families, which are the cornerstones of keeping the flavor of our beloved city.
- *It uses an underused lot.
- *It includes below market rate housing.
- *it is all electric, and near to bus lines.
- *The builders have been responsive to the neighborhood (e.g., setbacks for upper floor to soften the height.)

I am not a developer, or connected to one. I am a 66 year old white lady who has lived in SF for 40+ years, moved here to go to school, birthed and raised my kids here, and would vote to have the property next door to me in Glen Park developed in the same manner. In a heartbeat. That is, I am NOT a nimby, and willing to put my neighborhood where my mouth is I

This is a good project that actually builds affordable housing - rather than "paying the penalty" to affordable housing to be build who knows where or when.

I urge you to approve these new homes WITHOUT DELAY!

Please don't kill this project with delays.

Thank you,

Jacee McHugh

2021-09-16 17:18:41 EST	Caitlin	McLaughlin	mclaughlin.caitlin@gmail.com	94131 Please support bringing new homes at 4512 23rd Street
2021-09-16 17:26:00 EST	Stephen	Zerfas	stephen.zerfas@gmail.com	94114 Please support bringing new homes at 4512 23rd Street
2021-09-16 17:26:53 EST	Nicole	Efron	nicole.efron@gmail.com	94131 Please support bringing new homes at 4512 23rd Street

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2021-09-16 19:08:38 EST	Stephen	Huenneke	stephen.huenneke@gmail.com	94131 Please support bringing new homes at 4512 23rd Street
2021-09-16 19:37:56 EST	Joseph	DiMento	joedimento@gmail.com	94131 Please support bringing new homes at 4512 23rd Street
2021-09-16 19:49:16 EST	David	Salem	dsssandg@gmail.com	94114 Please support bringing new homes at 4512 23rd Street

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2021-09-16 19:49:17 EST	William	Cline	ww.cline@icloud.com	94114-1852 Please support bringing new homes at 4512 23rd Street
2021-09-16 20:23:50 EST	Scot	Conner	scot.conner@berkeley.edu	94123 Please support bringing new homes at 4512 23rd Street
2021-09-17 00:17:23 EST	Dan	Federman	dfed@me.com	94117 Please support bringing new homes at 4512 23rd Street

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2021-09-17 01:00:34 EST	Sum	Fung	Fung@maanglobal.com	94116 Please support bringing new homes at 4512 23rd Street
2021-09-17 01:02:11 EST	Yee Mee	Lee	ymlee@gmail.com	94116 Please support bringing new homes at 4512 23rd Street
2021-09-17 01:03:19 EST	Margaret	Ng	mng@maanglobal.com	94116 Please support bringing new homes at 4512 23rd Street

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2021-09-17 01:06:18 EST	Sean	McBride	sean@seanmcb.com	94114 Please support bringing new homes at 4512 23rd Street!
2021-09-17 01:18:41 EST	Margaret	Nσ	mng1124@gmail.com	94116 Please support bringing new homes at 4512 23rd Street
202105-17 01:15:41 231	Waigalet	Ng	mig124egrian.com	34110 Frease support uninging flew nomes at 4312 2310 30 eet
2021-09-17 03:39:28 EST	Gregory	Goldgof	ggoldgof@gmail.com	94131 Please support bringing new homes at 4512 23rd Street

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2021-09-17 06:33:25 EST	Ali	Moss	ali.moss13@gmail.com	94117 Please support bringing new homes at 4512 23rd Street
2021-09-17 12:21:33 EST	Alan	Billingsley	alanbillingsley215@gmail.com	94114 Please support bringing new homes at 4512 23rd Street

cng1125@gmail.com

94116 Please support bringing new homes at 4512 23rd Street

2021-09-17 13:02:00 EST Carmen

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2021-09-17 14:47:09 EST	David	Tejeda	dtrepairs@gmail.com	94114 Please support bringing new homes at 4512 23rd Street
2021-09-17 14:52:14 EST	Jessica	Perla	jessica.perla@cbnorcal.com	94107-3739 Please support bringing new homes at 4512 23rd Street
2021-09-17 14:53:30 EST	Stephen	Dodson	stephen.j.dodson@gmail.com	94114 Please support bringing new homes at 4512 23rd Street

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2021-09-17 15:47:12 EST	Milo	Trauss	milotrauss@gmail.com	94131 Please support the new homes proposed at 4512 23rd Street
2021-09-17 15:58:18 EST	Madelaine	Boyd	madelaine.boyd+sfhac@gmail.com	94114 Please support bringing new homes at 4512 23rd Street
2021-09-17 18:21:03 EST	Jocelyn	Blumenrose	jocelyn.s.ross@gmail.com	94114 Please support bringing new homes at 4512 23rd Street

4512 23rd St is an excellent proposal that deserves this city's full support! This is a sensibly sized building that will have minimal impact on the area while modestly increasing our neighborhood's housing stock. The city needs hundreds if not thousands more buildings like this one so lets jump on the chance to approve these much needed new home!

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2021-09-17 19:12:52 EST	Adam	Kurzrok	akurzrok@gmail.com	94114 Please support bringing new homes at 4512 23rd Street
2021-09-17 20:01:45 EST	Niek	Meyer	wnmeyer@gmail.com	94117 Please support bringing new homes at 4512 23rd Street
2021/03-17/20.01.43/E31	NICK	Weyer	willieger@ginan.com	34117 riesse support uinging new nomes at 4312 2310 siteet
2021-09-18 01:26:49 EST	Zack	Subin	zack.subin@fastmail.fm	94112 Please support bringing new homes at 4512 23rd Street

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For these and many other reasons, I urge you to approve these well-designed, well-located, environmentally-friendly new homes without delay. We need more climate-friendly multifamily homes in SF, and there is a great project proposed in a high opportunity neighborhood!

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!

2021-09-18 14:10:09 EST	Susan	Green	green.susan.s@gmail.com	94114 Please support bringing new homes at 4512 23rd Stree	t
2021-09-18 16:01:23 EST		Fruchtman	rfruchtose@gmail.com	94117 Please support bringing new homes at 4512 23rd Stree	
2021-09-18 17:44:47 EST	Aston	Motes	astonm@gmail.com	94114-1888 Please support bringing new homes at 4512 23rd Stree	t

Thompson thompsondavidDT415@gmail.com

94114 Please support bringing new homes at 4512 23rd Street

2021-09-19 17:53:54 EST David

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.

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

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

I'm writing to express my support for the 4512 23rd Street project. There's no reason given the housing crisis we are facing that we should have any vacant lots where someone wants to build a place for someone to live. And even better if we can get multiple units out of the deal. I would be in support of any level of housing, but this project has below-market-rate units included as well, so it seems like a no-brainer to me.

I hope that you all will approve it, and urgently!

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2021-09-20 02:45:16 EST	Laura	Fingal-Surma	laura.surma@gmail.com	94114 Please support bringing new homes at 4512 23rd Street
2021-09-20 21:38:45 EST 2021-09-21 12:18:11 EST		Cordova	cristinajcordova@gmail.com daveymkim@hotmail.com	94114 Please support bringing new homes at 4512 23rd Street 94109 Please support bringing new homes at 4512 23rd Street

94114 Please support bringing new homes at 4512 23rd Street

MacGregor ianmac2100@gmail.com

2021-09-21 17:41:35 EST | Ian

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:

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

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For these and many other reasons, I urge you to approve these well-designed, well-located, environmentally-friendly new homes without delay. I wish to support the construction of 13 much-needed homes at 4512 23rd Street and urge you to approve this worthy project.

Im a Nob Hill resident, who wants to see more housing, especially smaller units to add our housing supply! More neighbors mean more support for our iconic local businesses! We need more ridership on our transit lines as well!

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2021-09-22 10:02:09 EST	Wayne	Cheung	sfwaynehc@gmail.com	94109 Please support bringing new homes at 4512 23rd Street
2021-09-24 08:52:51 EST	Oneida	Arevalo	oneidaarevalo@aol.com	94110 Please support bringing new homes at 4512 23rd Street
2021-09-24 13:24:14 EST	Alfreda	Wallace	alfredawallace153@gmail.com	94102 Please support bringing new homes at 4512 23rd Street

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

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

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2021-09-26 23:41:57 EST	Anderson	Fung	andersonfung2008@gmail.com	94116 Please support bringing new homes at 4512 23rd Street
2021-09-27 15:04:34 EST	Tia	Ghose	tiaalonaghose@gmail.com	94114 Please support bringing new homes at 4512 23rd Street
2021-09-27 15:07:54 EST	Joanna	Gubman	jgubman@gmail.com	94114 Please support bringing new homes at 4512 23rd Street

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

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 notice?

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

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- 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. Please approve these homes! We are in the middle of a housing crisis and a climate crisis, and we should be doing everything we can to build more homes in places people want to live, where they can have a low-carbon lifestyle.

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2021-09-27 15:20:19 EST	Tara	Killebrew	tsburns17@hotmail.com	94131 Please support new project at 4512 23rd Street
2021-09-27 15:32:01 EST	Toby	Morris	toby@kermanmorris.com	94114 Please support bringing new homes at 4512 23rd Street
2021-09-27 15:33:29 EST	Matthew	Soisson	matthewrsoissom@gmail.com	94114 Please support bringing new homes at 4512 23rd Street

Because I am a District 8 resident and parent of students at nearby Rooftop K-8, Aland am well aware that families and staff would like the chance to live near that school, Ali'm taking the time to write to express my support for a new infill project that would bring 13 much-needed homes to 4512 23rd Street and urge you to approve this worthy project.

Here are other reasons that make this project uniquely well-suited for this particular location:

- 1. 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. This project will create affordable homes in a city that's become largely unaffordable. Of the 13 units, 25% (3 units) will be below market rate. This means more homes for families of varying means.
- 3. 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. These all-electric homes prioritize energy efficiency and are intended to achieve Net Zero Energy in terms of its common area power consumption.
- 5. 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.

Urban infill projects must increase if we want to keep teachers, school staff and food-industry workers as neighbors in San Francisco. I urge you to approve this project without delay.

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.

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

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2021-09-27 15:38:42 EST	Cynthia	Gregory	cynthia.e.gregory@gmail.com	94131 Please support bringing new homes at 4512 23rd Street
2021-09-27 15:46:43 EST	Caroline	Rubin	carolinesrubin@gmail.com	94118 Please support bringing new homes at 4512 23rd Street
2021-09-27 15:48:18 EST	Alan	Billingsley	alanbillingsley215@gmail.com	94114 Please support bringing new homes at 4512 23rd Street

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2021-09-27 16:03:45 EST	Bella	Lau	elisaqbb@hotmail.com	94112 Please support bringing new homes at 4512 23rd Street
2021-09-27 16:08:25 EST	Matt	Klimerman	klimermanm@gmail.com	94131 Please support bringing new homes at 4512 23rd Street
2021-09-27 16:12:05 EST	Patrick	Holmes	holmesp@gmail.com	94114 Please support bringing new homes at 4512 23rd Street
2021-09-27 16:14:23 EST	Gordon	Wintrob	gwintrob@gmail.com	94114 Please support bringing new homes at 4512 23rd Street

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

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

As a neighbor of the project, I understand the deep need for additional affordable and market rate housing in the neighborhood and would like to share a few reasons that make this project well suited for my neighborhood:

- 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 new multi-family housing has been built (especially affordable housing).
- 2. Creating more affordable homes in an area of the 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.
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For these and many other reasons, I urge you to approve these new homes without delay. I want to express support for the 4512 23rd Street project and urge you to approve 13 much-needed homes.

There are many great reasons that make these new homes well-suited for approval, including:

- 1. Add net-new homes where there are none. Maximizing the number of homes on a small lot that has been vacant for more than 50 years is a necessity.
- 2. Three units will be below-market-rate homes. SF is unaffordable for many so this, project advances justice.
- 3. Close proximity to public transportation.
- 4. Sustainable design. These homes prioritize energy efficiency.
- 5. The project team will upgrade underground utility lines and improve public access that will benefit neighbors!

Please approve this project.

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.
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2021-09-27 16:30:30 EST	Christopher	Sharpe	seesharpe1966@gmail.com	94131 Please support bringing new homes at 4512 23rd Street
2021-09-27 16:53:33 EST	Vitor	Baccetti Garcia	vbgarcia@gmail.com	94114 Please support bringing new homes at 4512 23rd Street
2021-09-27 17:19:13 EST	Chris	McMahon	mcmahon@alumni.usc.edu	94114 Please support bringing new homes at 4512 23rd Street

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- It is about time that SF decision makers started taking the housing crisis seriously. Between the Planning Commission's overbearing micro managing of development and the constant political limitations by the Board of Supes, a typical apartment costs \$1.2M to build! Outrageous!
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2021-09-27 17:20:12 EST	Jason	Stephens	jasonmstephens@gmail.com	94131 Please support bringing new homes at 4512 23rd Street
2021-09-27 18:08:03 EST	Timothy	Tieu	tim.tieu@gmail.com	94114 Please support bringing new homes at 4512 23rd Street
2021-09-27 19:45:52 EST	Charles	Whitfield	whitfield.cw@gmail.com	94114 Please support bringing new homes at 4512 23rd Street

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2021-09-28 00:08:49 EST	Matt	Biggar	mbiggar@connectedtoplace.com	94114 Please support bringing new homes at 4512 23rd Street
2021-09-28 10:37:40 EST	Beth	OLeary	beth@oleary.com	94131 Please support bringing new homes at 4512 23rd Street
2021-09-28 15:07:58 EST	Beth	Daecher	bdaecher@pacbell.net	94114 Please support bringing new homes at 4512 23rd Street

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2021-09-28 17:42:17 EST	Jerry	Wang	jw16899@gmail.com	95113-2538 Please support bringing new homes at 4512 23rd Street
2021-09-28 20:00:07 EST	Stephen	Wan	swanito@hotmail.com	94030 Please support bringing new homes at 4512 23rd Street

2021-09-28 20:20:40 EST Goldie

Cheng

goldiecheng@hotmail.com

94115 Please support bringing new homes at 4512 23rd Street

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2021-09-30 00:05:39 EST	Katharine	Grant	katharinelovellgrant@gmail.com	94131 Please support bringing new homes at 4512 23rd Street
2021-10-02 14:46:55 EST	Carrie	Haverty	carriehaverty@gmail.com	94131 Please support bringing new homes at 4512 23rd Street

ionathan@elevationarchitects.com

94109 Please support bringing new homes at 4512 23rd Street

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I am a local homeowner and hope my adolescent children will also be able to live in the City in the future and see many, many more projects like this one as the only way forward. For these and many other reasons, I urge you to approve these well-designed, well-located, environmentally-friendly new homes without delay. 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.

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2021-10-05 12:27:55 EST	Domenick	Cava	domdcava@gmail.com	94024 Please support bringing new homes at 4512 23rd Street
2021-10-06 12:57:57 EST	Andrew	Day	aday.nu@gmail.com	94115 Please support bringing new homes at 4512 23rd Street
2021-10-06 13:02:36 EST	Andrew	Fister	andrewfister3@gmail.com	94122 Please support bringing new homes at 4512 23rd Street

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2021-10-06 13:05:02 EST	Raul	Maldonado	rmaldonadocloud@gmail.com	94132 Please support bringing new homes at 4512 23rd Street
2021-10-06 13:55:57 EST	Sarah	Rogers	serogers@gmail.com	94110 Please support bringing new homes at 4512 23rd Street

2021-10-06 15:04:14 EST Trevor

Chandler

chandler.trevor@gmail.com

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2021-10-06 15:34:06 EST	Andrew	Sullivan	andrew@sulli.org	94117 Please support bringing new homes at 4512 23rd Street
2021-10-06 16:08:25 EST	Salim	Damerdji	damerdji@berkeley.edu	94122 Please support bringing new homes at 4512 23rd Street
2021-10-06 16:13:59 EST	Jonathan	Tyburski	jtyburski@gmail.com	94117 Please support bringing new homes at 4512 23rd Street

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2021-10-10 15:07:05 EST	Adrienne	Fung	24funge45@stu.smuhsd.org	94116 Please support bringing new homes at 4512 23rd Street
2021-10-12 17:11:04 EST	Eric	Nytko	enytko@gmail.com	94114 Please support bringing new homes at 4512 23rd Street
2021-10-18 13:00:13 EST	Raul	Maldonado	rmaldonadocloud@gmail.com	94132 Please support bringing new homes at 4512 23rd Street - Raul M

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2021-10-19 01:59:21 EST Wendy He wendy@maanglobal.com

94116 Please support bringing new homes at 4512 23rd Street

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From: <u>Tran, Tam (CPC)</u>

To: <u>Imperial, Theresa (CPC)</u>; <u>Tanner, Rachael (CPC)</u>

Cc: Johnson, Doug (CPC); Rodgers, AnMarie (CPC); CTYPLN - COMMISSION SECRETARY; Chan, Celina (CPC)

Subject: Congestion Pricing and Anti-Displacement Considerations (Follow-up on from 10/7 hearing)

Date: Monday, October 18, 2021 5:09:07 PM

Attachments: 2021.10.18 ConnectSF GentrificationDisplacement Takeaways.docx

Commissioner Imperial and Commissioner Tanner:

This is a follow-up to our informational presentation about the Transportation Element and ConnectSF at the October 7th Commission hearing. We were asked about congestion pricing and anti-displacement considerations for transportation projects.

Downtown Congestion Pricing Study

The Transportation Authority is leading the City's study on congestion pricing. Please see the study's <u>website</u> to learn more about the project's outcome goals, pricing proposal (including the cordon's boundaries), and timeline. Currently, the study is on pause, as noted in the study's <u>blog</u>. Planning Department staff has been participating in the development of the study, and we will organize a presentation to the Planning Commission next year. Meanwhile, Commissioner Imperial, please let us know if you have any further questions.

Anti-displacement and Transportation Projects

In 2019, ConnectSF staff conducted research to understand potential effects of transportation improvements on displacement. The attached two-page memo summarizes key takeaways from this research. Our team can discuss our findings with you, Commissioner Tanner, or present them at a future Commission hearing.

Please let us know if you have any questions.

Tam Tran

San Francisco Planning Department
49 South Van Ness Avenue, Suite 1400, San Francisco, CA 94103
Direct: 628-652-7473 | www.sfplanning.org
San Francisco Property Information Map

Due to COVID-19, San Francisco Planning is not providing any in-person services, but we are operating remotely. Our staff are <u>available by e-mail</u>, and the Planning and Historic Preservation Commissions are convening remotely. The public is <u>encouraged to participate</u>. Find more information on our services <u>here</u>.



Infrastructure and Displacement Research – Takeaways for Future Transit Investment

BACKGROUND

In 2019, ConnectSF staff who are part of a subcommittee called the Racial Equity and Inclusion Committee were directed by Deputy Directors to explore and research the relationship between infrastructure investment and gentrification and displacement.

- The ConnectSF team mainly researched the relationship between transit investments (heavy rail, light rail, and BRT) and gentrification and displacement based on available studies.
- Staff also focused their research on peer cities (Chicago, Washington D.C., Seattle, and Boston) to understand the relationship between infrastructure and displacement in other cities.
- Due to the desire to understand large-scale infrastructure investments and gentrification as well as time constraints, staff did not explore the relationship between bike lanes or streetscape projects and gentrification.

In 2022, the SFMTA, in partnership with SF Planning and SFCTA, will release the Transit Investment Strategy (formerly known as the Transit Corridors Study) to propose capital transit improvements and rail concepts for the short-, medium-, and long-term horizon. Due to significant underinvestment in transit over the last few decades, transit service in San Francisco has not worked for everyone, particularly low-income communities and communities of color. Expanded transit service is needed to connect people to housing, jobs, and services in an efficient, reliable, and safe manner.

This memo summarizes the key takeaways from the research effort on infrastructure investments and displacement and how it may apply to future transit investments in San Francisco.

TAKEAWAYS

- Gentrification is a complex and nuanced phenomenon.
- Studies often point to public investment, public policies, and private capital as drivers of gentrification and/or displacement. Transportation and infrastructure are just two of the many factors related to public investment.
- From what we know from existing studies, BART station areas in the San Francisco Bay Area located one-half mile from BART are gentrifying more than non-transit neighborhoods. For example, transit neighborhoods in the Bay Area experience greater increases in collegeeducated and higher-income households.
- Though not extensively studied, one recent study on light rail and gentrification in 14 metropolitan areas in the U.S. found that San Francisco was the only city out of 14 cities that exhibited many signs of gentrification in census tracts with light rail stations, including higher-



- income households, decrease in poverty, individuals with higher educational attainment as well as an increase in transit use, walking, and biking.
- The relationship between proximity to transit and housing depends on the local context as well
 as several mediating factors. Factors include the type of rail system; extent, connectivity, and
 reliability of system; property characteristics; station neighborhood characteristics; strength of
 the local real estate market and local economy; and planning policies.
- There has been more research conducted in the Bay Area focused on proximity to subway stations and gentrification and/or displacement. There has been some research on the impact of light rail stations, but there's limited research on bus rapid transit and traditional bus service. Therefore, it is quite difficult to ascertain whether there are definitive differences between rail and bus service.

RECOMMENDATIONS FOR CITY AGENCIES TO ADDRESS POTENTIAL DISPLACEMENT CONCERNS

- There are four broad strategies to address gentrification and displacement: production of affordable housing, preservation of affordable housing, neighborhood stabilization, and prevention of commercial displacement. City agencies, including the Planning Department, Office of Economic and Workforce Development, Mayor's Office of Housing and Community Development, have efforts and initiatives that address these four strategies. There is a need to include gentrification and displacement concerns into the transportation planning process and to foster collaboration between housing, workforce development, and transportation agencies.
 - Complementing these efforts will be guiding growth to locations that will receive transit improvements in the short-, medium-, and long-term. Community stabilization and affordable housing opportunities will be rigorously explored and implemented in the two rail concepts advanced by the Transit Corridors Study.
- There is no one-size-fits-all approach to address gentrification and displacement. Therefore, there is a need to use a tailored approach for each neighborhood that takes into consideration the historical, social, and physical context of that neighborhood.
- Acknowledge the history of housing and racial injustice in transit-rich neighborhoods and develop strategies that will enable communities to stay in their current neighborhoods.
 Planners and city staff should proactively involve community groups throughout the planning process.
- Establish partnerships across agencies to implement a wide array of anti-displacement strategies. The ConnectSF partnership already puts the City is a strong position.
- Research has shown that frequent, reliable, safe public transit makes it easier for people
 without cars to participate in the economy. Public transit can provide access to jobs, schools,
 and services, thereby increasing the chances of upward mobility. San Francisco needs to
 redouble its staffing and funding on transit programs that measurably improve transit service
 for marginalized communities. SFMTA's Equity Service Strategy and Vision Zero projects are
 important efforts for this objective.

From: <u>Ionin, Jonas (CPC)</u>
Cc: <u>Feliciano, Josephine (CPC)</u>

Subject: FW: *** PRESS RELEASE *** SAN FRANCISCO STATE, SAN FRANCISCO DEPARTMENT OF PUBLIC HEALTH, AND

SAN FRANCISCO UNIFIED SCHOOL DISTRICT COLLABORATE TO OFFER SCHOLARSHIPS FOR SAN FRANCISCO

YOUTH WHO GET COVID-19 VACCINE Monday, October 18, 2021 12:22:11 PM

Date: Monday, October 18, 2021 12:22:11
Attachments: 10.18.2021 Vaccine Scholarship.pdf

Jonas P Ionin Director of Commission Affairs

San Francisco Planning

49 South Van Ness Avenue, Suite 1400, San Francisco, CA 94103

Direct: 628.652.7589 | www.sfplanning.org San Francisco Property Information Map

From: "Press Office, Mayor (MYR)" <mayorspressoffice@sfgov.org>

Date: Monday, October 18, 2021 at 12:20 PM

To: "Press Office, Mayor (MYR)" <mayorspressoffice@sfgov.org>

Subject: *** PRESS RELEASE *** SAN FRANCISCO STATE, SAN FRANCISCO DEPARTMENT OF PUBLIC HEALTH, AND SAN FRANCISCO UNIFIED SCHOOL DISTRICT COLLABORATE TO OFFER SCHOLARSHIPS FOR SAN FRANCISCO YOUTH WHO GET COVID-19 VACCINE

FOR IMMEDIATE RELEASE:

Monday, October 18, 2021

Contact: Mayor's Office of Communications, <u>mayorspressoffice@sfgov.org</u>

*** PRESS RELEASE ***

SAN FRANCISCO STATE, SAN FRANCISCO DEPARTMENT OF PUBLIC HEALTH, AND SAN FRANCISCO UNIFIED SCHOOL DISTRICT COLLABORATE TO OFFER SCHOLARSHIPS FOR SAN FRANCISCO YOUTH WHO GET COVID-19 VACCINE

City residents ages 12 to 17 are eligible to have their tuition covered at San Francisco State if they have been vaccinated against COVID-19

San Francisco, CA — San Francisco State University (SF State), the San Francisco Department of Public Health (SFDPH) and the San Francisco Unified School District (SFUSD) announced today a new scholarship program for San Francisco residents ages 12 to 17 who received the COVID-19 vaccine.

Through a drawing, SF State is offering 10 scholarships to fully fund four years of undergraduate tuition to the University for eligible youth who register at participating vaccination locations in the City, which include:

 Monday, Oct. 25, 1 to 4 p.m. — Visitation Valley Neighborhood Vaccination Site, 1099 Sunnydale Ave., San Francisco, CA 94134

- Tuesday, Oct. 26, 3:30 to 6 p.m. Malcolm X Academy School, 350 Harbor Rd., San Francisco, CA 94124
- Wednesday, Oct. 27, 2:30 pm to 5 p.m. Balboa High School, 1000 Cayuga Ave., San Francisco, CA 94112
- Friday, Oct. 29, 4 to 6 p.m. Ella Hill Hutch Community Center, 1050 McAllister St., San Francisco, CA 94115
- Tuesday, Nov. 2, noon to 4 p.m. Mission District Neighborhood Vaccination Site, 24th St. and Capp St., San Francisco, CA 94110
- Saturday, Nov. 13, 10:30 a.m. to 1:30 p.m. McCoppin Elementary School, 651 6th Ave., San Francisco, CA 94118

"These college scholarships are an incredible reward for San Francisco teens doing the right thing for themselves and their community – and that is being a part of ending this pandemic by getting the COVID-19 vaccination," said Mayor London N. Breed. "Our teens have endured over a year of distance learning and missed interactions with their friends. These scholarships will carry their education forward and help shape their future in innumerable ways."

"SF State is committed to supporting college attendance among young people in San Francisco and helping to promote the City's vaccination goals," SF State President Lynn Mahoney said. "These scholarships can further public health objectives while lifting up a new generation of leaders for our workforce."

"We encourage all eligible SFUSD students to get vaccinated and to gain the skills necessary to attend college if they so choose," SFUSD Superintendent Dr. Vincent Matthews said. "As an SF State alumnus and Gator myself, I truly appreciate the University's efforts to support health and college access among our City's youth."

Since becoming eligible for the COVID-19 vaccine in May, more than 90% of San Francisco's youth ages 12 to 17 have been fully vaccinated, making this one of the highest vaccination rates among age groups in the City.

"The SF State scholarship program complements our City's strategy to provide low-barrier access to COVID-19 vaccinations in San Francisco communities, which has resulted in one of the highest vaccination rates in the world," said Deputy Director of Health, Dr. Naveena Bobba. "We're proud that our 12- to 17-year-old youth have reached such high vaccination rates, and incentive programs like these can help give an extra push to unvaccinated individuals to take immediate action to get vaccinated, protecting themselves, their loved ones and our community."

Scholarships will be awarded in the amount of the difference between qualifying expenses for in-state tuition and fees and other federal and/or state financial aid awarded to the winner. In the event a winner's federal and/or state financial aid awards fully cover the cost of in-state tuition and fees, the student will be awarded \$2,000 per academic year. All scholarships will be credited to the individual's student account for each semester of enrollment.

Residents are eligible to enter the drawing if they meet all the following requirements:

- Permanently resides in San Francisco (including people living in San Francisco who meet AB 540 eligibility)
- Received at least the first dose of the Pfizer COVID-19 vaccine two-shot series prior to

- entry. Must be age 12 to 17 when this occurs
- Currently not enrolled at a college or university nor have been previously been enrolled in college or university
- Not an employee or immediate family of an employee of SF State living as a member of the employee's household. Consistent with California Government Code section 82029, "immediate family" means spouse and dependent children

Residents can receive the vaccine from the participating sites to become eligible, but it is not required. Residents who receive the vaccine elsewhere or are already vaccinated are eligible to register for the drawing.

How to enter

Eligible residents will have the opportunity at the participating sites to complete a form that enters them in the drawing. SF State staff will be there to verify that registrants qualify and to help residents enter the drawing. The last day to enter the drawing is Nov. 13.

Selecting the winners

The winners will be randomly selected from among all eligible entries received. A minimum of one and a maximum of two winners will be selected from each participating vaccination locations.

The official announcement of the winners will publish the week of Nov. 22. Winners will be notified prior to announcement.

For more information regarding the official rules, FAQs and health privacy, visit together.sfsu.edu/vaccinescholarship or email enrollment@sfsu.edu.

###

About San Francisco State University

San Francisco State University is a doctoral public university serving students from the San Francisco Bay Area, across California and around the world, with nationally acclaimed programs that span a broad range of disciplines. Nearly 30,000 students enroll at the University each year, and its more than 321,000 graduates have contributed to the economic, cultural and civic fabric of San Francisco and beyond. Through them — and more than 1,800 world-class faculty members — SF State proudly embraces its legacy of academic excellence, community engagement and commitment to social justice. For more information, visit sfsu.edu.

From: <u>CPC-Commissions Secretary</u>

Cc: Ajello Hoagland, Linda (CPC); Feliciano, Josephine (CPC)

Subject: FW: Please support bringing new homes at 4512 23rd Street - Raul M

Date: Monday, October 18, 2021 10:37:02 AM

Commission Affairs

San Francisco Planning 49 South Van Ness Avenue, Suite 1400, San Francisco, CA 94103

Direct: 628.652.7600 | www.sfplanning.org San Francisco Property Information Map

Expanded in-person services at the Permit Center at 49 South Van Ness Avenue are available. Most other San Francisco Planning functions are being conducted remotely. Our staff are <u>available by e-mail</u>, and the Planning and Historic Preservation Commissions are convening remotely. The public is <u>encouraged to participate</u>. Find more information on our services <u>here</u>.

From: Raul Maldonado <info@email.actionnetwork.org>

Sent: Monday, October 18, 2021 10:00 AM

To: CPC-Commissions Secretary < commissions.secretary@sfgov.org> **Subject:** Please support bringing new homes at 4512 23rd Street - Raul M

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

Commission Commission Secretary,

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Raul Maldonado maldonadocloud@gmail.com

San Francisco, California 94132

From: <u>Ionin, Jonas (CPC)</u>
To: <u>Feliciano, Josephine (CPC)</u>

Subject: FW: 230 Anza St. Planning Record No 2016-005365CUA

Date: Monday, October 18, 2021 9:52:28 AM

Attachments: 230 Anza St 14Oct2021.pdf

Jonas P Ionin Director of Commission Affairs

San Francisco Planning

49 South Van Ness Avenue, Suite 1400, San Francisco, CA 94103

Direct: 628.652.7589 | www.sfplanning.org San Francisco Property Information Map

From: Joseph Smooke <josephsmooke@gmail.com>

Date: Monday, October 18, 2021 at 9:30 AM

To: "Young, Sharon (CPC)" <sharon.m.young@sfgov.org>, "Ionin, Jonas (CPC)"

<jonas.ionin@sfgov.org>, "joel.koppel@sfgov.org" <joel.koppel@sfgov.org>, "Moore, Kathrin
(CPC)" <kathrin.moore@sfgov.org>, "Chan, Deland (CPC)" <deland.chan@sfgov.org>,

"Diamond, Susan (CPC)" <sue.diamond@sfgov.org>, "Fung, Frank (CPC)"

<frank.fung@sfgov.org>, Theresa Imperial <theresa.imperial@sfgov.org>, "Tanner, Rachael
(CPC)" <rachael.tanner@sfgov.org>, "Board of Supervisors, (BOS)"

<board.of.supervisors@sfgov.org>, BOS-Legislative Aides <bos-legislative_aides@sfgov.org>,

"Fregosi, Ian (BOS)" <ian.fregosi@sfgov.org>, "Chan, Connie (BOS)" <connie.chan@sfgov.org>

Subject: 230 Anza St. Planning Record No 2016-005365CUA

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

Dear Planning Commission and Staff

Please find the attached comments regarding 230 Anza Street which is up for Conditional Use Authorization at this week's Commission hearing, October 21.

The Westside Community Coalition, Richmond District Rising and Westside Tenants Association urge you to deny Conditional Use Authorization for this project.

--

co-founder <u>People Power Media</u> <u>josephsmooke.photoshelter.com/archive</u>

14 October 2021

Planning Commission President, Joel Koppel Planning Commissioners Kathrin Moore (Vice-President), Deland Chan, Sue Diamond, Frank Fung, Theresa Imperial, Rachael Tanner

Project Planner, Sharon Young

Re: Record No. 2016-005365CUA

230 Anza Street

October 21 Planning Commission

Dear Planning Commission and Staff

Please accept these comments on behalf of Richmond District Rising, the Westside Community Coalition, and the Westside Tenants Association. We respectfully urge that the Planning Commission reject the applicant's request for Conditional Use Authorization to demolish an existing two unit, two story residential building.

We understand that prior owners may have started and abandoned renovations to this building, but this is not adequate justification for pursuing demolition of the structure which could jeopardize the rent controlled status of this property. We urge Planning to reject the project sponsor's plans to demolish the existing structure, and instead, direct the sponsor to complete the renovations and bring the building up to code with two, habitable, renovated rent controlled units which our city and our community desperately need. We also request that Planning work with the Department of Building Inspection to set deadlines for completion of the code compliant renovations. Otherwise DBI should take all corrective actions at their disposal to guarantee compliance.

San Francisco has laws in place that disallow developers to enhance their properties for their own speculative gain after evicting tenants. The same logic should apply here. We should not as a city be setting a precedent by allowing owners to let their properties fall into disrepair, then reward future owners by allowing them to tear those structures down. This will send a message to owners that neglect is ok because in the future either they or a future owner will be able to demolish the deteriorated structure for maximum profits instead of maintaining the original structure which can provide valuable units of rent controlled housing.

