

Com. Secy

Copy of Comments for General Public Comment May 12, 2022 Georgia Schuttish

I didn't want to talk about the project at **1647 Sanchez Street** until it sold, but once I saw the TikTok video which is in the email sent on May 6th I felt compelled. I cannot repeat everything in the email because it would take too long. The Redfin link shows the interior and exterior now AND as it was when sold for **\$1.667 million in 2015**.

Even for those six Commissioners who voted YES *on the third vote* approving the project, this project is precisely what the Commission **did not want to be the outcome during the deliberations.**

This project took full advantage of the fact that the Demo Calcs have never been adjusted, selling upon completion in July 2020 for \$9.1 million and now asking \$13.495 million. It has never had full time occupants.

I respectfully request that this project receive a full look back. I request a meeting with Director Hillis, or ZA Teague (a Variance was granted), or Ms. Watty, or Ms. Merlone, or Ms. Tam to look at how the Demo Calcs were arrived at. I have a copy of how the Calcs were actually calculated on the plans during its review prior to approval.

Since there are only two Commissioners still on the Commission plus Director Hillis, I encourage the Commissioners who were not seated to please watch the **May 18, 2017** hearing. Around the 3:35 mark one Commissioner described projects like this as "...slowly but surely destroying the neighborhood and looks like other speculative projects". **As stated by Staff in 2021: Noe Valley is the epicenter of de facto Demolition"**

The outcome of this project raises not only the issue of the Demo Calcs but what type of housing should be on corner lots in our neighborhoods.

*Some existing housing should be legally demolished as this project should have been in order to expand housing opportunities...just as **there are many others, that should not be demolished**, but instead should have legal Alterations as intended under Section 317 in order to **preserve existing housing and protect relative affordability.***

Received at CPC Hearing 5/12/22



Sale & Tax History for 1647 Sanchez St

Go to

Sale History Tax History

● Today

○ Apr 27, 2022	Listed (Active)	\$13,495,000
Date	San Francisco MLS #422652540	Price

● Jul 2020, Sold for \$9,100,000

○ Jul 24, 2020	Sold (Public Records)	\$9,100,000 (39.3%/yr)
Date	Public Records	Price


● Jun 2015, Sold for \$1,667,000

○ Jun 12, 2015	Sold (Public Records)	\$1,667,000
Date	Public Records	Price

● Jun, 2015

○ Jun 1, 2015	Pending (Pending (Do Not Show))	—
Date	MLSListings #ML81465380	Price

○ May 14, 2015	Listed (Active)	**
Date	MLSListings #ML81465380	Price

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Listing provided courtesy of MLSListings Inc. (MLSListings) 

● Jun, 2015

○ Jun 12, 2015	Sold (MLS) (Closed)	\$1,667,000
Date	San Francisco MLS #432586	Price

○ May 29, 2015	Pending	—
Date	San Francisco MLS #432586	Price

○ May 12, 2015	Listed (Active)	\$1,070,000
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Laura L. Campbell
Email: lcampbell@kdvlaw.com

415.926.7600
415.926.7601

www.kdvlaw.com

May 11, 2022

Via Email and Personal Delivery (10 copies)

commissions.secretary@sfgov.org

Commission Chambers, Rm 400
City Hall - 1 Dr. Carlton B. Goodlett Pl
San Francisco, CA

Received at CPC Hearing 5/12/22

cc: kalyani.agnihotri@sfgov.org

**Re: 3251-3253 Steiner Street; 2021-011722CUA
3251-3253 Steiner Street; 2021-011722VAR**

To Commissioners of the San Francisco Planning Commission:

My office represents several residents in the immediate vicinity of 3251-3253 Steiner Street. The purpose of this letter is to urge the Board to reconsider their latest position on the above listed applications, and instead heed the original staff recommendation to deny the application.

For the following reasons, local residents strongly believe this request for a variance is not in keeping with the San Francisco General Plan, and the strong interest in maintaining even potential, future residential housing should not be ignored-- particularly where there is no evidence the property owner is actually at risk of suffering any harm in the near or distant future, should this application be denied. The owner is under no current official order of abatement, and there is simply no reason the status quo cannot continue indefinitely until such time as the units may potentially, feasibly and affordably be put to residential use.

My clients recognize and appreciate the Commissioners' rationale of wanting to correct a perceived error on the part of the City with regard to certain representations made relating to the property. However, we respectfully urge the Commissioners to consider (1) that the applicant is seeking permission to change a status quo that is currently posing no threat of financial harm or liability (as opposed to seeking a reprieve from any adverse action taken against the owner by the City); and (2) that permitting such change not only extraordinarily contravenes the guiding principles of the City's General Plan, but also ensures that these two units will **never** be returned to residential use, despite their original design, intention, and historic use.

With regard to the first point, the Commissioners should reconsider the original recommendation to deny the application, in particular because the owner has not been ordered to abate or otherwise incur any costs to change anything about the units at this time-- and the staff's

recommendation was accompanied by a promise that going forward the City can show leniency and patience if it ever does decide to move forward with such an order. The owner is currently successfully collecting rent on these units and can continue to do so indefinitely under local applicable law.

In fact, as it currently stands, the owner's leasing of these units to commercial tenants is in full conformity with the San Francisco Residential Rent Ordinance ("Rent Ordinance"). While Section 37.9F of the Rent Ordinance typically mandates residential units be used for residential purposes, Subsection 37.9F(c)(3)(A) specifically exempts units that are occupied by commercial tenants with agreements entered into before April 1, 2020. The owner is therefore no in any immediate risk of non-compliance with the Rent Ordinance.

While the owner has obliquely referred to a fear of incurring costs should the application not be granted, there is simply no evidence nor indication that she will be forced to incur costs at any point in the immediate future. In fact, whether or not she is ordered to bring any non-compliant features of the units up to residential standard is completely up to the City. Accordingly, if the City wishes to atone for providing inaccurate information at some point in time, a more fitting solution is to simply refrain from ordering the owner to changing any aspect of the unit—rather than issuing a decision which will result in the permanent removal of two residential units from a housing market in crisis.

With regard to the second point, the San Francisco General Plan emphatically mandates the conservation and preservation of residential housing. While these units are not currently in residential use, the record indicates a history of residential use, and the City has not historically hinged decisions entirely on current use (take for example, vacant units, which still are rarely approved for demolition or merger if a history of residential use exists).

Moreover, there is no evidence on record as to what actual work (if any) would even be required to return these units to compliance with residential standards—and given the units' history of residential use, it is more likely than not that such work would be minimal. Because these units were historically used residentially, they certainly do not require any changes to ingress, egress, ceiling height, light, or any of the other more traditionally expensive upgrades. The owner herself indicates that when she converted these to commercial units, she upgraded the electricity—it is also therefore unlikely that any major electrical work would be necessitated.

With that in mind, it is not difficult to imagine that some day these commercial tenancies might naturally end, at which point the owner could be in perfect position to naturally transition these units to residential use, thus adding to the San Francisco housing stock instead of decreasing it.

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Finally, my clients urge the Commissioners to consider the timing of these otherwise unrelated applications: while the issue of permitting a cannabis business to operate on the lower level would typically be a separate matter entirely, the fact that these issues are linked has caused concern that the true plans of cannabis business operator are to incorporate these additional units into their business in a manner that exceeds an appropriate scale for the characteristics of the neighborhood. Regardless of whether the City permits another cannabis business in the lower levels, there is simply no need, and particularly no relevant need, for these two units to be forever prevented from residential use.

Very Truly Yours,

A handwritten signature in blue ink, appearing to read "Laura Campbell".

Laura L. Campbell, Esq.