

SAN FRANCISCO PLANNING COMMISSION

Meeting Minutes

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

Thursday, May 2, 2024
12:00 p.m.
Regular Meeting

COMMISSIONERS PRESENT: DIAMOND, MOORE, BRAUN, IMPERIAL, KOPPEL, WILLIAMS
COMMISSIONERS ABSENT: NONE

THE MEETING WAS CALLED TO ORDER BY PRESIDENT DIAMOND AT 12:02 PM

STAFF IN ATTENDANCE: Veronica Flores, Gabriela Pantoja, Dan Sider, David Winslow, Laura Ajello, Matthew Chandler, Ella Samonsky, Corey Teague – Zoning Administrator, Richard Sucre – Deputy 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 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. 2024-001873PCAMAP (A. MERLONE: (628) 652-7534)
RESIDENTIAL ENCLAVE-MIXED DISTRICT, REZONE 135 KISSLING STREET [BF 240173] – Planning Code and Zoning Map Amendments – Ordinance, sponsored by Supervisor Dorsey, amending the Planning Code to conditionally permit vehicle storage lots in the Residential Enclave-Mixed (RED-MX) District and to update citations and cross references in the text and tables of specified Mixed Use Districts; amending the Zoning Map to rezone 135 Kissling Street, Assessor's Parcel Block No. 3516, Lot No. 068, from Residential Enclave (RED) to RED-MX; and

affirming the Planning Department's determination under the California Environmental Quality Act; making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and making findings of public necessity, convenience, and welfare pursuant to Planning Code, Section 302.

Preliminary Recommendation: Approve with Modifications

(Proposed for Continuance to May 23, 2024)

SPEAKERS: None
 ACTION: Continued to May 23, 2024
 AYES: Williams, Braun, Imperial, Koppel, Moore, Diamond
 ABSENT: None

2a. 2022-009794DRP (D. WINSLOW: (628) 652-7335)

1153 GUERRERO STREET – southeast corner of Elizabeth Street; Lot 021 in Assessor's Block 3645 (District 9) – Request for **Discretionary Review** of Building Permit No. 2022.0513.4235 to replace the rear porch and enclosed stair within the existing footprint to a two-unit building within a RH-3 (Residential House – Three Family) Zoning District and 40-X Height and Bulk District. The existing building has full lot coverage, and the project would reconstruct the rear porch within the same footprint, which is located within the required rear yard. 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: Do Not Take Discretionary Review and Approve

(Continued from Regular hearing on April 4, 2024)

Note: On December 14, 2023, after hearing and closing Public Comment, continued to January 25, 2024 with direction for staff to confirm accuracy of plans by a vote of +6 -0 (Ruiz absent). On January 25, 2024, without hearing, continued to February 29, 2024 by a vote of +5 -0 (Diamond absent). On February 29, 2024, without hearing, continued to April 4, 2024 by a vote of +6 -0. On April 4, 2024, without hearing, continued to May 2, 2024 by a vote of +6 -0.

(Proposed for Continuance to June 20, 2024)

SPEAKERS: None
 ACTION: Continued to June 20, 2024
 AYES: Williams, Braun, Imperial, Koppel, Moore, Diamond
 ABSENT: None

2b. 2022-009794VAR (L. AJELLO: (628) 652-7353)

1153 GUERRERO STREET – southeast corner of Elizabeth Street; Lot 021 in Assessor's Block 3645 (District 9) – Request for **Variance** from rear yard requirements of Planning Code Section 134 for a project that would replace an existing rear porch and enclosed stair within the existing footprint to a two-unit building within a RH-3 (Residential House – Three Family) Zoning District and 40-X Height and Bulk District. The Planning Code requires the subject property to maintain a rear yard of 32 feet (45% of lot depth). The existing building has full lot coverage, and the project would reconstruct the rear porch within the same footprint, which is located within the required rear yard.

(Continued from Regular hearing on April 4, 2024)

(Proposed for Continuance to June 20 2024)

SPEAKERS: None
 ACTION: ZA Continued to June 20, 2024

3. 2023-006927CUA (T. ATOYEBI: (628) 652-7363)

58 BUENA VISTA TERRACE – west side between Roosevelt Way and Buena Vista Avenue East; Lot 010 in Assessor's Block 2608 (District 8) – Request for **Conditional Use Authorization** pursuant to Planning Code Sections 249.92

and 303 to construct a two-story, vertical and horizontal addition to an existing two-story, 2,038 square foot single-family dwelling unit resulting in a dwelling unit with a gross floor area of 3,858 square feet within a RH-2 – (Residential-House, Two Family) Zoning District, Central Neighborhoods Large Residence 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

(Continued from Regular hearing on March 14, 2024)

(Proposed for Continuance to June 20, 2024)

SPEAKERS: None
 ACTION: Continued to June 20, 2024
 AYES: Williams, Braun, Imperial, Koppel, Moore, Diamond
 ABSENT: None

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. 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.