The action the Planning Commission takes on this item should send a message that developers and project sponsors should prioritize bringing rent controlled units up to code to provide high quality, safe and stable housing for our communities.

Please consider the following technical points when evaluating our demand.

- 1. The proposal for a Conditional Use Authorization to demolish an existing two unit, two story residential building at 230 Anza, built in 1900 many decades prior to the cut-off date of 1979 for rent control, would violate Section 101.1(2) of the Planning Code which states in pertinent part, "existing housing and neighborhood character be conserved and protected in order to preserve the cultural and economic diversity of our neighborhoods." The replacement of rent controlled with market rate units threatens both the character and the economic diversity of our neighborhoods. When residents employed in industrial and service sectors lose affordable housing stock, they are displaced from the neighborhood impacting both its character and economic diversity.
- 2. The proposal would violate Section 101.1(3) of the Planning Code which states in pertinent part, "the City's supply of affordable housing be preserved and enhanced." The replacement of rent controlled with market rate units threatens the supply of affordable housing.
- 3. The proposal would violate Section 303(c)(1) of the Planning Code which states in pertinent part, "will provide a development that is necessary or desirable for, and compatible with, the neighborhood." While the development of more valuable market rate housing is of value to the property owner, the destruction of rent controlled units is not desirable for the neighborhood.
- 4. Section 317(d)(2) states that the "Commission shall consider the replacement structure as part of its decision on the Conditional Use application." Replacing a rent controlled unit with a market rate one is a profound transfer of wealth, and the Code provides the basis for using that inequity to deny the proposal.
- 5. The public notice says that "The proposal is for Conditional Use Authorization... to allow the tantamount to demolition..." while the Planning Application says "Proposed demolition of...". The concern here is that tantamount to demolition might possibly still result in the new units being covered under rent control while demolition will certainly result in the loss of rent control status. Compounding our concern is the reality of what happens when work starts on "major renovations" which is how this project is described. It is common for the scope of work to expand as work is underway. If Planning gives authorization for "demolition" or "tantamount to demolition", that could result in an increase in scope of the "major renovations" resulting in complete removal of the existing foundation, giving the developer the justification they are likely seeking to remove these units from rent control.
- 6. The Planning notice references Section 317 "Loss of Residential and Unauthorized Units Through Demolition, Merger, and Conversion" since this "tantamount to demolition" proposes such a major scope of work, but it is unclear how much, we will assume that subsection (6) "Residential Demolition" applies. We are most concerned about (6)(F) whether the project removes rental units subject to the Residential Rent Stabilization and Arbitration Ordinance or affordable housing; (G) whether the project conserves existing housing to preserve cultural and economic neighborhood diversity; (I) whether the project protects the relative affordability of existing housing.

- 7. There is another contradiction in the noticing which is of concern. The Planning notice describes the project as "to allow the tantamount to demolition of an existing two unit, two-story residential building, and to construct a three-unit, three-story residential building..." but the Planning Application describes the project as "Proposed demolition of (E) two-family dwelling. Construction of (N) four story 3-family dwelling. Excavation to provide (N) basement level." No drawings are provided along with the Conditional Use Authorization notice, so there is confusion as to whether the proposed completed building will be four stories or three, and whether the existing foundation will remain or whether the existing foundation will be demolished in order to excavate for a new basement where a new building foundation will be constructed.
- 8. We cannot find any documentation as to whether this building was tenant-occupied prior to the initiation of renovation work several years ago. Were tenants displaced from this building? If so, approving the sponsor's request would reward two speculative abuses: 1) eviction of tenants to pursue renovations not intended to benefit the existing tenants; and 2) failure to comply with building permits to bring an existing rent controlled building up to code and make it habitable as ongoing rent controlled housing.

Thank you for your consideration of our concerns and our demand for the Planning Commission to reject this application for Conditional Use Authorization along with instructions for the owner/sponsor to complete the renovations in process, and bring the building up to code, and make it habitable and occupiable once again as rent controlled housing.

Respectfully,

Richmond District Rising Westside Tenants Association Westside Community Coalition

cc: Board of Supervisors

Board of Supervisors Legislative Aides

From: <u>Ionin, Jonas (CPC)</u>
To: <u>Feliciano, Josephine (CPC)</u>

Subject: FW: 1268 17th Avenue, Planning Record No 2018-009812CUA

 Date:
 Monday, October 18, 2021 9:52:24 AM

 Attachments:
 1268 17th Avenue 14Oct2021.pdf

Jonas P Ionin Director of Commission Affairs

San Francisco Planning

49 South Van Ness Avenue, Suite 1400, San Francisco, CA 94103

Direct: 628.652.7589 | www.sfplanning.org San Francisco Property Information Map

From: Joseph Smooke <josephsmooke@gmail.com>

Date: Monday, October 18, 2021 at 9:30 AM

To: "Dito, Matthew (CPC)" <matthew.dito@sfgov.org>, "Ionin, Jonas (CPC)"

<jonas.ionin@sfgov.org>, "joel.koppel@sfgov.org" <joel.koppel@sfgov.org>, "Moore, Kathrin

(CPC)" <kathrin.moore@sfgov.org>, "Chan, Deland (CPC)" <deland.chan@sfgov.org>,

"Diamond, Susan (CPC)" <sue.diamond@sfgov.org>, "Fung, Frank (CPC)"

<frank.fung@sfgov.org>, Theresa Imperial <theresa.imperial@sfgov.org>, "Tanner, Rachael
(CPC)" <rachael.tanner@sfgov.org>, "Board of Supervisors, (BOS)"

<board.of.supervisors@sfgov.org>, BOS-Legislative Aides <bos-legislative_aides@sfgov.org>,

"Quan, Daisy (BOS)" <daisy.quan@sfgov.org>, "Smeallie, Kyle (BOS)"

<kyle.smeallie@sfgov.org>

Subject: 1268 17th Avenue, Planning Record No 2018-009812CUA

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

Dear Planning Commission and Staff

Please find the attached comments regarding 1268 17th Avenue which is up for Conditional Use Authorization at this week's Commission hearing, October 21.

The Westside Community Coalition, Richmond District Rising and Westside Tenants Association urge you to deny Conditional Use Authorization for this project.

--

co-founder <u>People Power Media</u> <u>josephsmooke.photoshelter.com/archive</u>

Planning Commission President, Joel Koppel Planning Commissioners Kathrin Moore (Vice-President), Deland Chan, Sue Diamond, Frank Fung, Theresa Imperial, Rachael Tanner

Project Planner, Matthew Dito

Re: Record No. 2018-009812CUA 1268 17th Avenue October 21 Planning Commission

Dear Planning Commission and Staff

Please accept these comments on behalf of Richmond District Rising, the Westside Community Coalition, and the Westside Tenants Association. We respectfully urge that the Planning Commission reject the applicant's request for Conditional Use Authorization to demolish an existing single unit structure at the rear of a 2-unit, 2-structure, rent controlled property with what appears to be a speculative upscaling of this property with an additional unit in excess of 2,000 square feet.

The Conditional Use Authorization notice did not include any drawings, so it is impossible to assess what the impacts and results of the proposed project would be. Specifically, we are concerned about the potential loss of rent control at this property, especially given the clear intent of the sponsor to upscale this property by proposing not four modestly sized units, but three units with one of them being more than 2,000 square feet. For comparison, the current total built square footage on this lot, with both structures combined, is 1,778 square feet.

Looking at the property from the aerial view leaves us with a question as to whether demolition of the rear structure will demolish more than 50% of the total foundation between the two buildings, which could leave the sponsor a possibility of petitioning for removing the three new units from rent control.

Replacing two existing rent controlled units with three upscaled units works against goals of affordability and is in direct contradiction to the stated goals of the interim zoning controls currently in place for RM areas. Our existing residents should be the ones who benefit from renovations and property improvements, and our rent controlled housing should be preserved, not replaced by market rate housing that is not rent controlled.

The action the Planning Commission takes on this item should send a message that developers and project sponsors should prioritize bringing rent controlled units up to code to provide high quality, safe and stable housing for our communities.

Please consider the following technical points when evaluating our demand.

1. The proposal for a Conditional Use Authorization to demolish an existing dwelling structure at 1268 17th Avenue, built in 1907 many decades prior to the cut-off date of 1979 for rent control, would violate Section 101.1(2) of the Planning Code which states in pertinent part, "existing housing and neighborhood character be conserved and protected in order to preserve the cultural and economic diversity of our neighborhoods." The replacement of rent controlled with market rate units threatens both the character and the economic diversity of our neighborhoods.

- When residents employed in industrial and service sectors lose affordable housing stock, they are displaced from the neighborhood impacting both its character and economic diversity.
- 2. The proposal would violate Section 101.1(3) of the Planning Code which states in pertinent part, "the City's supply of affordable housing be preserved and enhanced." The replacement of rent controlled with market rate units threatens the supply of affordable housing.
- 3. The proposal would violate Section 303(c)(1) of the Planning Code which states in pertinent part, "will provide a development that is necessary or desirable for, and compatible with, the neighborhood." While the development of more valuable market rate housing is of value to the property owner, the destruction of rent controlled units is not desirable for the neighborhood.
- 4. Section 317(d)(2) states that the "Commission shall consider the replacement structure as part of its decision on the Conditional Use application." Replacing a rent controlled unit with a market rate one is a profound transfer of wealth, and the Code provides the basis for using that inequity to deny the proposal.
- 5. We cannot find any documentation as to whether this building was tenant-occupied prior to this Conditional Use Authorization application. Perhaps it's currently tenant-occupied? We would hope that the Planning Commission would inquire about the status of current and prior tenant occupancy in either and both structures that currently exist in this property.
- 6. Per Board of Supervisors File Number 201370, because this property is located in an RM zone, it is subjected to interim zoning controls. The purpose of these interim controls as stated in the legislative file are to maximize the yield of units in RC, RM and RTO districts with the goal of increasing housing affordability. This project sponsor's proposed project works directly against the objectives of these interim controls by proposing to build less housing than allowed, and instead, replace modestly sized rent controlled units with at least one excessively large dwelling unit which will presumably be priced at a commensurately high rate.

Thank you for your consideration of our concerns and our demand for the Planning Commission to reject this application for Conditional Use Authorization along with instructions for the owner/ sponsor to make any necessary renovations to the existing structures and make them available as residential, rent controlled units.

Respectfully,

Richmond District Rising Westside Tenants Association Westside Community Coalition

cc: Board of Supervisors

Board of Supervisors Legislative Aides

From: <u>Ionin, Jonas (CPC)</u>

Cc: Feliciano, Josephine (CPC); Young, Sharon (CPC)

Subject: FW: 2020-001973CUA - 1737 POST ST SUITE 367 (YI FANG TAIWAN FRUIT TEA) Memo to the Planning

Commission

Date: Monday, October 18, 2021 9:28:03 AM

Attachments: 2020-001973CUA - 1737 POST ST SUITE 367 (YI FANG TAIWAN FRUIT TEA) Memo to the Planning

Commission.pdf

See attached.

Jonas P Ionin Director of Commission Affairs

San Francisco Planning

49 South Van Ness Avenue, Suite 1400, San Francisco, CA 94103

Direct: 628.652.7589 | www.sfplanning.org San Francisco Property Information Map

From: "Young, Sharon (CPC)" <sharon.m.young@sfgov.org>

Date: Monday, October 18, 2021 at 8:54 AM

To: CTYPLN - COMMISSION SECRETARY < CPC.COMMISSIONSECRETARY@sfgov.org> **Cc:** "Gordon-Jonckheer, Elizabeth (CPC)" < elizabeth.gordon-jonckheer@sfgov.org>

Subject: 2020-001973CUA - 1737 POST ST SUITE 367 (YI FANG TAIWAN FRUIT TEA) Memo to

the Planning Commission

Hi all-

Attached is 2020-001973CUA - 1737 POST ST SUITE 367 (YI FANG TAIWAN FRUIT TEA) Memo to the Planning Commission if you can provide the attached memo to them.

Thank you,

Sharon M. Young, Planner Northwest Team/Current Planning Division

San Francisco Planning

49 South Van Ness Avenue, Suite 1400, San Francisco, CA 94103

Direct: 628.652.7349 | www.sfplanning.org San Francisco Property Information Map

Expanded in-person services at the Permit Center at 49 South Van Ness Avenue are available. Most other San Francisco Planning functions are being conducted remotely. Our staff are <u>available by e-mail</u>, and the Planning and Historic Preservation Commissions are convening remotely. The public is <u>encouraged to participate</u>. Find more information on our services <u>here</u>.



MEMO TO THE PLANNING COMMISSION

Date: October 18, 2021 **Record No.:** 2020-001973CUA

Project Address: 1737 POST STREET SUITE #367 (AKA 11 PEACE PLAZA -

LOCATED WITHIN THE INTERIOR OF JAPAN CENTER WEST KINTETSU MALL)

Zoning: Japantown Neighborhood Commercial District (NCD)

Japantown Special Use District 50-X Height and Bulk District

Block/Lot: 0700/009

Project Sponsor: Thomas Jia Liang, Fresh Legend LLC

Yi Fang Taiwan Fruit Tea 2288 Noriega Street San Francisco, CA 94122

Property Owner: Japan Center West Associates LP

468 North Camden Drive #300

Beverly Hills, CA 90210

Staff Contact: Sharon M. Young - (628) 652-7349

sharon.m.young@sfgov.org

Request

On March 4, 2020, Thomas Jia Liang, (hereinafter "Project Sponsor") filed Application No. 2020-001973CUA (hereinafter "Application") with the Planning Department (hereinafter "Department") for Conditional Use Authorization under Planning Code Sections 249.31, 303, 303.1, 703.4 and 721 to establish a Formula Retail Use (d.b.a. Yi Fang Taiwan Fruit Tea) within a vacant ground floor commercial space (hereinafter "Project") at 1737 Post Street Suite 367, Assessor's Block 0700 Lot 009 (hereinafter "Project Site"). The Commission approved the Conditional Use Authorization on June 24, 2021, as set forth in Motion No. 20936 and requested from the project sponsor to meet/work with the Japantown Task Force and provide an update memo to the Planning Commission (Condition #10 "Additional Conditions" in Motion No. 20936).

Project Description

The Project is for Conditional Use Authorization to establish a Formula Retail Use within the Japantown Neighborhood Commercial District, Japantown Special Use District, and a 50-X Height and Bulk District. The proposal is to establish a Formula Retail Limited Restaurant Use (d.b.a. Yi Fang Taiwan Fruit Tea) in an approximately 565 square foot ground floor commercial space with was occupied by another non-formula retail limited restaurant use (d.b.a. Moyo's Yogurt). The Project will involve interior tenant improvements to the ground

floor commercial space located within the existing shopping center Japan Center West (Kintetsu) Mall. There will be no expansion of the existing building envelope or storefront modifications proposed. New business signage will be filed under separate permit. The proposed project will allow for the establishment of a new Yi-Fang Taiwan Fruit Tea store location within the Japantown Planning Area and the Western Addition neighborhood.

Update

The project sponsor has provided an update memo for Planning staff to transmit to the Planning Commission to fulfill this requirement; the project sponsor's update memo is a summary of their meeting with the Japantown Task Force at their July 8, 2021 Land Use and Transportation Committee monthly meeting.

Action:

If the Commission wants to amend, add, or rescind the conditions of approval, the Commission must request a separate hearing, which would require additional noticing. Unless the Commission requests additional hearings on this matter, this would be the final informational check-in.

Attachments:

- Project Sponsor update memo and supplemental information
- Conditional Use 2020-001973CUA (Motion No. 20936)





LAND USE/TRANSPORTATION COMMITTEE MEETING AGENDA

THURSDAY, JULY 8, 2021 @ 6:00 PM ZOOM MEETING (see below for information)

- I. WELCOME
- II. STAFF / COMMITTEE UPDATES
 - A. Cultural District/CHHESS
 - B. Ad Hoc Japan Center Malls
 - C. Peace Plaza
- III. UNFINISHED BUSINESS
 - A. 1737 Post Street, Formula Retail CUA Thomas Liang, Yi Fang Fruit Tea
 - B. Pedestrian Safety
 - C. CD Community Land Planning
- IV. GENERAL PUBLIC COMMENT**
- V. ANNOUNCEMENTS Next Meeting

Join from PC, Mac, Linux, iOS or Android:

Join Zoom Meeting ID: 88471031294 Passcode: 527126

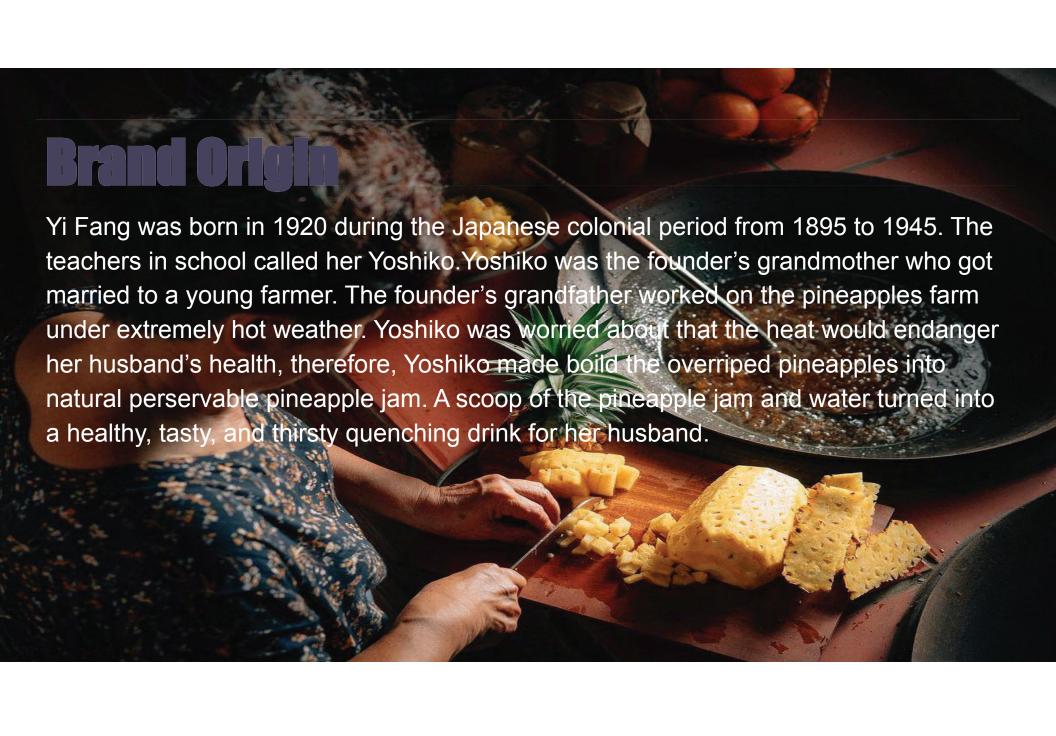
Or Telephone:

(US) +1 669-900-6833 Passcode: 527126

^{*} Indicates potential recommendation to JTF Board of Directors

^{**} Members of the public may address the Board for up to two minutes with respect to each item on the agenda, and may speak for up to two minutes regarding matters not on the agenda during general public comment.

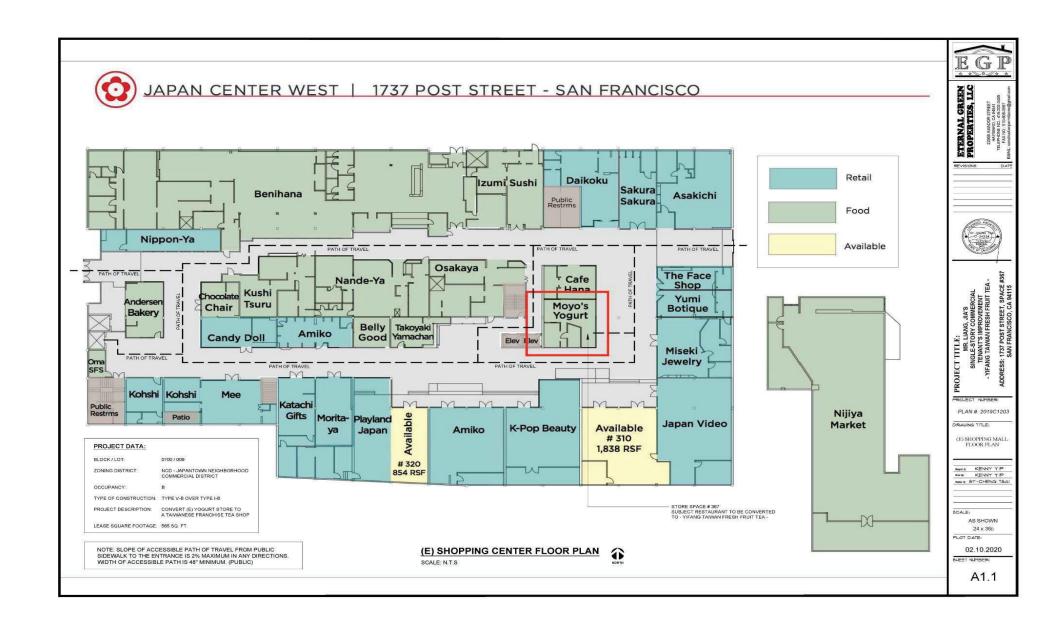








Purposed Store Details



YIFANG TAIWAN FRESH FRUIT TEA 1737 POST STREET - SPACE # 367 COMMERCIAL TENANT IMPROVEMENTS

SAN FRANCISCO

JAPAN CENTER WEST

CALIFORNIA





eternal green Properties, Lla

REVISIONS



MECTTITLE:
MR. LIANG, JIAS
SINGLE-STORY COMMERCIAL
TENANTS IMPROVEMENT
- YIFANG TAIWAN FRESH FRUIT TEA

PROJECT NUMBER:

DRAWNG TITLE:

CURRENT PHOTOGRAPHS

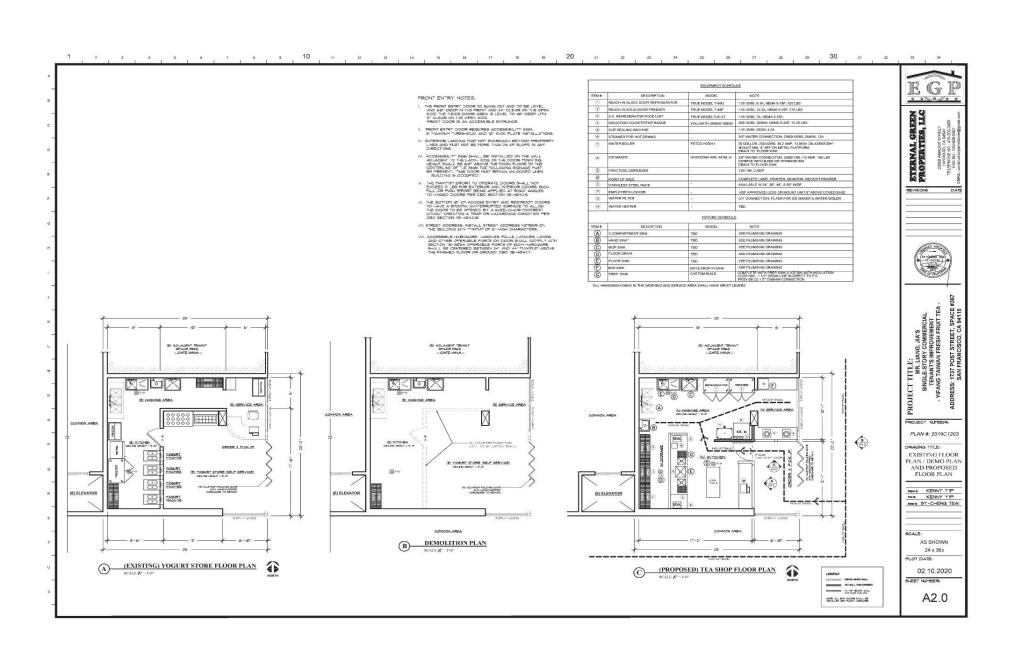
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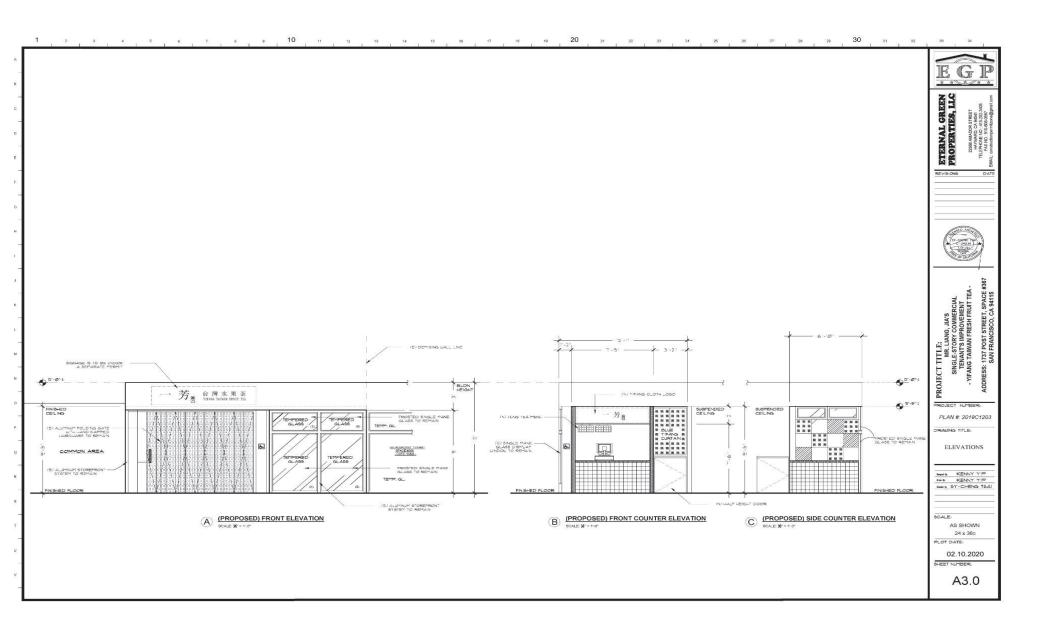
AS SHOW

AS SHOWN 24 x 36s PLOT DATE:

02.10.2020

A0.0





Customization for Japantown Location

Suggestions:

In addition to the yifang branding wall decoration, we will write 日本町 at the bottom.

Translate Yifang's story mural in Kanji, it will be trilingual, Chinese/English and Japanese. (pending approval from corporate)



Who we are

We are local San Francisco small business owners.

The initial conditional permit application was submitted more than 17 months ago.

We have been working verying hard paying rents on the vacant store.

Yifang has 3 other locations in the city.

Each Yifang is ownd and operated by different franchisee, not direct fomula retail.

Q&A

Land Use and Transportation Committee Meeting July 8th 6:00PM via Zoom Meeting.

Attendees:

Alice Kawahatsu, Yasuyo Satoh, Kenta Takamori, Emily Nichols, Lori Yamauchi, Steven Santa Maria, Jermy Chan, Karen Kai, Nina Bazan-Sakamoto, Rosalyn Tonai, Linda Walsh, Paul Wermer, Susie kagmai, Thomas Liang, Zoey Fan

Notes:

We were invited to Japantown Task Force's Land Use and Transportation Committee meeting. Meeting started at 6:00PM, and we were on Part III of the agenda.

After we were introduced by the host, Kenta, Karen Kai reported that a retail formula business would drive out small businesses, she mentioned that after Daiso came in, a developing grocery store has to shutdown. And another sneaky formulated retail tried to go under the radar and go in, but got spotted and was never open in the neighborhood. She said the Yifang application of condition use was not notified JTF and didn't give JTF enough times to respond. In responding to Karen's concern, I apologized for the misunderstanding, that the mailing notice for neighborhood groups were sent out by First Class Mail. If I can go back in time, I would have send all the notices in registered mail. And the Pre-application meeting was hosted before the Shelter In Place order. I then introduced his business partner, Zoey Fan, and Zoey Fan started with a power point presentation. Slides of the powerpoint presentation are attached below.

After the powerpoint presentation, there was a Q&A section. Below is a recap of the Q&A session. Please note that not all the questions and answers are recorded because I was also the participant. To the best of my knowledge, below is the list of questions and answers,

- Rosalyn-When the application was submitted?
 - o Thomas-It was around February of 2020, I dont have the exact date.
- Karen K-Were you introduced to any neighborhood groups after you started the project
 - Thomas-We were introduced to Japan Merchant Association, but no follow-up meeting was setup, might be due to covid shelter in place.
- Alice-Besides of hiring, are you interested in participating in community
 - Thomas- Definitely, we will be joining the neighborhood groups and activity practicipate in community events.
- Lori-Zoey mentioned that you have been paying rents for vacant store while waiting for CUP permit, did you receive any financial help? from corporate?
 - Thomas-We didn't receive any rent helps from any sources, all the rent is paying out of pocket.
- Jermany-Are you interested in supporting the Japantown Festival
 - Thomas-Of course, we will be actively participate in all neighborhood events.
- Rosalyn- Why are you paying rents when the store is not operating?
 - Thomas-I signed a personal guarantee agreement with the landlord.
- Paul-is the cups recyclable?

- Thomas-Only the straws are recyclable now, but we have a paper cup choice for the customer.
- Jermany-Why you choose the japantown location?
 - Thomas-No particular reason, I grew up hanging out in Japantown.
- Paul-Urge not to use plastic cups
 - Thomas- WIll report to corporate.
- Alice-Experienes
 - o Thomas-Had a dessert restaurant prior to joining Yifang.
- Glynis- request to collate and work with surrounding small business such as hana cafe.
 - Thomas- Will meet with surrounding neighbors as soon as I can.

Thomas and Zoey left the meeting around 7:00 PM as the committee moved on to the next topping on agenda.

NOTES FROM THE LAND USE/TRANSPORTATION COMMITTEE MEETING OF THE JAPANTOWN TASK FORCE

1765 SUTTER STREET / ZOOMMEETING THURSDAY, JULY 8, 2021

COMMITTEE MEMBER PRESENT:

Alice Kawahatsu*, Linda Walsh, Jeremy Chan*, Kenta Takamori*, Lori Yamauchi*, Paul Wermer, Rosalyn Tonai*, Karen Kai, Tomo Hirai

STAFF PRESENT:

Nina Bazan-Sakamoto, Susie Kagami

OTHERS PRESENT:

Emily Nichols, Thomas Liang, Steven Santa Maria*, Zoey Fan, Greg Viloria

* Japantown Task Force Board Member

The meeting began at 6:00 p.m.

STAFF/COMMITTEE UPDATES:

CULTURAL DISTRICT / CHHESS

Nina submitted an edited version of the CHHESS to the City using the City's format and templates. They also met with Sheila Chung from MOHCD, who presented on the City's data on Japantown.

The Housing Element listening session has 11 confirmed invited participants for their session next week.

They have been working on branding prompts for the Cultural District as well as the Co-Creative Hub.

Linda Walsh mentioned that the recording of the Alaska Airlines Cultural District presentation (featuring 5 Cultural Districts including Japantown) is now online.

Lori said that there is a new reformatted and redesigned version that will soon be released to the public.

Also, the CHHESS report will be up for adoption by the Board of Supervisors perhaps in the Fall, and it will be helpful to have community members make public comment in support of the CHHESS report.

Ros commented that it would be good to have a community vetting / final town hall to present the finalized CHHESS report before submitting it to the Board of Supervisors. Kenta noted that this should be discussed during the board meeting and asked if Alice could flag it for hte Executive Committee Meeting.

Nina clarified that the report will be brought to the JTF board as well as the public before going to the board of supervisors.

JAPAN CENTER MALLS

Lori reported that she was elected Chair of the Japan Center Malls committee. At the last meeting, she presented on various land use issues. You can ask her or staff for a copy of the slides.

At the next meeting, updates will be presented by Grace Horikiri (Japantown Community Benefit District), Santino de Rose from Maven Properties (the leasing agent for 3D Investments), Kirsten Fletcher (Kinokuniya property manager).

Re: Yi Fang, the committee discussed that there was a need for a clearer process about new businesses entering Japantown; this discussion was further addressed during the JTF Board Meeting.

PEACE PLAZA

Since Rich Hashimoto wasn't able to attend, Kenta reported on behalf of Rich. The Committee is having trouble obtaining original drawings from the Plaza.

UNFINISHED BUSINESS:

1737 POST STREET, FORMULA RETAIL CUA - THOMAS LIANG, YI FANG FRUIT TEA

Karen summarized the previous discussion about Yi Fang. Many community members did not know about the proposal to bring Yi Fang into Japantown. The introduction of formula retail also risks driving out small businesses due to formula retail's greater resources. The LUT Committee has historically evaluated businesses that are coming before the Planning Commission. Two notable examples are Daiso and Quickly's. Daiso also arrived without much notice and was eventually approved, although it contributed to the closure of Japantown small business Ichibankan. Quickly's tried to enter under a different name to avoid being classified as formula retail.

JTF has implemented internal processes to better improve our internal communication.

JTF submitted a letter to the Planning Commission asking for extra time to consider the conditional use authorization. Glynis testified at the Planning Commission hearing presenting this position. The Planning Commission voted to approve Yi Fang pending discussion with the Japantown Task Force and community members. Glynis has had some 1:1 meetings with Thomas Liang from Yi Fang.

Thomas Liang and Zoey Fan from Yi Fang presented to the committee. He reported that they sent letters to community organizations, but it was right before shelter in place.

Yi Fang was started in honor of the founder's grandmother Yi Fang (nicknamed Yoshiko), who was born in 1920 in Taiwan during the Japanese colonial period. They use high quality tea, organic milk, and fresh fruits, and do not use artificial syrups or powders.

They plan to contribute to the neighborhood through Japanese themed architecture, attracting foot traffic to the west mall to fill vacancies and support neighboring businesses, and prioritize

hiring workers in the neighborhood.

They are customizing their internal wall decorations for Japantown, such as adding "Japantown" to the signage and translating the Yi Fang story into Japanese.

They identified themselves as "small business franchise owners" as opposed to directly formula retail. They submitted the application 17 months ago and have been paying rent since October 1, 2020 (9 months).

Ros asked when Yi Fang's proposal to 3D Investments was submitted, and if 3D Investments made introductions to any other businesses. Thomas said he was introduced to the Japantown Merchants Association and not any other organizations.

