

8/31/17

C. May

REQUESTED CHANGES

116-10<sup>th</sup> Ave

**1.Reduction of both 2<sup>nd</sup> and 3<sup>rd</sup> floors of 4 feet each**

**OR**

**Reduction of 2<sup>nd</sup> floor by 5 feet**

**2.Removal of 3rd floor deck**

**3.Removal of north-facing windows on 2<sup>nd</sup> floor**

**4.Reduction of 2nd floor deck by pulling railings in 5 feet from side property lines**

**5. Turn rooms behind garage into a small and affordable second unit**

**6.Clarify for the record there is no attic level deck (because while it does not show in the plans it does in the 3D drawings the sponsor sent you)**

11/11/11

Received at CPC Hearing 8/31/17

N. Foster

# Russian Hill Community Association

1166 Green St. San Francisco, CA 94109 510-928-8243 rhcasf.com

August 30, 2017

President Rich Hillis and  
Members of the San Francisco Planning Commission  
1650 Mission Street Room 400  
San Francisco, CA 94103-2479

Re: 8/31/17 Planning Commission Agenda No. 12  
Case No. 2017-002430CUA 948-950 Lombard Street & 841 Chestnut Street

Dear President Hillis and Members of the Planning Commission:

You need to read between the lines of the Executive Summary for the Conditional Use request for a lot merger for the above project to realize that **there has been a massive failure of the Planning process resulting in the loss of a historic resource and potential significant negative impacts on the surrounding neighborhood.**

While the history of the project is less than clearly outlined, either deliberately or inadvertently, it is worth noting that the Executive Summary Project History identifies **12 separate applications/permits**. And more are listed on the Department of Building Inspection's database. Also significant are the **litany of errors, omissions, oversights and lack of coordination between Planning and the Department of Building Inspection noted in the Project History:**

- "Building Permit Application No. 2011.11.04.8277 was filed and approved on November 4, 2011, to correct the record and validate the approved permit at both legal properties." [Project History Par. 2]
- "Planning Department Staff approved the merger of the subject lots (Lots 10 and 17) on April 22, 2015 based upon incomplete information contained within the Department of Building Inspection (DBI) Report of Residential Building Record ("3-R Report). [Project History Par.5]
- "On April 2, 2016, a complaint was filed on the property regarding work beyond the scope of permit...On June 9, 2016, building Permit Application No. 2016.06.09.9584 was issued with an engineer's notice and no plans...No changes to approved design proposed." [Project History Par. 6]
- "On June 15, 2016, building Permit Application No. 2016.06.15.9992 was submitted with one sheet of plans illustrating the full removal of all historic material... The plans were approved by DBI without Planning Department review or approval." [Project History Par.6]
- "At the time all plans were submitted, the property had been effectively demolished; all permits were filed to correct the record." [Project History Par. 6]
- "On July 6, 2016, a complaint was filed with the Planning Department ... citing the possible demolition of a historic resource without Planning Department approval...Planning Department Staff conducted a site visit on November 8, 2016, where it was determined that the building was composed of all new framing and sheathing." [Project History. Par 7]

**The Russian Hill Community Association respectfully requests that the Planning Commission consider all of the facts and circumstances of this situation and deny the request for a lot merger.**

Unfortunately, the stipulation in the settlement agreement requiring that all future permits be reviewed by the Planning Department and that the Project Sponsor not exceed the scope of work on approved permits does not provide the assurance that it should.

Violators of the Planning and Building Codes should not be rewarded. The requested merger of the two lots should be denied. Alternatives for access to the properties need to be explored. This is a precedent setting case and should not be addressed to simply clear the calendar. Please deny the Conditional Use request to merge two lots.

Sincerely,  
*Kathleen Courtney*  
Chair, Housing & Zoning Committee

Cc: Jamie Cherry, Jeff Cheney, RHCA; Robyn Tucker, PANA; Bob Bluhm, RHN; District 2 Supervisor Mark Farrell

**From:** [Richard Cardello](#)  
**To:** [Secretary, Commissions \(CPC\)](#)  
**Cc:** [Foster, Nicholas \(CPC\)](#)  
**Subject:** 948-950 LOMBARD / 841 CHESTNUT -- PLANNING COMMISSION THURSDAY 08-31-2017 ITEM 12 -- #2017-002430CUA  
**Date:** Tuesday, August 29, 2017 4:50:49 PM

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San Francisco, CA 94103  
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RE: 2017-002430CUA

The fine levied for the egregious and unauthorized demolition of the Willis Polk structure seems way too small, especially when considering the estimated value of the completed project; the fine is just a relatively small, cost-of-doing-business expense.