4. [2023-000072CUA](#) (J. SITU: (628) 652-7384)

14 PORTOLA DRIVE – southwest side at the intersection of Corbett Avenue and Cuesta Court; Lot 022 in Assessor's Block 2826 (District 8) – Request for **Conditional Use Authorization** pursuant to Planning Code Sections 249.92 and 303, to construct a horizontal rear addition to an existing 2,027 square foot single-family dwelling within a RH-1 (Residential- House, One Family) Zoning District, Central Neighborhoods Large Residence 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

SPEAKERS: None
 ACTION: Approved with Conditions
 AYES: Williams, Braun, Imperial, Koppel, Moore, Diamond
 ABSENT: None
 MOTION: [21551](#)

5. [2017-005154CUA-02](#) (D. SPYCHER: (628) 652-7588)

1300 COLUMBUS AVENUE – north side between Leavenworth and North Point Streets; Lots 004 and 005 in Assessor's Block 0023 (District 3) – Request for **Conditional Use Authorization** pursuant to Planning Code Section 303 to amend conditions Nos. 1 and 2 of Planning Commission Motion No. 20668 to extend project authorization by a period of three (3) years. The Motion, approved February 20, 2020, authorized a new four-story 87,620 square-foot, 40-foot tall, 174 room hotel addition with 8,100 square feet of ground floor retail at 1300 Columbus Avenue, Lots 004 and 005, in Assessor's block 0023, within a C-2 (Commercial Business) Zoning District and 40-X Height and Bulk District. The request to amend the conditions of approval pertaining to expiration dates in Motion No. 20668.

Preliminary Recommendation: Approve with Conditions

SPEAKERS: None
 ACTION: Approved with Conditions
 AYES: Williams, Braun, Imperial, Koppel, Moore, Diamond

ABSENT: None
MOTION: [21552](#)

6. [2024-002495PCA](#) (V. FLORES: (628) 652-7525)
900 KEARNY STREET SPECIAL USE DISTRICT, USE SIZES IN CHINATOWN COMMUNITY BUSINESS DISTRICT [BF 240193] – **Planning Code Amendments** – Ordinance, sponsored by Supervisor Peskin, to amend the 900 Kearny Street Special Use District; amending the Planning Code to clarify the Use Size maximums applicable in the Chinatown Community Business District; and affirming the Planning Department’s determination under the California Environmental Quality Act, making findings of consistency with the General Plan and the eight priority policies of Planning Code, Section 101.1, and making findings of public necessity, convenience, and welfare pursuant to Planning Code, Section 302.
Preliminary Recommendation: Approve with Modifications

SPEAKERS: None
ACTION: Approved with Modifications
AYES: Williams, Braun, Imperial, Koppel, Moore, Diamond
ABSENT: None
RESOLUTION: [21553](#)

C. COMMISSION MATTERS

7. LAND ACKNOWLEDGEMENT

Commissioner Imperial:

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.

8. COMMISSION COMMENTS/QUESTIONS

President Diamond:

So, I'll start off. I have two questions, the first has to do with SB-9. I read several, I'm sure many of us read several articles this week describing a lower court ruling that overturned SB-9 as it applies to charter cities. We're a Charter City. I wonder if the City Attorney or the Planning Director want to comment on how that affects how we are proceeding.

Austin Yang, Deputy City Attorney:

Sure. Deputy City Attorney, Austin Yang. That case last week was from Redondo Beach which sued the state over the constitutionality of SB-9, which is, obviously, a state law requiring ministerial approvals of lots splits in two unit developments. It is just a trial court ruling so it has no precedential effect on the City of San Francisco.

Rich Hillis, Planning Director:

I would just add, just from a policy standpoint, I mean, SB-9 obviously allows you to do more than one unit on a parcel that's zoned for otherwise single family. We've moved away from that, you know, anyway, so, I mean, even though this ruling you know, may ultimately have an impact on San Francisco, like we've moved locally to allow for up to four units on parcels that were formerly zoned for single family. I mean, it started a decade ago when we allowed for, allowed ADUs and continued with the four plex legislation you heard by Supervisor

Mandelman and then subsequent fourplex, six plex legislation you heard from Supervisor Melgar and Supervisor Engardio. So, I would just say as a policy matter, some of these jurisdictions may not have done that. We've moved away from single-family zoning anyway. SB-9 kind of provided another path to densify a lot in a single-family district.