Karen asked if Thomas received any guidance from the Japantown Merchants Association, such as being introduced to the other merchants. Karen said that it's important for us to work together if we are going to succeed as a community. Thomas reported that they gave a presentation to the Japantown Merchants Association board.

Alice asked if Yi Fang was aware of local Japantown festivals and if they have plans to support them. Thomas said that he would be interested in getting connected with local festivals.

Alice asked how Yi Fang will handle the increased garbage. Thomas reported that he spoke with Sheron Chu from 3D Investments about how to address this, including washing cups. Karen asked for clarification on this procedure. Because the tea contains fruit in it, Sheron asked Yi Fang to separate food from the cups so that they go into separate bins. Karen suggested that Yi Fang get in touch with the other restauranteurs and cafes in Japan Center Mall, because she did not believe they were required to do this. She said that it's good for the business owners to communicate with each other and respond similarly to 3D.

Lori asked whether Yi Fang received support from corporate with paying rent? Thomas said that because they were not an operating business yet, they did not receive any support from the corporate Yi Fang.

Jeremy asked and Thomas said he would appreciate being introduced to festival leaders to discuss how Yi Fang can support local events.

Ros asked why Yi Fang was paying rent when they were not operating. Thomas said that based on the news, he was aware that Japantown had strict landlords that did not give rent rebates, so he never asked 3D Investments for a rent reduction. Ros expressed regret that because the community was not informed, they could not assist with rent reduction.

Linda asked and Thomas reported that the bamboo straw is compostable.

Jeremy asked Thomas to talk more about his motivation to becoming a franchise owner and why he wanted to start in Japantown. Thomas said that he was drawn to Yi Fang compared to other boba shops because they focus on healthy drinks without powders. He also said he has hung out in Japantown since he was young and liked the idea of starting a business there.

Paul asked for clarification as to why paper cups with organic matter cannot be placed in compost bins. Thomas clarified that this was a plastic cup issue and not a paper cup issue. Paul urged Yi Fang to not use plastic cups due to the environmental impact, and that it's inconsistent with Yi

Fang's healthy branding. Thomas said that he will be providing customers a choice to use paper / plastic cups, but due to corporate, he is not allowed to refuse providing plastic cups. He will try to discuss this more with corporate.

Alice asked if Thomas has any other business experience. He owns a small restaurant in San Mateo that he sold right before Covid.

Glynis requested (via Kenta) for Yi Fang to try to do their best to collaborate with neighboring businesses, particularly Cafe Hana, who's business viability is legitimately threatened by Yi Fang entering the mall.

Kenta gave concluding remarks, explaining that people care very deeply for Japantown and invited Thomas to join in taking care of the neighborhood together.

Paul echoed earlier comments on the negative impact of formula retail, and that franchise owners can still perpetuate the negative impact of formula retail. Formula retail can lead to rising rent values that push out small businesses. He also noted that JTF likely received notices that were not passed on to the committee and urged the JTF board to fix the problem. Kenta reported that Steve Nakajo has publicly taken responsibility for the lack of communication, but Kenta did not know

Karen noted that the merchants are not properly represented and do not have a meaningful voice within JTF or its committees.

Rosalyn said that it's important for JTF staff to be transparent and share information with the board. Also, 3D Investments has an obligation to communicate with the community as part of the covenants. She also expressed her concern about viewpoints regarding "not making waves" during upcoming meetings with 3D Investments.

Jeremy reported that JTF staff Brandon Quan has created a folder to include any public notices emailed to the info@japantowntaskforce.org email address. Karen noted that the Executive Director and staff should be highlighting specific notices for the committee's attention, and they should be aware of broader Japantown issues instead of passing the buck. Kenta noted that this is an important issue that should be reflected in performance reviews, and as board members we should reflect on how to hold staff accountable for what happened. Jeremy said that it would be helpful for staff to flag/highlight certain notices for approval but that also it is helpful for all documents to be uploaded and shared with the committee.

Paul clarified that under Bob Hamaguchi, all notices were sent to the committee and then the committee decided which were important. He expressed concern about any sort of policy in which staff made decisions about which notices go to committee. Tomo commented that the planning documents can be quite jargon-y and that she is not sure if staff has the expertise to review these documents.

Karen clarified that providing more information to the committee is good, but that there are certain red flags like conditional use for formula retail that staff should be able to recognize. Karen also commented that the head of the Japantown Merchants Association (Richard Hashimoto) who sits on the JTF board was aware of this but did not inform the rest of the board nor follow up with Thomas. Karen commented that JTF has been taking the position of avoiding offending 3D as opposed to advocating on behalf of retail.

Lori commented that because she is chairing the next Mall committee meeting, she asked if LUT would like this issue to be raised with Santino DeRose.

Greg Viloria reported that he, Grace Horikiri, Rich Hashimoto, Steve Nakajo had a meeting regarding this. Prior to this, JTF used to have a better relationship with the Planning Commission and thus received more advance notice on these issues.

Kenta pledged to the committee that when giving the LUT report to the board, he will report on the committee's concerns.

Ros suggested that we should suggest and codify a procedure.

PEDESTRIAN SAFETY

Alice reported that she has been working with DPW and Supervisor Preston's office on dangeorus sidewalks. DPW has said they will work on this issue at the end of July. So far, they have filled the sections with tar to make them less dangerous, and have also marked up the pavement.

Linda has been working with Vision Zero to collect data on traffic speed around Japantown. They are looking at Thursday July 15 or Monday July 19. <u>Linda</u> Walsh_<u>Glynis</u> asked the committee if they had any suggestions for specific intersections. Right now they are looking at <u>Post/Octavia</u>, Geary/Laguna, Geary/Webster, and Post/Buchanan.

CD COMMUNITY LAND PLANNING

The working group for the Preservation and Development Vision Master Plan will be meeting on Tuesday, July 13, from 6pm-7pm. Please ask Lori if you would like to join the working group.

PUBLIC COMMENT:

Linda acknowledged Susie Kagami's representation of Japantown in SFNext's Cultural District Panel. Full Recording link: https://youtu.be/VOfL9BZdcSk

Highlights Reel link: https://youtu.be/-DAX_1lLmc4

Paul noted that Jason Wright is being nominated for the Preservation Committee and asked individuals to support him. Paul vouched for him as a thoughtful competent individual who has done a lot of work in the Presidio, and he predicted that he would be a supporter of Japantown. See Rules Committee Agenda: Paul noted that Jason Wright is being nominated for the Preservation Committee and asked individuals to support him. See Rules Committee agenda: https://sfbos.org/sites/default/files/rls071221 agenda.pdf

Kenta welcomed Steven Santa Maria, the newest JTF board member, who introduced himself. He has been involved in the JA community starting from the Japanese American Student Society (JASS) at UC Davis) and currently serves as the co-chair for Nakayoshi. He along with Graig

Inaba runs the small business Kenshin Sake, an online sake retailer.

ANNOUNCEMENTS:

Alice announced that the Nihonmachi Street Fair is hosting several pop-up events. On Saturday July 17, they will be having a series of performances; on Saturday July 31 "Aloha by the Bay" featuring Hawaiian cultural performances; on Saturday-Sunday August 7-8, a resource fair.

Ros announced that NJAHS and the Military Intelligence Service Historic Learning Center (Building 640) are officially open. They have one Nikkei Community Internship (NCI) intern - Hailey Tokushige as well as several high school interns. The interns organized a "Welcome Wishes" event for Tanabata.

Kenta expressed his thanks and appreciation to staff for their hard work.

The meeting adjourned at 7:47 p.m.

The next meeting will be at 6:00 p.m., August 12, 2021 online via Zoom.



PLANNING COMMISSION MOTION NO. 20936

HEARING DATE: JUNE 24, 2021

Record No.: 2020-001973CUA

Project Address: 1737 POST STREET SUITE #367 (AKA 11 PEACE PLAZA -

LOCATED WITHIN THE INTERIOR OF JAPAN CENTER WEST KINTETSU MALL)

Zoning: Japantown Neighborhood Commercial District (NCD)

> Japantown Special Use District 50-X Height and Bulk District

Block/Lot: 0700/009

Project Sponsor: Thomas Jia Liang, Fresh Legend LLC

Yi Fang Taiwan Fruit Tea 2288 Noriega Street San Francisco, CA 94122

Property Owner: Japan Center West Associates LP

468 North Camden Drive #300

Beverly Hills, CA 90210

Staff Contact: Sharon M. Young - (628) 652-7349

sharon.m.young@sfgov.org

ADOPTING FINDINGS RELATING TO THE APPROVAL OF CONDITIONAL USE AUTHORIZATION PURSUANT TO PLANNING CODE SECTIONS 249.31, 303, 303.1, 703.4, AND 721 TO ESTABLISH A FORMULA RETAIL USE (D.B.A. YI FANG TAIWAN FRUIT TEA) AT 1737 POST STREET SUITE #367, LOT 009 IN ASSESSOR'S BLOCK 0700, WITHIN THE JAPANTOWN NEIGHBORHOOD COMMERCIAL DISTRICT, JAPANTOWN SPECIAL USE DISTRICT, AND A 50-X HEIGHT AND BULK DISTRICT.

PREAMBLE

On March 4, 2020, Thomas Jia Liang (hereinafter "Project Sponsor") filed Application No. 2020-001973CUA (hereinafter "Application") with the Planning Department (hereinafter "Department") for Conditional Use Authorization under Planning Code Sections 249.31, 303, 303.1, 703.4 and 721 to establish a Formula Retail Use (d.b.a. Yi Fang Taiwan Fruit Tea) within a vacant ground floor commercial space at 1737 Post Street Suite 367 (hereinafter "Project"), Lot 009 within Assessor's Block 0700 (hereinafter "Project Site").

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

On June 24, 2021, the San Francisco Planning Commission (hereinafter "Commission") conducted a duly noticed public hearing at a regularly scheduled meeting on Conditional Use Authorization Application No. 2020-001973CUA.

The Planning Department Commission Secretary is the Custodian of Records; the File for Record No. 2020-001973CUA is located at 49 South Van Ness, Suite 1400, 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 Conditional Use Authorization as requested in Application No. 2020-001973CUA, 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 is for Conditional Use Authorization pursuant to Planning Code Sections 249.31, 303, 303.1, 703.4, and 721 to establish a Formula Retail Use within the Japantown Neighborhood Commercial District, Japantown Special Use District, and a 50-X Height and Bulk District. The proposal is to establish a Formula Retail Limited Restaurant Use (d.b.a. Yi Fang Taiwan Fruit Tea) in an approximately 565 square foot vacant ground floor commercial space with was occupied by another non-formula retail limited restaurant use (d.b.a. Moyo's Yogurt). The Project will involve interior tenant improvements to the ground floor commercial space located within the existing shopping center Japan Center West (Kintetsu) Mall. There will be no expansion of the existing building envelope or storefront modifications proposed. New business signage will be filed under separate permit.

According to the project sponsor, there are currently approximately 1500 Yi-Fang Taiwan Fruit Tea store locations worldwide. The existing San Francisco store locations include: 3251 - 20th Avenue (Lakeshore neighborhood); 870 Washington Street (Chinatown neighborhood), and 645 Irving Street (Inner Sunset neighborhood). The proposed project will allow for the establishment of a new Yi-Fang Taiwan Fruit Tea store location within the Western Addition neighborhood.

3. Site Description and Present Use. The project site at 1737 Post Street Suite #367 is located on the on the south side of Post Street between Webster and Buchanan Streets; Assessor's Block 0700; Lot 009. The irregular 'U-shaped' subject lot is 45,275 square-feet in size and is occupied by Japan Center West (Kintetsu) Mall within the Japantown Neighborhood Commercial District, Japantown Special Use District, and a 50-X Height and Bulk District. The project site is also located within the Japantown Planning Area and within ¼ mile of an Existing Fringe Finance Service Restricted Use District. The Japantown Neighborhood Commercial District extends between Geary Boulevard and Post Street from Fillmore Street to Laguna Street, the north side of Post Street from Webster Street to Laguna Street, and Buchanan



Street from Post Street to midway between Sutter Street and Bush Street. The proposed formula retail limited restaurant use d.b.a. Yi Fang Taiwan Fruit Tea will be located in an approximately 565 square foot ground floor commercial space (previously occupied by another non-formula retail limited restaurant use d.b.a. Moyo's Frozen Yogurt) located within the interior of the shopping mall.

- 4. Surrounding Properties and Neighborhood. The Project Site is located within the Western Addition Neighborhood and the southwest corner of the Japantown Special Use District. The Project Site is bounded by Kinokuniya Mall and Kabuki/Sundance Theater to the west and Peace Plaza, Japan Center East Miyako Mall and Miyako Hotel (Hotel Kabuki) to the east, JPOP Center to the north, and Geary Boulevard to the south. The site south of Geary Boulevard is zoned RM-3 (Residential, Mixed, Medium Density) and east of Laguna Street is zoned RM-4 (Residential, Mixed, High Density). Some of the existing commercial establishments adjacent to the proposed limited restaurant use within the Japan Center West (Kintetsu) Mall include: The Face Shop, Izumi Sushi, Daikoku, Sakura Sakura, Asakichi, Yumi Boutique, Miseki Jewelry, Japan Video, K-Pop Beauty, Amiko, Café Hana, Osakaya, Nande-ya, Amiko, Belly Good, Candy Doll, Kushi Tsuru, Chocolate Chair, Benihana, Nippon-Ya, Anderson Bakery, Kohshi, Mee, Katchi Gifts, Moritaya, Playland, and Oma SFS.
- 5. Public Outreach and Comments. The Planning Department received 1 letter in support submitted from the project sponsor from the business owner of Oma San Francisco Station located in the Japan Center West Mall and 0 letter in opposition to the Project. The project sponsors conducted a pre-application meeting on the Project on March 17, 2020; no persons other the project sponsor was present at the pre-application meeting. The Planning Department also received correspondence from the Japantown Task Force (JTF) and a member of the public who requested a continuance to allow time for engagement with the project sponsor, Japantown businesses, and the community to review the proposed project; they indicated for unknown reasons JTF had not been notified of the proposed project at the pre-application stage. The project sponsor indicated that they would conduct additional outreach efforts to the Japantown Task Force.
- **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. Formula Retail Use. A Formula Retail Use is defined under Planning Code Section 303.1 as a type of retail sales or service activity or retail sales or service establishment that has eleven or more other retail sales establishments in operation, or with local land use or permit entitlements already approved, located anywhere in the world. In addition to the eleven establishments either in operation or with local land use or permit entitlements approved for operation, the business maintains two or more of the following features: a standardized array of merchandise, a standardized facade, a standardized decor and color scheme, uniform apparel, standardized signage, a trademark or a servicemark.

Within the Japantown Neighborhood Commercial Zoning District, Formula Retail Uses require Conditional Use Authorization under Planning Code Section 703.4. Planning Code Section 303.1 provides additional criteria for the Planning Commission to consider when considering any conditional use pursuant to Section 303.1, Formula Retail Uses:



The Project is to allow the establishment of a Formula Retail Use (d.b.a. Yi Fang Taiwan Fruit Tea) in an approximately 565 square foot vacant ground floor commercial space on the project site. A Formula Retail Use may be conditionally permitted per Planning Code Sections 303, 303.1, and 703.4.

B. Limited Restaurant Use within the Japantown Neighborhood Commercial Zoning District. Section 721 of the Planning Code states that a limited restaurant use (defined under Planning Code Sections 102 and 202.2a) is permitted on the 1st and 2nd stories and requires conditional use authorization on the third stories and above.

A *limited restaurant use* is defined under Planning Code Section 102 as a Retail Sales and Service Use that serves ready-to-eat foods and/or drinks to customers for consumption on or off the premises, that may or may not have seating. It may include wholesaling, manufacturing, or processing of foods, goods, or commodities on the premises as an Accessory Use as set forth in Sections 204.3 or 703(d), 803.2(b)(1)(C), 803.3(b)(1)(C) and 825(c)(1)(C) depending on the zoning district in which it is located. It includes, but is not limited to, foods provided by sandwich shops, coffee houses, pizzerias, ice cream shops, bakeries, delicatessens, and confectioneries meeting the above characteristics, but is distinct from a Specialty Grocery, Restaurant, and Bar. It shall not provide on-site beer and/or wine sales for consumption on the premises, but may sell beer and/or wine for consumption off the premises with a California Alcoholic Beverage Control Board License type 20 (off-sale beer and wine), if all areas devoted to the display and sale of alcoholic beverages that Loccupy less than 15% of the Occupied Floor Area of the establishment. Such businesses shall operate with the specified conditions in Section 202.2(a)(1).

The current proposal is to establish a 'limited restaurant use' (also a formula retail use d.b.a. Yi Fang Taiwan Fruit Tea on the ground (1st) floor of the one-story commercial building. The proposed formula retail limited restaurant use will be located within the interior commercial space of Japan Center West (Kintetsu) Mall.

- C. Eating and Drinking Uses. Planning Code Section 202.2 outlines the location and operating conditions for eating and drinking uses. Eating and drinking establishments include bars, sit-down restaurants, fast food restaurants, self-service restaurants, and take-out food. Associated uses, which can serve similar functions and create similar land use impacts, include ice cream stores, bakeries, and cookie stores. Guidelines for eating and drinking establishments are needed to achieve the following purposes:
 - Regulate the distribution and proliferation of eating and drinking establishments, especially in districts experiencing increased commercial activity;
 - Control nuisances associated with their proliferation;
 - Preserve storefronts for other types of local-serving businesses; and
 - Maintain a balanced mix of commercial goods and services.
 - The regulation of eating and drinking establishments should consider the following:
 - Balance of retail sales and services;
 - Current inventory and composition of eating and drinking establishments;
 - Total occupied commercial linear frontage, relative to the total district frontage;
 - Uses on surrounding properties;
 - Available parking facilities, both existing and proposed;
 - Existing traffic and parking congestion; and



Potential impacts on the surrounding community.

As stated in the Condition of Approval #7, the proposed formula retail limited restaurant use will be required to comply with the conditions outlined in Section 202.2, as it relates to keeping the main entrance and surrounding streets and sidewalks clear of trash and debris; ensuring that the space is properly insulated to prevent noise in excess of the noise levels specified in the San Francisco Noise Control Ordinance; installation of proper odor control equipment to prevent any noxious of offensive odors from escaping the premises; and the proper storage and disposal of garbage, recycling, and composting.

D. Limited Restaurant Use in the Japantown Special Use District. Under Planning Code Section 249.31(b) for any use subject to Conditional Use authorization and for any activity that the Planning Commission considers under its discretionary review power, the Planning Commission shall make the following additional findings:

<u>Planning Code Section 249.31(b)(2)(i)</u> - The use is not incompatible with the cultural and historic integrity, neighborhood character, development pattern, and design aesthetic of the Japantown Special Use District; and

<u>Planning Code Section 249.31(b)(2)(ii)</u> - The use supports one or more of the purposes for establishing the Japantown Special Use District.

The proposal will not be incompatible with the neighborhood character, development pattern, and design aesthetic of the Japantown Special Use District since the proposed formula retail limited restaurant use will be located within the interior of Japan Center West (Kintetsu) Mall; the storefront entrance is located within the interior courtyard of the mall. No changes to the exterior of the subject building is proposed. In addition, the project sponsors has indicated that Yi Fang Taiwan Fruit Tea brand shares similar characteristics with the Japanese from the architecture style of the store to the brand history and has indicated that there are Yi Fang Taiwan Fruit Tea store locations in the cities of Tokyo, Osaka, Hokuriku, and Hyogo in Japan.

<u>Planning Code Section 249.31(b)(3)</u> - Any change in use or establishment of a new use in the neighborhood commercial zones within this Special Use District shall require notice pursuant to Planning Code Section 311.

The proposal requires Section 311 neighborhood notification, which was conducted in conjunction with the conditional use notification process.

E. Hours of Operation. Section 721 of the Planning Code allows hours of operation from 6 a.m. until 2 a.m. as of right and requires Conditional Use authorization to operate between the hours of 2 a.m. and 6 a.m. within the Japantown Neighborhood Commercial District.

According to the project sponsor, the proposed hours of operation of the proposed formula retail use d.b.a. Yi Fang Taiwan Fruit Tea are Monday through Thursday 12 p.m. to 7 p.m., Friday 12 p.m. to 8 p.m., and Saturday and Sunday 11 a.m. to 8 p.m. which are within the permitted hours of operation within the Japantown Neighborhood Commercial District under Planning Code Section 721.

F. Off-Street Parking. Section 151 of the Planning Code requires off-street parking for eating and drinking uses at a maximum of 1.5 parking spaces for each 200 square feet of Occupied Floor Area, where the



Occupied Floor Area exceeds 5,000 square feet.

The subject ground floor commercial space, with approximately 565 square feet in floor area, does not require any off-street parking spaces.

G. Off-Street Freight Loading. Section 152 does not require loading spaces if gross floor area is less than 10,000 square feet.

The subject commercial tenant space on the ground (1st) floor with approximately 565 square feet of floor area does not exceed 10,000 square feet and will not require any loading spaces.

H. Street Frontage in Neighborhood Commercial Districts. Section 145.1 of the Planning Code requires that within NC Districts space for active uses shall be provided within the first 25 feet of building depth on the ground floor and 15 feet on floors above from any facade facing a street at least 30 feet in width. In addition, the floors of street-fronting interior spaces housing non-residential active uses and lobbies shall be as close as possible to the level of the adjacent sidewalk at the principal entrance to these spaces. Frontages with active uses that must be fenestrated with transparent windows and doorways for no less than 60 percent of the street frontage at the ground level and allow visibility to the inside of the building. The use of dark or mirrored glass shall not count towards the required transparent area. Any decorative railings or grillwork, other than wire mesh, which is placed in front of or behind ground floor windows, shall be at least 75 percent open to perpendicular view. Rolling or sliding security gates shall consist of open grillwork rather than solid material, so as to provide visual interest to pedestrians when the gates are closed, and to permit light to pass through mostly unobstructed. Gates, when both open and folded or rolled as well as the gate mechanism, shall be recessed within, or laid flush with, the building facade.

The subject ground floor vacant commercial space, located within the interior of Japan Center West (Kintetsu) Mall, has approximately 12 feet of frontage devoted to the entrance facing the interior courtyard of the shopping mall and will not affect the existing street frontage on Post Street. The entrance of the subject commercial space will also include a sliding open grillwork security gate.

I. Signage. Any proposed signage will be subject to the review and approval of the Planning Department and must comply with Article 6 of the Planning Code.

The proposed business signage for Yi Fang Taiwan Fruit Tea will be required to have a separate sign permit and comply with the requirements of the Planning Code and Formula Retail sign guidelines. The Project proposes a wall sign and projecting sign on the corner commercial tenant space located within the interior of the shopping mall. The proposed project generally complies with the guidelines and Planning Code and will not have a significant adverse effect on the architectural and aesthetic character of the District.

7. Conditional Use Findings. Planning Code Section 303 establishes criteria for the Planning Commission to consider when reviewing applications for Conditional Use authorization. On balance, the project complies with said criteria in that:



- A. The proposed new uses and building, at the size and intensity contemplated and at the proposed location, will provide a development that is necessary or desirable, and compatible with, the neighborhood or the community.
 - The size and shape of the site and the arrangement of the structures on the site are adequate for the Project. There will be no physical expansion of the existing building. The proposed project is desirable because it will continue the existing use as a limited restaurant and will be compatible with the surrounding commercial nature of the Japantown Neighborhood Commercial District. The project sponsor has submitted one letter of support of the project from another merchant within the Japan Center Mall.
- B. The proposed project will not be detrimental to the health, safety, convenience, or general welfare of persons residing or working in the vicinity. There are no features of the project that could be detrimental to the health, safety, or convenience of those residing or working the area, in that:
 - (1) Nature of proposed site, including its size and shape, and the proposed size, shape, and arrangement of structures;
 - The size of the proposed use with approximately 565 square feet of floor area is in keeping with the other storefronts within the Japan Center Mall and is adequate for the proposed project. No expansion of the existing building (subject ground floor commercial space) is proposed.
 - (2) The accessibility and traffic patterns for persons and vehicles, the type and volume of such traffic, and the adequacy of proposed off-street parking and loading;
 - It is not anticipated that existing traffic patterns will be significantly affected by the proposed project. Public transit that is in close proximity to the proposed eating and drinking establishment includes Muni lines 2, 3, 22, 38, and 38R within walking distance of the project site. There is on-street parking in front of the subject shopping mall and in the surrounding neighborhood. There are also two parking garages (Japantown Center Main Garage and Fillmore Street Annex Garage) within the shopping mall and surrounding neighborhood.
 - (3) The safeguards afforded to prevent noxious or offensive emissions such as noise, glare, dust, and odor;
 - No significant noxious or offensive emissions such as glare, dust, or odor are expected to be produced by the Project.
 - (4) Treatment given, as appropriate, to such aspects as landscaping, screening, open spaces, parking and loading areas, service areas, lighting and signs;
 - There will be no addition of off-street parking spaces, loading facilities, open space, or service areas. All project signage and projections will be consistent with the controls of the Planning Code. The existing subject commercial building has exterior lighting directed onto the project site and immediately surrounding sidewalk area.



- C. That the use as proposed will comply with the applicable provisions of the Planning Code and will not adversely affect the General Plan.
 - The Project complies with all relevant requirements and standards of the Planning Code and is consistent with objectives and policies of the General Plan as detailed below.
- D. That the use as proposed would provide development that is in conformity with the purpose of the applicable Neighborhood Commercial District.
 - The Project is consistent with the stated purpose of the Japantown Neighborhood Commercial District in that the intended use is a neighborhood-serving business.
- **8.** Formula Retail Use. Planning Code Section 303.1 provides additional criteria for the Planning Commission to consider when considering a Conditional Use pursuant to Planning Code Section 303.1, Formula Retail Uses:

[Note: This formula retail survey is hereinafter referred to as "the District" is a study area of ground floor commercial businesses within a 300-foot radius of the project site. The formula retail survey calculation of lineal commercial street frontage may be distorted by the nature of the District, which is primarily occupied by the Japan Center mall. Most of the businesses within the Japan Center mall are internally oriented and therefore do not have street frontage, including the proposed Yi Fang Taiwan Fruit Tea location.]

A. The existing concentrations of formula retail uses within the district.

According to the project sponsor's survey, there are 8 existing ground-story Formula Retail establishments out of 65 ground floor commercial retail establishments within a 300-foot radius of the project site. This comprises approximately 12.3% of the businesses. Some of these commercial establishments that may be considered formula retail uses include Benihana, The Face Shop, Anderson Bakery, K-Pop Beauty, Nijiya Market, Daiso, Ichiban Kan, and The UPS Store. The total lot frontage that has commercial uses within 300 feet of the project site is approximately 565 linear feet since most of the businesses within the formula retail survey area are located within the Japan Center mall do not have street facing commercial frontage. Of the 565 lineal feet of commercial uses, 45 lineal feet (approximately 8% of commercial) has commercial uses that would be considered formula retail and 520 lineal feet are non-formula retail commercial uses.

The proposed Yi Fang Taiwan Fruit Tea store would nominally increase the number of formula retail establishments approximately 1.5% to 13.8% of the businesses (from 8 to 9 formula retail businesses) and no change to the existing formula retail linear commercial street frontage since the subject commercial space does not have commercial street frontage.

B. The availability of other similar retail uses within the district.

According to the project sponsor's formula retail survey within a 300-foot radius, there are four other existing limited restaurant uses. Some of these commercial businesses include Café Hana, Takoaki Yamachan, Chocolate Chair, and Uji Time Dessert.



C. The compatibility of the proposed formula retail use with the existing architectural and aesthetic character of the district.

According to the project sponsor, the Project would not alter any of the existing exterior details of the subject building. The proposal will involve interior tenant improvements (such as new interior partitions, counter and sink area). The Project will be compatible with the existing architectural and aesthetic character of the District as no exterior changes to the subject commercial building are proposed.

D. The existing retail vacancy within the district.

According to the project sponsor's survey, there are currently five vacant commercial spaces (approximately 8%) within 300 feet of the project site.

E. The existing mix of Citywide-serving retail uses and neighborhood-serving retail uses within the district.

The proposed formula retail use will be a neighborhood-servicing and City-wide serving use which will complement the mix of goods and services currently available within this portion of the Japantown Neighborhood Commercial District, which primarily includes a mixture of eating and drinking establishments, personal service and medical service establishments, and small retail establishments. According to the project sponsor's formula retail survey, approximately 98.3% (59 locations) of the ground floor commercial uses in the District are neighborhood "Daily-Needs" and approximately 13.3% (8 locations) of the ground floor commercial uses in the District are Citywideserving "Daily-Needs". The Project will complement the mix of goods and services currently available within this portion of the Japantown Neighborhood Commercial District within a 300-foot mile radius of the project site since it will replace an existing limited restaurant use which vacated the project site.

F. Additional data and analysis set forth in the Performance-Based Design Guidelines adopted by the Planning Commission.

The proposed use is consistent with the existing character of the district, which is comprised of a wide variety of goods and services. The subject project would provide a nominal change to the number of existing formula retail establishments and no change existing formula retail commercial frontage within the district.

G. For formula retail uses of 20,000 square feet or more, except for General or Specialty Grocery stores as defined in Articles 2, 7, 8 of this Code, the contents of an economic impact study prepared pursuant to Section 303(i) of the Planning Code.

As the subject formula retail use is less than 20,000 square feet, an economic impact study is not required for the proposed project.

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



COMMERCE AND INDUSTRY ELEMENT

Objectives and Policies

OBJECTIVE 1

MANAGE ECONOMIC GROWTH AND CHANGE TO ENSURE ENHANCEMENT OF THE TOTAL CITY LIVING AND WORKING ENVIRONMENT.

Policy 1:

Encourage development which provides substantial net benefits and minimizes undesirable consequences. Discourage development, which has substantial undesirable consequences that cannot be mitigated.

The Project would be compatible with and complementary to the types of uses characterizing this portion of the Japantown Neighborhood Commercial District, which includes a mixture of eating and drinking establishments, small retail establishments, and a few medical and personal service establishments.

OBJECTIVE 1

MANAGE ECONOMIC GROWTH AND CHANGE TO ENSURE ENHANCEMENT OF THE TOTAL CITY LIVING AND WORKING ENVIRONMENT.

Policy 3:

Preserve and promote the mixed commercial-residential character in neighborhood commercial districts. Strike a balance between the preservation of affordable housing and the needed expansion of commercial activity.

Approval of the Project would be consistent with the mixed commercial-residential character of this portion of the Japantown Neighborhood Commercial District. The Project would not adversely affect any affordable housing resources in the neighborhood.

NEIGHBORHOOD COMMERCE

Objectives and Policies

OBJECTIVE 6

MAINTAIN AND STRENGTHEN VIABLE NEIGHBORHOOD COMMERCIAL AREAS EASILY ACCESSIBLE TO CITY RESIDENTS.

Policy 1:

Ensure and encourage the retention and provision of neighborhood-serving goods and services in the city's neighborhood commercial districts, while recognizing and encouraging diversity among the districts.

No existing commercial tenant will be displaced. The Project will not prevent the district from achieving optimal diversity in the types of goods and services available in the neighborhood.



The following guidelines, in addition to others in this objective for neighborhood commercial districts, should be employed in the development of overall district zoning controls as well as in the review of individual permit applications, which require case-by-case review and City Planning Commission approval. Pertinent guidelines may be applied as conditions of approval of individual permit applications. In general, uses should be encouraged which meet the guidelines; conversely, uses should be discouraged which do not.

Policy 3:

Preserve and promote the mixed commercial-residential character in neighborhood commercial districts. Strike a balance between the preservation of existing affordable housing and needed expansion of commercial activity.

The Project will help maintain the existing commercial-residential character in the neighborhood by occupying a vacant ground floor commercial space in the neighborhood with another limited restaurant use.

Policy 4:

Encourage the location of neighborhood shopping areas throughout the city so that essential retail goods and personal services are accessible to all residents.

The Project will help maintain the existing commercial-residential character in the neighborhood by occupying a vacant ground floor commercial space within the existing neighborhood shopping mall that will be accessible to all residents.

Policy 8:

Preserve historically and/or architecturally important buildings or groups of buildings in neighborhood commercial districts.

No exterior modifications are proposed and there will be no expansion of the existing building envelope with the Project which preserves the existing commercial building.

Policy 9:

Regulate uses so that traffic impacts and parking problems are minimized.

It is not anticipated that the Project would not adversely affect public transit or place a burden on the existing supply of parking in the neighborhood. Many patrons would be able to walk from their residences or places of employment, and the Project is well served by public transportation. There is on-street parking in the surrounding neighborhood.

- **10. 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 Project will be complementary to the existing commercial establishments within the immediate neighborhood and will provide new job opportunities to the City. According to the project sponsor,



the eating and drinking establishment will have a minimum of four employees working during the business hours.

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 will maintain a limited restaurant use in the area to help preserve and enhance the cultural and economic diversity of the neighborhood. Existing housing will not be affected by the Project.

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

The Project will not displace any affordable housing.

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

It is not anticipated that the Project would significantly increase the automobile traffic congestion and parking problems in the neighborhood. 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.

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.

There is no commercial office development associated with the Project and there would be no displacement of any existing industrial or service businesses in the area.

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

The Project will comply with all applicable earthquake safety standards.

G. That landmarks and historic buildings be preserved.

No exterior alterations to the existing building is proposed with the Project to preserve the existing commercial building.

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

The Project will not affect any city-owned park or open space.



- 11. 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.
- **12.** The Commission hereby finds that approval of the Conditional Use 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 Conditional Use Authorization Application No. 2020-001973CUA** subject to the following conditions attached hereto as "EXHIBIT A" in general conformance with plans on file, dated June 24, 2021, 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 Conditional Use Authorization to the Board of Supervisors within thirty (30) days after the date of this Motion. The effective date of this Motion shall be the date of this Motion if not appealed (after the 30-day period has expired) OR the date of the decision of the Board of Supervisors if appealed to the Board of Supervisors. For further information, please contact the Board of Supervisors at (415) 554-5184, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102.

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 June 24, 2021.

