

File No. 240929

Committee Item No. 1

Board Item No. 4

COMMITTEE/BOARD OF SUPERVISORS

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Committee: Land Use and Transportation

Date: January 27, 2025

Board of Supervisors Meeting:

Date: February 11, 2025

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- _____
- _____
- _____
- _____

Prepared by: John Carroll

Date: January 23, 2025

Prepared by: John Carroll

Date: January 31, 2025

Prepared by: _____

Date: _____

1 [Planning Code - 99 Rhode Island Street]

2

3 **Ordinance amending the Planning Code to allow Assessor’s Parcel Block No. 3912, Lot**
4 **No. 02, also known as 99 Rhode Island Street, to exceed the cumulative use size**
5 **requirements in Production, Distribution and Repair District-1, Design (PDR-1-D)**
6 **districts; affirming the Planning Department’s determination under the California**
7 **Environmental Quality Act; making public necessity, convenience, and welfare findings**
8 **under Planning Code, Section 302; and making findings of consistency with the**
9 **General Plan, and the eight priority policies of Planning Code, Section 101.1.**

10 NOTE: **Unchanged Code text and uncodified text** are in plain Arial font.
11 **Additions to Codes** are in *single-underline italics Times New Roman font*.
12 **Deletions to Codes** are in *strikethrough italics Times New Roman font*.
13 **Board amendment additions** are in double-underlined Arial font.
14 **Board amendment deletions** are in ~~strikethrough Arial font~~.
15 **Asterisks (* * * *)** indicate the omission of unchanged Code
16 subsections or parts of tables.

14

15 Be it ordained by the People of the City and County of San Francisco:

16

17 Section 1. Environmental and Land Use Findings.

18 (a) The Planning Department has determined that the action contemplated in this
19 ordinance complies with the California Environmental Quality Act (California Public Resources
20 Code Sections 21000 et seq.). Said determination is on file with the Clerk of the Board of
21 Supervisors in File No. 240929 and is incorporated herein by reference. The Board affirms
22 this determination.

23 (b) On January 9, 2025, the Planning Commission, in Resolution No. 21668, adopted
24 findings that the action contemplated in this ordinance is consistent, on balance, with the
25 City’s General Plan and eight priority policies of Planning Code Section 101.1. The Board

adopts these findings as its own. A copy of said Resolution is on file with the Clerk of the Board of Supervisors in File No. 240929, and is incorporated herein by reference.

(c) Pursuant to Planning Code Section 302, this Board finds that this Planning Code amendment will serve the public necessity, convenience, and welfare for the reasons set forth in Planning Commission Resolution No. 21668, and the Board adopts such reasons as its own. A copy of said resolution is on file with the Clerk of the Board of Supervisors in File No. 240929 and is incorporated herein by reference.

Section 2. Article 2 of the Planning Code is hereby amended by revising Section 210.3, to read as follows:

SEC. 210.3. PDR DISTRICTS.

* * * *

**Table 210.3
ZONING CONTROL TABLE FOR PDR DISTRICTS**

| Zoning Category | § References | PDR-1-B | PDR-1-D | PDR-1-G | PDR-2 |
|--|--------------|-------------------|--------------------------------------|--------------------------------------|-------------------|
| * * * * | | | | | |
| <i>NON-RESIDENTIAL STANDARDS AND USES</i> | | | | | |
| <i>Development Standards</i> | | | | | |
| * * * * | | | | | |
| Use Size Limits for Retail Sales | §210.2A | See Table 210.3A. | 5,000 gross square feet per lot, see | 2,500 gross square feet per lot, see | See Table 210.3A. |

| | | | | | | |
|---|---------------------------------------|------|------|-------------|---------------|----|
| 1 | and Service | | | reference | reference (9) | |
| 2 | Uses | | | (10) below. | below. | |
| 3 | * * * * | | | | | |
| 4 | <i>Industrial Use Category</i> | | | | | |
| 5 | * * * * | | | | | |
| 6 | School | §102 | P(7) | P(7) | NP | NP |
| 7 | * * * * | | | | | |

8 * * * *

9 (7) NP above 20,000 Gross Square Feet, except School uses at Assessor's Parcel Block No.
10 3912, Lot 002 shall not be subject to a use size limitation. Housing is not permitted.

