

SAN FRANCISCO PLANNING COMMISSION

Meeting Minutes

Commission Chambers, Room 400
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Thursday, December 1, 2022
1:00 p.m.
Regular Meeting

COMMISSIONERS PRESENT: Tanner, Moore, Braun, Diamond, Imperial, Koppel
COMMISSIONERS ABSENT: Ruiz

THE MEETING WAS CALLED TO ORDER BY PRESIDENT TANNER AT 1:02 PM

STAFF IN ATTENDANCE: Aaron Starr, Veronica Flores, Mat Snyder, Claudine Asbagh, Kevin Guy, Kalyani Agnihotri, Corey Teague – Zoning Administrator, Liz Watty – Director of Current Planning, Rich Hillis – Planning Director, Jonas P. Ionin – Commission Secretary

SPEAKER KEY:

- + indicates a speaker in support of an item;
- indicates a speaker in opposition to an item; and
- = indicates a neutral speaker or a speaker who did not indicate support or opposition.

A. CONSIDERATION OF ITEMS PROPOSED FOR CONTINUANCE

The Commission will consider a request for continuance to a later date. The Commission may choose to continue the item to the date proposed below, to continue the item to another date, or to hear the item on this calendar.

1. 2020-005491ENV (J. NAVARRETE: (628) 652-7561)
2022 HOTEL CONVERSION ORDINANCE AMENDMENTS – 2022 Hotel Conversion Ordinance Amendments (HCO) Definition of Tourist or Transient Use; Amortization Period; San Francisco Board of Supervisors File No. 220815. **Preliminary Negative Declaration Appeal**. The 2022 HCO Amendments project is an ordinance amending Chapter 41 of the

Administrative Code to add a definition of Tourist or Transient Use under the Residential Hotel Unit Conversion Ordinance; to set the term of tenancy for such use at less than seven days for a period of two years after the effective date of this ordinance, and at no less than 30 days following that two-year period; to provide an amortization period applicable to hotels currently regulated under the ordinance; to provide a process by which the owners or operators of regulated hotels can apply for an extension of the amortization period, on a case-by-case basis; and, to amend the definition of Permanent Resident from a person who occupies a room for 32 days to a person who occupies a room for 30 days.

(Proposed for Continuance to January 26, 2023)

SPEAKERS: None
ACTION: Continued to January 26, 2023
AYES: Braun, Diamond, Imperial, Koppel, Moore, Tanner
ABSENT: Ruiz

15. [2021-006673DRP](#) (D. WINSLOW: (628) 652-7335)
88 WINFIELD STREET – north side between Esmeralda and Coso Avenues; Lot 028A in Assessor's Block 5611 (District 9) – Request for **Discretionary Review** of Building Permit No. 2020.0111.9195 to construct a vertical and rear horizontal addition to a two-story residence within a RH-2 (Residential-House, Two Family) Zoning District, Bernal Heights SUD (Special Use District), and 40-X Height and Bulk District. The Planning Department found that the project is exempt from the California Environmental Quality Act (CEQA). The Commission's action constitutes the Approval Action for the project for the purposes of CEQA, pursuant to San Francisco Administrative Code Section [31.04\(h\)](#).

Preliminary Recommendation: Approve with Conditions

WITHDRAWN

SPEAKERS: Georgia Schuttish – Letter in the packet addressed to Mr. Winslow
ACTION: Withdrawn

B. CONSENT CALENDAR

All matters listed hereunder constitute a Consent Calendar, are considered to be routine by the Planning Commission, and may be acted upon by a single roll call vote of the Commission. There will be no separate discussion of these items unless a member of the Commission, the public, or staff so requests, in which event the matter shall be removed from the Consent Calendar and considered as a separate item at this or a future hearing

2. [2021-011595CUA](#) (G. PANTOJA: (628) 652-7380)
333 DOLORES STREET – east side between 16th and 17th Streets; Lot 057 in Assessor's Block 3567 (District 8) – Request for **Conditional Use Authorization** pursuant to Planning Code Sections 209.1 and 303 for the construction of a one-story building and expansion of an existing School Use (DBA "Children's Day School") within a RM-1 (Residential- Mixed, Low Density) Zoning District and 40-X Height and Bulk District. The new building will replace three existing temporary classroom structures at the site and not increase the school's existing student enrollment. The Planning Department found that the project is exempt from the California Environmental Quality Act (CEQA). The Commission's action constitutes the Approval Action for the project for the purposes of CEQA, pursuant to San Francisco Administrative Code Section [31.04\(h\)](#).