Jonas P. Ionin

Commission Secretary

AYES: Tanner, Diamond, Fung, Imperial, Koppel

Jonas P Ionin Digitally signed by Jonas P Ionin Date: 2021.07.15 12:03:48 - 07'00

NAYS: Moore
ABSENT: Chan

ADOPTED: June 24, 2021



EXHIBIT A

Authorization

This authorization is for conditional use to allow a Formula Retail Use (d.b.a. Yi Fang Taiwan Fruit Tea) in an approximately 565 square foot ground floor commercial space at 1737 Post Street Suite #367 in Assessor's Block 0700, Lot 009 pursuant to Planning Code Sections 249.32, 303, 303.1, 703.4, and 721 within the Japantown Neighborhood Commercial District, Japantown Special Use District, and a 50-X Height and Bulk District in general conformance with plans, dated December 10, 2020, and stamped "EXHIBIT B" included in the docket for Record No. 2020-001973CUA and subject to conditions of approval reviewed and approved by the Commission on June 24, 2021 under Motion No. 20936. 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 June 24, 2021 under Motion No. 20936.

Printing of Conditions of Approval on Plans

The conditions of approval under the 'Exhibit A' of this Planning Commission Motion No. 20936 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 Conditional Use authorization 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 Conditional Use authorization.



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 628.652.7463, www.sfplanning.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 628.652.7463, www.sfplannina.org

3. Diligent Pursuit. Once a site or Building Permit has been issued, construction must commence within the timeframe required by the Department of Building Inspection and be continued diligently to completion. Failure to do so shall be grounds for the Commission to consider revoking the approval if more than three (3) years have passed since this Authorization was approved.

For information about compliance, contact Code Enforcement, Planning Department at 628.652.7463, www.sfplannina.org

4. 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 628.652.7463, www.sfplannina.org

5. **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 628.652.7463, www.sfplanning.org



6. Signage. Any signs on the property shall be made to comply with the requirements of Article 6 of the Planning Code for signage and Formula Retail guidelines for signage.

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

Operation

- **7. Eating and Drinking Uses.** As defined in Planning Code Section 202.2, Eating and Drinking Uses, as defined in <u>Section 102</u>, shall be subject to the following conditions:
 - A. The business operator 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 Street and Sidewalk Maintenance Standards. In addition, the operator shall be responsible for daily monitoring of the sidewalk within a one-block radius of the subject business to maintain the sidewalk free of paper or other litter associated with the business during business hours, in accordance with Article 1, Section 34 of the San Francisco Police Code.
 - For information about compliance, contact the Bureau of Street Use and Mapping, Department of Public Works at 628.271.2000, www.sfpublicworks.org.
 - B. When located within an enclosed space, the premises shall be adequately sound proofed or insulated for noise and operated so that incidental noise shall not be audible beyond the premises or in other sections of the building, and fixed-source equipment noise shall not exceed the decibel levels specified in the San Francisco Noise Control Ordinance.
 - For information about compliance of fixed mechanical objects such as rooftop air conditioning, restaurant ventilation systems, and motors and compressors with acceptable noise levels, contact the Environmental Health Section, Department of Public Health at 415.252.3800, www.sfdph.org.
 - For information about compliance with construction noise requirements, contact the Department of Building Inspection at 628.652.3200, <u>www.sfdbi.org</u>.
 - For information about compliance with the requirements for amplified sound, including music and television, contact the Police Department at 415.553.0123, www.sf-police.org
 - C. While it is inevitable that some low level of odor may be detectable to nearby residents and passersby, appropriate odor control equipment shall be installed in conformance with the approved plans and maintained to prevent any significant noxious or offensive odors from escaping the premises.
 - For information about compliance with odor or other chemical air pollutants standards, contact the Bay Area Air Quality Management District, (BAAQMD), 1-800-334-ODOR (6367), www.baaqmd.gov and Code Enforcement, Planning Department at 628.652.7600, www.sfplanning.org
 - D. Garbage, recycling, and compost containers shall be kept within the premises and hidden from public



view and placed outside only when being serviced by the disposal company. Trash shall be contained and disposed of pursuant to garbage and recycling receptacles guidelines set forth by the Department of Public Works.

For information about compliance, contact the Bureau of Street Use and Mapping, Department of Public Works at 628.271.2000, www.sfpublicworks.org

8. 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, 628.271.2000, www.sfpublicworks.org

9. Lighting. All Project lighting shall be directed onto the Project site and immediately surrounding sidewalk area only and designed and managed so as not to be a nuisance to adjacent residents. Nighttime lighting shall be the minimum necessary to ensure safety but shall in no case be directed so as to constitute a nuisance to any surrounding property.

For information about compliance, contact Code Enforcement, Planning Department at 628.652.7463, www.sfplanning.org

10. Additional Conditions. Project sponsor to meet/work with the Japantown Task Force and provide an update memo that will be provided to the Planning Commission.

For information about compliance, contact Code Enforcement, Planning Department at 628.652.7463, www.sfplanning.org

Monitoring - After Entitlement

11. 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 628.652.7463, www.sfplanning.org

12. 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 628.652.7463, www.sfplanning.org

13. 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.

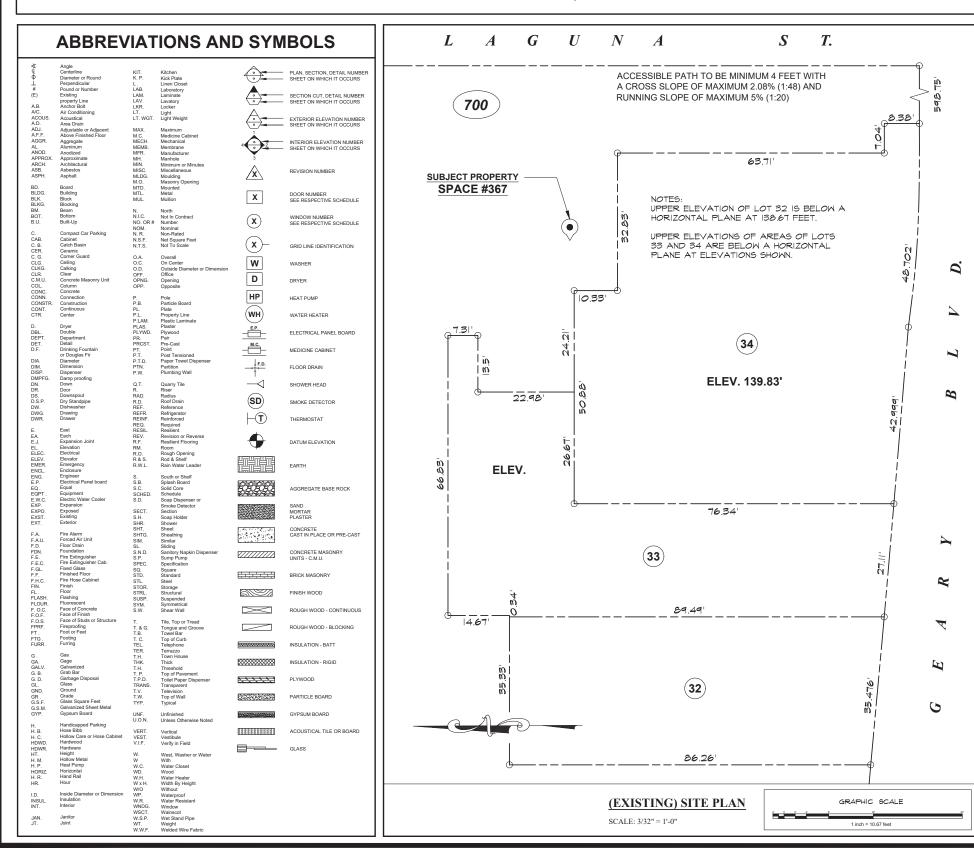
For information about compliance, contact Code Enforcement, Planning Department at 628.652.7463, www.sfplannina.org



YIFANG TAIWAN FRESH FRUIT TEA

EXHIBIT

1737 POST STREET - SPACE #367 COMMERCIAL TENANT IMPROVEMENTS SAN FRANCISCO JAPAN CENTER WEST **CALIFORNIA**



VICINITY MAP PROJECT ADDRESS: 1737 POST STREET, # 367 PARCEL NUMBER: 0700 - 009 23 CITY SUBJECT PROPERTY

PROJECT INFORMATION

PROPERTY INFORMATION

PARCEL NUMBER: 0700 - 009

PARCEL NUMBER: 0700 - 009
ZONING: NCD - JAPANTOWN NEIGHBORHOOD COMMERCIAL DIST
GROUP OF OCCUPANCY: B
TYPE OF CONSTRUCTION: V-B OVER I-B

SITE AREA: IMPROVEMENT AREA:

PARKING ANALYSIS: STANDARD PARKING: ACCESSIBLE PARKING: TOTAL PARKING: BUILDING SETBACKS:

FRONT SETBACK: SIDE SETBACKS: AUTO FIRE SPRINKLER SYSTEM:YES

PROJECT DIRECTORY

BUSINESS OWNER	MK. LIANG, JIA 6062 MOWRY AVENUE, NEWARK, CA 94500	(415) 519-5872
ARCHITECT	SY-CHENG TSAI 2050 CONCOURSE DRIVE, #50 SAN JOSE, CA 95131	(408) 781-5568 (408) 321-9987

CODE REQUIREMENTS

- 2019 CALIFORNIA BUILDING CODE 2019 CALIFORNIA MECHANICAL CODE
- 2019 CALIFORNIA ELECTRICAL CODE
- 2019 CALIFORNIA ENERGY CODE

- 2019 CALIFORNIA PLUMBING CODE 2019 CALIFORNIA FIRE CODE 2019 CALIFORNIA GREEN BUILDING
- CITY AND COUNTY OF SAN FRANCISCO ORDINANCE

* ANY HIDDEN CONDITIONS THAT REQUIRE WORK TO BE PERFORME!
THE SCOPE OF THE BUILDING PERMIT ISSUED FOR THESE PLANS MA
FURTHER CITY APPROVALS INCLUDING REVIEW BY THE PLANNING O

SCOPE OF WORK

SINGLE STORY COMMERCIAL TENANT IMPROVEMENT:

REMAIN UNCHANGED.

THE PROPOSED TENANT SPACE SHALL BE PARTITIONED AND HAVE A KITCHEN, SERVICE AREA, WASHING AREA, A STORAGE ROOM AND AN ORDER & PICK UP AREA. RELOCATE A HAND SINK, A REFRIGERATOR, AND A FREEZE

PER CODE REQUIREMENTS.
- PROVIDE NEW BAR SINK COMBOS, WATER BOILER, ICE
MAKER, CUP SEALING MACHINES, AND STEAMERS IN KITCHEN
AND SERVICE AREAS.

DEFERRED APPROVAL ITEMS

DRAWING INDEX

COVER SHEET AND (E) SITE PLAN

- EXISTING FLOOR PLAN / DEMO PLAN AND PROPOSED
- FLOOR PLAN FI EVATIONS
- FO1.0 FOUIPMENT LIST
- EQ1.1 EQUIPMENT LIST CONT. EQ1.2 EQUIPMENT LIST CONT.
- CALGREEN MANDATORY MEASURES

- RICAL A MICCHANDAL
 GENERAL NOTES AND LEGEND
 SINGLE LINE DIAGRAM AND SCHEDULE
 LIGHTING PLAN
 TOWER PLAN
 TITLE 24 ENERGY COMPLIANCE FORMS
 TITLE 24 ENERGY COMPLIANCE FORMS
 ENERGY COMPLIANCE FORMS
 ENERGY COMPLIANCE FORMS

REVISIONS



PLAN #: 2019C0304 DRAWING TITLE:

COVER SHEET

KENNY YIP KENNY YIP Checked By: SY-CHENG TSAI

SCALE. AS SHOWN

12.10.2020

SHEET NUMBER:

PLOT DATE

A1.0

YIFANG TAIWAN FRESH FRUIT TEA

1737 POST STREET - SPACE #367 COMMERCIAL TENANT IMPROVEMENTS
SAN FRANCISCO JAPAN CENTER WEST CALIFORNIA







FRONT LEFT SIDE



LEFT SIDE



FRONT LEFT SIDE



SUBJECT PROPERTY

REPUPBER SERVI

FRONT RIGHT SIDE



IERNAL GREE ROPERTIES, LL

22958 AMADOR STR HAYWARD, CA 945 TELEPHONE NO: 415-2 FAX NO: 510-608-0 AAL: constructionpermitzon

EVISIONS

PARCEL NUMBER: 0700 / 009

SUBJECT PROPERTY

SY-CHENTS TSHI
C-24/234
VISITE ON THE OWNER OF THE OWNER OWN

N. LIANG, JIA 3. STORY COMMERCIAL NTS IMPROVEMENT IWAN FRESH FRUIT TEA -7 POST STREET, SPACE #36

-

ROJECT NUMBER:

PLAN #: 2019C0304

DRAWING TITLE:

CURRENT PHOTOGRAPHS

Designed By KENNY YIP
Design By KENNY YIP
Charled By SY-CHENG TSAI

SCALE:

AS SHOWN 24 x 36p

PLOT DATE:

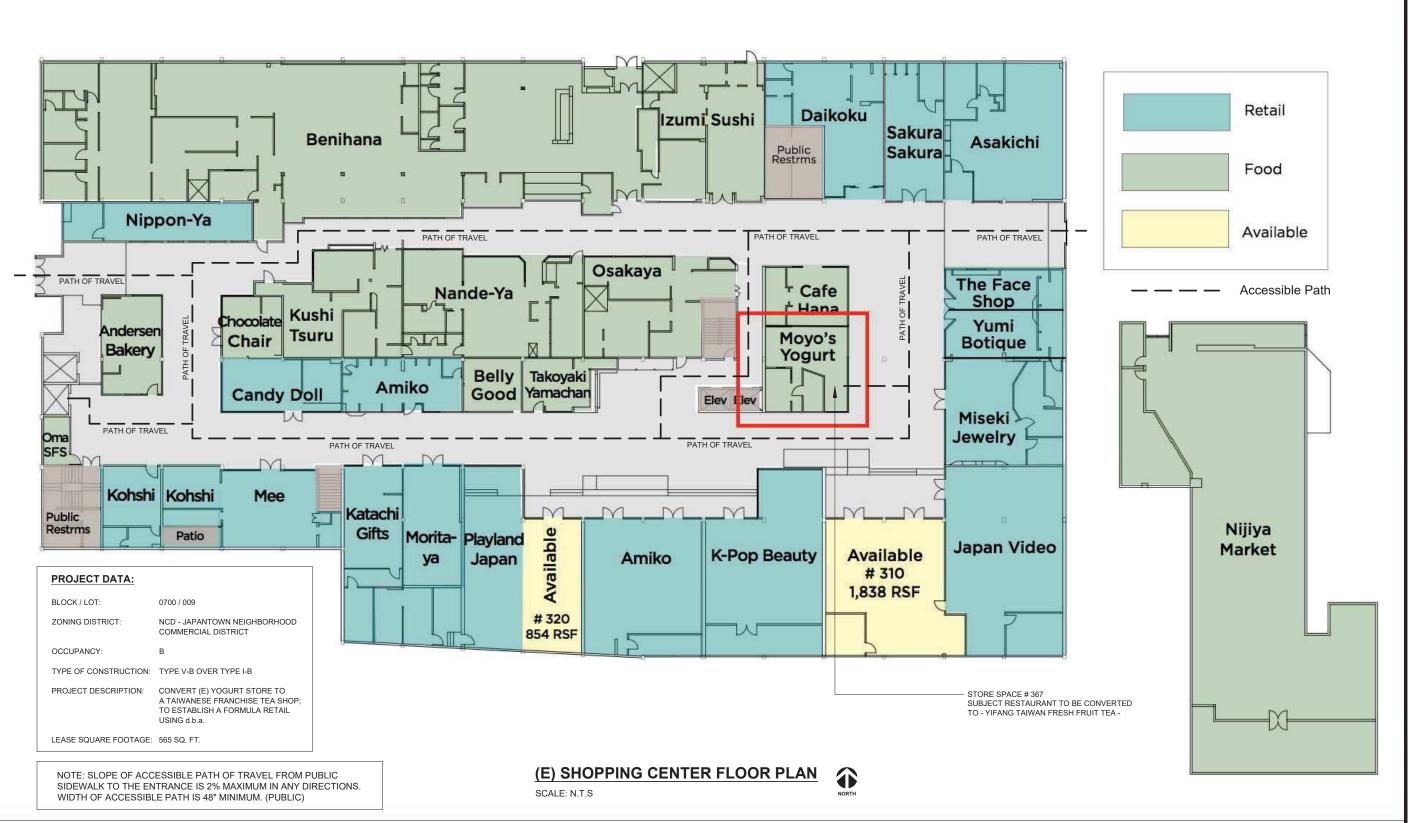
12.10.2020

SHEET NUMBER:

A1.1



JAPAN CENTER WEST | 1737 POST STREET - SAN FRANCISCO





PROPERTIES, LLC

TE TE

REVISIONS



PROJECT TITLE:

MR. LIANG, JIA'S

SINGLE-STORY COMMERCIAL

TENANT'S IMPROVEMENT

- YIFANG TAIWAN FRESH FRUIT TEA

PROJECT NUMBER:

ADDRESS:

DRAWING TITLE:

(E) SHOPPING MALL FLOOR PLAN

PLAN #: 2019C1203

Designed By: KENNY YIP

Dream By: KENNY YIP

Oncoded By: SY-CHENG: TSAI

SCALE:

AS SHOWN 24 x 36p

PLOT DATE:

12.10.2020 SHEET NUMBER:

A1.2

10 20 30 2 3 4 5 6 7 8 9

ROOM FINISH SCHEDULE						
AREA	WASHING / RESTROOM FINISHING	SERVICE AREA FINISHING	KITCHEN / FOOD PREP. AREA FINISHING:			
OSED); EMENT TH TOP LER.	FLOOR FINISH (PROPOSED.). • QUARRY TILE W/ CEMENT GROUT COMBINED WITH TOP SEALED WITH SEALER.	FLOOR FINISH (PROPOSED): OUARRY TILE W CEPTENT GROUT COMBINED WITH TOP SEALED WITH SEALER; FLOOR SURFACE SHALL BE COVED AT THE UNCTURE OF THE FLOOR AND WALL WITH 1% MIN. RADIUS COVING AND SHALL EXTEND UP THE WALL AT LEASH 24.	FLOOR FINISH (PROPOSED.) OUARRY TILE W CEPTENT GROUT COMBINED WITH OP SEALED WITH SEALER FLOOR SURFACE SHALL BE COVED AT THE NUCTURE OF THE FLOOR AND WALL WITH 1% MIN. RADIUS COVINS AND SHALL EXTEND UP THE WALL AT LEASH 7.			
OVER OVER YPSUM BASE OR	WALL FINISH (PROPOSED): • SEMI-GLOSS PAINT OVER SMOOTH FINISH OF GYPSUM BOARD W 6" WOOD BASE BOARD TO FLOOR.	WALL FINISH (FROPOSED): SEMI-GLOSS PAINT OVER SMOOTH FINISH OF GYPSUM BOARD IN 6" WOOD BASE BOARD TO FLOOR OTE: PROVIDE DOUBLE APPROVED SPLASH GUARDS OR FLASHING ON WALLS BEHIND SINKS,	WALL FINISH (PROPOSED): 95M1-GLOSS PAINT OVER SMOOTH FINISH OF SYPSUM BOARD W 6" WOOD BASE BOARD TO FLOOR WOTE: PROVIDE DOUBLE APPROVED SPLASH GUARDS OR FLASHING ON WALLS BEHIND SINKS.			
OVER	CEILING FINISH: * SEMI-GLOSS PAINT OVER SMOOTH FINISH OF EXISTING T-BAR CEILING	CEILING FINISH: 5ESMI-GLOSS PAINT OVER SMOOTH FINISH OF GYPSUM BOARD. NOTE: ALL WALL AND CEILING SHALL ALSO BE LIGHT N COLOR WITH TO'S REFLECT IN FOOD AND UTENSIL AREAS	GYP9UM BOARD.			
	OSED): THENT TH TOP LER. OVER TYPOUM BASE R. OVER (1971)KG	AREA WASHING / RESTROOM FINISHING PLOOR FINISH (PROPOSED) - QUARRY TILE W CEMENT TH TOP SEALED WITH SEALER OPER - SEMI-GLOSS FAINT OVER SHOOTH SINISH (WOOD BASE BASE BASE - OVER - SEMI-GLOSS FAINT OVER - SEMI-GLOSS FAIN	AREA WASHING / RESTROOM FINISHING SERVICE AREA FINISHING SERVICE AREA FINISHING FLOOR FINISH (PROPOSED) AUJARRY TILE W CEMENT HIT OF SEALED WITH SEALER FLOOR SAFACE SHALL BE COVED AT THE JUNCTIRE OF THE FLOOR AND WALL WITH 16" SEALED WITH SEALER AT LEAST 4". WALL FINISH (PROPOSED) OVER SOMOTH FINISH OF GYPBUM BASE BOARD TO FLOOR CEILING FINISH: OVER STHOOLOGE FAINT OVER SHOOTH FINISH OF GYPBUM BOARD W 6" WOOD BASE BOARD TO FLOOR CEILING FINISH: OVER SHOOTH FINISH OF GYPBUM SOARD OVER SHOOTH FINISH OF EXISTING			

IMPORTANT NOTES:

(1). QUARRY TILE COVER BASE WITH FLOOR QUARRY TILES IN ALL AREAS EXCEPT DINING ROOM.

(2). ALL FLOOR FINISH SHALL HAVE A MIN. COEFFICIENT OF ØS FOR SLIP RESISTANCE, ANY NEWLY INSTALLED MACHINERY SHALL NOT PRODUCE NOISE THAT IS MORE THAN 53 DECIBELS AT THE NEAREST PROPERTY PLANE.

(3). FILL HEIGHT WHITE FEP OR EQUIVALENT THENCHOLD KITCHEN AND WARE WASHING AREAS.

(4). INSTALL ALL FLOOR SINKS FLUSH WITH THE FINISHED FLOOR.

(5). PROVIDE EPOXY GROUT BETWEEN TILES, (EXCEPT DINING ROOM).

	OCCUPANT LOAD CALCULATIONS					
	FUNCTION OF SPACE	FUNCTION OF SPACE AREA		LOAD		
Α	(N) ORDER / PICKUP AREA	82.5 SQ. FT	1 / 15 SF	6		
В	(N) KITCHEN & SERVICE AREAS	250 SQ. FT	100 GR066	3		
С	(N) WASHING AREA	152 SQ. FT	100 GR066	2		
D	(N) STORAGE AREA	55.5 SQ. FT	100 GR055	1		

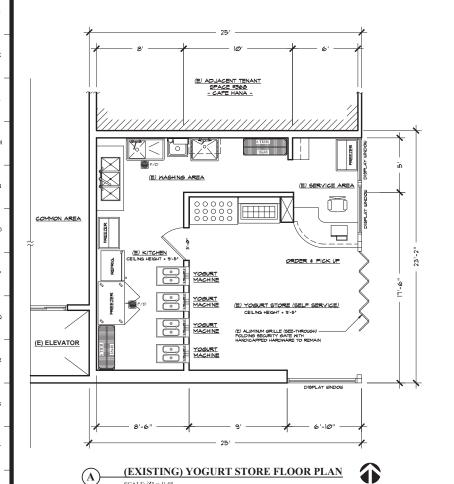
TOTAL MAXIMUM OCCUPANT LOAD = 12

FRONT ENTRY NOTES:

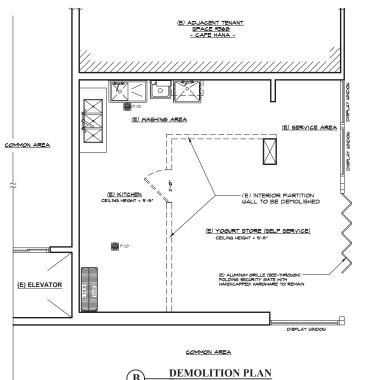
- THE FRONT ENTRY DOOR TO SWING OUT AND TO BE LEVEL, AND 60° DEEP IN THE FRONT AND 24° CLEAR ON THE OPEN SIDE. THE INSIDE DOOR AREA IS LEVEL TO 48° DEEP WITH 12° CLEAR ON THE OPEN SIDE. FRONT DOOR IS AN ACCESSIBLE ENTRANCE.
- II. FRONT ENTRY DOOR REQUIRES ACCESSIBILITY SIGN, "MAXIMUM THRESHOLD, AND IO" KICK PLATE INSTALLATIONS.
- III. EXTERIOR LANDING MUST NOT ENCROACH BEYOND PROPERTY LINES AND MUST NOT BE MORE THAN 2% OF SLOPE IN ANY DIRECTIONS.
- IV. ACCESSIBILITY SIGN SHALL BE INSTALLED ON THE WALL ADJACENT TO THE LATCH SIDE OF THE DOOR MOUNTING HEIGHT SHALL BE 60° ABOVE THE FINISH FLOOR TO THE CENTER, INE OF THE SIGN. THE FOLLOWING SIGNAGE MUST BE PRESENT: "THIS DOOR MUST REMAIN UNLOCKED WHEN BUILDING IS OCCUPIED.
- V. THE MAXIMUM EFFORT TO OPERATE DOORS SHALL NOT EXCEED 5 LBS FOR EXTERIOR AND INTERIOR DOORS, SUCH FULL OR PUSH EFFORT BEING APPLIED AT RIGHT ANGLES TO HINGED DOORS PER CBC SECTION 118-4042-9.
- . THE BOTTOM 10" OF ACCESS ENTRY AND RESTROOM DOORS TO HAVE A SMOOTH, UNINTERRUPTED SURFACE TO ALLOW THE DOOR TO BE OPENED BY A WHEELCHAIR FOOTREST WITHOUT CREATING A TRAP OR HAZARDOUS CONDITION PER CBC SECTION 11B-4042.10.
- VII. STREET ADDRESS: INSTALL STREET ADDRESS NUMBER ON THE BUILDING WITH MINIMUM OF 6" HIGH CHARACTERS,
- VIII, ACCESSIBLE HARDWARE: HANDLES, PULLS, LATCHES, LOCKS, AND OTHER OPERABLE PARTS ON DOOR SHALL COMPLY WITH SECTION IIIS-209.4. OPERABLE PARTS OF SUCH HARDWARE SHALL BE CENTERED BETWEEN 34" MAY 44" MAXIMUM ABOVE THE FINISHED FLOOR OR GROWND. CBC IIB-4042.7.

<u>EQUIPMENT SCHEDULE</u>					
ITEM#	DESCRIPTION	MODEL	NOTE:		
1	REACH-IN GLASS DOOR REFRIGERATOR	TRUE MODEL T-49G	115/1Ø/60, 9.1A, NEMA 5-15P, 420 LBS		
2	REACH-IN SOLID DOOR FREEZER	TRUE MODEL T-49F	115/1Ø/60, 13.2A, NEMA 5-15P, 270 LBS		
(3)	S.S. REFRIGERATOR FOOD UNIT	TRUE MODELTUC-27	115/1Ø/60, 7A, NEMA 5-15P,		
4	INDUCTION COUNTERTOP RANGE	VOLLRATH 3500W/1800W	208/1Ø/60, 3500W, NEMA 6-20P, 12.25 LBS		
(B)	CUP SEALING MACHINE	-	115/1Ø/60, 352W, 3.2A		
6	STEAMER FOR HOT DRINKS	_	3/8" WATER CONNECTION, 208Ø/1Ø/60, 2640W, 12A		
1	WATER BOILER	FETCO H25011	25 GALLON, 208/3Ø/60, 38.2 AMP, 13.8KW. 28LX28WX30H" MOUNT MIN. 6" AFF ON METAL PLATFORM DRAIN TO FLOOR SINK		
B	ICE MAKER	HOSHIZAKI KML-351M_H	3/8" WATER CONNECITON, 208Ø/1/60, 7.6 AMP, 185 LBS COMPLE WITH B-500 ICE STORAGE BIN DRAIN TO FLOOR SINK		
(e)	FRUCTOSE DISPENSER	-	115/1/60, 3 AMP		
(e)	POINT OF SALE	-	COMPLETE LABEL PRINTER, MONITOR, RECEIPT PRINTER		
(11)	STAINLESS STEEL RACK	-	AVAILABLE IN 24", 36", 48", & 60" WIDE		
(12)	EMPLOYEE'S LOCKER	-	NSF APPROVED LEGS OR MOUNT UNIT 6" ABOVE COVED BASE		
(13)	WATER FILTER	-	3/4" CONNECTION, FILTER FOR ICE MAKER & WATER BOILER		
(14)	WATER HEATER	-	TBD		
		FIXTURE SCHEDULI	<u> </u>		
ITEM#	DESCRIION	MODEL	NOTE:		
(A)	3 COMPARTMENT SINK	TBD	SEE PLUMBING DRAWING		
B	HAND SINK*	TBD	SEE PLUMBING DRAWING		
(C)	MOP SINK	TBD	SEE PLUMBING DRAWING		
(D)	FLOOR DRAIN	TBD	SEE PLUMBING DRAWING		
(E)	FLOOR SINK	TBD	SEE PLUMBING DRAWING		
F	BAR SINK	20X18 DROP IN SINK	SEE PLUMBING DRAWING		
©	PREP. SINK	CUSTOM BUILD	COMPLETE WITH PREP SINK & ICE BIN WITH INSULATION CODE MIN., 1 1/2" DRAIN LINE IN-DIRECT TO F.S. PROVIDE (2) 1/2" CW&HW CONNECTION		

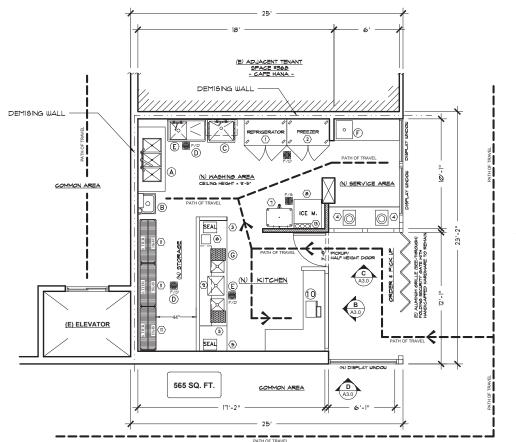
*ALL HANDWASH SINKS IN THE WORKING AND SERVICE AREA SHALL HAVE WRIST LEVERS



SCALE: 1/4" = 1'-0



SCALE: 2" = 1'-0"



(PROPOSED) TEA SHOP FLOOR PLAN SCALE: 1'-0"

NOTE: SLOPE OF ACCESSIBLE PATH OF TRAVEL FROM PUBLIC SIDEWALK TO THE ENTRANCE IS 2% MAXIMUM IN ANY DIRECTIONS. WIDTH OF ACCESSIBLE PATH IS 48" MINIMUM. (PUBLIC)



(E) WALL (TO REMAN) (N) PARTITION WALL, 2X4 STUD # 16 OC. NOTE: ALL EXIT DOORS SHALL BE NOTALLED WITH PANIC HARDWARE.



ETERNAL GREEN PROPERTIES, LLC

DATE



SPACE #

POST STREET, S FRANCISCO, CA ADDRESS: 1737 I SAN F SINGLI TEN

PROJECT NUMBER:

PLAN #: 2019C1203

DRAWING TITLE: EXISTING FLOOR PLAN / DEMO PLAN AND PROPOSED FLOOR PLAN

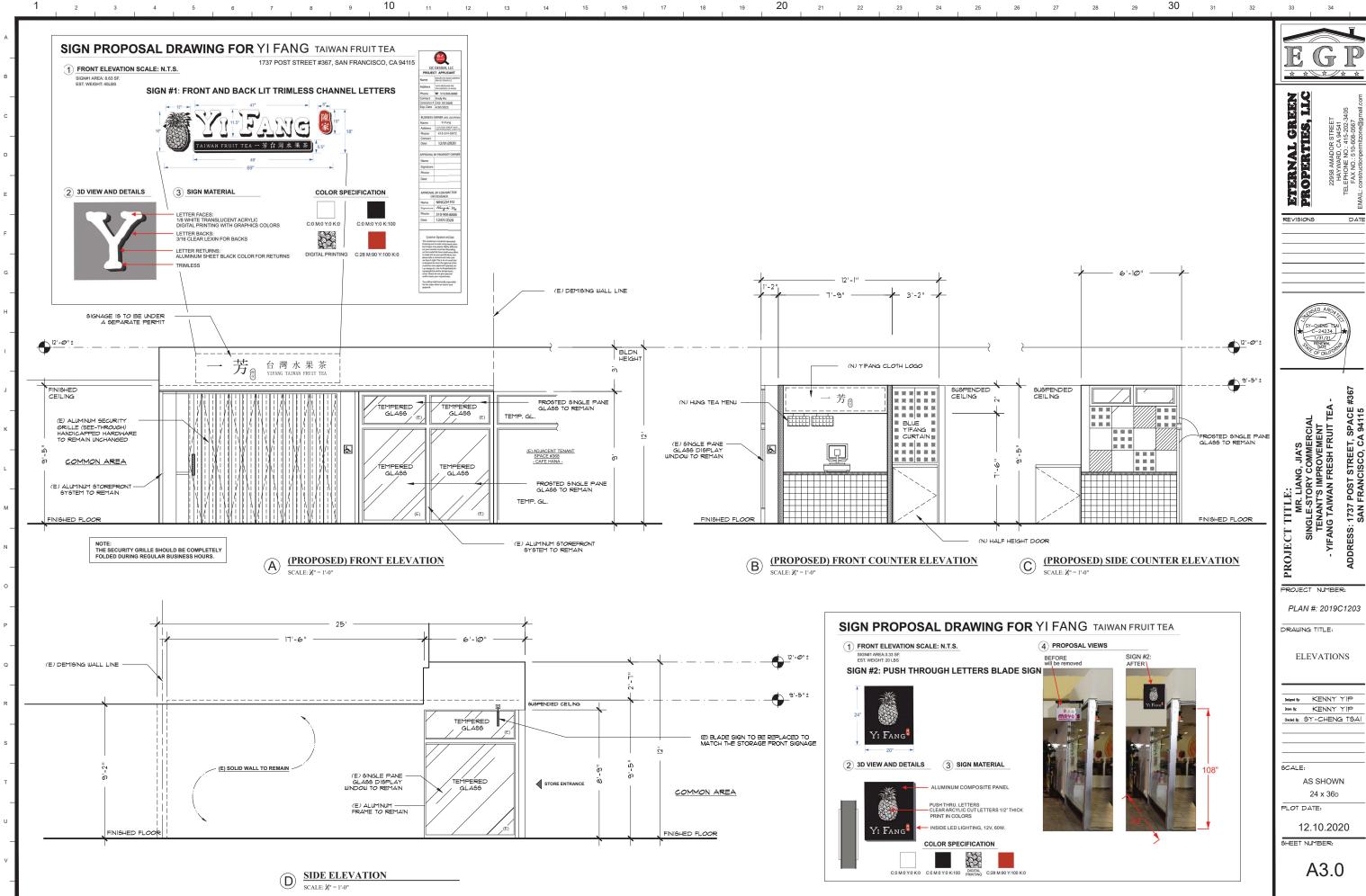
Designed By: KENNY YIP Drawn By: KENNY YIP Checked By: SY-CHENG TSAI

AS SHOWN 24 x 36p

PLOT DATE:

02.10.2020 SHEET NUMBER:

A2.0

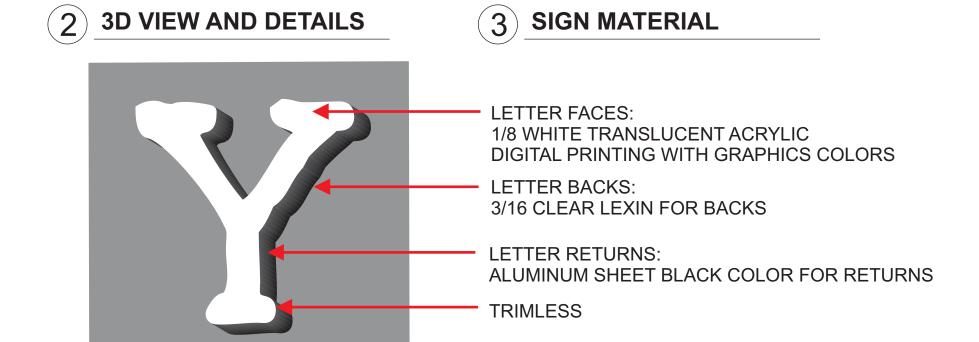


1737 POST STREET #367, SAN FRANCISCO, CA 94115 FRONT ELEVATION SCALE: 1:10

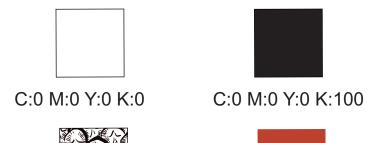
SIGN#1 AREA: 8.63 SF. EST. WEIGHT: 45LBS

SIGN #1: FRONT AND BACK LIT TRIMLESS CHANNEL LETTERS





COLOR SPECIFICATION





DIGITAL PRINTING



C:28 M:90 Y:100 K:0



PROJECT APPLICANT Name Ningzhi Hu Signs Compan DBA QC DESIGN LLC

BUSINESS OWNER (SIGN LOCATION

	Name	Yi Fang
	Address	1737 POST STREET #367, SAN FRANCISCO, CA94115
	Phone	415-519-5872
	Contact	
	Date	12/01/2020

APPROVAL BY PROPERTY OWNER

Name	
Signature	
Phone	
Date	

APPROVAL BY CONTRACTOR OR DESIGNER

Name	NINGZHI HU	
Signature	Nengshi Hu	
Phone	510-906-8888	
Date	12/01/2020	

Customer Signature and Date

This rendering is computer generated. Drawings are to scale using actual colors but images may appear slightly different on your monitor or printer depending on the model. We have made every effort to make this to your specifications, but please take a moment and make sure we have it right. This is an art proof that is designed to meet the approval of the customer, once approval is granted, we (qc design,llc) are no longer liable for typographical and/or design layout errors. Please do not give approval until it meets your requirements.