11 * * * *

12 (10) In this District, except for Personal Service uses at Assessor's Parcel Block No. 3912, Lot
13 002, all uses with this reference number are limited to a cumulative total of 5000 Gross Square
14 Feet per lot. No use size limits shall apply to Personal Service uses at Assessor's Parcel Block No.
15 3912, Lot 002.

16
17 Section 3. Effective Date. This ordinance shall become effective 30 days after
18 enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the
19 ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board
20 of Supervisors overrides the Mayor's veto of the ordinance.

21
22 APPROVED AS TO FORM:
23 DAVID CHIU, City Attorney

24 By: /s/
AUDREY WILLIAMS PEARSON
25 Deputy City Attorney

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LEGISLATIVE DIGEST

(Substituted – November 19, 2024)

[Planning Code - 99 Rhode Island Street]

Ordinance amending the Planning Code to allow Assessor’s Parcel Block No. 3912, Lot No. 02, also known as 99 Rhode Island Street, to exceed the cumulative use size requirements in Production, Distribution and Repair District-1, Design (PDR-1-D) districts; affirming the Planning Department’s determination under the California Environmental Quality Act; making public necessity, convenience, and welfare findings under Planning Code, Section 302; and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

Existing Law

Currently, Production, Distribution, and Repair Districts-1, Design (PDR-1-D) zoning prohibits Personal Service uses to no more than 5,000 square feet. School uses above 20,000 Gross Square Feet are not permitted.

The property at Assessor’s Parcel Block No. 3912, Lot 2, also known as 99 Rhode Island Street is located in a PDR-1-D district.

Amendments to Current Law

This ordinance would amend the PDR-1-D table to allow Personal Service uses at 99 Rhode Island to exceed 5000 square feet, with no use size limit. In addition, the ordinance would amend the table to allow a School use at 99 Rhode Island to exceed 20,000 Gross Square Foot with no use size limit.

Background Information

This ordinance would allow a proposed school use (Hiba Academy) at 99 Rhode Island Street. Hiba Academy would provide a bilingual education (English and Chinese) for up to 500 students (with 70 faculty and staff) in pre-kindergarten through grade five.

This is a substitute to an ordinance introduced on September 24, 2024.



January 16, 2025

Ms. Angela Calvillo, Clerk
Honorable Supervisor Dorsey
Board of Supervisors
City and County of San Francisco
City Hall, Room 244
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102

Re: **Transmittal of Planning Department Case Number 2024-008953PCA:**
99 Rhode Island Street
Board File No. 240929

Planning Commission Recommendation: Approval

Dear Ms. Calvillo and Supervisor Dorsey,

On January 9, 2025, the Planning Commission conducted a duly noticed public hearing at a regularly scheduled meeting to consider the proposed Ordinance, introduced by Supervisor Dorsey. The proposed ordinance would amend the Planning Code to allow certain use types to exceed the PDR-1-D use size limits at a parcel located at 99 Rhode Island Street (Assessor's Parcel Block No. 3912, Lot No. 020). At the hearing the Planning Commission adopted a recommendation for approval.

The proposed amendments are determined to be exempt under CEQA Guidelines Section 15061(b)(3) on January 6, 2025 (Planning Case No. 2024-00869ENV).

Please find attached documents relating to the actions of the Commission. If you have any questions or require further information, please do not hesitate to contact me.

Sincerely,

Aaron D. Starr
Manager of Legislative Affairs

cc: Audrey Williams Pearson, Deputy City Attorney
Madison Tam, Aide to Supervisor Dorsey
John Carroll, Office of the Clerk of the Board

ATTACHMENTS :

Planning Commission Resolution
Planning Department Executive Summary



PLANNING COMMISSION RESOLUTION NO. 21668

HEARING DATE: JANUARY 9, 2025

Project Name: 99 Rhode Island Street
Case Number: 2024-008953PCA [Board File No. 240929]
Initiated by: Supervisor Dorsey / Introduced November 19, 2024
Staff Contact: Audrey Merlone, Legislative Affairs
Audrey.Merlone@sfgov.org, 628-652-7534
Reviewed by: Aaron D Starr, Manager of Legislative Affairs
aaron.starr@sfgov.org, 628-652-7533