Preliminary Recommendation: Approve with Conditions

SPEAKERS: None
ACTION: Approved with Conditions
AYES: Braun, Diamond, Imperial, Koppel, Moore, Tanner
ABSENT: Ruiz
MOTION: [21209](#)

3. [2022-003067CUA](#) (E. WU: (628) 652-7415)
245 VALENCIA STREET – east side between Clinton Park and 14th Street; Lot 091 of Assessor's Block 3532 (District 9) – Request for **Conditional Use Authorization**, pursuant to Planning Code Sections 121.2, 303, and 752, to allow the temporary conversion of an existing parking garage (currently accessory to a church "Annunciation Cathedral") into a commercial parking garage open to the general public (DBA Golden State Parking) and the establishment of a non-residential use larger than 4,000 square feet within a NCT-3 (Moderate Scale Neighborhood Transit) Zoning District and 50-X Height and Bulk District. The Planning Department found that the project is exempt from the California Environmental Quality Act (CEQA). The Commission's action constitutes the Approval Action for the project for the purposes of CEQA, pursuant to San Francisco Administrative Code section [31.04](#)(h).

Preliminary Recommendation: Approve with Conditions

SPEAKERS: None
ACTION: Approved with Conditions
AYES: Braun, Diamond, Imperial, Koppel, Moore, Tanner
ABSENT: Ruiz
MOTION: [21210](#)

5. [2022-007603CUA](#) (K. AGNIHOTRI: (628) 652-7454)
944 IRVING STREET – north side between 10th and 11th Avenues; Lot 025 of Assessor's Block 1740 (District NCD) – Request for **Conditional Use Authorization** pursuant to Planning Code Sections 303(n) and 730, to establish a massage use (d.b.a. Enchanted Massage), within an existing retail space at the ground floor of an existing two-story commercial building, within the Inner Sunset NCD (Neighborhood Commercial District) Zoning District and 40-X Height and Bulk District. The Planning Department found that the project is exempt from the California Environmental Quality Act (CEQA). The Commission's action constitutes the Approval Action for the project for the purposes of CEQA, pursuant to San Francisco Administrative Code Section [31.04](#)(h).

Preliminary Recommendation: Approve with Conditions

SPEAKERS: None
ACTION: Approved with Conditions
AYES: Braun, Diamond, Imperial, Koppel, Moore, Tanner
ABSENT: Ruiz
MOTION: [21211](#)

C. COMMISSION MATTERS

6. Land Acknowledgement

Commissioner Braun:

The Planning Commission acknowledges that we are on the unceded ancestral homeland of the Ramaytush Ohlone, who are the original inhabitants of the San Francisco Peninsula. As the indigenous stewards of this land and in accordance with their traditions, the Ramaytush Ohlone have never ceded, lost, nor forgotten their responsibilities as the caretakers of this place, as well as for all peoples who reside in their traditional territory. As guests, we recognize that we benefit from living and working on their traditional homeland. We wish to pay our respects by acknowledging the Ancestors, Elders, and Relatives of the Ramaytush Ohlone community and by affirming their sovereign rights as First Peoples.

7. Consideration of Adoption:

- [Draft Minutes for November 10, 2022](#)
- [Draft Minutes for November 17, 2022](#)

SPEAKERS: None

ACTION: Adopted

AYES: Braun, Diamond, Imperial, Koppel, Moore, Tanner

ABSENT: Ruiz

8. Commission Comments/Questions

None.

D. DEPARTMENT MATTERS

9. Director's Announcements

Rich Hillis, Planning Director:

Good afternoon, Commissioners. Just an update on the Housing Element's schedule. So, we have obviously been working to address comments from HCD, the Board of Supervisors, you all, at the last hearing, as well as the public. We've got a significant final comments from the public as well. So, it has been a fairly hectic time. We will be back before you next week on the 8th for an Informational Hearing. You won't get a detailed packet before then about those changes because we are working on changes to get to you on the 8th so you can adopt on the 15th. But we'll try to get you a summary of changes and then the changes on the 8th and we'll walk through those changes on the 8th. So, that's the calendar we will be looking for any changes you want to make on the 15th and then adoption on the 15th.

President Tanner:

Thank you. I would just ask if whatever does come forward on the 8th, if you can highlight the changes. That's very very helpful.

Rich Hillis, Planning Director:

Yes. It will all be red lined.

10. Review of Past Events at the Board of Supervisors, Board of Appeals and Historic Preservation Commission

Aaron Starr, Manager of Legislative Affairs:

Good afternoon, Commissioners. This week, the Land Use Committee took up the Mayor's Automobile Uses Housing Density ordinance which was on the docket. Unfortunately, due to a noticing error the item had to be continued. However, it should be back on Monday.

