

**From:** [Thomas Schuttish](#)  
**To:** [Major, Erica \(BOS\)](#)  
**Subject:** LUT June 12, 2024 Item No. 6 Family Housing Opportunity SUD Case Number 2023-000413PCAMAP (Board File No. 230026)  
**Date:** Sunday, June 11, 2023 4:11:53 PM  
**Attachments:** [#2021-012246PCA.pdf](#)

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Dear Ms. Major:

Attached are my comments (a pdf and the email below) for the LUT hearing on Monday June 12th for Board File No. 230026, Item No. 6.

This is what I sent in to the Planning Commission when this File was heard on June 1st.

*Also do you think this Item will be heard as scheduled or do you think it will be continued?*

Thanks much and take good care.  
Sincerely,  
Georgia Schuttish

Begin forwarded message:

Dear Commissioners:

Attached are the comments I submitted last year for Supervisor Safai's proposed legislation which I think are also applicable to Supervisor Melgar's legislation that will be before you on June 1, 2023. Some of the comments submitted also concern SB 9.

**While her legislation is both broader and more specific than his, the points raised in the attached pdf apply. Particularly the point regarding the concern raised by Planning Department Staff about low income home owners "cashing out" under SB 9 (See page 14 of Executive Summary, October 21, 2021). There are probably many low income home owners in the Well Resourced Neighborhoods.**

**I also want to add a few more points:**

1. If there is no 311 Notification, does that mean there will be no PreApp Notice? The PreApp Notice is linked with the 311 Notification criteria. Will the only

Notice to immediately adjacent neighbors be a form letter from DBI about a Demolition?

What if the project is a major Alteration? Without any appeal process to the Board of Appeals how will adjacent property owners have any leverage to protect their property from damage, particularly the undermining of foundations which is a real issue where there are zero lot lines. It seems like developers will have no incentive to “be kind and considerate” to the neighboring property owners.

2. **A year is too short of a time for ownership.** It is not uncommon for developers to hold onto properties for longer than that. One year will encourage and allow for speculative development. And the Staff Report's **Recommendation 4** on page 12, to eliminate the one year ownership requirement will only turbo-charge speculation by developers. [See Finding (o) on page 6 of the proposed Ordinance].

3. Finally. **According to a May 23, 2023 SF Chronicle article Supervisor Melgar and the Mayor are proposing legislation to allow for “denser housing” along many commercial corridors.** I think the general public awareness of the 2024 Housing Element is that is where — *on the commercial corridors* — development would occur on the Westside — not on the neighboring Avenues. It is highly unlikely the existing housing in St. Francis Wood or Balboa Terrace or Ingleside Terrace or West Portal or Seacliff or the Marina will be demolished to create multi-unit housing. But there are blocks and blocks of sound housing in the Richmond and the Sunset that will be vulnerable to speculation and demolition. ***The legislation proposing housing on the commercial corridors — that are also transit corridors — should be considered and approved first before transforming half the City into an SUD.***

Thank you.

Georgia Schuttish

## QUESTION #1

Sometimes overlooked in all the discussions about increasing density in the RHD's is the statement on page 14 (attached) of the Staff's October 21, 2021 analysis of SB 9. This is true for this PCA as well. How can this bad outcome be prevented? Here is the statement:

*"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".*

## QUESTION #2

This PCA proposes getting rid of 311 Notification, Discretionary Review and Section 317. All three allow for transparency and full participation of the public whether tenants or property owners.

The published Century Urban Feasibility Studies do not explicitly analyze getting rid of these in the analyses with the Staff Reports. According to the May 6, 2022 Staff Report it states that the assumption is one year for the project to be completed. And also, that the fees will be limited to no more than \$10K. In fact in some of the emails between Staff last year, it was stated that Century Urban was reluctant to factor in ministerial review into their analysis. Is this so?

### Here are some more questions:

1. *On average how much does 311 Notification cost a developer?*
2. *How many 311 Notifications lead to Discretionary Review?*
3. *How many Discretionary Reviews are withdrawn before the hearing?*
4. *How often does Discretionary Review either find or correct "errors" in a project?*
5. *What is the housing policy rationale for Section 317?*
6. *What is the intent of the conditions in Conditional Use regarding the outcome of a project?*

Attached is an article from the San Francisco Chronicle which offers conflicting statements about densification. On the one hand the problem is the physical constraints of building four units, but on the other hand, regardless of the physical limitations in designing a four-plex on the typical San Francisco lot, the real problem is too much process! How can it be both?