RESOLUTION ADOPTING A RECOMMENDATION FOR APPROVAL OF A PROPOSED ORDINANCE THAT WOULD AMEND THE PLANNING CODE TO ALLOW ASSESSOR'S PARCEL BLOCK NO. 3912, LOT NO. 02, ALSO KNOWN AS 99 RHODE ISLAND STREET TO EXCEED THE CUMULATIVE USE SIZE REQUIREMENTS IN PRODUCTION, DISTRIBUTION AND REPAIR DISTRICT-1, DESIGN (PDR-1-D) DISTRICTS; AFFIRMING THE PLANNING DEPARTMENT'S DETERMINATION UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT; MAKING PUBLIC NECESSITY, CONVENIENCE, AND WELFARE FINDINGS UNDER PLANNING CODE, SECTION 302; AND MAKING FINDINGS OF CONSISTENCY WITH THE GENERAL PLAN, AND THE EIGHT PRIORITY POLICIES OF PLANNING CODE, SECTION 101.1.

WHEREAS, on November 19, 2024 Supervisor Dorsey introduced a proposed Ordinance under Board of Supervisors (hereinafter "Board") File Number 240929, which would amend the Planning Code to allow Assessor's Parcel Block No. 3912, Lot No. 02, also known as 99 Rhode Island Street, to exceed the cumulative use size requirements in Production, Distribution and Repair District-1, Design (PDR-1-D) districts;

WHEREAS, the Planning Commission (hereinafter "Commission") conducted a duly noticed public hearing at a regularly scheduled meeting to consider the proposed Ordinance on January 9, 2025; and,

WHEREAS, the proposed Ordinance has been determined to be exempt under CEQA Guidelines Section 15061(b)(3) on January 6, 2025 (Planning Case No. 2024-008695ENV); and

WHEREAS, the Planning 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 Department staff and other interested parties; and

WHEREAS, all pertinent documents may be found in the files of the Department, as the Custodian of Records, at 49 South Van Ness Avenue, Suite 1400, San Francisco; and

WHEREAS, the Planning Commission has reviewed the proposed Ordinance; and

WHEREAS, the Planning Commission finds from the facts presented that the public necessity, convenience, and general welfare require the proposed amendment; and

MOVED, that the Planning Commission hereby adopts a **recommendation for approval** of the proposed ordinance.

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:

The Department supports the proposed Ordinance because it allows a school to locate in a neighborhood that lacks community facilities and needs a greater mix of uses. The Ordinance would not remove any PDR buildings or displace PDR uses, aligning with the neighborhood's goal to retain and protect these spaces from development.

General Plan Compliance

The proposed Ordinance is consistent with the following Objectives and Policies of the General Plan:

SHOWPLACE SQUARE/POTRERO AREA PLAN

OBJECTIVE 1.1

ENCOURAGE THE TRANSITION OF PORTIONS OF SHOWPLACE / POTRERO TO A MORE MIXED USE AND NEIGHBORHOOD-SERVING CHARACTER, WHILE PROTECTING THE CORE OF DESIGN-RELATED PDR USES.

Policy 1.1

Encourage development which provides substantial net benefits and minimizes undesirable consequences. Discourage development which has substantial undesirable consequences that cannot be mitigated.

OBJECTIVE 7.1

PROVIDE ESSENTIAL COMMUNITY SERVICES AND FACILITIES.

Policy 7.1.1

Support the siting of new facilities to meet the needs of a growing community and to provide opportunities for residents of all age levels.

The proposed Ordinance would allow a former office building to be converted into a private pre-K through 5th grade school. This school would be one of few in the plan area, and the only elementary school in Showplace Square. It will help to serve the needs of the neighborhood while also increasing the variety of uses in the plan area.

Planning Code Section 101 Findings

The proposed amendments to the Planning Code are consistent with the eight Priority Policies set forth in Section 101.1(b) of the Planning Code in that:

1. That existing neighborhood-serving retail uses be preserved and enhanced and future opportunities for resident employment in and ownership of such businesses enhanced;

The proposed Ordinance would not have a negative effect on neighborhood serving retail uses and will not have a negative effect on opportunities for resident employment in and ownership of neighborhood-serving retail.