The committee was also able to hear the Safety and Resilience Element this week. Commissioners, you heard it item on September 29th and recommended approval. AnMarie Rodgers and Danielle Ngo presented at the committee. There was only one public commenter after which the committee forwarded the ordinance to the full board with a positive recommendation. And then, this week at the full board the Turk and Taylor Street Intersection landmark designation passed its second read and Supervisor Safai's Overnight Parking and Cannabis Retail Uses ordinance passed its first read. And that is all I have for you today.

E. GENERAL PUBLIC COMMENT

SPEAKERS: Georgia Schuttish - Project on Sanchez Street: Very close to thresholds for Demolition Calculations, yet was approved as an Alteration. Project made a lot of money for the developers: Did not add to the housing stock of San Francisco: Sitting empty for years. Loophole created: Demo Calcs have never been adjusted. DeFacto Demolitions: Not intent of Section 317 Legislative authority of Commission under Section 317 (b) (2) (D): Was intended to prevent deFacto Demolitions. Submitted: "Scenarios" show how Commission can adjust Demo Calcs. ZA adjusted the Demonstrably Unaffordable values five times due to the rapid escalation in sales price/cost of housing throughout the City. Commission should have used legislative authority in concert with the ZA to adjust the Demo Calcs. Should use Section 317 (b) (2) (D) now. Logic of California Court of Appeal decision in Tehlirian et al v. CCSF: Unassailable. See: Ten page Court decision submitted with letter and "Scenarios"

F. REGULAR CALENDAR

The Commission Hearing Procedures provide for presentations by staff; when applicable, followed by a presentation of the project sponsor team; followed by public comment. Please be advised that the project sponsor team includes: the sponsor(s) or their designee, lawyers, architects, engineers, expeditors, and/or other advisors.

11. [2022-009701PCA](#) (V. FLORES: (628) 652-7525)
GROCERY STORES IN POLK STREET NEIGHBORHOOD COMMERCIAL DISTRICT [BF 221023] – Planning Code Amendment – sponsored by Supervisor Peskin, to authorize replacement of a Legacy General Grocery use with a subsequent General Grocery use in excess of 4,000 square feet in the Polk Street Neighborhood Commercial District; affirming the Planning Department's determination under the California Environmental Quality Act; and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

Preliminary Recommendation: Approve with Modifications

SPEAKERS: = Veronica Flores – Staff report
 + Mr. Mogannam – Clarifications from Bi-Rite owner
 = Rich Hillis – Response to comments and questions
 = Aaron Starr – Response to comments and questions
 ACTION: Approved with Modifications
 AYES: Braun, Diamond, Imperial, Koppel, Moore, Tanner
 ABSENT: Ruiz
 RESOLUTION: [21212](#)

12. [2022-008199GPR](#) (M. SNYDER: (628) 652-7460)
200 FOLSOM STREET (AKA TRANSBAY BLOCK 2) – the block bounded by Folsom Street on the south, Main Street on the east, Beale Street on the west and the alignment of Clementina Street on the north, Lot 014 in Assessor's Block 3739 – **General Plan Conformity Findings** – Pursuant to Section 4.105 of the Charter and Section 2A.53 of the Administrative Code of the City and County of San Francisco, recommending General Plan conformity findings for an amendment to the Redevelopment Plan for the Transbay Project Area that would increase the maximum floor plate standard for portions of the building between 85-feet and 144-feet in height from 7,500 square feet to 11,100 square feet, and for portions of the building between 144-feet and 165-feet in height from 7,500 square feet to 9,200 square feet for the subject site; and making findings with the eight priority policies of Planning Code Section 101.1. The amendments would enable the Transbay Block 2 Project, which would include two 100% affordable housing buildings on an empty lot (previously used for the temporary Transit Center); the two new buildings would extend to 85-feet and 165-feet in height (exclusive of mechanical equipment) and would be programmed for senior housing and family housing respectively and together would include 335 units, 4,900 square feet of retail, a 6,447 square foot childcare center, among other features. The subject site is currently within a TB DTR (Transbay Downtown Residential) Zoning District, within the Transbay Redevelopment Project Area – Zone 1, and 50/85/165-TB Height and Bulk District.

Preliminary Recommendation: Adopt

SPEAKERS: = Mat Snyder – Staff presentation
 + Kim Bosveld – OCII presentation
 + Owen Kennerly – Project Design presentation
 + Sue Hestor – Low-income housing for seniors and families
 = Austin Yang, Deputy City Attorney – Response to questions and comments
 ACTION: Adopted as amended and read into the record by Staff
 AYES: Braun, Diamond, Imperial, Koppel, Moore, Tanner
 ABSENT: Ruiz
 MOTION: [21213](#)

- 13a. [2019-003978CUA](#) (R. SALGADO: (628) 652-7332)
749 GRANT AVENUE – southwest corner of Clay Street; Lot 001 in Assessor's Block 0225 (District 3) – Request for **Conditional Use Authorization** pursuant to Planning Code Section 254 and 303, to allow for a structure over 35 feet in height in a Chinatown Mixed-Use District, for a Project that includes the construction of a two-story addition on top of the

existing two-story mixed-use building to create a four-story mixed-use building with retail space at the ground floor and basement and six two-bedroom dwelling-units, with approximately 1,500 square feet of common open space via a roof deck, at the subject property. The project site is located within a CVR (Chinatown-Visitor Retail) Zoning District and 50-N Height and Bulk District. The Planning Department found that the project is exempt from the California Environmental Quality Act (CEQA). The Commission's action constitutes the Approval Action for the project for the purposes of CEQA, pursuant to San Francisco Administrative Code Section [31.04\(h\)](#).