Also attached are annotated printouts of five multi-unit projects with entitlements that are now for sale. This illustrates the speculative fever (or commodification) in housing and the issue raised in Question #1 above. Please note the asking price for these entitlements. Is this now the market? Four of the five could have been "refreshed" to provide housing these past years.

## QUESTION #3

Century Urban writes that the most financially feasible outcome may be to preserve, and not demolish, an existing SFH and add a unit creating a duplex in an SB9 scenario. (Again this has ramifications for the "cashing out" issue in Question #1). See the Century Urban studies for January 31st (page 4) and May 6th (page 3) attached to the Staff Reports in the agenda packet. Has the Commission had an update on the details of the project applications under SB 9 and should such an update also include an update on the Residential Flat Policy and any mergers of dwelling units per Section 317 (b) (7)?

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)<sup>7</sup> 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:

<sup>7</sup> The legislative history and full text of the bill is available at [https://leginfo.ca.gov/faces/billNavClient.xhtml?bill\\_id=202120220SB10](https://leginfo.ca.gov/faces/billNavClient.xhtml?bill_id=202120220SB10)

**unlikely Effort  
housing c to add  
housing  
praised,  
scorned**

*Zoning from page A1*

2,700 square feet — which doesn't allow much room to shoehorn four units. And vacant lots are rare, as are "tear downs," small and outdated homes that don't have much value.

Sean Kieghran, president of San Francisco's Residential Builders Association, said he supports getting rid of single-family only zoning but doesn't think it will result in many new units. Kieghran said that building fourplexes requires either two staircases or a staircase and an elevator, which takes up too much of the site.

And, unless the city streamlined the process of building a fourplex on a single-family lot, builders would run into too many bureaucratic obstacles, Kieghran said. "With how long it takes to get through planning and fire and DPW and all the other red tape it's not likely we are going to see anybody building fourplexes anytime soon," he said.

Before the late 1960s, San Francisco developers regularly built two-, three-, and four-unit buildings. Stacked flats were the bread and butter of San Francisco's housing stock. But in the late 1960s and 1970s a series of laws changed that, and the majority of the city, especially the west side, was rezoned to prohibit anything but single-family homes.

One of the few architects to design fourplexes on single-family sized lots in the last few decades is Daniel Solomon, who has worked on three such projects. One of those is at 247 27th Ave., a

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He said the designed and itable, but bare took as much and execute as complexes his known for.

"You would develop a developer will risk on a minute an architect will damage," he says. "The complicated life of the absolute of scale."

While lots at East Bay, there are a lot of obstacles, and Anthony, a very experienced builder. Land is not the neighbors' unimpeded development, and the requirements — ways, open spaces, parking, would make feasible unless it

\* And the pro  
expensive — f

## Zoning changes unlikely to end Bay Area crisis

By J.K. Dineen

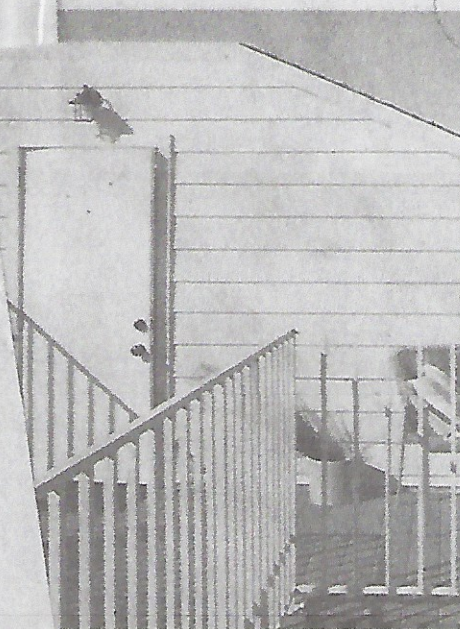
The national movement to eliminate exclusionary single-family zoning is picking up steam in the Bay Area as cities explore the benefits of getting rid of a land use policy designed to keep people of color and working class families out of certain neighborhoods.