You will be held financially responsible for this order when we receive your approval.

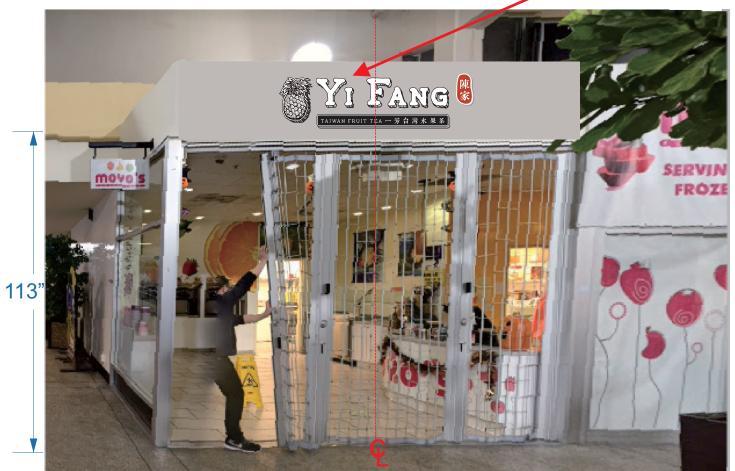
SIGN #1





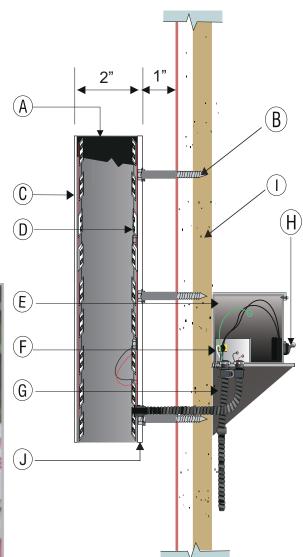
BEFORE will be removed

AFTER



144"

5 WIRING



FRONT AND BACK LIT CHANNEL LETTERS

SPECIFICATIONS:

Α	ALUMINUM SIDE RETURNS
В	#10X3". PHILIPS POLYMER COATED EXTERIOR SCREW.
С	1/8 WHITE TRANSLUCENT ACRYLIC
D	LED ILLUMINATED MEDULE
E TRANSFORMING HOUSE	
F	LOW VOLT LED POWER SUPPLY 12V
G	PRIMARY ELECTRIC SOURCE
Н	SAFETY SWITCH
I	1INCH STUCCO AND 1INCH PLYWOOD
J	3/16 CLEAR LEXIN FOR BACKS

Conduit

ELECTRICAL PRIMARY, SUPPLIED BY 20 AMP/120 VOLT CIRCUIT REQUIRED.

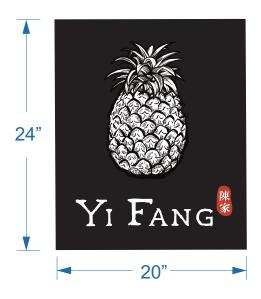
NOTE: Sign to be installed in accordance with the requirements of Artical 600 of the National Electrical Code and/or other applicable local codes.

This includes proper grounding and bonding of the sign.
All wall penetrations to be sealed with UL Listed silicone sealant.
UL Listed (CEC 600.7)

FRONT ELEVATION SCALE: 1:10

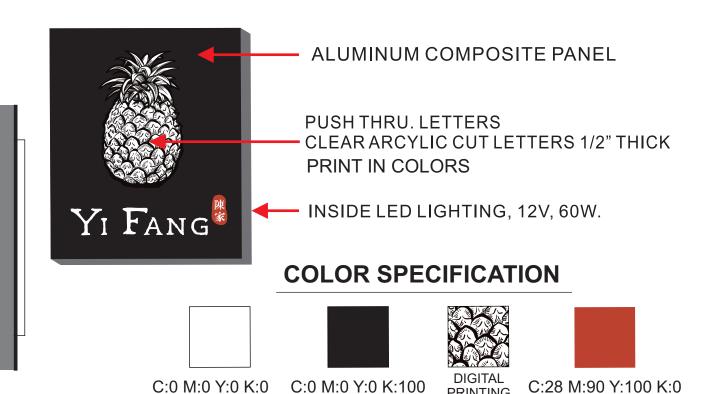
SIGN#1 AREA:3.33 SF. EST. WEIGHT: 20LBS

SIGN #2: PUSH THROUGH LETTERS BLADE SIGN



3D VIEW AND DETAILS

SIGN MATERIAL



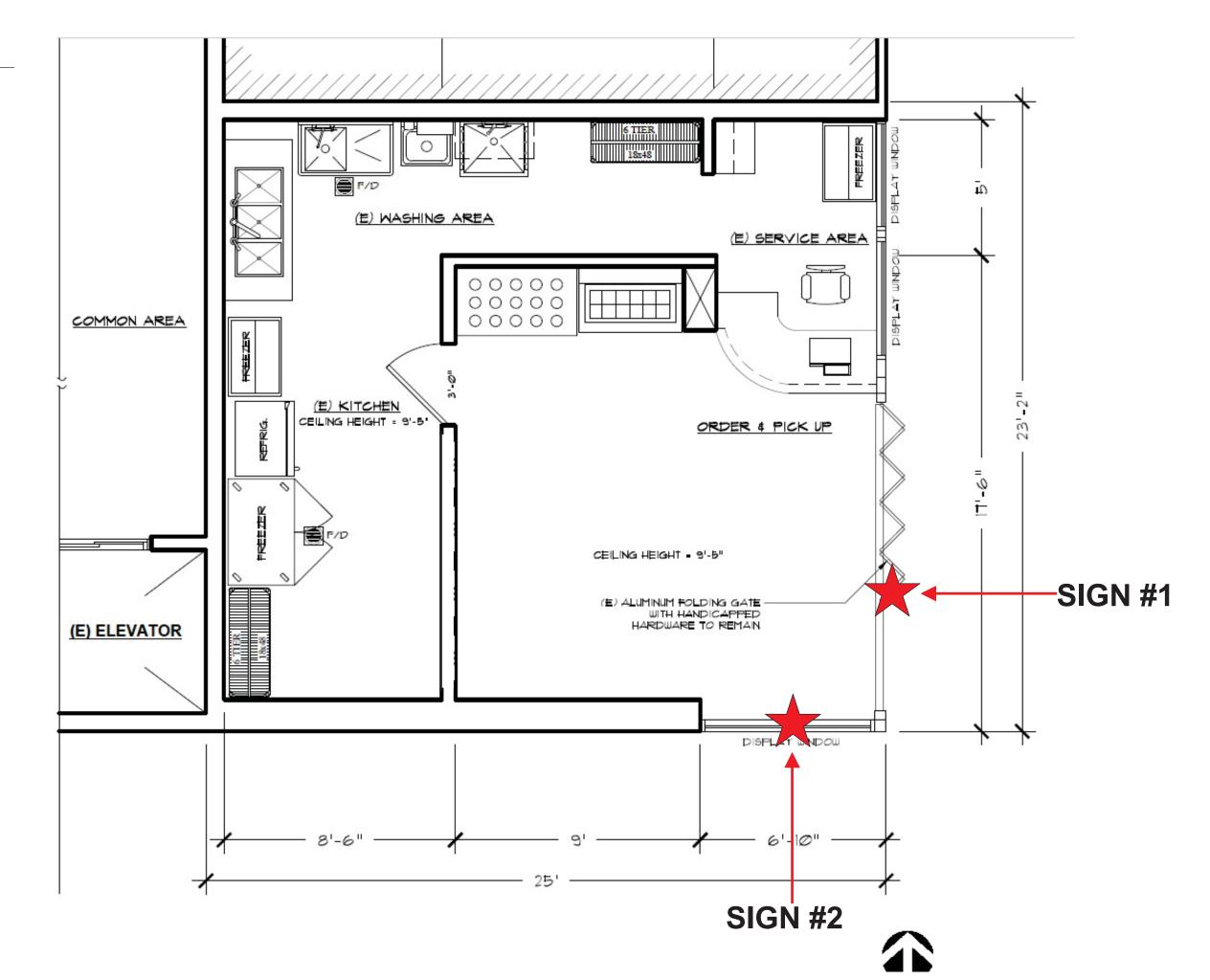
PROPOSAL VIEWS

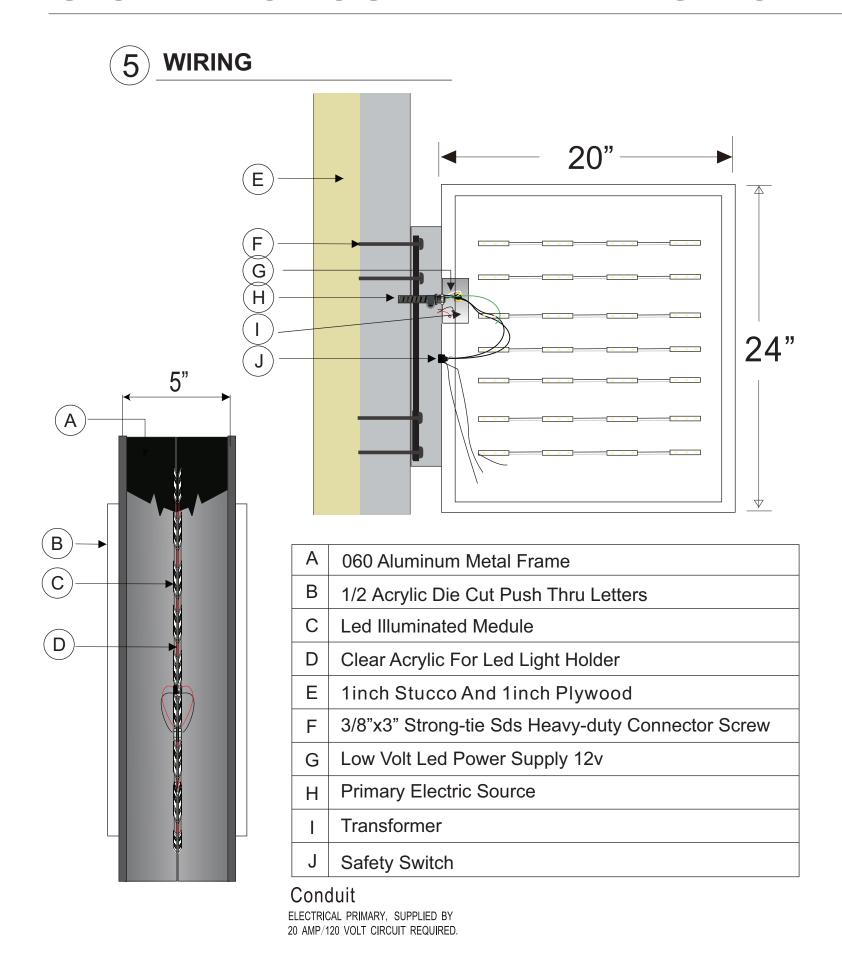
BEFORE will be removed



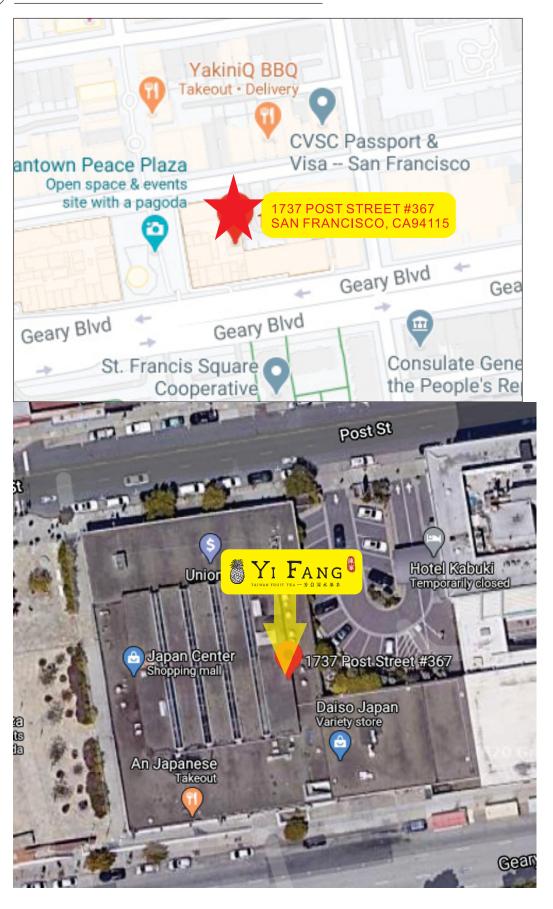


4 STORE FLOOR PLAN



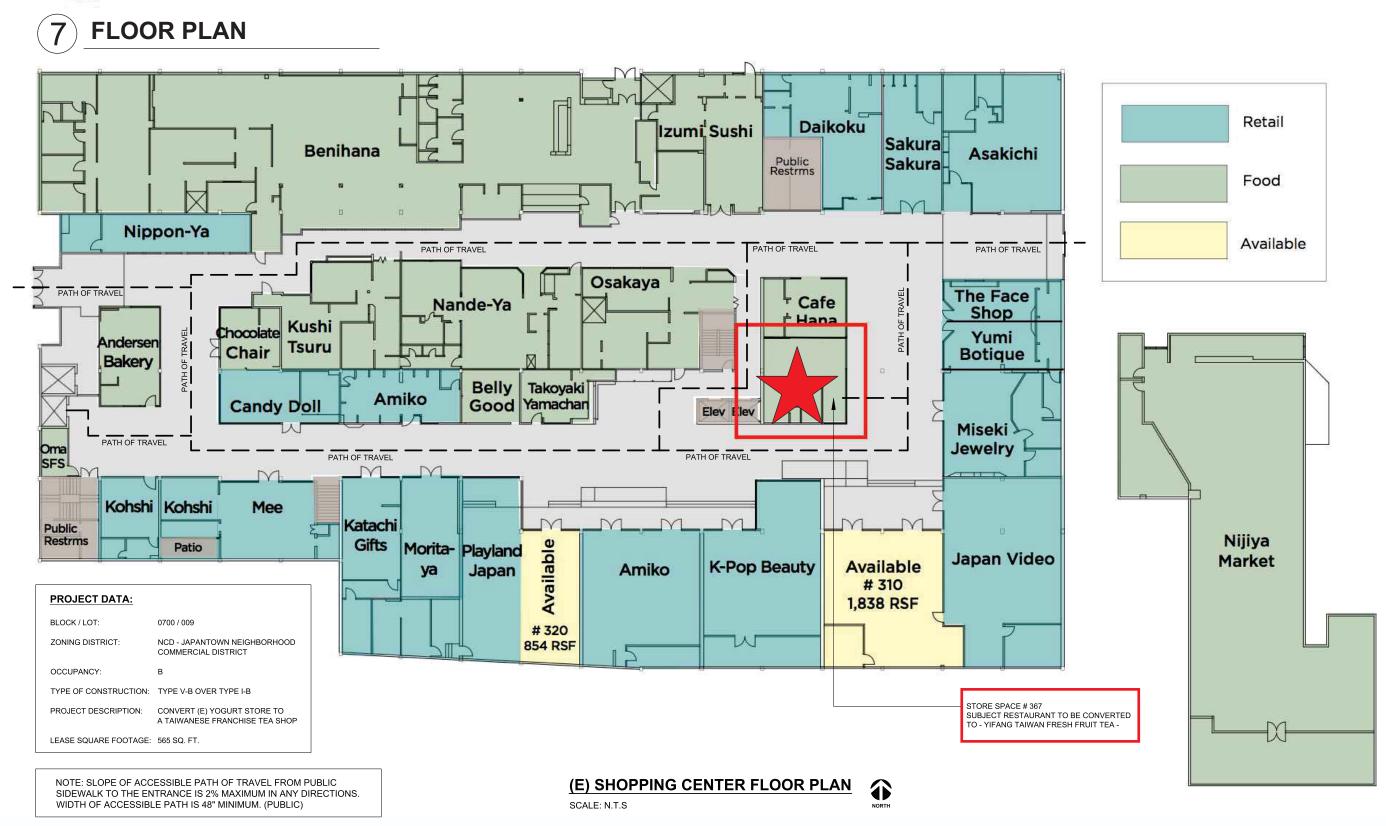








JAPAN CENTER WEST | 1737 POST STREET - SAN FRANCISCO



From: <u>CPC-Commissions Secretary</u>

Cc: Horn, Jeffrey (CPC); Feliciano, Josephine (CPC)

Subject: FW: Form Submission - 4300 17th Street Support Form - I support 4300 17th mixed-affordable housing project!

Date: Friday, October 15, 2021 3:42:19 PM

Commission Affairs

San Francisco Planning

49 South Van Ness Avenue, Suite 1400, San Francisco, CA 94103

Direct: 628.652.7600 | www.sfplanning.org San Francisco Property Information Map

Expanded in-person services at the Permit Center at 49 South Van Ness Avenue are available. Most other San Francisco Planning functions are being conducted remotely. Our staff are <u>available by e-mail</u>, and the Planning and Historic Preservation Commissions are convening remotely. The public is <u>encouraged to participate</u>. Find more information on our services <u>here</u>.

From: 'Squarespace' via 4300 17th Street Letters of Support <4300-17th-street-letters-of-

support@googlegroups.com>

Sent: Friday, October 15, 2021 10:06 AM

To: 4300-17th-street-letters-of-support@googlegroups.com

Subject: Form Submission - 4300 17th Street Support Form - I support 4300 17th mixed-affordable

housing project!

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

Sent via form submission from mixed affordable housing @ 4300 17th Street

Name: Daniel Murphy

City: San Francisco

Email: danielmurphy161@gmail.com

Subject: I support 4300 17th mixed-affordable housing project!

Message: Hello,

I strongly support this project. We need more housing units in SF, and this project adds more of them. This supports the local small businesses nearby as well. Please allow this project to happen.

Daniel

--

You received this message because you are subscribed to the Google Groups "4300 17th Street Letters of Support" group.

To unsubscribe from this group and stop receiving emails from it, send an email to <u>4300-17th-street-letters-of-support+unsubscribe@googlegroups.com</u>.

To view this discussion on the web visit https://groups.google.com/d/msgid/4300-17th-street-letters-of-support/1989410744.11.1634317540228.JavaMail.root%40v6-aux-d687d9654-9dgbl.

From: Ionin, Jonas (CPC)

CTYPLN - COMMISSION SECRETARY; CTYPLN - SENIOR MANAGERS; YANG, AUSTIN (CAT); STACY, KATE (CAT); Cc:

JENSEN, KRISTEN (CAT)

Subject: CPC Calendars for October 21, 2021 Friday, October 15, 2021 3:09:31 PM Date:

Attachments: 20211021 cal.pdf

20211021 cal.docx Advance Calendar - 20211021.xlsx CPC Hearing Results 2021.docx

Commissioners,

Attached are your Calendars for October 21, 2021.

A check swing strike three?

Jonas P Ionin **Director of Commission Affairs**

San Francisco Planning

49 South Van Ness Avenue, Suite 1400, San Francisco, CA 94103

Direct: 628.652.7589 | www.sfplanning.org San Francisco Property Information Map



CPC Hearing Results 2021

To: Staff

From: Jonas P. Ionin, Director of Commission Affairs

Re: Hearing Results

NEXT MOTION/RESOLUTION No: 21019

NEXT DISCRETIONARY REVIEW ACTION No: 761

DRA = Discretionary Review Action; M = Motion; R = Resolution

October 14, 2021 Hearing Results:

Action No.	Case No.		Planner	Action	Vote
		5367 Diamond Heights			
	2020 0074016114	Boulevard (1900	Danta!a	Continued to November 4, 2021	. C 0 (Chan ahaant)
	2020-007481CUA	Diamond Street)	Pantoja	Continued to November 4, 2021	+6-0 (Chan absent)
	2016-011827ENX	1500 15 th Street	Jardines	Continued Indefinitely	+6-0 (Chan absent)
	2017-015678CUA	425 Broadway	Alexander	Continued to November 4, 2021	+6-0 (Chan absent)
	2021-000822DRP	486 Duncan Street	Winslow	Withdrawn	
	2024 000022VAD	404.5	we i	ZA Continued to VAR hearing on	
	2021-000822VAR	486 Duncan Street	Winslow	October 27, 2021	
	2019-013808CUA	4300 17 th Street	Horn	Continued to November 18, 2021	+6-0 (Chan absent)
	2019-013000C0A	4500 17 Street	HOIH	ZA Continued to November 18,	+0-0 (Cildii duseiit)
	2019-013808VAR	4300 17 th Street	Horn	2021	
M-21009	2021-006602CUA	2104 Hayes Street	Ajello	Approved with Conditions	+6-0 (Chan absent)
		Draft Minutes for	,	- 11	,
		September 30, 2021	lonin	Adopted	+6-0 (Chan absent)
		Business Signs on			
		Awnings and		Approved (without Staff	+4-2 (Imperial Moore
R-21010	2021-007327PCA	Marquees [BF210810]	Merlone	modifications)	against; Chan absent)
		Repealing Article 12			
D 21011	2021 007260DCA	Regarding Oil and Gas	Ctaw	Approved with Staff	16 O(Chan absent)
R-21011	2021-007368PCA	Facilities [BF 210807] Requirements for	Starr	modifications	+6-0 (Chan absent)
		Laundromats and On-			
		Site Laundry Services		Approved with Staff	
R-21012	2021-007369PCA	[BF 210808]	Flores	modifications	+6-0 (Chan absent)
		Inclusionary Housing	.,,,,		, , , , , , , , ,
		Program Updates [BF			
R-21013	2021-007832PCA	210868]	Grob	Approved	+6-0 (Chan absent)
		Housing Element 2022			
	2019-016230CWP	Upate	Haddadan	Reviewed and Commented	
				Approved with conditions	
				modifying the 3 year performance plan condition to 5	
M-21014	2018-004686CUA	2350 Green Street	Woods	years.	+6 -0 (Chan absent)
21011	2510 0010000011		110003	Without hearing, Continued to	. 5 6 (Chair absent)
	2019-0119440FA	660 03 rd Street	Westhoff	November 4 th , 2021	+6-0 (Chan absent)

	2019-011944VAR	660 03™ Street	Westhoff	Without hearing, ZA Continued to November 4 th , 2021	+6 -0 (Chan absent)
M-21016	2020-001610CUA	3832 18 th Street	Horn	Approved with conditions and staff's recommended alternative design of a project with 5 stories and 19 units with further plan refinement between staff and the project sponsor. Condition added for a staff prepared memo with revised plans to be provided to the Commission.	+4-2 (Imperial and Moore against; Chan absent)
1010	2020-001010C0A	3032 10 Street	110111	Approved with Conditions as	absent)
M-21017	2021-006288CUA	211 Austin Street	Ajello	read into the record by staff	+6-0 (Chan absent)
M-21018	2021-001579CUA	2715 Judah Street	Campbell	Approved with Conditions	+6-0 (Chan absent)
DRA-760	2021-000308DRP	642 Alvarado Street	Winslow	No DR	+6-0 (Chan absent)

SAN FRANCISCO PLANNING COMMISSION

Notice of Hearing & Agenda

Remote Hearing via video and teleconferencing

Thursday, October 21, 2021 1:00 p.m. Regular Meeting

Commissioners:
Joel Koppel, President
Kathrin Moore, Vice President
Deland Chan, Sue Diamond, Frank Fung,
Theresa Imperial, Rachael Tanner

Commission Secretary: Jonas P. Ionin

Hearing Materials are available at:
Planning Commission Packet and Correspondence

Commission Hearing Broadcasts:

Live stream: https://sfgovtv.org/planning Live, Thursdays at 1:00 p.m., Cable Channel 78 Re-broadcast, Fridays at 8:00 p.m., Cable Channel 26

Ramaytush Ohlone Acknowledgement

The Planning Commission acknowledges that we are on the unceded ancestral homeland of the Ramaytush Ohlone, who are the original inhabitants of the San Francisco Peninsula. As the indigenous stewards of this land and in accordance with their traditions, the Ramaytush Ohlone have never ceded, lost, nor forgotten their responsibilities as the caretakers of this place, as well as for all peoples who reside in their traditional territory. As guests, we recognize that we benefit from living and working on their traditional homeland. We wish to pay our respects by acknowledging the Ancestors, Elders, and Relatives of the Ramaytush Ohlone community and by affirming their sovereign rights as First Peoples.

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decisions in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For more information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact the Sunshine Ordinance Task Force at City Hall, 1 Dr. Carlton B. Goodlett Place, Room 409; phone (415) 554-7724; fax (415) 554-7854; or e-mail at sotf@sfgov.org. Copies of the Sunshine Ordinance can be obtained from the Clerk of the Sunshine Task Force, the San Francisco Library and on the City's website at www.sfbos.org/sunshine.

Privacy Policy

Personal information that is provided in communications to the Planning Department is subject to disclosure under the California Public Records Act and the San Francisco Sunshine Ordinance. Personal information provided will not be redacted.

Members of the public are not required to provide personal identifying information when they communicate with the Planning Department and its commissions. All written or oral communications that members of the public submit to the Department regarding projects or hearings will be made available to all members of the public for inspection and copying. The Department does not redact any information from these submissions. This means that personal information including names, phone numbers, addresses and similar information that a member of the public elects to submit to the Department and its commissions may appear on the Department's website or in other public documents that members of the public may inspect or copy.

Accessible Meeting Information

Commission hearings are held in Room 400 at City Hall, 1 Dr. Carlton B. Goodlett Place in San Francisco. City Hall is open to the public Monday through Friday from 8:00 a.m. to 8:00 p.m. and is accessible to persons using wheelchairs and other assistive mobility devices. Ramps are available at the Grove, Van Ness and McAllister entrances. A wheelchair lift is available at the Polk Street entrance.

Transit: The nearest accessible BART station is Civic Center. Accessible MUNI Metro lines are the F, J, K, L, M, N, T (exit at Civic Center or Van Ness stations). MUNI bus routes also serving the area are the 5, 6, 9, 19, 21, 47, 49, 71, and 71L. For more information regarding MUNI accessible services, call (415) 701-4485 or call 311.

Parking: Accessible parking is available at the Civic Center Underground Parking Garage (McAllister and Polk), and at the Performing Arts Parking Garage (Grove and Franklin). Accessible curbside parking spaces are located all around City Hall.

Disability Accommodations: To request assistive listening devices, real time captioning, sign language interpreters, readers, large print agendas or other accommodations, please contact the Commission Secretary at (628) 652-7589, or commissions.secretary@sfgov.org at least 72 hours in advance of the hearing to help ensure availability.

Language Assistance: To request an interpreter for a specific item during the hearing, please contact the Commission Secretary at (628) 652-7589, or commissions.secretary@sfgov.org at least 48 hours in advance of the hearing.

Allergies: In order to assist the City in accommodating persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, please refrain from wearing scented products (e.g. perfume and scented lotions) to Commission hearings.

SPANISH: Agenda para la Comisión de Planificación. Si desea asistir a la audiencia, y quisiera obtener información en Español o solicitar un aparato para asistencia auditiva, llame al (628) 652-7589. Por favor llame por lo menos 48 horas de anticipación a la audiencia.

CHINESE: 規劃委員會議程。聽證會上如需要語言協助或要求輔助設備,請致電(628) 652-7589。請在聽證會舉行之前的至少48個小時提出要求。

FILIPINO: Advenda ng Komisyon ng Pagpaplano. Para sa tulong sa lengguwahe o para humiling ng Pantulong na Kagamitan para sa Pagdinig (headset), mangyari lamang na tumawag sa (628) 652-7589. Mangyaring tumawag nang maaga (kung maaari ay 48 oras) bago sa araw ng Pagdinig.

RUSSIAN: Повестка дня Комиссии по планированию. За помощью переводчика или за вспомогательным слуховым устройством на время слушаний обращайтесь по номеру (628) 652-7589. Запросы должны делаться минимум за 48 часов до начала слушания.

Remote Access to Information and Participation

In accordance with Governor Newsom's statewide order for all residents to Shelter-in-place - and the numerous preceding local and state proclamations, orders and supplemental directions - aggressive directives have been issued to slow down and reduce the spread of the COVID-19 virus.

On April 3, 2020, the Planning Commission was authorized to resume their hearing schedule through the duration of the shelter-in-place remotely. Therefore, the Planning Commission meetings will be held via videoconferencing and allow for remote public comment. The Commission strongly encourages interested parties to submit their comments in writing, in advance of the hearing to commissions.secretary@sfgov.org. Visit the SFGovTV website (https://sfgovtv.org/planning) to stream the live meetings or watch on a local television station.

Public Comment call-in: (415) 655-0001 / Access code: 2486 736 3519

The public comment call-in line number will also be provided on the Department's webpage https://sfplanning.org/ and during the live SFGovTV broadcast.

As the COVID-19 emergency progresses, please visit the Planning website regularly to be updated on the current situation as it affects the hearing process and the Planning Commission.

ROLL CALL:

President: Joel Koppel Vice-President: Kathrin Moore

Commissioners: Deland Chan, Sue Diamond, Frank Fung,

Theresa Imperial, Rachael Tanner

A. CONSIDERATION OF ITEMS PROPOSED FOR CONTINUANCE

The Commission will consider a request for continuance to a later date. The Commission may choose to continue the item to the date proposed below, to continue the item to another date, or to hear the item on this calendar.

1. 2021-002667DRP-03

(D. WINSLOW: (628) 652-7335)

4763 19TH STREET – south side between Caselli and Yukon Streets; Lot 034 in Assessor's Block 2711 (District 7) – Request for **Discretionary Review** of Building Permit Application no. 2021.0217.4759 for the replacement of existing windows on the front façade, removal of existing one- and three-story rear additions and new construction of a two-story rear horizontal addition and stair to an existing 2,395 sq. ft. two-story over basement, single-family home. The addition will result in a 3,148 square foot single-family home within a RH-2 (Residential House, Two-Family) Zoning District and 40-X Height and Bulk District. This action constitutes the Approval Action for the project for the purposes of CEQA, pursuant to San Francisco Administrative Code Section 31.04(h).

Preliminary Recommendation: Do Not Take Discretionary Review and Approve (Continued from Regular hearing on September 9, 2021)

(Proposed for Continuance to October 28, 2021)

2a. 2018-015983CUA

(L. HOAGLAND: (628) 652-7320)

<u>136 DELMAR STREET</u> – east side between Frederick and Piedmont Streets; Lot 067A in Assessor's Block 1270 (District 8) – Request for **Conditional Use Authorization** pursuant to Planning Code Sections 303 and 317, to demolish an existing one-story over basement, single-family dwelling and new construction of a three-story over basement, two-family dwelling. The subject property is located within a RH-2 (Residential-House, Two-Family) Zoning District and 40-X Height and Bulk District. This action constitutes the Approval Action for the project for the purposes of CEQA, pursuant to San Francisco Administrative Code Section <u>31.04(h)</u>.

