

SAN FRANCISCO PLANNING COMMISSION

Meeting Minutes

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

Thursday, November 7, 2024
12:00 p.m.
Regular Meeting

COMMISSIONERS PRESENT: SO, MOORE, CAMPBELL, BRAUN, IMPERIAL, MCGARRY, WILLIAMS
COMMISSIONERS ABSENT: NONE

THE MEETING WAS CALLED TO ORDER BY PRESIDENT SO AT 12:04 PM

STAFF IN ATTENDANCE: Aaron Starr, Audrey Merlone, Joshua Switzky, Monica Giacomucci, Maggie Laush, Elizabeth 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 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. 2023-011348DRP (D. WINSLOW: (628) 652-7335)
1932-1934 JEFFERSON STREET – north side between Divisadero and Broderick Streets; Lot 030 in Assessor's Block 0911 (District 2) – Request for **Discretionary Review** of Planning Application No. 2023-011348PRJ to construct a new one-hour fire protected wall to comply with NOV 202304057 and Planning Code complaint # 2023-011348 ENF to a four-story two-family residential building 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: Do Not Take Discretionary Review and Approve

(Proposed for Continuance to November 21, 2024)

SPEAKERS: None
 ACTION: Continued to November 21, 2024
 AYES: Campbell, McGarry, Williams, Braun, Imperial, Moore, So
 NAYS: None

2. 2023-009469DRP (D. WINSLOW: (628) 652-7335)
77 BROAD STREET – south side between Plymouth and San Jose Avenues; Lot 014A in Assessor's Block 7112 (District 11) – Request for **Discretionary Review** of Building Permit Application No. 2023.0629.1225 for the construction of a two-story horizontal and vertical addition to add two dwelling units to a two-story, two-unit building 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: Do Not Take Discretionary Review and Approve
(Proposed for Continuance to November 21, 2024)

SPEAKERS: None
 ACTION: Continued to November 21, 2024
 AYES: Campbell, McGarry, Williams, Braun, Imperial, Moore, So
 NAYS: None

3. 2023-010283CUA (J. SACCHI: (628) 652-7308)
216 MONTANA STREET – north side between Faxon and Capitol Avenues; Lot 009 in Assessor's Block 7055A (District 11) – Request for **Conditional Use Authorization** pursuant to Planning Code Sections 209.1, 249.3, 303, and 317 to allow the demolition of an existing 2,549 square foot single-family dwelling and new construction of two new three-story, two-unit residential buildings. Each of the proposed residential buildings includes approximately 2,900 square foot, five-bedroom primary dwelling unit, and an approximately 1,100 square foot, two-bedroom Accessory Dwelling Unit (ADU). The Project site is located within a RH-1 (Residential-House, One Family) Zoning District, Oceanview Large Residence and Priority Equity Geographies SUD (Special Use Districts), 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
(Proposed for Continuance to December 12, 2024)

SPEAKERS: None
 ACTION: Continued to December 12, 2024
 AYES: Campbell, McGarry, Williams, Braun, Imperial, Moore, So
 NAYS: None

4. 2021-003547CUA (G. GUNTHER: (628) 652-7607)
243 STAPLES AVENUE – south side between Foerster Street and Edna Street; Lot 042 in Assessor's Block 3157 (District 7) – Request for **Conditional Use Authorization**, pursuant to Planning Code Sections 209.1, 303, and 317, to allow the demolition of an existing one-story over basement single-family dwelling and new construction of an approximately 7,243 square foot, three-story over basement single-family dwelling within a RH-1 (Residential- House, One Family) Zoning District, Family and Senior Housing Opportunity 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 September 12, 2024)

(Proposed for Continuance to January 30, 2025)

SPEAKERS: None
 ACTION: Continued to January 30, 2025
 AYES: Campbell, McGarry, Williams, Braun, Imperial, Moore, So
 NAYS: None