Last week, the city councils in Berkeley and South San Francisco took steps to end single-family zoning, with Berkeley promising to do so within a year.

uld ne get rid of it with  
villing and South City initiating  
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t who e plan update. After the  
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e opposi of the authors of the re  
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But while the move to allow multifamily housing in zones previously limited to single-family homes is being embraced as a correction of past discriminatory policies in Sacramento, Oregon and Minneapolis have such laws — the outcome of whether it will increase housing production is a lot more debated, according to architects.

In particular, "fourplexes"—unit buildings that have been promoted as democratic, affordable alternatives to single-family housing—have been challenging in



of 247 27th Ave. in San Francisco. The Most single-family lots in the city are t



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much to qualify for subsidized housing. To hit the middle in San Francisco, units would have to be able to house households making between 80% to 120% of median income, which for a family of four is between \$102,500 and \$153,700.

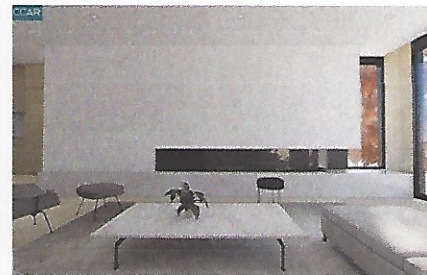
Opponents to the u  
fear that it could lead  
placement. South San  
co Mayor Mark Addie  
developers could targ  
single-family rentals t  
vide some of the city'  
affordable housing.

"I am fearful that the houses to be gobbled by developers might be

© 2022 CCAR  
NEW 8 HRS AGO



Street View



© 2022 CCAR



See all 4 photos

565 29th St, San Francisco, CA 94131

\$2,290,000

Buy with Redfin: \$2,284,128 >

6  
Beds

5  
Baths

4,270  
Sq Ft



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APPROVED AS ALTERATION W/ 2ND UNIT  
APPLIED 5/2019 - SITE PERMIT APPVD - 12/2020  
ADVERTISED AS SFH  
UNOCCUPIED SINCE 2018?

## About This Home

Shovel Ready! Build your own dream home! Great investment opportunity! 587 29th street sold for \$6,005,000

Listed by Fiona Zhao • DRE #01996841 • HomeSmart Optima Realty, Inc  
Redfin last checked: 12 minutes ago | Last updated July 13, 2022

• Source: bridgeMLS, Bay East AOR, or Contra Costa AOR #41001360

## Home Facts

Status	New	Time on Redfin
Property Type	Single Family Residential	Baths
Year Built	1910	Community
Lot Size	2,850 Sq. Ft.	MLS#

## Price Insights

List Price	\$2,290,000	Est. Mo. Payment	\$12,758
Redfin Estimate	\$2,399,762	Price/Sq.Ft.	\$536

Ask a Question

(415) 843-7542

8 hours  
"PENDING"  
4 full, 2 partial  
"ACTUALLY"  
Noe Valley  
41001360  
SOLD 2018 - \$1.365M  
SALE 2020 - \$1.895M  
SOLD 2021 - \$1.788M  
LISTED 2/22 - \$2.31M  
REMOVED 5/22  
RE-LISTED  
7/22 - \$2.29M

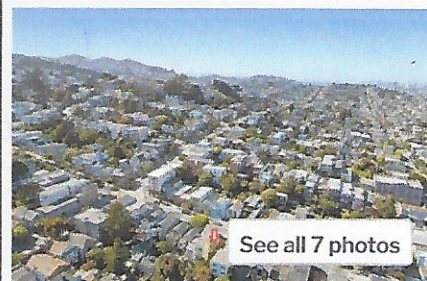
NEW 4 HRS AGO



461 29th STREET

SAN FRANCISCO, CALIFORNIA, 94117

Street View



See all 7 photos

461 29th St, San Francisco, CA 94131

\$2,669,000

Est. \$14,876/mo [Get a custom quote](#)

— Beds

— Baths

2,848

Sq Ft (Lot)