Preliminary Recommendation: Approve with Conditions (Continued from Regular hearing on August 26, 2021) (Proposed for Continuance to December 9, 2021)

2b. 2018-015983VAR

(L. HOAGLAND: (628) 652-7320)

<u>136 DELMAR STREET</u> – east side between Frederick and Piedmont Streets; Lot 067A in Assessor's Block 1270 (District 8) – Request for **Variance** from the front setback pursuant to Planning Code Section 132. The subject property is located within a RH-2 (Residential-House, Two-Family) Zoning District and 40-X Height and Bulk District.

(Continued from Regular hearing on August 26, 2021)

(Proposed for Continuance to December 9, 2021)

B. COMMISSION MATTERS

- 3. Consideration of Adoption:
 - Draft Minutes for October 7, 2021
- 4. Commission Comments/Questions
 - <u>Inquiries/Announcements</u>. Without discussion, at this time Commissioners may make announcements or inquiries of staff regarding various matters of interest to the Commissioner(s).
 - <u>Future Meetings/Agendas</u>. At this time, the Commission may discuss and take
 action to set the date of a Special Meeting and/or determine those items that
 could be placed on the agenda of the next meeting and other future meetings of
 the Planning Commission.

C. DEPARTMENT MATTERS

- 5. Director's Announcements
- 6. Review of Past Events at the Board of Supervisors, Board of Appeals and Historic Preservation Commission

D. GENERAL PUBLIC COMMENT

At this time, members of the public may address the Commission on items of interest to the public that are within the subject matter jurisdiction of the Commission except agenda items. With respect to agenda items, your opportunity to address the Commission will be afforded when the item is reached in the meeting. Each member of the public may address the Commission for up to three minutes. When the number of speakers exceed the 15-minute limit, General Public Comment may be moved to the end of the Agenda.

E. REGULAR CALENDAR

The Commission Hearing Procedures provide for presentations by staff; followed by the project sponsor team; followed by public comment for and against the proposal. Please be advised that the project sponsor team includes: the sponsor(s) or their designee, lawyers, architects, engineers, expediters, and/or other advisors.

7. 2018-008588CWP

(A. HARVEY: (628) 652-7433)

Page 5 of 12

RAIL ALIGNMENT AND BENEFITS (RAB) STUDY IMPLEMENTATION — Informational Presentation — This presentation is to provide a program update on the implementation of the RAB Study, the results of which were adopted by the Planning Commission, the Transportation Authority Board, and the Mayor's Office in 2018. The presentation will consist of a brief update on the rail tunnel projects, and more detailed updates on an equity review of the work program in response to Resolution No. 20738, as well as the Southeast Rail Station Study (SERSS) and the 4th & King Railyards Development. Both of these efforts involve significant interagency coordination and staff from partner agencies will be available to answer any questions.

Preliminary Recommendation: None - Informational

8. 2018-016522CWP

(S. NICKOLOPOULOS: (628) 652-7442)

<u>SENATE BILL 9 AND SENATE BILL 10</u> – **Informational Presentation** on California State Senate Bill 9, which allows duplexes and lot splits for certain parcels in RH-1 Zoning, and SB 10, which allows local jurisdictions to adopt rezoning ordinances that increase density up to 10 units per parcel without CEQA review. Both bills go into effect January 1, 2022. *Preliminary Recommendation: None – Informational*

9. 2017-0118780FA-02

(M. GIACOMUCCI: (628) 652-7414)

420 23RD STREET (POTRERO POWER STATION MIXED-USE DEVELOPMENT) - north side of 23rd Street west of Illinois Street; Lots 002 and 017 in Assessor's Block 4175 and Lots 001 and 006 in Assessor's Block 4232 (District 10) - Request for Office Development Authorization, pursuant to Planning Code Sections 320-325, using the Office Jobs/Affordable Housing Balance Incentive Reserve, to establish approximately 896,323 gross square feet of Office use at the Potrero Power Station Mixed-Use Development Project Site. The Office Jobs/Affordable Housing Incentive Reserve allows office use for projects that meet certain affordable housing production requirements, even if there is no available office space to allocate. For projects developed in multiple phases under a development agreement, the allocation may consider the total amount of affordable housing that would be produced by the project upon the completion of all phases. The Potrero Power Station Mixed-Use Development project has undergone environmental review pursuant to California Environmental Quality Act (CEQA). The Planning Commission certified the EIR and CEQA findings for the Potrero Power Station Mixed-Use Development project on January 30, 2020. The Environmental Review Officer certified an addendum to the certified EIR for the Potrero Power Station Mixed-Use Development project on October 22, 2020.

Preliminary Recommendation: Approve with Conditions

10. <u>2019-019698AHB</u>

(L. HOAGLAND: (628) 652-7320)

4512 23RD STREET – north side between Market Street and Corbett Avenue; Lot 005 in Assessor's Block 2800 (District 8) – Request for **HOME-SF** Project Authorization, pursuant to Planning Code Sections 206.3 and 328, to allow the construction of a 11,661 square foot, five-story-over-basement, 45-foot 9-inch-tall, 13 dwelling unit building on a 3,068 square foot vacant lot. The Project would include approximately 1,782 square feet of usable open space via two common roof decks, one private patio and rear yard, and 13 Class 1 bicycle parking spaces located at the basement level within a RM-1 (Residential-Mixed, Low-Density) Zoning District and 40-X Height and Bulk District. This action constitutes the Approval Action for the project for the purposes of CEQA, pursuant to San Francisco Administrative Code Section 31.04(h).

Preliminary Recommendation: Approve with Conditions

11. 2021-000209CUA

(E. SAMONSKY: (628) 652-7417)

733 TREAT AVENUE — east side between 20th Street and 21st Street; Lot 064 in Assessor's Block 3612 (District 9) — Request for **Conditional Use Authorization** pursuant to Planning Code Sections 209.1, 303 and 317 to allow dwelling unit density at a ratio of one unit per 1,000 square feet of lot area and to demolish a two-story, 7,581-square-foot commercial building containing an unauthorized dwelling unit and construct a four-story, 15,807-square-foot residential building containing six dwelling units and an accessory dwelling unit (ADU) within a RH-3 (Residential-House, Three-Family) Zoning District and 40-X

Height and Bulk District. This action constitutes the Approval Action for the project for the purposes of CEQA, pursuant to San Francisco Administrative Code Section 31.04(h). *Preliminary Recommendation: Approve with Conditions*

12. 2018-009812CUA

(M. DITO: (628) 652-7358)

1268 17TH AVENUE — east side between Judah and Irving Streets; Lot 023 in Assessor's Block 1734 (District 5) — Request for Conditional Use Authorization pursuant to Planning Code Sections 303 and 317, and Board File No. 201370 (Interim Zoning Controls — Large Residential Projects in RC, RM, and RTO Districts [2021-000694PCA]) to demolish a detached dwelling unit at the rear of the lot and construct two new dwelling units as part of a one-story vertical addition and a horizontal addition at the rear to the single-family dwelling at the front of the lot. The Project will result in a net increase of one dwelling unit on the property as part of a four-story, three-family dwelling. The Project requires Conditional Use Authorization pursuant to Board File No. 201370 because it does not provide the maximum residential density that is principally permitted and proposes to increase the size of a dwelling unit that is greater than 2,000 square feet. The subject property is located within a RM-1 (Residential, Mixed — Low Density) Zoning District and 40-X Height & Bulk District. This action constitutes the Approval Action for the project for the purposes of CEQA, pursuant to San Francisco Administrative Code Section 31.04(h). *Preliminary Recommendation: Approve with Conditions*

13. 2016-005365CUA

(S. YOUNG: (628) 652-7349)

<u>230 ANZA STREET</u> – north side between Collin Street and Wood Street; Lot 013 in Assessor's Block 1091 (District 1) – Request for **Conditional Use Authorization** pursuant to Planning Code Sections 209.1, 303 and 317 to allow the tantamount to demolition of an existing 2,094 square-foot two-unit, two-story residential building and to construct a 4,359 square-foot three-unit, three-story residential building (with mezzanine level and decks) within a RH-3 (Residential-House, Three-Family) Zoning District and 40-X Height and Bulk District. This action constitutes the Approval Action for the project for the purposes of CEQA, pursuant to San Francisco Administrative Code Section <u>31.04</u>(h). *Preliminary Recommendation: Approve with Conditions*

14. 2021-003396CUA

(R. BALBA: (628) 652-7331)

790 VALENCIA STREET — west side between 18th and 19th Streets; Lot 125 in Assessor's Block 3588 (District 8) — Request for **Conditional Use Authorization** pursuant to Planning Code Sections 303, and 303.1, and 762, to establish a formula retail use (d.b.a. Earthbar), within an existing retail space at the ground floor of an existing five-story mixed-use building, within the Valencia Street NCT (Neighborhood Commercial Transit) Zoning District and 55-X Height and Bulk District. There will be no expansion of the existing building envelope. This action constitutes the Approval Action for the project for the purposes of CEQA, pursuant to San Francisco Administrative Code Section 31.04(h).

Preliminary Recommendation: Approve with Conditions (Continued from Regular hearing on September 9, 2021)

F. DISCRETIONARY REVIEW CALENDAR

The Commission Discretionary Review Hearing Procedures provide for presentations by staff; followed by the DR requestor team; followed by public comment opposed to the project; followed by the project sponsor team; followed by public comment in support of the project. Please be advised that the DR requestor and project sponsor teams include: the DR requestor and sponsor or their designee, lawyers, architects, engineers, expediters, and/or other advisors.

15. 2021-003776DRP-02
3737 22ND STREET – south side between Sanchez and Noe Streets; Lot 024 in Assessor's Block 3626 (District 8) – Request for **Discretionary Review** of Building Permit 2021.0220.5050 to construct a four-story horizontal rear addition at basement, first, second and the third floor on an existing three-story over basement, single-family dwelling within a RH-2 (Residential House, Two Family) Zoning District and 40-X Height and Bulk District. The proposal would include new roof deck above the first and second floor additions and new roof dormers. This action constitutes the Approval Action for the project for the purposes of CEQA, pursuant to San Francisco Administrative Code Section 31.04(h). Preliminary Recommendation: Do Not Take Discretionary Review and Approve

ADJOURNMENT

Hearing Procedures

The Planning Commission holds public hearings regularly, on most Thursdays. The full hearing schedule for the calendar year and the Commission Rules & Regulations may be found online at: www.sfplanning.org.

Public Comments: Persons attending a hearing may comment on any scheduled item.

When speaking before the Commission in City Hall, Room 400, please note the timer indicating how much time remains. Speakers will hear two alarms. The first soft sound indicates the speaker has 30 seconds remaining. The second louder sound indicates that the speaker's opportunity to address the Commission has ended.

Sound-Producing Devices Prohibited: The ringing of and use of mobile phones and other sound-producing electronic devices are prohibited at this meeting. Please be advised that the Chair may order the removal of any person(s) responsible for the ringing or use of a mobile phone, pager, or other similar sound-producing electronic devices (67A.1 Sunshine Ordinance: Prohibiting the use of cell phones, pagers and similar sound-producing electronic devices at and during public meetings).

For most cases (CU's, PUD's, 309's, etc...) that are considered by the Planning Commission, after being introduced by the Commission Secretary, shall be considered by the Commission in the following order:

- 1. A thorough description of the issue(s) by the Director or a member of the staff.
- 2. A presentation of the proposal by the Project Sponsor(s) team (includes sponsor or their designee, lawyers, architects, engineers, expediters, and/or other advisors) would be for a period not to exceed 10 minutes, unless a written request for extension not to exceed a total presentation time of 15 minutes is received at least 72 hours in advance of the hearing, through the Commission Secretary, and granted by the President or Chair.
- 3. A presentation of opposition to the proposal by organized opposition for a period not to exceed 10 minutes (or a period equal to that provided to the project sponsor team) with a minimum of three (3) speakers. The intent of the 10 min block of time provided to organized opposition is to reduce the number of overall speakers who are part of the organized opposition. The requestor should advise the group that the Commission would expect the organized presentation to represent their testimony, if granted. Organized opposition will be recognized only upon written application at least 72 hours in advance of the hearing, through the Commission Secretary, the President or Chair. Such application should identify the organization(s) and speakers.
- 4. **Public testimony from proponents of the proposal**: An individual may speak for a period not to exceed three (3) minutes.
- 5. **Public testimony from opponents of the proposal**: An individual may speak for a period not to exceed three (3) minutes.
- 6. Director's preliminary recommendation must be prepared in writing.
- 7. Action by the Commission on the matter before it.
- 8. In public hearings on Draft Environmental Impact Reports, all speakers will be limited to a period not to exceed three (3) minutes.
- 9. The President (or Acting Chair) may impose time limits on appearances by members of the public and may otherwise exercise his or her discretion on procedures for the conduct of public hearings.
- 10. Public comment portion of the hearing shall be closed and deliberation amongst the Commissioners shall be opened by the Chair;
- 11. A motion to approve; approve with conditions; approve with amendments and/or modifications; disapprove; or continue to another hearing date, if seconded, shall be voted on by the Commission.

Every Official Act taken by the Commission must be adopted by a majority vote of all members of the Commission, a minimum of four (4) votes. A failed motion results in the disapproval of the requested action, unless a subsequent motion is adopted. Any Procedural Matter, such as a continuance, may be adopted by a majority vote of members present, as long as the members present constitute a quorum (four (4) members of the Commission).

For Discretionary Review cases that are considered by the Planning Commission, after being introduced by the Commission Secretary, shall be considered by the Commission in the following order:

- 1. A thorough description of the issue by the Director or a member of the staff.
- 2. A presentation by the DR Requestor(s) team (includes Requestor(s) or their designee, lawyers, architects, engineers, expediters, and/or other advisors) would be for a period not to exceed five (5) minutes for each requestor.
- 3. Testimony by members of the public in support of the DR would be up to three (3) minutes each.
- 4. A presentation by the Project Sponsor(s) team (includes Sponsor(s) or their designee, lawyers, architects, engineers, expediters, and/or other advisors) would be for a period up to five (5) minutes, but could be extended for a period not to exceed 10 minutes if there are multiple DR requestors.

- 5. Testimony by members of the public in support of the project would be up to three (3) minutes each.
- 6. DR requestor(s) or their designees are given two (2) minutes for rebuttal.
- 7. Project sponsor(s) or their designees are given two (2) minutes for rebuttal.
- 8. The President (or Acting Chair) may impose time limits on appearances by members of the public and may otherwise exercise his or her discretion on procedures for the conduct of public hearings.

The Commission must Take DR in order to disapprove or modify a building permit application that is before them under Discretionary Review. A failed motion to Take DR results in a Project that is approved as proposed.

Hearing Materials

Advance Submissions: To allow Commissioners the opportunity to review material in advance of a hearing, materials must be received by the Planning Department eight (8) days prior to the scheduled public hearing. All submission packages must be delivered to 49 South Van Ness Ave, 14th Floor, by 5:00 p.m. and should include fifteen (15) hardcopies and a .pdf copy must be provided to the staff planner. Correspondence submitted to the Planning Commission after eight days in advance of a hearing must be received by the Commission Secretary no later than the close of business the day before a hearing for it to become a part of the public record for any public hearing.

Correspondence submitted to the Planning Commission on the same day, must be submitted at the hearing directly to the Planning Commission Secretary. Please provide ten (10) copies for distribution. Correspondence submitted in any other fashion on the same day may not become a part of the public record until the following hearing.

Correspondence sent directly to all members of the Commission, must include a copy to the Commission Secretary (commissions.secretary@sfgov.org) for it to become a part of the public record.

These submittal rules and deadlines shall be strictly enforced and no exceptions shall be made without a vote of the Commission.

Persons unable to attend a hearing may submit written comments regarding a scheduled item to: Planning Commission, 49 South Van Ness Ave, 14th Floor, San Francisco, CA 94103-2414. Written comments received by the close of the business day prior to the hearing will be brought to the attention of the Planning Commission and made part of the official record.

Appeals

The following is a summary of appeal rights associated with the various actions that may be taken at a Planning Commission hearing.

Case Type	Case Suffix	Appeal Period*	Appeal Body
Office Allocation	OFA (B)	15 calendar days	Board of Appeals**
Conditional Use Authorization and Planned Unit	CUA (C)	30 calendar days	Board of Supervisors
Development			
Building Permit Application (Discretionary	DRP/DRM (D)	15 calendar days	Board of Appeals
Review)			
EIR Certification	ENV (E)	30 calendar days	Board of Supervisors
Coastal Zone Permit	CTZ (P)	15 calendar days	Board of Appeals
Planning Code Amendments by Application	PCA (T)	30 calendar days	Board of Supervisors
Variance (Zoning Administrator action)	VAR (V)	10 calendar days	Board of Appeals
Large Project Authorization in Eastern	LPA (X)	15 calendar days	Board of Appeals
Neighborhoods			
Permit Review in C-3 Districts, Downtown	DNX (X)	15-calendar days	Board of Appeals
Residential Districts			
Zoning Map Change by Application	MAP (Z)	30 calendar days	Board of Supervisors

^{*} Appeals of Planning Commission decisions on Building Permit Applications (Discretionary Review) must be made within 15 days of the date the building permit is issued/denied by the Department of Building Inspection (not from the date of the Planning Commission hearing). Appeals of Zoning Administrator decisions on Variances must be made within 10 days from the issuance of the decision letter.

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^{**}An appeal of a Certificate of Appropriateness or Permit to Alter/Demolish may be made to the Board of Supervisors if the project requires Board of Supervisors approval or if the project is associated with a Conditional Use Authorization appeal. An appeal of an Office Allocation may be made to the Board of Supervisors if the project requires a Conditional Use Authorization.

For more information regarding the Board of Appeals process, please contact the Board of Appeals at (415) 575-6880. For more information regarding the Board of Supervisors process, please contact the Clerk of the Board of Supervisors at (415) 554-5184 or board.of.supervisors@sfqov.org.

An appeal of the approval (or denial) of a **100% Affordable Housing Bonus Program application** may be made to the **Board of Supervisors within 30 calendar days** after the date of action by the Planning Commission pursuant to the provisions of Sections 328(g)(5) and 308.1(b). Appeals must be submitted in person at the Board's office at 1 Dr. Carlton B. Goodlett Place, Room 244. For further information about appeals to the Board of Supervisors, including current fees, contact the Clerk of the Board of Supervisors at (415) 554-5184.

An appeal of the approval (or denial) of a **building permit application** issued (or denied) pursuant to a 100% Affordable Housing Bonus Program application by the Planning Commission or the Board of Supervisors may be made to the **Board of Appeals within 15 calendar days** after the building permit is issued (or denied) by the Director of the Department of Building Inspection. Appeals must be submitted in person at the Board's office at 1650 Mission Street, 3rd Floor, Room 304. For further information about appeals to the Board of Appeals, including current fees, contact the Board of Appeals at (415) 575-6880.

Challenges

Pursuant to Government Code Section 65009, if you challenge, in court, (1) the adoption or amendment of a general plan, (2) the adoption or amendment of a zoning ordinance, (3) the adoption or amendment of any regulation attached to a specific plan, (4) the adoption, amendment or modification of a development agreement, or (5) the approval of a variance, conditional-use authorization, or any permit, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Planning Commission, at, or prior to, the public hearing.

CEQA Appeal Rights under Chapter 31 of the San Francisco Administrative Code

If the Commission's action on a project constitutes the Approval Action for that project (as defined in S.F. Administrative Code Chapter 31, as amended, Board of Supervisors Ordinance Number 161-13), then the CEQA determination prepared in support of that Approval Action is thereafter subject to appeal within the time frame specified in S.F. Administrative Code Section 31.16. This appeal is separate from and in addition to an appeal of an action on a project. Typically, an appeal must be filed within 30 calendar days of the Approval Action for a project that has received an exemption or negative declaration pursuant to CEQA. For information on filing an appeal under Chapter 31, contact the Clerk of the Board of Supervisors at City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102, or call (415) 554-5184. If the Department's Environmental Review Officer has deemed a project to be exempt from further environmental review, an exemption determination has been prepared and can be obtained on-line at http://www.sf-planning.org/index.aspx?page=3447. Under CEQA, in a later court challenge, a litigant may be limited to raising only those issues previously raised at a hearing on the project or in written correspondence delivered to the Board of Supervisors, Planning Commission, Planning Department or other City board, commission or department at, or prior to, such hearing, or as part of the appeal hearing process on the CEQA decision.

Protest of Fee or Exaction

You may protest any fee or exaction subject to Government Code Section 66000 imposed as a condition of approval in accordance with 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.

The Planning Commission's approval or conditional approval of the development subject to the challenged fee or exaction as expressed in its Motion, Resolution, or Discretionary Review Action or the Zoning Administrator's Variance Decision Letter will serve as Notice that the 90-day protest period under Government Code Section 66020 has begun.

Proposition F

Under Campaign and Governmental Conduct Code Section 1.127, no person or entity with a financial interest in a land use matter pending before the Board of Appeals, Board of Supervisors, Building Inspection Commission, Commission on Community Investment and Infrastructure, Historic Preservation Commission, Planning Commission, Port Commission, or the Treasure Island Development Authority Board of Directors, may make a campaign contribution to a member of the Board of Supervisors, the Mayor, the City Attorney, or a candidate for any of those offices, from the date the land use matter commenced until 12 months after the board or commission has made a final decision or any appeal to another City agency from that decision has been resolved. For more information about this restriction, visit sfethics.org.

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San Francisco Lobbyist Ordinance

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign and Governmental Conduct Code Section 21.00-2.160] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 25 Van Ness Avenue, Suite 220, San Francisco, CA 94102; phone (415) 252-3100; fax (415) 252-3112; and online http://www.sfgov.org/ethics.

CPC ADVANCE CALENDAR



To: Planning Commission

From: Jonas P. Ionin, Director of Commission Affairs

Re: Advance Calendar

All items and dates are tentative and subject to change.

	October 21, 2021 - CLOSED		
Case No.	Chan - OUT		Planner
2021-002667DRP-03	4763 19th Street	fr: 9/9	Winslow
	Public-Initiated DR	to: 10/28	
2018-015983CUAVAR	136 Delmar St.	fr: 8/26	Hoagland
	Demo SFR and construct 2-unit dwelling	to: 11/4	
	Rail Alignment and Benefits (RAB) Study		Harvey
	Informational		
	SB 9 & SB 10		Conner
	Informational		
2017-0118780FA-02	Potrero Power Station		Giacomucci
	Prop M allocation		
2021-000209CUA	733 Treat Avenue		Samonsky
	demol and new construction of a four-story bu	ıilding containing 6 dwelling units d	and one ADU
2018-009812CUA	1268 17th Avenue		Dito
	PCS 317 to demolish SFD at rear of lot, add two	o dwelling units	
2016-005365CUA	230 Anza Street	-	Young
	tantamount to demolition		
2021-003396CUA	790 Valencia Street	fr: 9/9	Balba
	Formula Retail		
2019-019698AHB	4512 23rd Street		Hoagland
	5-story over bsmt 13 du building using HOME.	SF	
2021-003776DRP-02	3737 22nd Street		Winslow
	Public-Initiated DR		
	October 28, 2021 - CLOSED		
Case No.	Diamond, Chan - OUT		Planner
2020-003971PCA	Dwelling Unit Density Exception for Corner Lots in RHD	o's fr: 9/23	Merlone
	Planning Code Amendment		
2019-020611CUAVAR	5114-5116 3rd Street	fr: 6/17; 7/8; 9/23	Weissglass
	illegal demolition of a legal dwelling unit		
2020-005729CUA	4 Seacliff Ave	fr: 9/23	May
	demolish existing single-family and construct	a new 3-story single family residend	ce with an ADU
2020-009025CUA	5915 California Street		Young
	demo one-unit residential and construct a nev	v four-story, three-unit residential b	puilding
2020-009146CUA	247 Upper Terrace		Horn
	New construction of 2-unit dwelling within Co	rona Heights SUD	
2021-004963CUA	3415 California St		Agnihotri
	ground floor cannabis retail use		
2021-002667DRP-03	4763 19th Street	fr: 9/9; 10/21	Winslow
	Public-Initiated DR		
2020-008529DRP	1857 Church Street		Winslow
	Public-Initiated DR		

CPC ADVANCE CALENDAR

	November 4, 2021		
Case No.			Planner
2018-015983CUAVAR	136 Delmar St.	fr: 8/26; 10/21	Hoagland
	Demo SFR and construct 2-unit dwelling	to: 12/9	
2021-005183CUA	2040 Chestnut Street	CONSENT	Jimenez
	formula retail use establishment (dba Sweetgreen	n)	
2019-0119440FAVAR	660 3rd St	fr: 8/26; 10/14	Westhoff
	Small cap office allocation to abate code enforcen	nent case	
2017-015678CUA	425 Broadway	fr: 10/7; 10/14	Alexander
	TBD		
2019-020031CUAVAR	2867 San Bruno Ave	fr: 9/9, 9/23	Durandet
	legalize dwelling units, change from onsite BMR to	o fee	
2016-013012CUA	478-484 Haight St		May
	BMR condition amendment		
2018-013451PRJ	2135 Market Street		Horn
	State Density Bonus new construction of 9-story, 3	86 unit mixed use building	
2018-007380CUAVAR	1320 Washington Street		Perry
	6-story over basement residential building with 2	5 dwelling units	
2021-000215CUA	400 Hyde St.		Hoagland
	new telecom facility		
2020-007481CUA	5367 Diamond Heights Blvd. (1900 Diamond St.)	fr: 8/26; 10/14	Pantoja
	PUD for the construction of 24 dwelling units in a	total of 14 residential buildings	
2021-000182DRP	140 20th Avenue		Winslow
	Public-Initiated DR		
2018-003779DRP-02	619 22nd Avenue		Winslow
	Public-Initiated DR		
	November 11, 2021 - CANCELED		
Case No.			Planner

	November 18, 2021 - CLOSED		
Case No.			Planner
2019-022510CRV	240-250 Church Street	to: 12/2	Hicks
	State Density Bonus, new construction of a 7-st	tory, 24 unit mixed-use building	
2021-003142CUA	333 Fremont Street	CONSENT	Giacomucci
	Wireless CUA	fr: 8/26	
2019-023037ENVGPA	Waterfront Plan Update		Snyder
	Informational		
2017-012086ENV	770 Woolsey Street		Delumo
	FEIR		
2017-012086CUA	770 Woolsey Street		Durandet
	Conditional Use Authorization for a Planned Unit Development		
2019-014461CUA	1324-1326 Powell Street	fr: 9/30	Enchill
	State Density Bonus new construction of 8-stor	y, 24 unit mixed use building	
2018-014727AHB	921 O'Farrell Street		Hoagland
	AHB / HOME-SF 14-story (140 feet) tower with :	50 dwelling units and ground-lev	el retail
2019-022830AHB	3055 Clement St		May
	HOME-SF project		

CPC ADVANCE CALENDAR

2019-013276ENX	560 Brannan Street		Liang
	Demo new construction of 120 units using SDB	fr: 10/21	
2019-005907CUA	1151 Washington Street		Guy
	CU for residential expansion > 2,000 sf without addi	ing density	
2021-003400CUA	1285 10th Ave / 900 Irving St		Agnihotri
	ground floor cannabis retail use		
2021-006602CUA	1881-1885 Lombard St		Ajello
	Cannabis Retail use with on-site consumption loung	e	
2020-009358DRP	2605 Post Street		Winslow
	Public-Initiated DR		
2019-022419DRP	312 Utah Street		Winslow
	Public-Initiated DR		
2016-000302DRP	460 Vallejo Street	fr: 9/30	Winslow
	Public-Initiated DR		
	November 25, 2021 - CANCELED		
Case No.			Planner

	December 2, 2021	
Case No.		Planner
2020-008417CWP	Economic Recovery and Work Spaces	Pappas
	Informational	
2019-020115ENV	SFPUC Ocean Beach Climate Change Adaptation Project	Moore
	Informational	
2019-022510CRV	240-250 Church Street fr: 11/18	Hicks
	State Density Bonus	
2017-013784CUA	2976 Mission Street	Giacomucci
	demolish the existing construct a six-story, mixed use building	
2021-000997DRP	801 Corbett Avenue	Winslow
	Public-Initiated DR	
2021-001219DRM	1228 Funston Street fr: 10/28	Winslow
	Mandatory DR	
	December 9, 2021	
Case No.		Planner
	Group Housing	Grob
	Informational	
2018-015983CUAVAR	136 Delmar St. fr: 8/26; 10/21; 11/4	Hoagland
	Demo SFR and construct 2-unit dwelling	
2021-004141DRP	2000 Oakdale Avenue	Christensen
	Install cannabis store/office space in existing first floor office space.	
2017-013947DRP	310 Green St	Winslow
	Public-Initiated DR	
	December 16, 2021 - Joint with Health	
Case No.		Planner
	CPMC	Purl
	Informational Update	
	December 16, 2021	
Case No.		Planner
	2 of 4	

3:27 PM 10/15/2021

Planner

CPC ADVANCE CALENDAR

Case No.

2022 Hearing Schedule Ionin Adoption 2015-005983CUAVAR 850 Bush Street Foster CUA for height above 50 feet in RC Zoning District 2019-017009DRP **616 Belvedere Street** Winslow **Public-Initiated DR** 2019-022661DRP **628 Shotwell Street** Winslow **Public-Initiated DR** December 23, 2021 - CANCELED Case No. Planner December 30, 2021 - CANCELED Case No. Planner January 6, 2022 Case No. Planner January 13, 2022 Planner Case No. 2020-004398PRJ **SFO Shoreline Protection Program** Li Informational January 20, 2022 Case No. **Planner** January 27, 2022

From: Lynch, Laura (CPC)

To: <u>CTYPLN - COMMISSION SECRETARY</u>

Subject: FW: memo w header

Date: Friday, October 15, 2021 9:59:50 AM **Attachments:** SB 9 10 memo for commission.pdf

From: Nickolopoulos, Sheila (CPC) <sheila.nickolopoulos@sfgov.org>

Sent: Friday, October 15, 2021 9:57 AM

To: Lynch, Laura (CPC) < laura.lynch@sfgov.org>

Subject: memo w header

Sheila Nickolopoulos, MPP, Senior Planner Land Use, Citywide Planning Division

San Francisco Planning

49 South Van Ness Avenue, Suite 1400, San Francisco, CA 94103

Direct: 628.652.7442 | www.sfplanning.org San Francisco Property Information Map

Expanded in-person services at the Permit Center at 49 South Van Ness Avenue are available. Most other San Francisco Planning functions are being conducted remotely. Our staff are <u>available by e-mail</u>, and the Planning and Historic Preservation Commissions are convening remotely. The public is <u>encouraged to participate</u>. Find more information on our services <u>here</u>.



Executive Summary Informational Item

HEARING DATE: October 21, 2021

Project Name: Informational Hearing on Senate Bill 9 and Senate Bill 10

Case Number: 2018-016522CWP

Staff Contact: Sheila Nickolopoulos, Citywide Planning

Sheila.Nickolopoulos@sfgov.org, 628-652-7442

Kate Conner, Current Planning

Kate.Conner@sfgov.org, (628) 652-7535

Recommendation: None. Informational Item.

Introduction

In response to California's housing crisis, in recent years the State Legislature has introduced numerous bills to fund, incentivize, and legalize new housing. On September 16, 2021, Governor Newsom signed into law two notable State housing bills. SB 9 allows duplexes and lot splits for certain parcels in single family (RH-1) zoning and SB 10 allows local jurisdictions to adopt rezoning ordinances that increase density up to 10 units per parcel without CEQA review. Both bills go into effect January 1, 2022.

The following provides a summary of SB 9 and SB 10 and a preliminary analysis of what implementation may look like for San Francisco, and highlights factors that may influence the actual development of projects using SB 9, and addresses questions of financial and physical feasibility.

SB 9 Summary

Senate Bill 9 (Atkins)¹ requires ministerial approval of a housing development of two units in a single-family zone (in San Francisco, RH-1), the subdivision of an RH-1 parcel into two parcels, or both.

Definitions

A ministerial decision involves only the use of fixed standards or objective measurements, and the public official cannot use personal, subjective judgment in deciding whether or how the project should be carried out. Notably, ministerial approvals do not require review under CEQA, or require conditional use approvals that are based on subjective factors under the Planning Code.

中文詢問請電

¹ The legislative history and full text of the bill is available at https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202120220SB9

Hearing Date: October 21, 2021

An SB 9 project is a project that proposes no more than two new units, or if it that proposes to add one new unit to one existing unit.

Eligible Parcels

To be eligible for SB 9 ministerial approval, a housing development project (with or without the lot split option) must be on a parcel that meets the following requirements:

- The parcel must be located in RH-1 zoning.
- The parcel must be owner-occupied or vacant for the three years prior to the application.
- The housing development project does not require the demolition or alteration of housing subject to rent or price control. Almost all single family homes, condominiums, ADUs permitted under the State program, and units built after 1979 are not subject to rent or price controls.
- The parcel must be in urbanized areas, which is all of San Francisco.
- Only parcels 2,400 square feet and larger are eligible for the lot split option, unless a smaller size is authorized by the local agency.

Housing development projects located on parcels that meet any of the following may not be ministerially approved under SB 9:

- Parcels with housing units subject to rent control. ADUs created under San Francisco's local program and any building with 2 or more units built prior to 1979 are generally subject to rent restrictions.
- Parcel with housing units occupied by tenants in the three years prior to an application.
- Parcels that include a unit where an owner has exercised their rights under the Ellis Act in the 15 years prior to application.
- The parcel has been established through prior exercise of an urban lot split under SB 9.
- Parcels where either the owner of the parcel, or any person acting in concert with the owner, has previously subdivided an adjacent parcel using an urban lot split under SB 9.
- Any parcel located within a historic or landmark district under State law or that has been designated or listed as a landmark or historic property or district under local law.

A local agency may deny an application for a housing development under SB 9 if, based on a preponderance of the evidence, the agency finds that the housing development project would have a specific, adverse impact upon health and safety or the physical environment and there is no feasible method to satisfactorily mitigate or avoid the specific adverse impact

Regulations Applicable to Lot Splits

A city or county is required to ministerially approve a parcel map for a lot split only if the local agency determines that the parcel map meets the following requirements, in addition to the requirements for eligible parcels that apply to both the duplex and lot split provisions of SB 9:

• The parcel map subdivides an existing parcel to create no more than two new parcels of approximately equal size, provided that one parcel shall not be smaller than 40% of the lot area of the original parcel.