2. That existing housing and neighborhood character be conserved and protected in order to preserve the cultural and economic diversity of our neighborhoods;

The proposed Ordinance would not have a negative effect on housing or neighborhood character.

3. That the City's supply of affordable housing be preserved and enhanced;

The proposed Ordinance would not have an adverse effect on the City's supply of affordable housing.

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

The proposed Ordinance would not result in commuter traffic impeding MUNI transit service or overburdening the streets or neighborhood parking.

5. 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 proposed Ordinance would not cause displacement of the industrial or service sectors due to office development, and future opportunities for resident employment or ownership in these sectors would not be impaired.

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

an earthquake;

The proposed Ordinance would not have an adverse effect on City's preparedness against injury and loss of life in an earthquake.

7. That the landmarks and historic buildings be preserved;

The proposed Ordinance would not have an adverse effect on the City's Landmarks and historic buildings.

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

The proposed Ordinance would not have an adverse effect on the City's parks and open space and their access to sunlight and vistas.

Planning Code Section 302 Findings.

The Planning Commission finds from the facts presented that the public necessity, convenience and general welfare require the proposed amendments to the Planning Code as set forth in Section 302.

NOW THEREFORE BE IT RESOLVED that the Commission hereby ADOPTS A RECOMMENDATION FOR APPROVAL the proposed Ordinance as described in this Resolution.

I hereby certify that the foregoing Resolution was adopted by the Commission at its meeting on January 9, 2025.



Jonas P. Ionin
Commission Secretary

Jonas P Ionin Digitally signed by Jonas P Ionin
Date: 2025.01.14 12:20:54 -08'00'

AYES: Campbell, McGarry, Braun, Imperial, Moore, So
NOES: Williams
ABSENT: None
ADOPTED: January 9, 2025



EXECUTIVE SUMMARY

PLANNING CODE TEXT AMENDMENT

HEARING DATE: January 9, 2025

90-Day Deadline: February 23, 2025

Project Name: 99 Rhode Island Street
Case Number: 2024-008953PCA [Board File No. 240929]
Initiated by: Supervisor Dorsey / Introduced November 19, 2024
Staff Contact: Audrey Merlone, Legislative Affairs
Audrey.Merlone@sfgov.org, 628-652-7534
Reviewed by: Aaron Starr, Manager of Legislative Affairs
aaron.starr@sfgov.org, 628-652-7533
Environmental Review: Common Sense Exemption

RECOMMENDATION: Adopt of Recommendation for Approval

Planning Code Amendment

The proposed Ordinance would amend the Planning Code to allow certain use types to exceed the PDR-1-D use size limits at a parcel located at 99 Rhode Island Street (Assessor’s Parcel Block No. 3912, Lot No. 020).

The Way It Is Now:

1. The Production, Distribution, and Repair District-1, Design (PDR-1-D) zoning district prohibits many Retail Sales and Service uses from exceeding a cumulative total of more than 5,000 gross square feet. Personal Service uses are included in this 5,000gsf cumulative size cap.
2. The PDR-1-D zoning district limits School uses to no more than 20,000gsf.

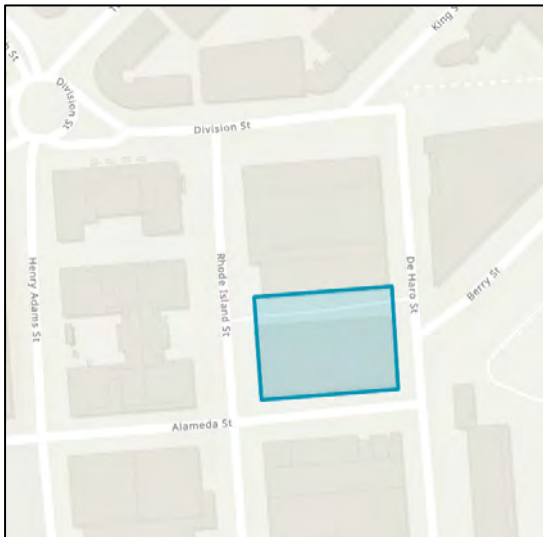
The Way It Would Be:

1. The PDR-1-D zoning district would allow Personal Service uses to exceed the 5,000gsf cap for a parcel at 99 Rhode Island Street.
2. The PDR-1-D zoning district would allow School uses to exceed the 20,000gsf cap for a parcel at 99 Rhode Island Street.