Go tour this home

SATURDAY

SUNDAY

MONDAY

16

17

18

JUL

JUL

JUL



Tour in Person



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APPROVED AS CWA — 1/2020  
SITE PERMIT ISSUED — 2/2021  
OLD BUILDING DEMOLISHED — 6/2021

## About This Home

Rare Fully Entitled and shovel ready development site. Build 2 brand new luxury condos and 1 ADU on a vacant view lot in desirable Noe Valley. The design includes is 2 story over garage approximately 6100 square feet with private roof deck for units 2 & 3, (2 Car Garage Parking). Unit 1 consists of 3Br + Office /2.5Ba, 1800 sq. ft. with ample outdoor space. Unit 2 consists of 2Br/2Ba, 1508 sq.ft. with private roof deck. Unit 3 consists of 3Br + Office/2.5Ba, 1458 sq. ft. with private roof deck. The property is located in the heart of Noe Valley with views of downtown San Francisco skyline and beyond, within walking distance to Noe Valley, shops, restaurants, and transportation. Plans are available upon request.

[Show Less](#)

Listed by Gary Tribulato • DRE #01220884 • Corcoran Global Living  
Listed by Gregory Tribulato • DRE #01763336 • Corcoran Global Living  
Redfin last checked: [9 minutes ago](#) | Last updated July 15, 2022

• Source: San Francisco MLS #422678386

## Home Facts

Status	Active	Time on Redfin	4 hours
Property Type	Vacant Land	Community	San Francisco
Lot Size	2,848 Sq. Ft.	MLS#	422678386

SOLD 11/2017 — \$1.2M  
SOLD 12/2017 — \$1.475M  
LISTED 6/2021 — \$2.495M  
LISTED 7/2022 — \$2.669M

**4234 24th Street**

San Francisco, CA 94114

☆ Save

➔ Share

**\$3,249,000** Price   **6** Beds   **4** Baths   **1 1/2** Bath   **5,100** Sq. Ft.   **\$637** per Sq. Ft.

Overview

Location

Property Info

Property History

Public Records

Schools

Similar Homes



LISTING UPDATED: 05/31/2022 11:52 AM

Status   **Coming Soon**MLS #   **422659869**

Days on Compass   -

Taxes   -

HOA Fees   -

Condo/Co-op Fees   -

Compass Type   **Single Family**MLS Type   **Residential / Single  
Family Residence**

Year Built   -

Lot Size   **0.07 AC / 2,944 SF**County   **San Francisco  
County**

\*Entitled Plans\* for a 4-level New Construction compound in the best Noe Valley location. A flexible floor plan featuring sophisticated modern interiors, iconic hillside views, flat walk-out yard, and stately kitchens designed for indoor/outdoor entertaining. Warm natural light fills the voluminous living spaces through oversized windows, with each level enjoying access to the outdoors. Complete with an elevator, this home will provide generous possibilities to exceed the needs of individuals, couples, families, and entertainers alike. The 2nd dwelling allows for flexibility of use while providing privacy for each family member or occupant. Neighborhood staples at your doorstep include the Noe Playground with hoops and tennis, Philz Coffee, Firefly Restaurant, + Rin's Thai, along with Whole Foods and popular cafes and eateries. \*Photos are architectural renderings.

Collapse ▲

UNOCCUPIED SINCE 2019?

## CONTACT AGENT(S)

Name

Email

Phone

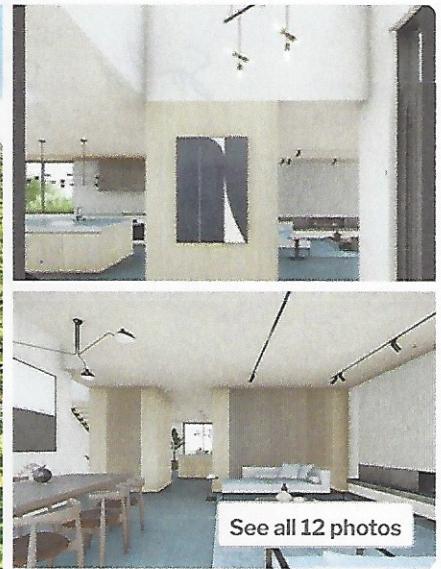
I would like more  
information about 4234  
24th Street.