Preliminary Recommendation: Approve with Conditions

SPEAKERS: = Claudine Asbagh – Staff report
 + Bill Guan – Project sponsor presentation
 + Peter – Great opportunity to bring more business to Chinatown
 + Owner – Building need repair, make building significant in Chinatown
 + Speaker – translation unavailable
 + Speaker – translation unavailable
 + Speaker – translation unavailable

ACTION: Approved with Conditions

AYES: Braun, Diamond, Imperial, Koppel, Moore, Tanner

ABSENT: Ruiz

MOTION: [21214](#)

- 13b. [2019-003978VAR](#) (R. SALGADO: (628) 652-7332)
749 GRANT AVENUE – southwest corner of Clay Street; Lot 001 in Assessor's Block 0225 (District 3) – Request for Zoning Officer to consider a **Variance** from the Site Coverage in Chinatown Mixed-Use Districts requirements of Planning Code Section 134.1. The project site is located within a CVR (Chinatown-Visitor Retail) Zoning District and 50-N Height and Bulk District.

SPEAKERS: Same as item 13a.

ACTION: ZA closed PC, and indicated an intent to Grant

14. [2019-014334CUA](#) (K. GUY: (628) 652-7325)
2629 TAYLOR STREET – northwest corner of North Point Street; Lot 014 in Assessor's Block 0022 (District 3) – Request for **Conditional Use Authorization** pursuant to Planning Code Sections 210.1, 240.2, and 303 to demolish the existing one-story commercial building and construct a new four-story over basement hotel reaching a height of 40 feet with approximately 136 rooms and 2,000 square feet of ground floor retail uses within a C-2 (Community Business) Zoning District, Waterfront SUD (Special Use District) #2, and 40-X Height and Bulk District. The Planning Department issued a mitigated negative declaration pursuant to the California Environmental Quality Act (CEQA). The Commission's action constitutes the Approval Action for the project for the purposes of the California Environmental Quality Act, pursuant to San Francisco Administrative Code Section [31.04\(h\)](#).

Preliminary Recommendation: Approve with Conditions

SPEAKERS: = Kevin Guy – Staff report
 + Michael Stanton – Project sponsor presentation
 + Steven – Carpenters union

- + Dave Fahey – Plumbers union
- + Cynthia Gomez – Hotel and hospitality workers union
- + Dan Torres – Union sprinklers
- + Josh – Sheet metal workers

ACTION: Approved with Conditions
AYES: Braun, Diamond, Imperial, Koppel, Moore, Tanner Ruiz
ABSENT: [21215](#)
MOTION:

4. [2022-000346CUA](#) (K. AGNIHOTRI: (628) 652-7454)
428 15TH AVENUE – east side between Geary Boulevard and Anza Street; Lot 024 in Assessor's Block 1530 (District 1) – Request for **Conditional Use Authorization** pursuant to Planning Code Sections 209.1, 303 and 317 to demolish an existing single-family dwelling and construct two new dwelling units at the subject property, within a RH-2 (Residential-House, Two Family) Zoning District and 40-X Height and Bulk District. The Planning Department found that the project is exempt from the California Environmental Quality Act (CEQA). The Commission's action constitutes the Approval Action for the project for the purposes of CEQA, pursuant to San Francisco Administrative Code Section [31.04](#)(h).
Preliminary Recommendation: Approve with Conditions

SPEAKERS: = Kalyani Agnihotri – Staff report
+ John Strickland – Project sponsor presentation
+ Zach- Project Architect – Design presentation
- Mark Norton – Site visit, confirm if there is an earthquake shack
= Georgia Schuttish – Basements, earthquake shack
- Chris Tam – Impact to sunlight in their backyard, foundation concerns
+ Project Architect – Response to comments and questions
= Liz Watty – Response to comments and questions
ACTION: Approved with Conditions
AYES: Braun, Diamond, Imperial, Koppel, Moore, Tanner
ABSENT: Ruiz
MOTION: [21216](#)

ADJOURNMENT 3:26 PM
ADOPTED DECEMBER 15, 2022