Issues and Considerations

99 Rhode Island Street

99 Rhode Island Street is in the PDR-1-D District within the Showplace Square/Potrero Plan Area and features a three-story, 60,000-square-foot office building. Built in 1948, the building has previously served as an office, retail space, restaurant, and lending institution but has no history of PDR use. It has operated consistently as an office since at least 2000 and has not been identified as a historic resource. The building has been vacant since December 2023, following the foreclosure of its most recent office tenant. It was recently purchased by a subsidiary of an international private educational institution, which plans to open its first U.S. school for pre-kindergarten through fifth grade.



A map of the parcel at 99 Rhode Island Street (left), and the building at 99 Rhode Island Street (right).

Production, Distribution, and Repair (1), Design District

Created in 2008 through the Eastern Neighborhoods Plan, the intention of this District is to retain and encourage less-intensive production, distribution, and repair businesses. As such, this District prohibits new Residential and Office uses, and limits Retail and Institutional uses. Additionally, this District prohibits heavy industrial uses, which generate external noise, odors, and vibrations and engage in frequent trucking activities. Generally, most other uses are permitted, however many have maximum use size limitations. School uses are Principally permitted up to 20,000sqft and Not Permitted above. Personal Service uses are also Principally permitted but limited to a cumulative total with a list of other Retail Sales and Service uses to

5,000sqft.

Showplace Square/Potrero Area Plan

Enacted in January of 2009, the Showplace Square/Potrero Area Plan is part of the Department’s larger Eastern Neighborhoods Plan. Showplace Square is an important furniture and interior design center that serves a national market. It was originally developed as a warehouse and industrial district serving nearby

EASTERN NEIGHBORHOODS PLAN AREAS



port facilities, once one of the city’s important industries. Though the plan seeks to preserve this

neighborhood's identity as a design district, it also aims to foster new growth in service of creating a "complete neighborhood". Complete neighborhoods offer safe, convenient access to shopping, services, affordable housing, and open space, meeting the needs of all ages and abilities. The plan encourages a balanced mix of uses while protecting existing PDR spaces and discouraging new office development. Unlike some of the city's other industrial-focused neighborhoods, Showplace Square/Potrero seeks to encourage industrial uses that are compatible alongside neighborhood-serving uses. As such, it discourages heavier industrial uses which could pose noise and health problems for those who may live or attend school or work in the neighborhood. Importantly, the plan also recognizes a shortage of essential community facilities and encourages establishing new ones to serve the growing population across all age groups.

Definition of "School"

The Planning Code defines a School as:

An Institution Educational Use, public or private, certified by the Western Association of Schools and Colleges that provides educational instruction to students in kindergarten through twelfth grade. Such institution may include employee or student dormitories and other housing operated by and affiliated with the institution. This use is distinct and separate from a Post-Secondary Educational Institution, which is defined under this Section of the Code.

Any business that provides educational services to students in grades K-12 that does *not* possess certification from the Western Association of Schools and Colleges (WASC) is *not* considered a School for the purposes of the Code. Instead, they are considered a Personal Service use. Once an educational service receives WASC certification, they are eligible to file for a change of use to a School.

Use Size Limits

The PDR-1-D District limits many Retail Sales and Service uses to a combined total of 5,000 square feet. This limitation aims to prevent large, big-box retailers from overtaking existing warehouse buildings in the district. Unlike other use size restrictions governed by Section 121 of the Planning Code, this restriction is outlined in the PDR-1-D zoning table. When a use size is restricted via Planning Code Sec. 121, existing non-residential units that exceed the use size limitations are considered legal non-conforming. As such, they may host any Principally or Conditionally permitted use on their premises. Conversely, the PDR-1-D district places limits on specific *uses* through their zoning table in Section 210.3. As such, existing non-residential units that exceed 5,000sqft are prevented from hosting uses that are explicitly size limited through the district's zoning table.