Send Message

SOLD 7/2019 — \$1.85  
APPLIED 9/2019  
CUA - 7/2021  
PERMIT ISSUED - 7/2022  
LISTED JUNE 2022 - \$3.249M



Street View



See all 12 photos

4250 26th St, San Francisco, CA 94131

\$3,989,000

Est. \$22,233/mo [Get a custom quote](#)

6  
Beds

6.5  
Baths

—  
Sq Ft



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PER DBI TRACKING NOT ALL  
DRAWINGS SUBMITTED AS OF 12/2021  
UNOCCUPIED SINCE 2017?

### About This Home

Nestled in the heart of San Francisco's Noe Valley is an unparalleled development opportunity. This collaborative project culminates four years of design planning, architectural development and neighborhood outreach. 4250 26th Street is a rare extra wide lot (40 feet), single family home and ADU with unobstructed panoramic views designed by award winning, EDMONDS + LEE Architects. The plans include 4 stories, 6 bedroom, 6.5 bathrooms, 2 car garage, elevator, access yard, several decks, and 6000 sq ft. All of the levels have been designed to have high ceiling heights with large rear over-sized windows. The new house and ADU has been approved by the Planning Department. 4250 26th Street is a remarkable and special building opportunity rarely found in The City. This makes 4250 26th Street a unique property that is ready to start building with a team that will support your vision. Noe Valley is one the best neighborhoods to live in. Close to Douglass Park and Downtown.

[Show Less](#)

Listed by Amy Lui • DRE #01381559 • Compass  
Redfin last checked: [8 minutes ago](#) | Last updated June 14, 2022

• Source: San Francisco MLS #422669251

### Home Facts

Status	Active	Time on Redfin	31 days
Property Type	Single Family Residential	Year Built	1929

LISTED 5/2017 — \$1.449M  
SOLD 6/2017 — \$2.3M  
ORIGINAL  
PERMIT APPLICATION AS  
ALTERATION IN 2018  
CHANGED APPLICATION TO  
DEMO — 2A APPROVED 7/2020  
4 DR REQUESTS  
COMMISSION TOOK DR +  
APPROVED 7/2021  
LISTED 6/2022 — \$3.989M



Floor Plans

Street View

See all 5 photos

4152 - 4154 24th St, San Francisco, CA 94114

\$3,675,000

Est. \$20,483/mo Get a custom quote

12

Beds

11.5

Baths

6,512

Sq Ft



Go tour this home

SATURDAY

16

JUL

SUNDAY

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Tour in Person

Tour via Video Chat

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## About This Home

EXISTING HOUSE UNOCCUPIED SINCE 2017?

Fully entitled 5 unit residential condominium project in the heart of Noe Valley. Developers dream! Permit is ready to pick up to begin work immediately. 4 units in the front building. Large cottage in the back. Back cottage is 3Bd/3.5 Bath. Front building is 3 2Bd/2Bath Units and 1 3Bd/2Bath Unit. Listed by Amir Hardy • DRE #01797731 • Compass Redfin last checked: 9 minutes ago | Last updated June 30, 2022

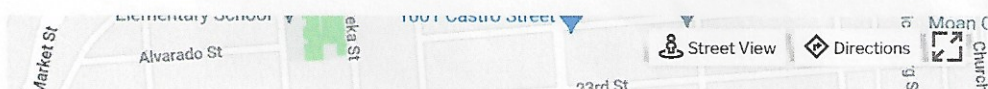
• Source: San Francisco MLS #422645674

## Home Facts

Status	Active	Time on Redfin	15 days
Property Type	Single Family Residential	Year Built	1902
Community	San Francisco	Lot Size	2,850 Sq. Ft.
MLS#	422645674		

## Price Insights

List Price	\$3,675,000	Est. Mo. Payment	\$20,483
Price/Sq.Ft.	\$564		



LISTED 4/2015 — \$1.248M  
SOLD 4/2015 — \$1.95M  
APPLIED AS DEMO  
BUT WITHDRAWN  
312 ISSUED 7/18  
APPLIED AS ALTERATION 9/18  
ISSUED 10/2019  
VARIANCE APPVD BY ZA FOR  
REAR BUILDING 9/2018  
LISTED 6/30 — \$3.675M