- CASE NO. 2018-016522CWP
- The parcel does not contain rent-restricted housing, housing where an owner has exercised their rights under the Ellis Act within the past 15 years, or has been occupied by tenants in the past three years.
- Both newly created parcels are at least 1,200 square feet, unless the city or county adopts a smaller minimum lot size by ordinance.
- The parcel has not been established through prior exercise of an urban lot split under SB 9.
- Neither the owner of the parcel, or any person acting in concert with the owner, has previously subdivided an adjacent parcel using an urban lot split under SB 9.

Development and Design

SB 9 contains a number of development standards and restrictions.

- For duplex construction, prohibits demolition of more than 25% of the exterior walls of an existing structure unless the local ordinance allows greater demolition or if the site has not been occupied by a tenant in the last three years
- Authorizes objective zoning, subdivision, and design review standards that do not conflict with SB 9, except:
 - o A local agency cannot impose objective standards that would physically preclude the construction of up to two units or that would physically preclude either of the two units from being at least 800 square feet in floor area. An agency may, however, require a setback of up to four feet from the side and rear lot lines.
 - o A city or county cannot require a setback for an existing structure or a structure constructed in the same location and to the same dimensions as the existing structure.
- Prohibits requiring more than one parking space per unit for either a proposed duplex or a proposed lot split. Prohibits a city or county from imposing any parking requirements if the parcel is located within one half mile walking distance of either a high-quality transit corridor or a major transit stop, or if there is a car share vehicle located within one block of the parcel.
- Prohibits a city or county from rejecting an application solely because it proposes adjacent or connected structures, provided the structures meet building code safety standards and are sufficient to allow separate conveyance.
- Provides that a city or county shall not be required to permit an ADU or JADU in addition to units approved under SB 9, if using both the duplex provisions and the lot split provisions within SB 9.
- Authorizes objective zoning standards, objective subdivision standards, and objective design review standards that do not conflict with SB 9. A local agency may, however, require easements for the provision of public services and facilities, or that the parcel have access to, provide access to, or adjoin the public right-of way.
- Prohibits the correction of nonconforming zoning conditions as a condition for ministerial approval of a lot split.

Development Regulations

- Requires that the rental of any unit created under SB 9 be for a term longer than 30 days.
- Requires a local government to require an applicant for an urban lot split to sign an affidavit stating that the applicant intends to occupy one of the housing units as their principal residence

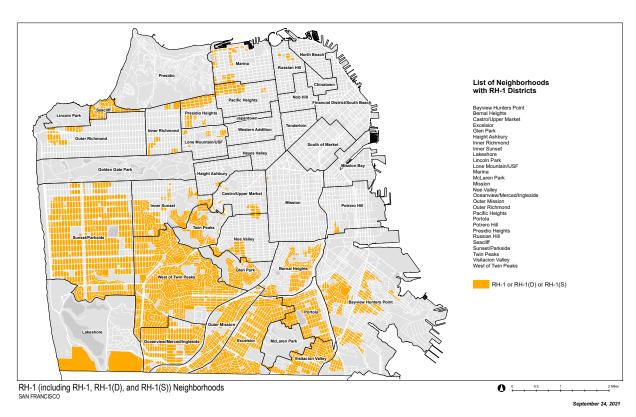


for a minimum of three years from the date of the approved lot split, unless the applicant is a community land trust, as defined, or a qualified nonprofit corporation, as defined. No additional owner occupancy standards may be imposed.

- Requires approval of a lot split if it conforms to all applicable objective requirements of the Subdivision Map Act except as otherwise expressly provided in SB 9. Prohibits local agencies from requiring dedicated rights-of-way or the construction of offsite improvements for the parcels being created, as a condition of approval.
- Provides that a local government shall not be required to permit more than two units on each parcel under the lot split provision.
- Allows a local agency to adopt an ordinance to implement the urban lot split requirements and duplex provisions, and provides that those ordinances are not a project under CEQA.
- Allows a city or county to extend the life of subdivision maps by one year, up to a total of four years.

Eligible Parcels in San Francisco

SB 9 applies to single family zoning districts. In San Francisco, these districts are RH-1, RH-1D, and RH-1S. As shown on the map below, this zoning is most prevalent in Sunset/Parkside, Twin Peaks, West of Twin Peaks, Outer Mission, Ocean View, Crocker Amazon, Excelsior, Portola, Bernal Heights, Glen Park, and Sea Cliff. There are additional pockets of RH-1 in Bayview Hunters Point, Pacific Heights, Presidio Heights, Noe Valley, Castro, and Inner Sunset. A larger version of this map is included at the end of this memo.



There are 75,258 parcels in RH-1 zoning in San Francisco. The Department estimates that approximately 50,600 parcels may be eligible for SB 9 after removing properties assumed to be ineligible for SB 9: parcels



with two or more existing units (likely renter occupied), parcels with single family homes occupied by tenants (based on ACS data), and parcels with historic resources. Of those 50,600 parcels eligible for SB 9, the Department estimates that approximately 32,600 may be eligible for the SB 9 lot split option based on a minimum lot size of 2,400 square feet.

Note: There may be double counting of either tenant-occupied homes, historic resources, or lots smaller than 2,400 square feet. These calculations are intended to provide a rough approximation of magnitude of the number of parcels that may be eligible for SB 9 development, not a precise count.

Total parcels in RH-1, RH-1D, and RH-1S	75,258
Less parcels with two or more units	-3,565
Total parcels with single family homes in RH-1, RH-1D, and RH-1S	71,693
Less tenant occupied single family homes	-15,179
Less identified Historic Resources	-5,835
Approximate total SB 9 eligible parcels	50,679
Total RH-1 parcels ineligible for lot split	18,107
Approximate total eligible for SB 9 lot split	32,694

SB 9 Development Scenarios

As a statewide bill, SB 9 is likely more useful in typical single family zoning districts in jurisdictions with larger lots, and generous rear and side setbacks. In these communities, lot splits and adding new structures may be more practical than in an urban environment. In San Francisco, SB 9 implementation presents unique challenges.

There are two primary paths for site development under SB 9. The first is development without a lot split. Parcels must meet all the eligibility criteria above. Development of the parcel without a lot split may retain the existing home and convert it to a duplex or may demolish the existing home and construct a new duplex. Parcels of any size are eligible for SB 9 development without a lot split, and a local agency must allow each unit to be at least 800 square feet. The second path is development with a lot split. Only parcels 2,400 square feet and larger are eligible for the lot split, unless the local agency adopts a lower threshold. In either path, both demolition and construction permits for eligible development projects will be ministerial.

SB 9 and Accessory Dwelling Units: While current law generally provides for the creation of accessory dwelling units (ADUs) by ministerial approval, SB 9 creates two exceptions to this requirement. A local agency is not required to allow more than two units of any kind on a parcel created through a lot split, including ADUs, and is not required to permit ADUs on parcels that use both the lot split and the two-unit per lot provision. Local policymakers have the discretion to allow or prohibit ADUs as part of SB 9 lot split projects.

If an ADU is included in an SB 9 project, it could be an attached or detached (rear yard) ADU. A duplex would produce a net gain of one unit, and a duplex with an ADU would be a net gain of two units.

Although junior ADUs can be incorporated in SB 9 projects, San Francisco can require local codecompliance for some state-mandated ADUs: any scenario involving junior ADUs would require that all

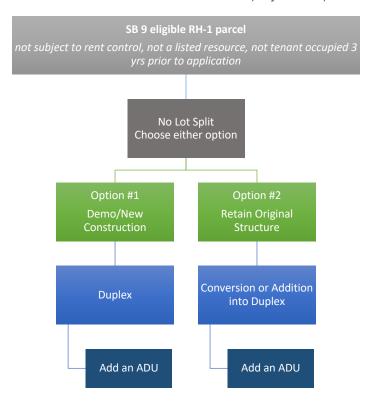


units have code-compliant exposure, open space, etc. without an ability for a waiver. Due to the code compliance requirement, it is incredibly unlikely that a junior ADU would be possible in addition to either a detached or attached ADU.

A new unit classified as an ADU must be deeded to a primary unit and could not be sold as a stand-alone unit (i.e. as a condominium). Duplex units approved under SB 9 could be sold independently (i.e. as condominiums).

Scenario 1: SB 9 Parcel Development Scenarios for projects that do not use the lot split provision

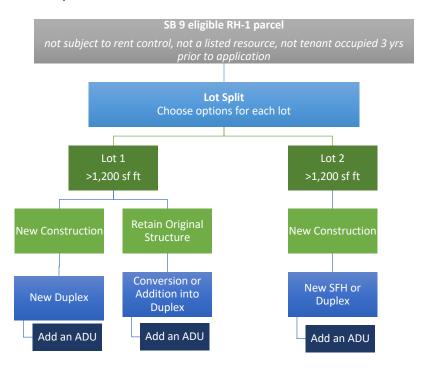
Without the lot split provision, an SB 9 project could either demolish an existing single family house and construct a new duplex, or convert the existing single family structure into a duplex. This type of project does not require owner occupancy (unlike those also pursuing a lot split). Neither unit would be subject to rent control, and the units could be sold as condominiums at project completion.



Scenario 2: SB 9 Parcel Development Scenarios for projects that also use the lot split provision

The second path for SB 9 development is to split a single-family lot into two lots. Both lots must be at least 1,200 square feet, unless smaller lots are allowed by a local ordinance. Neither lot can be more than 60% of the size of the original lot. This type of project requires owner occupancy of one of the units for three years after approval of the lot split. None of the units created on a parcel that was split would be subject to rent control, and the units could be sold as condominiums at project completion.





SB 9 and Planning Code Regulations

Generally, Planning Code requirements will apply to SB 9 projects with three key exceptions: (1) the City cannot impose objective zoning standards, objective subdivision standards, and objective design standards that would physically preclude the construction of up to two units or that would physically preclude either of the two units from being at least 800 square feet in floor area; (2) the City cannot require, as a condition for ministerial approval of a parcel map application for a lot split, the correction of nonconforming zoning conditions; and (3) the permitting process must be ministerial.

These exceptions have the following implications:

- Since SB 9 projects will be processed ministerially, conditional use authorization for demolition under Planning Code Section 317 will not be required, and may not receive notice under Section 311. Since these projects must be approved ministerially, they would not be reviewed under the California Environmental Quality Act (CEQA).
- SB 9 prohibits local objective standards that preclude two units of at least 800 square feet. In most cases, the allowable building envelope for a new structure should be able to accommodate two units of 800 square feet and meet objective Planning Code requirements including rear yard, open space, and exposure.
- The Planning Code requires that the rear yard be located adjacent to the rear lot line. In the case of a lot split, this creates a scenario in which the rear yards of each property cannot be adjacent to each other, when a middle yard may provide better light and usability.
- SB 9 does not require minimum or maximum unit sizes, nor does it require unit size parity (e.g., that units be similar in size). It is possible that without local legislation, a duplex could be constructed within the allowable building envelope with one unit considerably larger than the



- other unit. This could provide a ministerial path to produce very large single family homes with nominally small second units unlikely to be rented or sold separately from the larger home.
- SB-9 permits ADUs in conjunction with duplex development, but allows local jurisdictions the discretion to approve ADUs in conjunction with a lot split. Although it is possible to allow two ADUs under SB 9 requirements for both lot splits and two unit per lot, one of those ADUs would be a junior ADU. Junior ADUs are unlikely to be developed in an SB 9 project in San Francisco because they must be Code compliant. Given prevalent lot sizes and development patterns in San Francisco, it is realistic to assume that one ADU may be constructed in addition to a duplex.

Considerations for Implementation

Eligibility for SB 9 and financial and physical feasibility may look radically different. The number of eligible parcels that become SB 9 projects in coming years will depend on a host of factors, including if SB 9 development of a parcel can comply with Building and Fire Code regulations, how to design for a lot split, and if SB 9 development would be financially feasible. For lot split projects, there are practical considerations for the owner as well, because owner occupancy is a requirement of lot splits. These considerations are discussed below.

1. Building and Fire Code Considerations

Any SB 9 development would be subject to existing Building and Fire Codes. Important safety considerations include the following.

- In the case of an SB 9 lot split that results in a rear lot, physical access to a rear lot can be granted with an easement through the front lot. (An easement is the right for someone to use property that belongs to someone else and is recorded on the property title.) This can be an open-air easement, such as a walkway next to a detached building. It could also be an easement through a front building, but this type of interior passageway must meet fire safety ratings. A physical access easement must be a minimum of three feet wide but is generally five feet wide.
- Utility connections to a rear lot, such as sewer and water, must connect to the street; they cannot connect to the utilities of the front lot. In the case of a rear lot, a utility easement may be necessary.
- Sprinkler systems may be required for new buildings, or for enclosed passageways through a front lot to the rear lot. Sprinkler systems have specific water pressure requirements and some domestic water lines may not be adequate.
- ADA design requirements may apply, depending on the number of units.
- For existing structures, PG&E meters must be located facing the street and each lot would need separate meters. As gas is not necessary for new construction (per the <u>All Electric Buildings for New Construction</u> Ordinance) only electrical meters would be needed.

2. Design Considerations

The standard residential lot in western San Francisco is 25 feet wide and 120 feet deep, with the home sited at the front of the lot with a front setback ranging from zero to 15 feet. Detached single family home neighborhoods generally have larger lots and larger homes, such as St. Francis Woods, with homes commonly situated in the center of the parcel.



RH-1 Current Regulations

San Francisco has three types of single-family zoning: RH-1 is the most common, RH-1(D) includes larger lots with detached homes, and RH-1(S) applies to approximately 60 parcels that are zoned for single family homes with a minor second unit. The height limit for all RH-1 zoning is 35 feet. Front setbacks may be required, and rear yards must be 30% of the lot depth, or no less than 15 feet. All RH zoning is subject to the Residential Design Guidelines.

RH-1 Changes for SB 9 Projects

Local jurisdictions can impose objective design standards that don't conflict with the law, and they cannot impose standards that would either physically preclude building two units or that would create a minimum unit size of less than 800 square feet in either the full lot or lot split options.

Because SB 9 projects must be processed ministerially, they will not be required to meet subjective design standards, which include the subjective standards in the Residential Design Guidelines. Zoning standards, such as setbacks and rear yard requirements, cannot be imposed if they would have the effect of physically precluding the construction of up to two units, or prevent either of the two units from being at least 800 square feet in floor area. SB 9 mandates that no setback shall be required for an existing structure or a replacement structure in the same location and to the same dimensions as an existing structure. SB 9 does grant a local agency the ability to require a setback of up to four feet from the side and rear lot lines in the case of a lot split.

The implementation of SB 9 in San Francisco could produce dozens of development scenarios that mix and match original and/or new structures with vertical and/or horizontal expansions and/or construction of a new independent structure, depending on the practical considerations discussed in the next section. The Planning Department is in the process of drafting example development scenarios to illustrate possible SB 9 project design.

3. Practical Considerations

What actually spurs a private property owner or a real estate developer to develop a housing project using SB 9 will depend on personal considerations, site feasibility, and return on investment. The design, permitting, and construction process requires considerable investments of time and money, which may not be available or of interest to many owners. The potential challenges of rear lot construction when retaining a front building, will be relatively new to San Francisco and may necessitate new construction management strategies. Permanent easements, especially through the interior of existing building, may deter many owners from pursuing a lot split, as the easement would remove the physical autonomy of a single family home and could easily require significant changes to the ground floor of the property. Notably, many single family home owners bought their homes so that they would not have to share their building and lot with others; they will have no interest in relinquishing control of a major part of their property, being part of an home owners association, having tenants, or in permanently diminishing their yard, personal open space, privacy, or separation from other buildings.

For a property owner considering a lot split, they will be required to reside on the property for three years following the approval of the lot split. Owners could complete the lot split and sell the undeveloped lot, or



they could develop the rear lot and sell or rent the completed units. The latter would take considerable capital investment. For some owners, the opportunity to liquidate some equity by selling half their parcel may be appealing. Splitting the lot and selling the newly created lot offers a sizable one-time payment without having to leave their home, but the owner would have to first fund and complete the lot-split process (~12 months), then may need to consider relocating during rear lot construction (12-24 months), and then fulfill three years residency obligation. Start to finish, this is potentially a four-year commitment. Pursuing this option will likely only appeal to owners with deep attachment and roots to their current home and the financial motivation to generate revenue from their property.

The SB 9 path without lot split may be the more common choice. An owner could pursue duplex conversion, although this kind of project is costly—the Department estimates that duplex conversion would cost a minimum several hundred thousand dollars and could require relocation during construction, which could take up to 24 months. An owner could also sell their single family home to a small-scale developer with the experience and capital to produce a duplex that could then be sold as condominiums. For a developer, the ability to have a project approved ministerially under SB 9 may be enough incentive to add a second (non-ADU) unit to a single family home rehabilitation. A forthcoming financial analysis will look at the financial incentives of producing an SB 9 duplex compared to producing a renovated single family home.

4. Financial Considerations

Local market prices and development costs play a large role in determining where there is financial viability for the addition of new homes. An analysis by the Terner Center for Housing Innovation at UC Berkeley² concluded that SB 9's primary impact will be to unlock incrementally more units on parcels that are already financially feasible under existing law, typically through the simple subdivision of an existing structure. Relatively few new single-family parcels are expected to become financially feasible for added units as a direct consequence of SB 9.

To assess the financial viability of SB 9 development scenarios, the Planning Department is in the process of conducting a financial analysis, which will consider land value, existing home value, construction costs, property tax implications for existing owners, and potential sale price. This analysis should be available in late October 2021.

Racial and Social Equity Analysis

Understanding the benefits, burdens, and opportunities to advance racial and social equity of land use policies is part of the Department's Racial and Social Equity Action Plan. This is also consistent with the Commissions' 2020 Equity Resolutions, the Mayor's Citywide Strategic Initiatives for equity and accountability, and the Office of Racial Equity's mandates, which require all Departments to address racial equity internally and externally through our programs and services.

SB 9 applies to large swaths of San Francisco, impacting neighborhoods and individual owners. The State's mandate to decrease the constraints of single family zoning are motivated by an ongoing housing deficit, the need for a diversity of housing types, and desire to provide housing in existing communities

² https://ternercenter.berkeley.edu/wp-content/uploads/2021/07/SB-9-Brief-July-2021-Final.pdf



close to jobs, schools, and community amenities. In San Francisco, single family zoning applies to neighborhoods that include the full range of high, middle, moderate, and low-income households and the market value of homes in RH-1 vary dramatically, although the median price for a single family home is an expensive \$1.85 million. To better understand the complex dynamics of how SB 9 may impact low-income households, vulnerable populations, and communities of color, it is critical to understand the racialized history of San Francisco, apparent in the existing geographic disparities; the requirements in the bill that seek to protect existing residents, primarily tenants; and local opportunities for wealth-building, especially for Black and American Indian households. Note that a forthcoming financial analysis will look at the development costs of likely SB 9 housing types and provide additional data on impacts to different types of potential applicants and residents.

The Racialized History of Single Family Zoning in Context

Single family zoning is one of a number of policies and practices that have limited access to housing for low- and moderate-income people and people of color. San Francisco adopted its first zoning ordinance in 1921 and established Residential Zone 1 to cover existing neighborhoods that had been built as single family homes. In 1944, the Board of Supervisors, on recommendation from the Planning Commission, voted to rezone the Sunset District to Residential Zone 1 from Residential Zone 2, which allowed multifamily housing. The rezoning report focused on the concern that "rental structures and certain other types of property uses may enter and, like an infection, destroy the pleasant, home-like quality of the neighborhood." This language illustrates the intent to exclude renters and other lower income people with the zoning change.

Single family zoning combined with discriminatory home lending, redlining, racial covenants, other forms of institutional racism in the real estate industry, and housing policies that limited housing access for non-white households and lower income people. In many single family housing developments built from the early 20th Century onward, racial covenants and lending discrimination precluded people of color from owning homes. Even in areas where people of color were able to buy property, lending discrimination made purchase and maintenance much more difficult than for white people. For example, the in southeast San Francisco, neighborhoods zoned RH-1 were redlined through federal and local policy more than 80 years ago based on the racial and ethnic diversity of the population as well as proximity to industrial and multifamily uses. Today, these neighborhoods remain mostly people of color and disproportionately low-income despite being zoned for single family homes. As racial covenants became illegal, more people of color, particularly Asian Americans, have purchased homes in RH-1 neighborhoods around the city, including the previously racially restricted West Side.

While RH-1 areas of San Francisco have become racially diverse, they continue to offer limited housing options for a range of incomes and household types. The City's policy to protect single family zoning remained in place until very recently. Until 2014, San Francisco's policy was to remove illegal secondary units that exceeded zoned density. Then, in 2016, ADUs were permitted citywide, marking a significant reversal in longstanding policy.

³ "San Francisco City Planning Commission – 1944 – Rezoning the Sunset District. Master Plan Report No.3", April 20, 1944.



Single family zoning was designed to exclude lower income populations, who have been and continue to be Black, American Indian, and other communities of color. It was designed to offer wealth building opportunities to middle class, predominantly white, populations. SB 9, like ADUs, is one additional tool to help open these neighborhoods, in San Francisco and throughout the State, to new residents. SB 9 can help diversify the housing types available in neighborhoods that have been exclusively single family homes, which are financially out of reach for many. SB 9 includes some protections for current equity populations, however additional programs, measures, and investments are still needed to ensure people explicitly harmed by exclusionary zoning can benefit from these changes.

SB 9 by Neighborhoods

The following table describes the income and racial and ethnic diversity of the neighborhoods with the largest concentrations of parcels eligible for SB 9, as well as the percentages of eligible parcels that are owner occupied, and the percent of total eligible parcels that are in each neighborhood. Neighborhoods with smaller pockets of RH-1 (which account for 9% of parcels eligible for SB 9) are omitted. Of neighborhoods that are predominantly RH-1, those where a majority of residents are white account for less than 30% of parcels eligible for SB 9.

RH-1 Neighborhood Demographics

	Median Household Income	Percent SFH Owner Occupied	% Asian	% AA	% Latinx	% White	% of eligible SB 9 parcels in this neighborhood
Bayview Hunters Point	\$64,265	73%	39%	26%	23%	12%	6%
Bernal Heights	\$139,519	83%	18%	4%	26%	57%	5%
Excelsior	\$90,221	76%	50%	2%	32%	24%	11%
Glen Park	\$169,600	79%	17%	7%	12%	64%	2%
Ocean View/ Ingleside/ Merced	\$88,698	74%	58%	11%	15%	18%	8%
Outer Mission	\$98,169	75%	55%	2%	29%	23%	7%
Portola	\$90,370	78%	55%	5%	24%	20%	5%
Sea Cliff	\$173,093	88%	18%	0%	4%	72%	1%
Sunset/Parkside	\$113,378	80%	54%	2%	7%	35%	27%
Visitation Valley	\$71,387	70%	54%	12%	24%	12%	4%
West of Twin Peaks	\$164,651	86%	34%	2%	10%	54%	15%

Data Source: 2015-2019 ACS

Of the estimated 50,801 parcels eligible for SB 9, 54% (27,270) are in High Opportunity Areas⁴ (State of California Tax Credit Allocation Committee) while 41% (20,251) are in Areas of Vulnerability⁵ (San Francisco Department of Public Health). While geographies give the Department some information about

⁵ Areas of Vulnerability have a higher density of vulnerable populations as defined by the San Francisco Department of Health (<u>Areas of Vulnerability map</u>), including but not limited to people of color, seniors, youth, people with disabilities, linguistically isolated households, and people living in poverty or unemployed.



⁴ High Opportunity Areas are defined as "High Resource/Highest Resource" by the <u>California Fair Housing Task Force</u>. The Task Force identified every region of the state whose characteristics have been shown by research to support positive economic, educational, and health outcomes for low-income families—particularly long-term outcomes for children.

vulnerable or segregated populations,⁶ even within these areas there are households that do not fit the larger arc of such designations and 5% of the city fits within neither zone.

	Total	High Opportunity Areas	Areas of Vulnerability
Total parcels with single family homes in RH-1, RH-1D, and RH-1S	71,693	40,306	28,188
Less tenant occupied single family homes in RH-1, RH-1D, and RH-1S	-15,179	-7,411	-7,222
Less Identified Historic Resources	-6,104	-5,625	-445
Approximate Total SB 9 Eligible Parcels:	50,801	27,270	20,521
Total RH-1 parcels ineligible for lot split	18,107	6,520	7,336
Approximate Total eligible for SB 9 lot split	32,694	20,750	13,185

SB 9 Protections for Tenants at Risk of Displacement

The bill includes several measures to protect current residents against displacement and development speculation:

- Any parcel with a rent-controlled unit is ineligible for SB 9
- Any parcel with a tenant three years prior to application is ineligible for SB 9
- Any parcel that has been subject to the Ellis Act in the 15 years prior to application is ineligible

In the coming months, the Planning Department will work closely with other agencies, such as the Rent Board, to develop the protocols to ensure that these protections are enforced in the application and review of SB 9 proposed projects. This will include requiring documentation to verify owner occupancy and confirming lack of tenancy with the Rent Board, via voter rolls ,and other available information.

Increasing Opportunities for Housing Choices for Low-income and Households of Color

SB 9 has the potential to increase housing choice and opportunity in neighborhoods in the city that have good resources. Duplex units will likely cost less than single family homes and may be affordable to middle-class families (120%-200% Area Median Income (AMI)), a segment of the market that can typically access rental units but have significant barriers to home ownership that meets their needs. Units in small multi-family buildings will almost always be more affordable for renters and homebuyers than renting or purchasing a single family home of similar square footage in the same neighborhood *anywhere* in the city. For middle-income households, a unit in a two- or three-unit building could be financially and practically preferable to leaving San Francisco for a single-family home outside of the city. And increasing stock, although reliant on a market process, could make it more feasible for wealth building for and inclusion of households of color in areas previously out of financial reach and with histories of exclusionary practices. Few housing products, including affordable housing, currently meet the needs of this income level. Since

⁶ The Urban Displacement Project map of San Francisco shows a more nuanced picture of where residents are at risk of displacement. https://www.urbandisplacement.org/map/sf



SB 9 does not produce below-market-rate (BMR) units, without a substantial increase in supply, it will not realistically assist moderate, low, or extremely low income households (below 120% AMI) obtain housing.

Many areas of the city with lower land values, high percentages of households of color, and/or with lower outcomes in health, wealth, and life expectancy also have high rates of owner-occupied single family housing, for example, the Bayview (73%), Visitation Valley (70%), and Outer Mission (75%). SB 9 may offer these homeowners the opportunity to add units for extended families or to generate rental income, or gain wealth through lot splits. However, there are significant hurdles to realize these gains. Acquiring financing for project development, navigating a complex permitting process, and having the resiliency to manage the significant disruption and take financial risks of construction are major barriers facing existing homeowners in communities of color and low-income communities. Without City investment in programs that support owner-occupied development, such as construction loans or funding prioritized for owners of color or low-income owners, the more straightforward option would be for existing owners to sell their property, or "cash out," and leave San Francisco for areas with lower home costs. While the bill includes a provision that the applicant of an SB 9 lot split is required to occupy one of the housing units as their principal residence for a minimum of three years from the date of the lot split approval, it does not apply to SB 9 project without the lot split. And while selling may financially benefit an individual household, this practice has been incrementally devastating to communities of color, Cultural Districts, and areas of the city where residents have a common sense of cultural identity, and a historic and major loss to San Francisco as a whole.

Additional Considerations

Beyond the issues addressed above, there are unintended consequences for any legislation and these conditions can be difficult to study and anticipate. Some property owners or developers may use SB 9 to streamline the redevelopment of smaller, existing homes into larger, more expensive single family homes with a small additional unit that may never be rented, undermining the intent of creating more housing stock. Renters are protected by SB 9, but may be vulnerable to unscrupulous landlords due to a variety of circumstances, like being undocumented, in a dire financial state, or otherwise exploited. While the city must implement projects that meet the requirements of SB 9, and other state requirements such as SB 330, the Housing Accountability Act, and others, it may also consider allowable measures to tailor SB 9 through local implementation such as creating owner-occupied development programs that prioritize households of color and low income households, unit parity requirements that balance housing unit size, or others new programs.

SB 10 Summary

Senate Bill 10 (Wiener)⁷ authorizes a local government to adopt an ordinance to zone any parcel for up to 10 units of residential density per parcel, at a height specified in the ordinance if the parcel is located in a transit-rich area or an urban infill site. Specifically, this bill:

⁷ The legislative history and full text of the bill is available at https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202120220SB10



Hearing Date: October 21, 2021

- Authorizes the passage of a local ordinance to zone any parcel for up to 10 units of residential density, at a height specified by the ordinance, if the parcel is located in a transit-rich area or an urban infill site. All of San Francisco qualifies as urban infill.
- Ordinances adopted under SB 10 are not considered a project for purposes of CEQA.
- Requires a local ordinance to include the following:
 - o A declaration that the zoning is adopted pursuant to SB 10.
 - o A clear demarcation of the areas that are zoned.
 - o A finding that the increased density is consistent with the city's obligation to affirmatively further fair housing
 - o If the ordinance supersedes any zoning restriction established by a local initiative, the ordinance shall only take effect if adopted by a 2/3 vote of the members of the legislative body.
- Prohibits, notwithstanding any other law permitting ministerial or by right approval of a development project, or any other CEQA exemption, a project of more than 10 units from receiving ministerial or by right approval if it uses the provisions of this bill.
 - o The creation of up to two ADUs or JADUs shall not count towards the total number of units when determining whether the project may be approved ministerially or by right.
 - o A project may not be divided into smaller projects in order to exclude the project from this prohibition.
- Excludes parcels located in designated publicly owned parks and open space.
- Prohibits a local government from subsequently reducing the density of any parcels subject to an ordinance adopted pursuant to SB 10.
- Provides that SB 10 shall not apply to a project located on a parcel or parcels that are zoned pursuant to an ordinance adopted under SB 10, then subsequently rezoned without regard to SB 10.
- Prohibits an ordinance adopted pursuant to SB 10 from reducing the density of any parcel subject to the ordinance.
- Includes a sunset of January 1, 2029, and authorizes an ordinance adopted pursuant to SB 10 to extend beyond January 1, 2029.

What SB 10 means for San Francisco

Housing Element EIR: SB 10 does not exempt Housing Element Updates from CEQA review. The adoption of the Housing Element Update would not, in and of itself, authorize any changes to zoning or other land use regulations or approve any development projects. The EIR will identify the reasonably foreseeable impacts of future actions that would implement the goals, policies, and actions of the proposed housing element update. The EIR will evaluate the potential physical environmental impacts that could result from future actions that would implement the goals, policies, and actions proposed under the housing element update at a programmatic level. If adopted, the Planning Department intends to use the Housing Element Update EIR to streamline the CEQA environmental review process for future activities that are consistent with and that would implement the policies of the updated housing element following its adoption. Such activities could include legislation to enact changes in zoning and other land use regulations as well as approval actions for individual development projects.



Hearing Date: October 21, 2021

Future Density Increases: SB 10 may be used by the Board of Supervisors for any future changes to zoning maps to increase density to up to 10 units per parcel. Any individual project proposed under the new zoning would need CEQA.

Future Actions

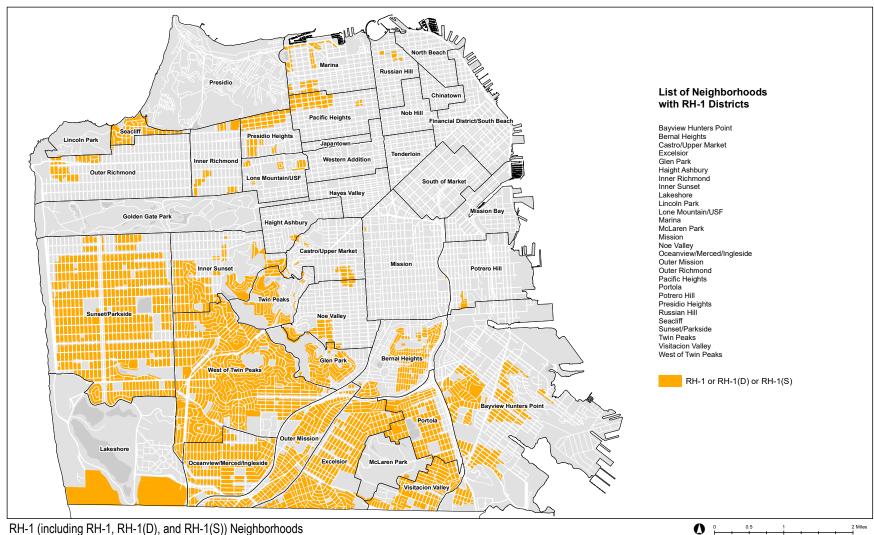
Designing the Implementation Process: In the coming months, the Planning Department will convene City agencies to develop a process for implementation of SB 9. Public Works' Mapping Division, DBI, the Fire Department, and the SFPUC will all be involved in developing a review and permitting process that is clear and predictable for applicants and is consistent with existing processes. The Planning Department will produce FAQs, intake forms, and a website for prospective project applicants.

This implementation process will include establishing a protocol to verify owner occupancy and review any tenant history, which would include Rent Board records, voter rolls, and identifying any other resources that can ensure that proposed SB 9 projects comply with all requirements.

<u>Local Discretion</u>: The framework of SB 9 leaves some local discretion to tailor implementation in several areas. The following are considerations for policymakers.

- Under the two-units per parcel provisions of SB 9, a local agency cannot impose objective standards that would physically preclude the construction of up to two units or that would physically preclude either of the two units from being at least 800 square feet in floor area. But if that minimum size threshold is met, there is latitude for a local jurisdiction to implement standards to control larger units that exceed this threshold. This may include rules regarding the siting and massing of any additional structure(s) on a parcel, requirements for unit size parity to limit use of SB9 to create "monster" homes with small secondary units, open space minimums, an/or design standards.
- While current law generally provides for the creation of certain accessory dwelling units (ADUs) by ministerial approval, SB 9 creates two exceptions to this requirement. A local agency is not required to allow more than two units of any kind on a parcel created through an lot split, including ADUs, and is not required to permit ADUs on parcels that use both the lot split and the two-unit provision. Local policymakers have the discretion to allow or prohibit ADUs as part of SB 9 lot-split projects.
- SB 9 grants local jurisdictions the authority to mandate rear and side setbacks of up to four feet. Without this requirement in place, a project could build to the lot line in certain districts.
- SB 9 also grants local jurisdictions the authority to allow lot splits that would result in lots smaller than 1,200 square feet. This would expand the number of parcels in San Francisco that could use SB 9.