General Plan Compliance

Objective 1.1 of the Showplace Square/Potrero Area Plan seeks to encourage the transition of portions of the area to a more mixed-use and neighborhood-serving character. Policy 7.1.1 is to "Support the siting of new facilities to meet the needs of a growing community and to provide opportunities for the residents of all age levels." Finally, the area plan actively discourages new office uses. The proposed Ordinance would allow a former office building to be converted into a private pre-K through 5th grade school. This school would be

one of few in the plan area, and the only elementary school in Showplace Square. It will help to serve the needs of the neighborhood while also increasing the variety of uses in the plan area.

Racial and Social Equity Analysis

The proposed amendments cannot be directly tied to a negative or positive impact in advancing the City's racial and social equity. As the Ordinance would only affect a single parcel, there is not enough data to support a claim of racial or social equity.

Implementation

The Department has determined that this ordinance will not impact our current implementation procedures.

Recommendation

The Department recommends that the Commission ***adopt a recommendation for approval*** of the proposed Ordinance and adopt the attached Draft Resolution to that effect.

Basis for Recommendation

The Department supports the proposed ordinance because it allows a school to locate in a neighborhood that lacks community facilities and needs a greater mix of uses. The Ordinance would not remove any PDR buildings or displace PDR uses, aligning with the neighborhood's goal to retain and protect these spaces from development.

Required Commission Action

The proposed Ordinance is before the Commission so that it may adopt a recommendation of approval, disapproval, or approval with modifications.

Environmental Review

The proposed Ordinance was determined to be exempt under CEQA Guidelines Section 15061(b)(3) on January 6, 2025 (Planning Case No. 2024-008695ENV).

Public Comment

As of the date of this report, the Planning Department has not received any public comment regarding the proposed Ordinance.



CEQA Exemption Determination

PROPERTY INFORMATION/PROJECT DESCRIPTION

| | | |
|---|---|--|
| Project Address | | Block/Lot(s) |
| 99 RHODE ISLAND STREET | | 3912002 |
| Case No. | | Permit No. |
| 2024-008698ENV | | |
| <input checked="" type="checkbox"/> Addition/ Alteration | <input type="checkbox"/> Demolition (requires HRE for Category B Building) | <input type="checkbox"/> New Construction |
| <p>Project description for Planning Department approval.</p> <p>The Ordinance proposes a modification to the PDR-1-D zoning table to allow Personal Services and School use at the 99 Rhode Island Street property with no limitation on size (2024-008953PCA).</p> <p>Hiba Academy Bay Area proposes a change of use from a vacant office building to a private school . The school would accommodate up to approximately 500 students (pre-kindergarten to fifth grade). The project would convert the existing parking lot into a surface play area. An additional outdoor play area would be provided on the roof. Building expansion is not proposed.</p> | | |

EXEMPTION TYPE

| | |
|--|--|
| The project has been determined to be exempt under the California Environmental Quality Act (CEQA). | |
| <input type="checkbox"/> | Class 1 - Existing Facilities. (CEQA Guidelines section 15301) Interior and exterior alterations; additions under 10,000 sq. ft. |
| <input type="checkbox"/> | Class 3 - New Construction. (CEQA Guidelines section 15303) Up to three new single-family residences or six dwelling units in one building; commercial/office structures; utility extensions; change of use under 10,000 sq. ft. if principally permitted or with a CU. |
| <input type="checkbox"/> | <p>Class 32 - In-Fill Development. (CEQA Guidelines section 15332) New Construction of seven or more units or additions greater than 10,000 sq. ft. and meets the conditions described below:</p> <p>(a) The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations.</p> <p>(b) The proposed development occurs within city limits on a project site of no more than 5 acres substantially surrounded by urban uses.</p> <p>(c) The project site has no value as habitat for endangered rare or threatened species.</p> <p>(d) Approval of the project would not result in any significant effects relating to traffic , noise, air quality, or water quality.</p> <p>(e) The site can be adequately served by all required utilities and public services.</p> |
| <input type="checkbox"/> | Other _____ |
| <input checked="" type="checkbox"/> | Common Sense Exemption (CEQA Guidelines section 15061(b)(3)). It can be seen with certainty that there is no possibility of a significant effect on the environment. |

ENVIRONMENTAL SCREENING ASSESSMENT

Comments:

The project sponsor submitted a color curb application to SFMTA on 10/22/2024 and an article 38 enhanced ventilation application to SFDPH on 10/8/2024. The project was enrolled in the Maher Program on 10/10/2024 (SMED #2277).