President Diamond:

Any questions from the other Commissioners on SB-9? I'll make one comment on what I read in the papers about the ruling. So, as someone who reads with great interest, all of the findings we make on every motion and every approval, I think that case is a testament to how important findings are and explaining your rationale. It seems like the state in its accompanying rationale for the legislation, did not go far enough in tying the legislation to the issues that it indicated were driving it. So, I think, you know, we should keep doing what we're doing, which is make sure our findings really support the decisions that we're making. Okay, my second question has to do with downtown recovery. It's been a while since we've had an update, and I'm wondering if we could schedule something in the next few weeks that, you know, lets us know where all of the multitude of actions that were in the mayor's recovery plan stand.

Rich Hillis, Planning Director:

Sure, we'll work with OEWD to schedule that, because obviously they're involved on the economic development front. I'd say things are happening, so it's ripe to come back and talk to you about it. The Mayor was recently up in Sacramento to talk about two pieces of state legislation that allows for the use of tax increment financing for conversions. There's a bond that's kind of working its way through the city process at Capital Planning. And then we'll go to the Board of Supervisors that allows for some of the bonds to be, bond proceeds, to be used for public realm improvements that we talked about, like in the ULI report: Ali Plaza, Justin Herman Plaza could be used for, for that work. There's design work that's happening on Powell Street that's partly city funded, and then there are efforts that may be in the mayor's budget to, to help fill vacancies, especially along Powell Street and Union Square. So, I think it's a good time to have that discussion. We'll work to schedule that.

President Diamond:

Thank you.

D. DEPARTMENT MATTERS

9. DIRECTOR'S ANNOUNCEMENTS

Rich Hillis, Planning Director:

Just one quick announcement. Commissioner So was recommended by the Rules Committee to the Full Board of Supervisors. I think her approval hearing is Monday. So, most likely we'll see her next Thursday here at the Commission.

10. REVIEW OF PAST EVENTS AT THE BOARD OF SUPERVISORS, BOARD OF APPEALS AND HISTORIC PRESERVATION COMMISSION

Veronica Flores:

Land Use Committee

There were no Planning Department items at the Land Use Committee this week.

Rules Committee

There was however one item at the Rules Committee.

240300 Mayoral Appointment, Planning Commission - Lydia So. Sponsor: Mayor. Staff: Ionin.

After a handful of public comments in support and commendations from Committee members, the Committee passed the Mayoral nomination for Commissioner So's term ending on June 30, 2026, and sent this item to the full Board with positive recommendation.

Full Board

240199 Planning Code, Zoning Map - Treasure Island/Yerba Buena Island. Sponsors: Mayor; Dorsey. Staff: Look. Passed Second Read

240089 Planning Code - Landmark Designation - San Francisco Fire Station No. 44. Sponsors: Walton; Peskin. Staff: LaValley. Passed First Read

Corey Teague, Zoning Administrator:

Commissioners, the Board of Appeals did not meet last night, so there's no report.

Jonas P. Ionin, Commission Secretary:

The Historic Preservation Commission did meet yesterday, but the only item on its Regular Calendar was continued. So, their calendar is also, decreasing as as is yours. There's just simply less and less happening.

E. GENERAL PUBLIC COMMENT

SPEAKERS: Georgia Schuttish – Action item 8.3.2 in the Housing Element, Wall Street Journal article, Flat Policy, Demo Calcs
 Speaker – Protesting a time accounting report and fees, 749 27th Street
 Rich Sucre – Response to comments and questions
 Rich Hillis – Response to comments and questions

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. [2024-002677PCA](#) (G. PANTOJA: (628) 652-7380)
WAWONA STREET AND 45TH AVENUE CULTURAL CENTER SPECIAL USE DISTRICT [BOARD FILE NO. 240228] – Planning Code Text, Local Coastal Program Amendment – An ordinance, sponsored by Board of Supervisors Aaron Peskin and Joel Engardio, to amend the Planning Code to clarify the Wawona Street and 45th Avenue Special Use District's height limit and principal permitted use for purposes of the Local Coastal Program; amending the Local Coastal Program to add the Wawona Street and 45th Avenue Cultural Center Special Use District; amending the Local Coastal Program to designate the principal permitted use within the City's Coastal Zone for purposes of appeal to the California Coastal Commission; affirming the Planning Department's determination under the California Environmental Quality Act; making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and making findings of public necessity, convenience, and welfare under Planning Code, Section 302. The proposed amendments will be before the Commission so that it may recommend approval, rejection, or approval with modifications to the Board of Supervisors.