RH-1 (including RH-1, RH-1(D), and RH-1(S)) Neighborhoods SAN FRANCISCO

September 24, 2021

Cc: Merlone, Audrey (CPC); Feliciano, Josephine (CPC)

Subject: FW: Scopo Divino

Date: Friday, October 15, 2021 9:15:58 AM

Commission Affairs

San Francisco Planning
49 South Van Ness Avenue, Suite 1400, San Francisco, CA 94103

Direct: 628.652.7600 | www.sfplanning.org San Francisco Property Information Map

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From: David Carnevale <sdc0@yahoo.com> Sent: Thursday, October 14, 2021 11:51 AM

To: CPC-Commissions Secretary < commissions.secretary@sfgov.org>

Subject: Scopo Divino

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

I'd like the city to be easier on small businesses like Scopo Divino to survive here. I don't see any issue with a business having both signs and awnings, It's good for identification, ascetics and most importantly supports outdoor dining. This address has had a sign and awning for over 20 years. Please permit them to continue with this set up.

Thank you -David 408-605-4411

Cc: Merlone, Audrey (CPC); Feliciano, Josephine (CPC)

Subject: FW: Signage and Awnings

Date: Friday, October 15, 2021 9:15:35 AM

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----Original Message-----

From: Phil <pschlecht@earthlink.net>
Sent: Thursday, October 14, 2021 12:18 PM

To: CPC-Commissions Secretary < commissions.secretary@sfgov.org>

Subject: Signage and Awnings

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

To whom it may concern —

I am a minor investor in the wine bar known as Scopo Divino on California Street. Proprietor Tim Hayman has just advised us of the situation regarding the matter of signs and awnings, an arbitrary regulation among too many to count that hamper small businesses in the city. Please add my voice to those in support of eliminating this reg. Mister Hayman and Scopo Divino have suffered enough this past year and a half.

Sincerely,

Philip Schlecht Boyes Hot Springs

Cc: Merlone, Audrey (CPC); Feliciano, Josephine (CPC)

Subject: FW: Regarding Signs & Awnings

Date: Friday, October 15, 2021 9:15:05 AM

Commission Affairs

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From: Tim Hayman <someguy@thebayou.net> Sent: Thursday, October 14, 2021 12:51 PM

To: CPC-Commissions Secretary < commissions.secretary@sfgov.org>

Subject: Regarding Signs & Awnings

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

Good afternoon,

I understand you are reviewing the plan to amend the ordinances to allow small businesses to display signs & awnings today. I own a business and will call in to represent the opinion from that perspective. I also wanted to write in as a lifetime resident of this city.

Like many that live here, I am in mourning of how much we have lost over the past few years here. It seems every day we hear of yet another wonderful small family run business is giving up and closing. Whether from the inordinately difficult conditions put on them by the pandemic, the brutal lack of business it has caused, or the city continuing to make life hard on them when it comes to surviving, it is with great sadness that I walk down so many streets that are now half-empty of the vibrant businesses that made this city special. I have never had issue with the ways the businesses here promote themselves. If anything I greet signage to help me find the places I want to go. The holes in the wall, the true best gems of this city, will have a hard time surviving if they can't be found. I have dozens of favorites, and many that are sadly now gone. Please San Francisco, do whatever you can do to make it easier for them to stay. If it means changing this old law that most people were completely unaware of and honestly are surprised exists, then please do so. Our businesses need our help.

Thank you for doing the right thing today. I hope to find many new shops and restaurants in the years to come, and will count on what you do today to help make this city special once again.

Tim Hayman 825 Portola Drive San Francisco, CA 94127

Cc: Haddadan, Kimia (CPC); Feliciano, Josephine (CPC)

Subject: FW: Housing Element - reality

Date: Friday, October 15, 2021 9:13:44 AM

Commission Affairs San Francisco Planning 49 South Van Ness Avenue, Suite 1400, San Francisco, CA 94103

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----Original Message-----

From: Aaron Goodman <amgodman@yahoo.com>

Sent: Friday, October 15, 2021 7:36 AM

To: CPC-Commissions Secretary < commissions.secretary@sfgov.org>

Subject: Housing Element - reality

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

You won't be able to build ourselves the density in time and carbon impacts are increasing due to lacking transit and infrastructural needs for all the density.

So why not look more seriously at a buy-back of housing as part of the housing element.

Buy back larger sites and hold in the SFCLT in perpetuity for essential housing needs.

Start with parkmerced and stonestown apartments. Require SFSU to sell it back as the amount of rvs along Holloway and lakeshore show clearly students cannot afford the now unregulated apartments former rent controlled ones!

Parkmerced has yet to sink a real shovel into dirt and regardless of approvals you can either go forward later on redevelopment project or edit with some smaller intervention scaled density to propel it forward why looking closely at affordability and senior student housing needs and workforce housing lacking in Sf...

Transit is lagging and unless serious money is found to address the density the ongoing flip of rent controlled housing to private hands be it hope Sf or rad or any other concoction of solutions ignores the premis of having social housing blocks held in trust for the people...

A housing bank focused on the purchase of larger properties from flipping real estate interests is what is needed, a bank whose focus is the essential need of housing and not the banking greed of flipping properties or selling them post entitlements and sitting on them over 10 years

Aaron Goodman D11

Sent from my iPhone

Cc: Merlone, Audrey (CPC); Feliciano, Josephine (CPC)

Subject: FW: SCOPO DIVINO RESTAURANT

Date: Friday, October 15, 2021 9:13:13 AM

Commission Affairs San Francisco Planning 49 South Van Ness Avenue, Suite 1400, San Francisco, CA 94103

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----Original Message-----

From: Judith Tegland <purplepapagayo@yahoo.com>

Sent: Thursday, October 14, 2021 4:45 PM

To: CPC-Commissions Secretary < commissions.secretary@sfgov.org>

Subject: SCOPO DIVINO RESTAURANT

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

To: Commissioners From: Judith Tegland

Please be kind to small businesses in San Francisco! They have suffered so much in the last two years. The wonderful restaurant and wine bar, Scopo Divino needs its SIGN as well as its AWNING. Please do not cause unnecessary financial hardship and grief to one of our Cities nicest neighborhood establishments. Small businesses in our city need your support now more than ever.

Thank you for your continued support and attention to this matter.

Respectfully,

Judith Tegland

Sent from my iPhone

Cc: Merlone, Audrey (CPC); Feliciano, Josephine (CPC)

Subject: FW: Planning Code - Business Signs on Awnings and Marquees

Date: Friday, October 15, 2021 9:11:24 AM

Commission Affairs
San Francisco Planning
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----Original Message-----

From: Cynthia Gissler <cgissler@testlabs.com> Sent: Thursday, October 14, 2021 3:48 PM

To: CPC-Commissions Secretary < commissions.secretary@sfgov.org > Subject: Planning Code - Business Signs on Awnings and Marquees

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

Dear Planning Commission.

I support the proposed ordinance which would change business signage to allow a business' name to be shown on both its awning and marquee promoting the business with its name. Small businesses are essential to our City and these signs help communicate the business to customers. This ordnance streamlines what has been practiced by many small businesses to date.

Thank you for your attention to this issue.

My Best,

Cynthia Gissler

resident of San Francisco for over 40 decades Volunteer for Cow Hollow Association Volunteer for NAPP Volunteer for People for the Parks/Presidio

Cc: Agnihotri, Kalyani (CPC); Feliciano, Josephine (CPC)

Subject: FW: STRONG OPPOSITION TO C.U.P. FOR CANNABIS LOCATION @3415 CALIFORNIA ST.

Date: Friday, October 15, 2021 9:11:01 AM

Attachments: notice of public hearing for conditional Use Cannabis retail.pdf

Importance: High

Commission Affairs

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Direct: 628.652.7600 | www.sfplanning.org San Francisco Property Information Map

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From: Karen Epstein < Karen@leoepp.com> Sent: Thursday, October 14, 2021 2:42 PM

To: CPC-Commissions Secretary < commissions.secretary@sfgov.org>

Cc: Melissa Desuasido < Melissa. Desuasido @ RADNET. COM >

Subject: STRONG OPPOSITION TO C.U.P. FOR CANNABIS LOCATION @3415 CALIFORNIA ST.

Importance: High

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

RE: Objection to Conditional Use Authorization for Cannabis Retail Store @ 3415 California Street

Dear Planning Commission:

This email shall serve as our formal opposition to granting a CU authorization for a cannabis retail store in our neighborhood of Laurel Heights.

As the landlord of 3440-3450 California Street, a 2 story office building directly across the street from this proposed retail use, we are vehemently opposed to permitting a cannabis retail store to open across the street from our building. We firmly believe that this type of use would severely negatively impact Laurel Village shopping center and the surrounding residential, retail and office buildings. Our ground floor tenant is a medical facility and they cannot permit smoking of any kind in or around their facility. Our building is a smoke free building. We believe that this type of use will draw undesirable foot traffic to this upscale neighborhood. Furthermore, having a cannabis retail store will invite individuals that smoke marijuana to frequent this proposed retail store and

consequently increase the likelihood that marijuana smokers will be smoking in our immediate vicinity. We do not want to be subjected to policing another problem that could easily be avoided. Please understand that we have a enough difficultly with the unsafe and hazardous issues that are brought on by homeless people littering, loitering and illegally camping in the neighborhood. Permitting a cannabis retail store to open will simply further exasperate the ongoing problematic issues that are now on the rise.

We therefore respectfully request that you deny this cannabis retail use in our neighborhood.

Thank you.

Karen Epstein

ISACKSON INVESTMENT COMPANY
1220 Howard Avenue, Suite 216

Burlingame, CA 94010
415.982.1935 P
415.882.9454 F





NOTICE OF PUBLIC HEARING

Hearing Date: THURSDAY, OCTOBER 28, 2021

Time: Not before 1:00 PM

Location: Visit sfplanning.org/remotehearings for details

Case Type: Conditional Use

Hearing Body: Planning Commission

PROJECT INFORMATION

Project Address: 3415 California ST

Cross Streets: Laurel and Spruce Streets

Block / Lot No.: 1034 / 002
Zoning District(s): NC-S

Area Plan: None

Record No.: 2021-004963CUA

APPLICANT INFORMATION

Applicant: Robert Divito
Company: Element 7

Address: 690 Market Street #701 City, State: San Francisco, CA 94104

Telephone: 415-418-8721
Email: robert@e7ca.com

PROJECT DESCRIPTION

The proposal is for a Conditional Use Authorization, pursuant to Planning Code Section 713, 202.2(a) and 303 to establish a Cannabis Retail use on the first floor, along with associated office and storage space on the mezzanine floor (approximately 2,260 square feet) within the NC-S (Neighborhood Commercial Shopping Center) Zoning District and a 40-X Height and Bulk District.

A Planning Commission approval at the public hearing would constitute the Approval Action for the project for the purposes of CEQA, pursuant to San Francisco Administrative Code Section 31.04(h).

ADDITIONAL INFORMATION

Architectural Plans: To view the plans and related documents for the proposed project, visit https://sfplanning.org/notices and search the Project Address listed above. The plans and Department recommendation of the proposed project will also be available one week prior to the hearing through the Commission agenda at: https://sfplanning.org/hearings.

For more information, please contact Planning Department staff:

Planner: Kalyani Agnihotri Telephone: 628-652-7454 Email: Kalyani Agnihotri@sfgov.org

Cc: Winslow, David (CPC); Feliciano, Josephine (CPC)

Subject: FW: 2021-000308DRP: 642 ALVARADO STREET

Date: Friday, October 15, 2021 9:08:53 AM

Attachments: 642 Alvarado ADU Letter 10-8-2021.pdf 642 Alvarado Veritas 10-12-21 Notice.pdf

Commission Affairs

San Francisco Planning
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Direct: 628.652.7600 | www.sfplanning.org San Francisco Property Information Map

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From: Brad Hirn <brad@hrcsf.org>

Sent: Thursday, October 14, 2021 11:52 AM

To: CPC-Commissions Secretary < commissions.secretary@sfgov.org>

Subject: 2021-000308DRP: 642 ALVARADO STREET

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

Dear Planning Commissioners,

My name is Brad Hirn, and I work at Housing Rights Committee of San Francisco. I am writing in regards to the project at 642 Alvarado St., which is on your agenda for today's Commission meeting.

Since May 2021, I have worked with the tenants at 642 Alvarado St. regarding this project. Since my visit to the building in June 2021, tenants have diligently examined the plans filed by the project sponsor, Veritas Investments, and have identified multiple concerns regarding housing services, including parking and garbage service. It became clear to tenants that the project, based on the plans, would involve the severance of housing services, such as parking.

Tenants began the work of compiling their concerns. On June 22, 2021, 642 Alvarado tenants were part of an in-person meeting with the project sponsor regarding a number of ADU projects in the City. Tenants and myself initiated and organized this meeting to resolve a number of concerns and DRs. Several items were discussed, including preservation of housing services, and there were promising next steps.

On July 7, the project sponsor indicated that they would not be continuing with the discussion

process that started on June 22. This was the first setback in communications.

Despite that setback, tenants and I continued to engage the project sponsor as best we could. Another setback occurred in August 2021, when the project sponsor unexpectedly changed their point-of-contact for this project, and tenants and myself were told to contact someone else. Several items re: 642 Alvarado were on the table with the prior point-of-contact, and we became concerned that the sponsor would not continue discussions on those items.

Had discussions proceeded and continued in a productive manner, it is very likely that the tenants -- who helped fund the filing of the Discretionary Review -- would have proposed to the DR petitioner that they withdraw the DR.

Despite this second setback, tenants and I persisted. I was able to join the August 26 meeting convened by David Winslow with DR petitioner Marc Snyder and project sponsor reps Laura Campbell and Gina DiNapoli. On behalf of the 642 Alvarado tenants, I requested the project sponsor meet directly with the tenants regarding housing services, such as parking. During the Aug. 26 meeting, the project sponsor reps referenced a "plan" regarding parking. I asked if they had shared and discussed the plan with tenants. They said no. By the end of the meeting, the project sponsor indicated a tentative readiness to meet with tenants before the DR hearing, with the goal of reaching agreements that would warrant withdrawal of the DR.

On August 27, I followed up with Laura Campbell, new point-of-contact for 642 Alvarado, regarding the meeting with tenants. Laura did not agree to meet with the tenants but instead agreed to a phone call with myself on September 10. That call ended up happening on September 13. During the call, I reiterated the need for a meeting with tenants at 642 Alvarado based on concerns shared and re-shared since June 2021. Laura indicated a meeting should be possible.

On September 16, I followed up by email with Laura. I did not receive a response until October 5, in which Laura expressed confusion about the purpose of the meeting with tenants. She proposed I email their concerns. I replied that the tenants know their concerns best, can express them the most effectively, and deserve at least one meeting before the DR hearing. I did not receive a response.

Finally, tenants went to the effort of hand-signing a letter that was sent by certified mail and email to the project sponsor. That letter is attached. It was received by the project sponsor on Friday, October 8, almost a week before today's hearing. That letter is attached.

On October 12, the project sponsor posted a notice on tenants' doors. The notice is attached. Tenants seemed frustrated by the notice, as it not only misrepresented the number of resident meetings but indicated an ongoing pattern of creating plans without the direct input of tenants -- which was a major reason for the DR in the first place.

As of this morning, the project sponsor has not agreed to a meeting with tenants to hear tenants' input **before** making plans regarding their homes and housing services. It remains unclear why the project sponsor would not meet **first** with tenants to integrate their concerns into the planning process with contractors. A planning process without tenants' input could lead to the same concerns

that tenants have expressed for months.

If nothing else, I hope the Planning Commission will urge the project sponsor to meet with the tenants and include them as partners in this project. A project like this, which will dramatically alter the building and affect existing tenants both during construction and beyond, deserves a genuinely collaborative effort between tenants and project sponsor. Such an effort should start with a meeting with tenants, and that should not be so hard to have.

Thank you,
Brad Hirn
Housing Rights Committee of San Francisco

October 8, 2021

Gina DiNapoli
Director of Development
Veritas Investments
1 Bush St., Suite 900
San Francisco, CA 94102

RE: 642 Alvarado ADU project

Dear Ms. DiNapoli,

The undersigned tenants at 642 Alvarado St. request a meeting as soon as possible to discuss concerns and requests regarding the proposed ADU project at our building.

Over the last several weeks, we have not heard any willingness on Veritas' part to meet with us. We understand that Veritas participated in a Planning Department meeting with David Winslow, Marc Snyder, and Brad Hirn, during which a plan was referenced about parking spots. We have not seen this plan or had any chance to discuss it with Veritas, and there are a number of additional concerns as well that haven't been addressed.

During the summer, we heard from John Kevlin that a meeting was very much possible -- and even desired if it presented a path towards withdrawal of the Discretionary Review. We do not understand why Veritas has not prioritized a meeting with us.

It would be very disappointing and counter-productive for all parties to participate in a Planning Commission hearing without having had one meeting between the project sponsor and existing 642 Alvarado tenants. Please let us know as soon as possible when this meeting can happen.

Sincerely,

642 Alvarado Tenants

Tenant signatures follow

Apt 201 SIGNATURE Frant Giraffe #308 PRINTED NAME (CJ) WINCHSTA SIGNATURE SIGNATURE #708 KEIR LIEBERMAN PRINTED NAME

Dames H Rue 18 James H Rueth SIGNATURE PRINTED NAME

Cathering _	204
CATHERINE SIMPSON	APT. NUMBER
PRINTED NAME SIGNATURE	301 APT. NUMBER
Jenni for Melnick PRINTED NAME PRINTED NAME	
SIGNATURE -	APT. NUMBER
PRINTED NAME PRINTED NAME	0-0
SIGNATURE OLI 1 A L	202 APT. NUMBER
PRINTED NAME Sugerio HERRER Daugla Miler	207
Carrie Bradford	APT. NUMBER
SIGNATURE	309 APT. NUMBER
Clint Branchord	309
Robut Yhrant	302 APT. NUMBER
Robert Gereaux PRINTED NAME	

Mehrson Gold	303
SIGNATURE	APT. NUMBER
MELISS A GOLER	
PRINTED NAME	110
4 Call On	210
SIGNATURE	APT. NUMBER
Michael Parlato PRINTED NAME	
AND CHANNE HRIMA	205
SIGNATURE	APT. NUMBER
Crustal + Hunter Rynn	
Crystal + Hunter Rynn	
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Nicholas Halper	
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all -	110
SIGNATURE	APT. NUMBER
Nicholas Italper	
PRINTED NAME	

Jaimy PHILIP	105
SIGNATURE	
SIGNATURE PRINTED NAME SIGNATURE	104 Apt. NUMBER
SIGNATURE TAMES GILDEA	API. NOWIDEN
PRINTED NAME	306
JAMES LUCAS	APT. NUMBER
JAMES LUCAS	
PRINTED NAME	304
Ben Fineman	APT. N Ų MBER
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PRINTED NAME



Oct 12, 2021



Unpacking the housing shortage puzzle. 642 Alvarado

Thank you all for your continued interest in the ADU project at 642 Alvarado. As you might know, we are planning to add nine new Accessory Dwelling Units (ADU's) to the property. The goal of this project is to inject more housing into San Francisco to alleviate the shortage, which is why the City and state created the ADU Program. In addition to the new ADUs, we are excited to announce that the project will also include a lobby renovation and new landscaping throughout the property. We understand there are concerns about the project and we'd like to take this opportunity to answer a few common questions.

- 1. Timing: Right now, our construction schedule is in flux. We will publish a construction start date and ample notification will be given to all of you before proceeding. The construction start date is estimated to be in Spring 2022.
- 2. Parking: We've heard over multiple meetings with residents that parking continues to be a point of concern. We will never permanently remove a housing service as part of ADU construction including parking. Everyone who has a parking space as a part of their lease will continue to have a parking space onsite. The addition of the ADUs will not cause the removal of your parking

We are working with our general contractor to formulate a plan to minimize the disruption to the parking lot during construction. At the time of this publishing, we do not anticipate any interruption of the parking area. Should this become an issue, we will do everything in our power to minimize this disruption and will work with you to provide a sufficient remedy.

- 3. Noise/Utility Interruption: There may be construction noise at times. We will do our best to mitigate noise wherever possible. While the city permits construction from 7am to 8pm, we strictly limit any construction at GreenTree properties to the period from 8:30am to 5pm. We will also notify you of any temporary utility service interruptions or other atypical conditions as far in advance as possible. If you feel you have a unique issue regarding the possible impacts of construction, we encourage you to reach out to your building manager who will be able to help effectuate an acceptable solution.
- 4. Affordability: We've heard quite a few residents inquire about affordable housing for this project. Typically, "affordable housing" developers receive tax credits from governing authorities in order to qualify as an "affordable housing" project. The ADU program is not set up to offer these sorts of tax credits and therefore are not deemed "affordable housing", or housing with rents at below 50 - 80% of Area Median Income (AMI).

The Association of Bay Area Governments (ABAG) estimates that San Francisco will need to see 9,100 units added to the housing supply each year between now and 2031 to keep up with





demand, with housing at all income levels being required to fulfill the forecast need. According to the same ABAG report, the need for new housing is most pronounced in the "moderate" to "above moderate" income categories (80% - 120% + of AMI), which this project seeks to fulfill. In other words, ADU's and other new housing targeted at "moderate", and "above-moderate" income levels are integral to tackling the housing shortage.

That said, the new ADUs at 642 Alvarado will be subject to rent control. The ADU program is, in fact, the only way San Francisco can add new rent-controlled housing stock at this time. ADU's have other benefits as well: because the envelope of an existing structure is utilized, the costs associated with the construction of ADU's are significantly less than the roughly \$750,000 the Bay Area Council estimated in 2019 it cost to build any new unit of housing in San Francisco. Unlike in new construction, ADU's also make minimal use of concrete. The production of concrete is among the leading generators of greenhouse gases, so ADU's are also a more environmentally friendly way to build new housing. We are proud to be among those creating some of the most cost-effective and environmentally friendly new housing in the city.

As we start to understand more about the potential impacts of the project to individual residents, we will be in a better position to have more meaningful conversations about appropriate mitigation measures. Please be assured that we are, and will remain, open to discussing concerns you may have about this project – though we will likely be in a better position to do so when more information about construction phasing is available. Given our new construction start date, we estimate that more substantive conversations could begin around February 2022.

Again, thank you for your continued residency. We are eager to reinvest in your building and to present an elevated living experience to you, our residents. We understand that these changes may affect your household and recognize that it is important to keep you informed regarding the upcoming project. As mentioned, we will make every effort to minimize any possible disruption, and we appreciate your patience and understanding as we work to improve numerous aspects of the property.

If you have any questions, please do not hesitate to contact your GreenTree Property Management representatives.

Jack Mattingly – Resident Manager 642alvarado@greentreepmco.com (415) 612-3169

Zachary Jacob — Property Manager zjacob@greentreepmco.com (415)-523-0125

Gina DiNapoli – Development Director gdinapoli@veritasinv.com (628) 666-9808



From: <u>CPC-Commissions Secretary</u>
Cc: <u>Feliciano, Josephine (CPC)</u>

Subject: FW: Opposition to the playground structure aspect of the 2350 Green Street project hearing 10/14/21

Date: Friday, October 15, 2021 9:06:31 AM

Commission Affairs

San Francisco Planning

49 South Van Ness Avenue, Suite 1400, San Francisco, CA 94103

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From: Ben Damonte

bdamonte@msn.com>

Sent: Thursday, October 14, 2021 1:40 PM

To: Woods, Mary (CPC) <mary.woods@sfgov.org>; Juna Damonte <damontejuna@gmail.com>; CPC-Commissions Secretary <commissions.secretary@sfgov.org>

Cc: Patricia Alarcon < PAlarcon@ratcliffarch.com>

Subject: Re: Opposition to the playground structure aspect of the 2350 Green Street project hearing 10/14/21

Copying <u>commissions.secretary@sfgov.org</u> as the address was misspelled in the previous email from Mary Woods.

From: Ben Damonte < bdamonte@msn.com > Sent: Thursday, October 14, 2021 1:36 PM

To: Woods, Mary (CPC) < <u>mary.woods@sfgov.org</u>>; Juna Damonte < <u>damontejuna@gmail.com</u>>; commisions.secretary@sfgov.org < commisions.secretary@sfgov.org>

Cc: Patricia Alarcon < <u>PAlarcon@ratcliffarch.com</u>>

Subject: Re: Opposition to the playground structure aspect of the 2350 Green Street project hearing 10/14/21

Hi Mary,

Thank you for the information. Until the commission meeting mailing, we had not received any earlier publications.

Views are not at issue to us, but rather the obstruction of sunlight to our apartment property. Obviously, sunlight is necessary for healthy plants, and has shown to be extremely beneficial for overall wellbeing. While I appreciate the Required Rear Yard Setback in the proposed plans, I see that the height of the Elevated Play Area above Parking Lot 13 measures 11' 4"

against the Gym Building. Our yard fence currently measures 7' 8" from the tarmac. Our center lightwells would also fall below the planned height of the Elevated Play Area so I expect the solid floor itself will diminish sunlight to our ground-level apartment.

Another issue in regard to sunlight is the planned location of the Accessible Lift in the rear corner, next to our yard. If the Accessible Lift indeed has solid walls, then that would be another obstruction to sunlight.

We appreciate consideration of our objections.

Best, Ben & Juna Damonte 2826A Pierce Street

From: Woods, Mary (CPC) < <u>mary.woods@sfgov.org</u>>

Sent: Thursday, October 14, 2021 10:18 AM

To: Juna Damonte < damontejuna@gmail.com; commisions.secretary@sfgov.org">commisions.secretary@sfgov.org

<commisions.secretary@sfgov.org>

Cc: Ben Damonte < <u>bdamonte@msn.com</u>>; Patricia Alarcon < <u>PAlarcon@ratcliffarch.com</u>>

Subject: RE: Opposition to the playground structure aspect of the 2350 Green Street project hearing 10/14/21

Thank you for the email.

Wanted to clarify that the elevated play area, 8 feet above the surface parking lot, is enclosed in an open, transparent fence. There is no solid wall that would block light or air to your property. Views are not protected under City codes or policies. A link to the proposed plans is attached below for your reference.

https://citypln-m-extnl.sfgov.org/SharedLinks.aspx? accesskey=bb97eb720eca7fc8373573d8e64aeea14f797686ad362fdbf67882310c1aeb4b&VaultGUI D=A4A7DACD-B0DC-4322-BD29-F6F07103C6E0

With regard to outreach, perhaps, the change in ownership created challenges on this issue. Our property data base shows that 2822-26 Pierce Street was sold in July 2021. The School's Conditional Use Application was filed in March 2019. The School had informed me that outreach was done prepandemic and post-pandemic to inform neighbors of the proposed project. The School held its last meeting just last month. If you'd like more information on this, the project architect, Patricia Alarcon, is copied on this email.

Hope this is helpful.

Regards,

Mary Woods, Senior Planner Northwest Team, Current Planning Division San Francisco Planning

49 South Van Ness Avenue, Suite 1400, San Francisco, CA 94103

Direct: 628.652.7350 | https://avanan.url-protection.com/v1/url?

o=www.sfplanning.org&g=MjljMDczMDQ1YzMyMzBlMw==&h=Zml5ZWE0ZWFkZTFmYzk5ZDhhMjky YmFkYzAyZGFmNjkyNDkwNTA5M2M5M2E4YTMxZTI1MWJhOWRiMWU1MGFmZQ==&p=YXAzOnNm ZHQyOmF2YW5hbjpvOjMzZmM1ZmlxNWMwZDU2YzU5ODU4ZGNkODJhNzl2Zjk3OnYxOnQ= San Francisco Property Information Map

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----Original Message-----

From: Juna Damonte < damontejuna@gmail.com > Sent: Wednesday, October 13, 2021 4:04 PM

To: commisions.secretary@sfgov.org; Woods, Mary (CPC) <mary.woods@sfgov.org>

Cc: Ben Damonte < bdamonte@msn.com >

Subject: Opposition to the playground structure aspect of the 2350 Green Street project hearing

10/14/21

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

> To Whom it May Concern,

>

- > We are the tenants who live in 2826A Pierce Street, which is the ground level unit in the building directly adjacent to parking lot 13. We are in strong opposition to the proposed aerial playground structure for the following reasons:
- > The proposed structure would block the natural light to our windows and patio which is vital to the abundance of trees and plants dependent upon the Southeastern sunlight.
- > We have a 2 year old and the noise pollution from the playground and massive construction project would significantly affect our quality of living.
- > Thank you for taking the time to consider our concerns.

.

Ben and Juna Damonte 2826A Pierce Street From: <u>CPC-Commissions Secretary</u>

Cc: Merlone, Audrey (CPC); Feliciano, Josephine (CPC)

Subject: FW: Signs and Projected Awnings

Date: Friday, October 15, 2021 9:05:57 AM

Commission Affairs

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From: Alyssa Tomfohrde <photosbyalyssa@gmail.com>

Sent: Thursday, October 14, 2021 12:21 PM

To: CPC-Commissions Secretary < commissions.secretary@sfgov.org>

Subject: Signs and Projected Awnings

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

Hello

I am writing in support of allowing signage and projected awnings for our businesses in San Francisco who have already experienced some of the most difficult times and need every chance they can get to communicate their offerings. Please don't take away either the signs or the awnings or make them choose between these formats which they have already invested time and money into. Now is not the time to take one of these away. We need to support our businesses now more than ever. The signage doesn't bother me at all and if anything, it's useful. Restaurants and shops are a part of our fabric, our culture, and we are lucky they have survived this long. Let them show what they have to offer and keep both their signs and projected awnings.

Thank you, Alyssa

--

Alyssa Rose Tomfohrde (415) 603-8690

 From:
 CPC-Commissions Secretary

 To:
 Feliciano, Josephine (CPC)

 Subject:
 FW: 2021-001579CUA

Date: Friday, October 15, 2021 9:05:30 AM

Commission Affairs

San Francisco Planning

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From: H K <2hk4nbx@gmail.com>

Sent: Thursday, October 14, 2021 11:43 AM

To: CPC-Commissions Secretary <commissions.secretary@sfgov.org>; Koppel, Joel (CPC) <joel.koppel@sfgov.org>; Moore, Kathrin (CPC) <kathrin.moore@sfgov.org>; 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: Helen <2hk4nbx@gmail.com>; Campbell, Cathleen (CPC) <cathleen.campbell@sfgov.org>

Subject: 2021-001579CUA

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

Dear City Planning Commissioners:

I am writing in regards to 2021-001579CUA, at 2715 Judah.

I am a long time resident of the street, nearly 20 years. Exact neighbor right next to the proposed building, at 2711, to be exact. I am opposed to the project due to many factors.

The first factor I will address is the affects a cannabis retail on the children in the area. The street has many residents with children, myself included. These children range in age to infant to teenagers. The impacts of the smoke are more severe with children.

The second factor I will address is the retail on the block. Even though the block is in

the Judah Street Commercial Corridor, that corridor ends on this block. There aren't any active retail on the block. Of the few commercial ground floors, none of them have walk-in clients.

The third factor I will address is the parking. On the retail portion of the corridor, it is one-hour parking. This block does not have any parking restrictions except street cleaning. This block is more residential, and the quality of life for the residents should be considered.

Thank you for your consideration.

Sincerely,

Helen Kwan

From: CPC-Commissions Secretary
To: Feliciano, Josephine (CPC)
Subject: FW: Sign Rendering

Date: Thursday, October 14, 2021 3:32:22 PM

Attachments: 8. Signs Audrey planning department presentation.pdf

Commission Affairs

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From: Merlone, Audrey (CPC) <audrey.merlone@sfgov.org>

Sent: Thursday, October 14, 2021 12:42 PM

To: Starr, Aaron (CPC) <aaron.starr@sfgov.org>; Diamond, Susan (CPC) <sue.diamond@sfgov.org>; Koppel, Joel (CPC) <joel.koppel@sfgov.org>; Fung, Frank (CPC) <frank.fung@sfgov.org>; Moore, Kathrin (CPC) <kathrin.moore@sfgov.org>; CPC-Commissions Secretary

<commissions.secretary@sfgov.org>; Imperial, Theresa (CPC) <theresa.imperial@sfgov.org>; Chan,
Deland (CPC) <deland.chan@sfgov.org>; Tanner, Rachael (CPC) <rachael.tanner@sfgov.org>

Cc: Hillis, Rich (CPC) < rich.hillis@sfgov.org>

Subject: Re: Sign Rendering

Commissioners,

The previous attachments are an old version that left off one projecting sign (the Bar). Please instead see pages 4 and 5 of the attached presentation for the renderings you requested. Staff will be presenting all slides at today's Commissioner hearing.

Sincerely,

Audrey Merlone

From: Starr, Aaron (CPC) <aaron.starr@sfgov.org>

Date: Thursday, October 14, 2021 at 12:22 PM

To: Diamond, Susan (CPC) <<u>sue.diamond@sfgov.org</u>>, Koppel, Joel (CPC)

<ioel.koppel@sfgov.org>, Fung, Frank (CPC) <frank.fung@sfgov.org>, Moore, Kathrin (CPC)

kathrin.moore@sfgov.org, CPC-Commissions Secretary

<<u>commissions.secretary@sfgov.org</u>>, Imperial, Theresa (CPC) <<u>theresa.imperial@sfgov.org</u>>,

Chan, Deland (CPC) < deland.chan@sfgov.org >, Tanner, Rachael (CPC)

<rachael.tanner@sfgov.org>

Cc: Merlone, Audrey (CPC) <<u>audrey.merlone@sfgov.org</u>>, Hillis, Rich (CPC)

<<u>rich.hillis@sfgov.org</u>> **Subject:** Sign Rendering

Commissioners,

Attached, please find the renderings showing signs on awnings and projecting signs, which was requested at last week's hearing. One rendering shows just projecting signs and awnings without a sign, and the other shows projecting signs and awning with signs. We will discuss this in more depth at today's hearing.

Sincerely,

Aaron Starr, Manager of Legislative Affairs Legislative Affairs

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Business Signs on Awnings & Marquees Case No. 2021-007327PCA

Follow-Up Presentation based on Commissioner Request from October 7th CPC Hearing

October 14, 2021



What makes a "Main Street" appealing?







Deadwood, SD







Livingston, MT



Park City, UT

Source: architecturaldigest.com

Streetscape Objects