Planner Signature: Don Lewis

PROPERTY STATUS - HISTORIC RESOURCE

PROPERTY IS ONE OF THE FOLLOWING:

| | |
|-------------------------------------|---|
| <input type="checkbox"/> | Category A: Known Historical Resource. |
| <input type="checkbox"/> | Category B: Potential Historical Resource (over 45 years of age). |
| <input checked="" type="checkbox"/> | Category C: Not a Historical Resource or Not Age Eligible (under 45 years of age). |

PROPOSED WORK CHECKLIST

Check all that apply to the project.

| | |
|--|---|
| <input type="checkbox"/> | Change of use and new construction. Tenant improvements not included. |
| <input type="checkbox"/> | Regular maintenance or repair to correct or repair deterioration, decay, or damage to building. |
| <input type="checkbox"/> | Window replacement that meets the Department's <i>Window Replacement Standards</i> . |
| <input type="checkbox"/> | Garage work. A new opening that meets the <i>Guidelines for Adding Garages and Curb Cuts</i> , or replacement of a garage door in an existing opening that meets the Residential Design Guidelines. |
| <input type="checkbox"/> | Deck, terrace construction, or fences not visible from any immediately adjacent public right-of-way. |
| <input type="checkbox"/> | Mechanical equipment installation that is not visible from any immediately adjacent public right-of-way. |
| <input type="checkbox"/> | Dormer installation that meets the requirements for exemption from public notification under <i>Zoning Administrator Bulletin No. 3: Dormer Windows</i> . |
| <input type="checkbox"/> | Addition(s) not visible from any immediately adjacent public right-of-way for 150 feet in each direction; or does not extend vertically beyond the floor level of the top story of the structure, or does not cause the removal of architectural significant roofing features. |
| <input type="checkbox"/> | Façade or storefront alterations that do not remove, alter, or obscure character -defining features. |
| <input type="checkbox"/> | Restoration based upon documented evidence of a building's historic condition, such as historic photographs, plans, physical evidence, or similar buildings. |
| Note: Project Planner must check box below before proceeding. | |
| <input type="checkbox"/> | Project is not listed. |
| <input type="checkbox"/> | Project involves scope of work listed above. |

ADVANCED HISTORICAL REVIEW

Check all that apply to the project.

| | |
|---|---|
| <input type="checkbox"/> | <p>Reclassification of property status. (<i>Attach HRRER Part I relevant analysis; requires Principal Preservation Planner approval</i>)</p> <p><input type="checkbox"/> Reclassify to Category A</p> <p style="text-align: right;"><input type="checkbox"/> Reclassify to Category C</p> <p style="text-align: right;"><input type="checkbox"/> Lacks Historic Integrity</p> <p style="text-align: right;"><input type="checkbox"/> Lacks Historic Significance</p> |
| <input type="checkbox"/> | Project involves a known historical resource (CEQA Category A) |
| <input type="checkbox"/> | Project does not substantially impact character-defining features of a historic resource (see Comments) |
| <input type="checkbox"/> | Project is compatible, yet differentiated, with a historic resource. |
| <input type="checkbox"/> | Project consistent with the Secretary of the Interior Standards for the Treatment of Historic Properties |
| Note: If ANY box above is checked, a Preservation Planner MUST sign below. | |
| <input type="checkbox"/> | Project can proceed with EXEMPTION REVIEW. The project has been reviewed by the Preservation Planner and can proceed with exemption review. |
| Comments by Preservation Planner: | |
| Preservation Planner Signature: | |

