

**Corbett Heights Neighbors
Resolution in Connection with a Development Project at 4300 17th Street**

WHEREAS the disinterested, i.e. non-conflicted,¹ members of the Board of Directors of Corbett Heights Neighbors (“CHN”) have reviewed the materials for a proposed development project at 4300 17th Street (the “Project”) including the “Project Details” and other material on the Sponsor’s website as well as relevant documents from the Department of Planning; and

WHEREAS the Project is scheduled to be heard by the Planning Commission on November 19, 2020 notwithstanding opposition to the Project expressed in writing by Senior Management of the Planning Department in a Plan Check Letter of April 27, 2020;

NOW THEREFORE BE IT RESOLVED, that upon motion duly made, seconded, and carried by a majority vote of the disinterested, i.e. non-conflicted, members of the Board of Directors of CHN (the “Board”), the Board adopts the following position with respect to the Project:

1. CHN is a 15 year old neighborhood organization with over 100 paid member households, and scores more on our mailing list, whose boundaries include the proposed Project.

2. While the Sponsor touts the Project as a “first of its kind” “small-scale infill mixed-affordable housing project...” it is simply this: an attempt to subdivide in an RH-2 zone an existing 2916 square foot lot with one extant building of 2,544 square feet of living space in order to create two 1,458 square foot lots on which the Sponsor would construct a four story, three unit 4,196 square foot apartment building on the newly created second lot. This would require at least 3 Code Variances and 2 Conditional Use Authorizations.

2. The Sponsor declares that one unit (an ADU) would be added to the current structure; and three units in the new structure, one of which would be an ADU. The Sponsor declares that the former would be a Below Market Rate (“BMR”) unit and one of the units in the new structure, presumably the ADU, also BMR.

3. The Planning Department’s Plan Check Letter of April 27, 2020 (“Check Letter”) advised the Sponsor that Senior Management of the Department did not support “... the intensity of non-compliance the project seeks to achieve...and if the Sponsor seeks density greater than that allowed in the RH-2 District, please continue

¹ Two of the nine members of the CHN Board have a conflict of interest on this matter and therefore pursuant to the CHN Conflicts of Interest Policy were not involved in the consideration of or vote on this matter. Those members are Mr. Scott Pluta, Project Sponsor, and Mr. Casey Rando, adjacent neighbor of Mr. Pluta.

to pursue accessory dwelling units within the existing structure and within an [sic] detached auxiliary structure. (Section 207(c)(6)).”² Staff also advised that the Project does not comply with the Residential Design Guidelines.

4. The Check Letter, and indeed Sponsor’s submissions to the Planning Department including Sponsor’s project detail memorandum that is also posted on Sponsor’s website (“Sponsor Memorandum”)³, that the variance requests are in connection with minimum lot size, minimum yard setback, and open space; and the Conditional Use Authorization is in connection with the Corona Heights Special Use District.

5. The Sponsor declares that the main purpose of the Project is to build BMR units in the neighborhood. Given the small size of the two ADU units slated for BMR status measured against the 4,196 square feet of the proposed new building one could question the veracity of that statement.

6. Regardless, while CHN supports the addition of BMR units city wide and within our neighborhood, they should be added consistent with the Planning Code and not specially permitted on an ad hoc basis for one development only via wholesale waiving of almost a half dozen code provisions applicable to the RH-2 District. Indeed, perhaps this Project could or should be a reason to address this issue on a city wide basis, receiving input from interested parties.

7. In this connection and as we noted in paragraph 3 above, Planning Staff in its Check Letter specifically urged the Sponsor to pursue the addition of units both within the existing structure and within a detached auxiliary structure on the undivided lot.⁴

8. In sum, (a) CHN opposes the three variance requests (Sec. 121, 134, and 135) and the two Conditional Use Authorization Requests (and we also note non compliance with the Residential Design Guidelines) for the reasons set forth in the Check Letter, and (b) we endorse Staff views as set forth therein:

The Department recommends the project be revised to be code-conforming within the existing lot, and if the Sponsor seeks density greater than that allowed in the RH-2 District, please continue to pursue accessory dwelling units within the existing structure and within an [sic] detached auxiliary structure (Section 207(c)(6), if feasible.” (emphasis added) ⁵

² San Francisco Planning, Plan Check Letter, April 27, 2020 Jeff Horn, Senior Planner, to Scott Pluta, Project Sponsor, page 2.

³ Sponsor’s Memorandum, <https://430017th.com/project-indepth>

⁴ Plan Check Letter, page 2, Project Review Comments, paragraph number 1.

⁵ Plan Check Letter, page 2, Project Review Comments, paragraph number 1.

Point 2 of the letter builds upon this where, in setting forth the opposition of the Residential Design Team to the Project, including the lot split, the Residential Design Advisory Team (RDAT):

...recommends the project explore options in Section 136 (permitted obstructions) of the Planning code for allowable projections into rear yard and to consider options for ADUs in the rear yard.⁶

9. CHN continues to support development within its neighborhood consistent with the Planning Code, and this includes the addition of BMR units that are code compliant. Should the City deem it necessary and appropriate to expand development of BMR units, such as beyond that set forth in the Inclusionary Affordable Housing Program or otherwise already lawfully permitted, it should do so on a city wide basis not on an ad hoc basis and contrary to extant code provisions.

Dated and Adopted: October 26, 2020

⁶ Plan Check Letter, Page 2, Project Review Comments, paragraph number 2.