My personal feeling is that the developer forfeited any consideration and, under the circumstances, doesn't deserve the granting of any additional benefits from San Francisco's Planning Department, such as the approval of a lot merger or a conditional use application.

Rather, the City should decide solely on the basis of what would be better for the Russian Hill neighborhood and for the City of San Francisco and rule that way; no consideration should be given to the developer's wishes nor any potential increased profit.

Richard Cardello  
999 GREEN STREET NO. 903  
SAN FRANCISCO CA 94133

Gen. Pub. Com

Privately-Owned  
Space and Public

Consolidation of F  
Bar Controls

Bicycle Parking R

Planning Study of  
(Chain Stores)

Public Outreach a

Revisions to the Ir  
Affordable Requir

Legacy Business Re

Development Agree

The City's General F

Complete List of Pla

PLANNING INFO  
CENTER (PIC)

Questions? Start with

Email: pic@sfgov.org

Phone: (415) 558-6377

1660 Mission Street, G

San Francisco, CA 941

Hours of Operation

# What is "Tantamount to Demolition"?

Any project application that proposes one or more of the following criteria is considered "Tantamount to Demolition" and subject to San Francisco Planning Code Section 317.

- ▶ A major alteration of a residential building, removing more than 50 percent of the front and rear façade (combined); ~~and~~  $\cup \cap$ ,
- ▶ Removing more than 65 percent of all exterior walls, or

- ▶ A major alteration of a residential building removing more than 50 percent of the Vertical Envelope Elements (defined as all exterior walls that provide weather and thermal barriers between the interior and exterior of the building, or that provide structural support to other elements of the building envelope); ~~and~~  $\cup \cap$ ,

- ▶ More than 50 percent of the Horizontal Elements (defined as all roof areas and all floor plates, except floor plates at or below grade) of the existing building, as measured in gross square feet of actual surface area

However, we have found that the current controls have led to project sponsors designing just short of the threshold, resulting in inferior design and/or significantly expanded projects. The current controls have led to project sponsors designing just short of the threshold, with these results:

- ▶ Allowing major additions. A project can significantly expand the size of the existing housing while still meeting the Tantamount to Demolition threshold, thus be approved administratively (*no Commission hearing required*).
- ▶ Potential for inferior design.

The Department agrees with the public that Tantamount to Demolition is not effective in respecting neighborhood

## Residential Expansion

**Threshold: A clear process for alterations and demolitions**

If you would like Planning staff to attend an upcoming neighborhood or organization meeting, please contact

[CPC.PRET@sfgov.org](mailto:CPC.PRET@sfgov.org).



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October 27, 2016

To: Planning Commission and Staff

Re: Residential Expansion Threshold Informational Hearing

Dear Commissioners and Staff:

Here is my proposal for new language to deal with Tantamount to a Demolition in Section 317 and the loss of residential housing:

"If any or all sections of the front or rear facade or wall of a structure are proposed for removal, then the project is considered Tantamount to a Demolition and must have a Conditional Use Authorization hearing. However, if a project is determined during Intake and Design Review to remove any or all sections of only the rear facade or wall of the structure for only a horizontal addition, and this horizontal addition does not exceed the rear yard requirements under Sections 134 and 136 of the Planning Code, this project will not be considered Tantamount to a Demolition, but an alteration. If a vertical addition is proposed that adds square footage, a project will be considered Tantamount to a Demolition and a CUA hearing will be required. A roof deck is considered a vertical addition. Skylights or clerestory will not trigger a CUA hearing. If any portion of the front facade is altered at any time during the construction of a project, other than replacement windows per the Planning and Building Code, a project would be considered Tantamount to a Demolition and would be subject to penalties under the Planning Code and Building Code. If a Project Sponsor wishes to add only a garage to a structure that does not currently have a garage, such an addition could be considered under the Soft Story Program and the ADU provision or a Project Sponsor may seek a Variance from the Zoning Administrator. If a Project Sponsor needs to repair a front or rear facade due to deteriorating conditions, a special Building Permit must be applied for and will be issued. This special Building Permit would require scrutiny from both the Building Department and the Enforcement Division of the Planning Department at the time of application."





I do not think you need to get rid of Section 317. The point of the revised language proposed above, is to tighten up the Tantamount to a Demolition definitions.

It has been said that the thresholds of Tantamount to a Demolition do not work as intended. Currently they are thresholds of what can be removed. The proposed RET is a threshold of what can be added.