EXEMPTION DETERMINATION

| | | |
|-------------------------------------|--|---|
| <input checked="" type="checkbox"/> | <p>Common Sense Exemption: No further environmental review is required. The project is exempt under CEQA. It can be seen with certainty that there is no possibility of a significant effect on the environment.</p> | |
| | <p>Project Approval Action: Board of Supervisors Hearing</p> | <p>Signature: Don Lewis 01/06/2025</p> |
| | <p>Supporting documents are available for review on the San Francisco Property Information Map, which can be accessed at https://sfplanninggis.org/pim/. Individual files can be viewed by clicking on the Planning Applications link, clicking the "More Details" link under the project's environmental record number (ENV) and then clicking on the "Related Documents" link.</p> <p>Once signed and dated, this document constitutes an exemption pursuant to CEQA Guidelines and chapter 31 of the San Francisco Administrative Code. Per chapter 31, an appeal of an exemption determination to the Board of Supervisors shall be filed within 30 days after the approval action occurs at a noticed public hearing, or within 30 days after posting on the planning department's website (https://sfplanning.org/resource/ceqa-exemptions) a written decision or written notice of the approval action, if the approval is not made at a noticed public hearing.</p> | |

BOARD of SUPERVISORS



City Hall
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. (415) 554-5184
Fax No. (415) 554-5163
TDD/TTY No. (415) 554-5227

MEMORANDUM

Date: November 25, 2024
To: Planning Department/Planning Commission
From: John Carroll, Assistant Clerk, Land Use and Transportation Committee
Subject: Board of Supervisors Legislation Referral - File No. 240929-2 Substitute Ordinance
Planning Code - 99 Rhode Island Street

- California Environmental Quality Act (CEQA) Determination
(*California Public Resources Code, Sections 21000 et seq.*)
 - Ordinance / Resolution
 - Ballot Measure

- Amendment to the Planning Code, including the following Findings:
(*Planning Code, Section 302(b): 90 days for Planning Commission review*)
 - General Plan Planning Code, Section 101.1 Planning Code, Section 302

- Amendment to the Administrative Code, involving Land Use/Planning
(*Board Rule 3.23: 30 days for possible Planning Department review*)

- General Plan Referral for Non-Planning Code Amendments
(*Charter, Section 4.105, and Administrative Code, Section 2A.53*)
(Required for legislation concerning the acquisition, vacation, sale, or change in use of City property; subdivision of land; construction, improvement, extension, widening, narrowing, removal, or relocation of public ways, transportation routes, ground, open space, buildings, or structures; plans for public housing and publicly-assisted private housing; redevelopment plans; development agreements; the annual capital expenditure plan and six-year capital improvement program; and any capital improvement project or long-term financing proposal such as general obligation or revenue bonds.)

- Historic Preservation Commission
 - Landmark (*Planning Code, Section 1004.3*)
 - Cultural Districts (*Charter, Section 4.135 & Board Rule 3.23*)
 - Mills Act Contract (*Government Code, Section 50280*)
 - Designation for Significant/Contributory Buildings (*Planning Code, Article 11*)

Please send the Planning Department/Commission recommendation/determination to John Carroll at john.carroll@sfgov.org.

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MEMORANDUM

Date: October 2, 2024
To: Planning Department/Planning Commission
From: John Carroll, Assistant Clerk, Land Use and Transportation Committee
Subject: Board of Supervisors Legislation Referral - File No. 240929
Planning Code, Zoning Map - 99 Rhode Island Street

- California Environmental Quality Act (CEQA) Determination
(*California Public Resources Code, Sections 21000 et seq.*)
 - Ordinance / Resolution
 - Ballot Measure

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Introduction Form

By a Member of the Board of Supervisors or Mayor

Time stamp
or meeting date

I hereby submit the following item for introduction (select only one):

- 1. For reference to Committee. (An Ordinance, Resolution, Motion or Charter Amendment).
- 2. Request for next printed agenda Without Reference to Committee.
- 3. Request for hearing on a subject matter at Committee.
- 4. Request for letter beginning : "Supervisor inquiries"
- 5. City Attorney Request.
- 6. Call File No. from Committee.
- 7. Budget Analyst request (attached written motion).
- 8. Substitute Legislation File No.
- 9. Reactivate File No.
- 10. Topic submitted for Mayoral Appearance before the BOS on

Please check the appropriate boxes. The proposed legislation should be forwarded to the following:

- Small Business Commission
- Youth Commission
- Ethics Commission
- Planning Commission
- Building Inspection Commission

Note: For the Imperative Agenda (a resolution not on the printed agenda), use the Imperative Form.

Sponsor(s):

Subject:

The text is listed:

Signature of Sponsoring Supervisor:

For Clerk's Use Only

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Time stamp
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