Preliminary Recommendation: Approve

SPEAKERS: = Gabriela Pantoja – Staff report
 + Jonathan Goldberg, Legislative Aide of Sup. Engardio – Introduction to the ordinance
 - Eileen Boken – Opposed unless amended, address not in PIM
 + John Kevlin – Acknowledgements

= Dan Sider – Response to comments and questions
 = Rich Hillis – Response to comments and questions
 ACTION: Approved
 AYES: Williams, Braun, Imperial, Koppel, Moore, Diamond
 ABSENT: None
 RESOLUTION: [21554](#)

G. DISCRETIONARY REVIEW CALENDAR

The Commission Discretionary Review Hearing Procedures provide for presentations by staff; followed by the DR requestor team; followed by the project sponsor team; followed by public comment. Please be advised that the DR requestor and project sponsor teams include: the DR requestor and sponsor or their designee, lawyers, architects, engineers, expeditors, and/or other advisors.

12. [2023-002390DRP](#) (D. WINSLOW: (628) 652-7335)
426 FILLMORE STREET, UNIT C – east side between Oak and Page Streets; Lot 056 in Assessor's Block 0842 (District 5) – Request for **Discretionary Review** of Building Permit No. 2023.0310.3504 to legalize a third-floor roof deck within the existing footprint to a three-unit building within a RM-1 (Residential Mixed – Low Density) 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: Do Not Take Discretionary Review and Approve
 (Continued from Regular hearing on March 14, 2024)

SPEAKERS: = David Winslow – Staff report
 - Loran Simon – DR presentation
 + Todd Brabec – Project sponsor presentation
 + Deborah Rosenthal – HOA
 ACTION: No DR
 AYES: Williams, Braun, Imperial, Koppel, Moore, Diamond
 ABSENT: None
 DRA: [856](#)

13. [2023-004324DRP](#) (L. AJELLO: (628) 652-7353)
2330 LANE STREET – west side between Yosemite and Armstrong Avenues; Lot 014 in Assessor's Block 5418 (District 10) – Request for **Discretionary Review** of Building Permit Application Numbers 2023.0202.1301 and 2023.0202.1302 pursuant to Planning Code Section 210.4, which proposes to demolish the existing non-residential structures and construct a new one-story commercial building. Change of use from automotive use to industrial agriculture for cannabis cultivation, cannabis retail with consumption lounge, and light manufacturing for non-VOC cannabis cultivation, within a M-1 (Light Industrial) Zoning District and 65-J 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: = Laura Ajello – Staff report
 - Josephine Zhao – DR presentation
 + Mubasher Choudhery – Project sponsor presentation
 - Sammy Wang – Neighborhood safety concerns
 - Speaker – Allergies
 - Speaker – Negative effect
 - Speaker – Safety for seniors and children

- Speaker – Unpleasant smell, safety and health of seniors and children
- Speaker – Negative impact to neighbors
- Danny – Concerns for seniors and youth mental health and safety
- Speaker – Oppose
- Eugene Jang – Bad for mental and physical health, security
- Speaker – We need a healthy community and safe environment
- Su Men Yee – Negative side effects to health
- Speaker – Negative effects to health
- Speaker – Safety concerns
- Speaker – Safety concerns and negative impact to neighborhood
- Speaker – Safety concerns for seniors
- Shao Yun Li – Odor
- Speaker – Seniors' safety, crimes
- Speaker – Mental and physical health
- Speaker – Incidents, safety concerns especially for the youth
- Jo Sang Woo – Negative impact to seniors and the youth
- Speaker – Oppose
- Deanna – Location is not located in a commercial corridor
- = Matthew Chandler – Response to comments and questions
- = Rich Sucre – Response to comments and questions
- = Ella Samonsky – Response to comments and questions

ACTION: No DR and Approve as proposed adding a Finding to the DRA memo, encouraging the Sponsor to engage in additional dialogue with the Bayview CAC.

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

ABSENT: None

DRA: [857](#)

ADJOURNMENT 2:53 PM

ADOPTED JUNE 6, 2024