What is the difference in getting to the goal of preserving existing housing if thresholds are the problem? What threshold do you land on under a new proposal? GSF, FAR, a Fixed number, Neighborhood Averages, etc, etc?

Tightening up Tantamount to a Demolition as I propose above, brings certainty to the process. If a project sponsor wants to do a project that would trigger Tantamount to a Demolition they know from the get-go that there will be a Conditional Use Hearing.

Also, please remove the language in Section 317 (b) (7). It is a problem because it adds to loss of housing and basically allows a unit merger.

*On a personal note, Commissioners and Staff. I have been talking about this for nearly three years now. I wrote my first letter on this in January 2014. There have been many good conversations about this and I greatly appreciate the Staff's work and concern as well as the Commission's concern and interest.*

*This needs quick attention. We need a better way to try and preserve existing housing. Devising a new Planning Code Section and new Review Procedures will be laborious and contentious. Please revise the definition of Tantamount to a Demolition either as I proposed above or something very similar. There is no reason it cannot be fairly simple.*

Sincerely,

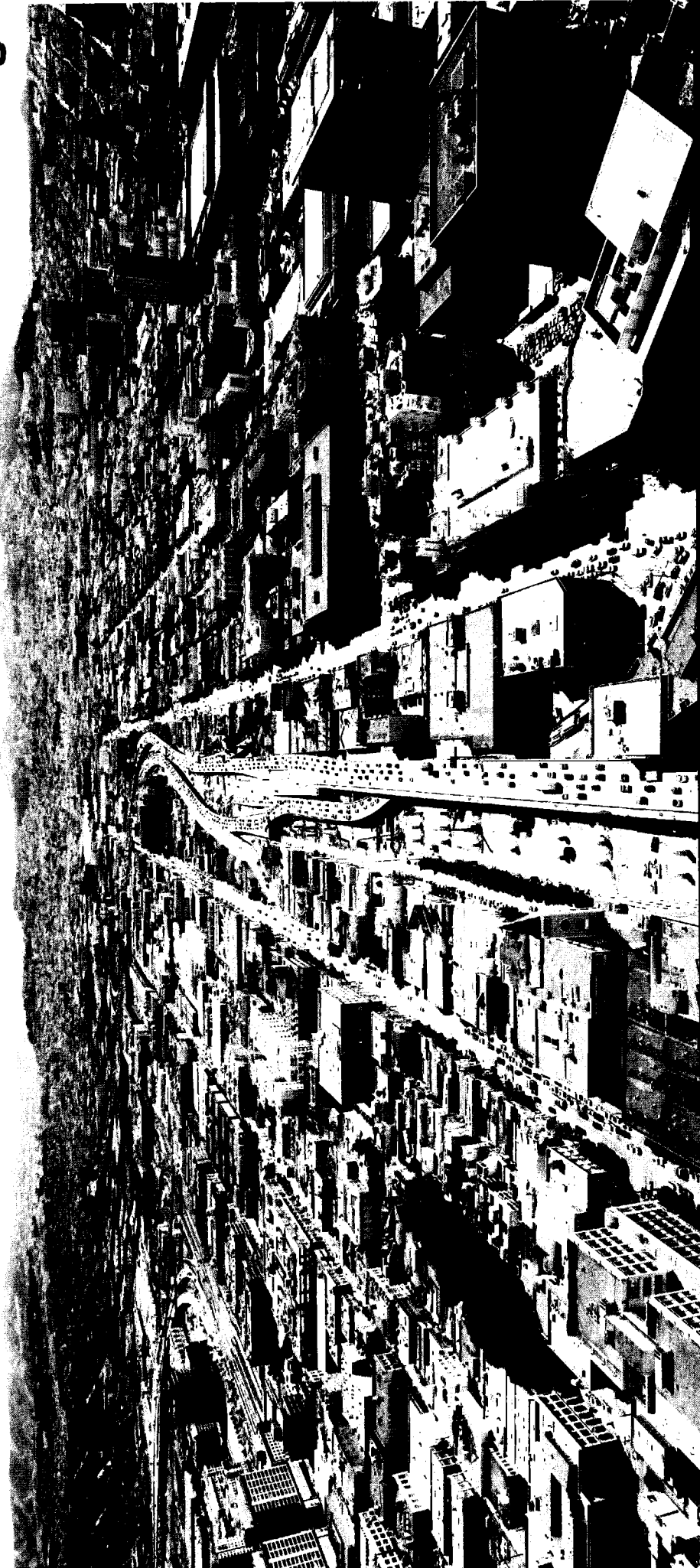
Georgia Schuttish



<http://centralsoma.sfplanning.org>

Received at CPC Hearing 8/31/17  
S. Wirthheim

San Francisco  
**Planning**



# CENTRAL SOMA

**PLAN & IMPLEMENTATION STRATEGY**

Planning Commission - August 31, 2017

## PLAN SUMMARY

### *Vision*

**A sustainable neighborhood**

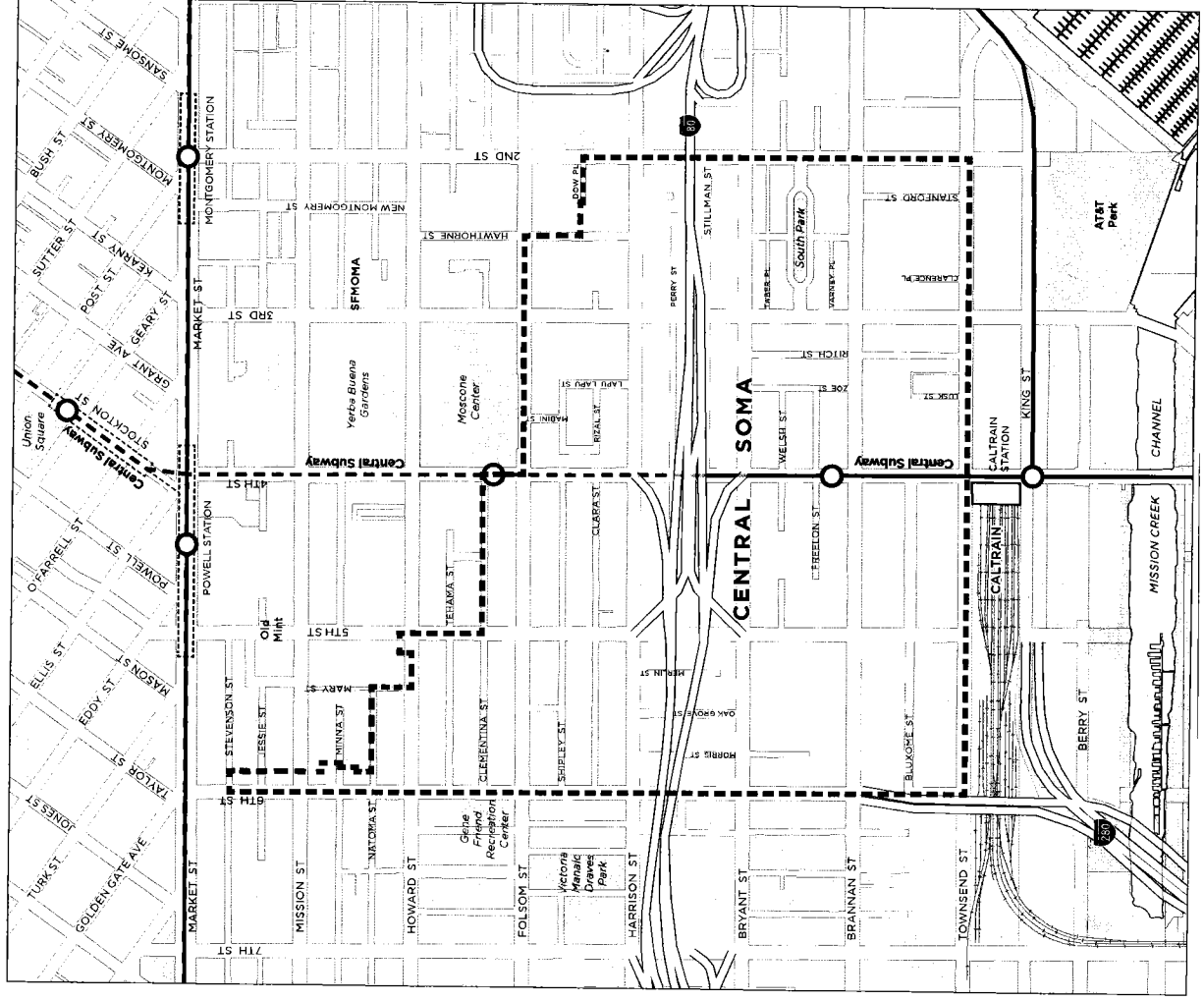
### *Philosophy*

**Keep what's great,  
fix what's not**

### *Strategy*

- Accommodate demand**
- Provide public benefits**
- Respect and enhance neighborhood character**

## PLAN AREA



- Central Subway under construction, expected to open in 2019
- BART/Muni Metro Subway
- Muni Metro (Surface)

# PLAN DETAILS



**TOPIC #1**

**KEY SITES**