5. [2019-022850CUA-02](#) (C. FEENEY: (628) 652-7313)
1101-1123 SUTTER STREET – south side between Larkin and Polk Streets; Lots 001 and 019 in Assessor's Block 0692 (District 3) – Request to modify **Conditional Use Authorization** that was approved by the Planning Commission on March 24, 2022 through Motions No. 21091 and 21092 by 1) modifying the previously approved Conditional Use Authorization as a Pipeline Project, pursuant to Planning Code Section 415A, to reduce the On-Site Affordable Housing rate to 12% and the Affordable Housing Fee rate to 16.4%; 2) modifying the previously approved Conditional Use Authorization by extending the performance period; and 3) making Findings under the Individually Requested State Density Bonus Program (Sec. 206.6), pursuant to California Government Code Section 65915, to achieve a 64.67% density bonus, requesting seven waivers for rear yard (Sec. 134), residential open space (Sec. 135), above-grade parking setback (Sec. 145), off-street loading (Sec. 152), height (Sec. 260), narrow streets and alleys (Sec. 261.1), and bulk (Sec. 270); and two incentives/concessions for non-residential use size limits (Sec. 121.2) and restrictions of lot mergers (Sec. 121.7). The revised project proposes the demolition of a surface parking lot and an existing two-story commercial building at 1123 Sutter Street and construction of a new 22-story, 235-foot-tall building that will provide 303 rental dwelling units. On June 11, 2024, the Planning Department issued an addendum to the previously certified EIR that evaluates the potential environmental effects of the revised project compared to the impacts identified in the final EIR. The Project is within the Polk Street NCD (Neighborhood Commercial District), Priority Equity Geographies SUD (Special Use District), and 130-E and 65-A Height and Bulk Districts.

Preliminary Recommendation: Approve with Conditions

(Continued from a Regular hearing on October 10, 2024)

WITHDRAWN

SPEAKERS: None
 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. 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.

6. [2024-007477CUA](#) (W. MCCALLUM: (628) 652-7338)
1699 VAN NESS AVENUE – southwest corner of Sacramento Street; Lot 001 in Assessor's Block 0642 (District 2) – Request for **Conditional Use Authorization** pursuant to Planning Code Sections 209.3, 303, and 303.1 to establish a Formula Retail Financial Service Use for a bank (dba "Chase Retail Bank") on the ground floor of an existing three-story commercial building, within a RC-4 (Residential Commercial, High Density) Zoning District, Family and Senior Housing Opportunity SUD (Special Use District), Automotive SUD (Special Use District), and 80-D Height and Bulk District. No exterior alterations are proposed to the subject building. 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: Campbell, McGarry, Williams, Braun, Imperial, Moore, So
 NAYS: None
 MOTION: [21638](#)

7. [2024-006443CUA](#) (C. ALEXANDER: (628) 652-7334)
3533 CALIFORNIA STREET – southside between Spruce and Locust Streets; Lot 004 in Assessor's Block 1035 (District 2) – Request for **Conditional Use Authorization** pursuant to Planning Code Sections 303, 303.1, and 713, to establish an approximately 6,135- square-foot Formula Retail Financial Service use for a wealth management office (d.b.a. JP Morgan Financial Center) within a vacant tenant space at the first and second floors of an existing two-story commercial building, within a NC-S (Neighborhood Commercial, Shopping Center) Zoning District, Family and Senior Housing Opportunity SUD (Special Use District), and 40-X Height and Bulk District. No exterior alterations are proposed to the subject building. 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: Campbell, McGarry, Williams, Braun, Imperial, Moore, So
 NAYS: None
 MOTION: [21639](#)

C. COMMISSION MATTERS

8. 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.

9. CONSIDERATION OF ADOPTION:

- [Draft Minutes for October 17, 2024](#)

SPEAKERS: None
 ACTION: Adopted as Amended
 AYES: Campbell, McGarry, Williams, Braun, Imperial, Moore, So
 NAYS: None

- [Draft Minutes for October 24, 2024](#)

SPEAKERS: None
 ACTION: Adopted
 AYES: Campbell, McGarry, Williams, Braun, Imperial, Moore, So
 NAYS: None

10. COMMISSION COMMENTS/QUESTIONS

Commissioner Williams:

I'd like to welcome Commissioner Imperial back and it's good to see you. That's all.

Commissioner Braun:

I just want to recognize that in late October, the California Department of Housing and Community Development recognized San Francisco with its Pro Housing designation and I think this is a really big deal for the city. And so, I would like to just appreciate all the work that has gone into getting to this point with all the public who have been engaged in related processes, all the work of this Commission, Planning Department staff, and the elected officials in making this possible. And so an exciting time, the Pro Housing designation provides access to a limited full grant funding. But I think more importantly, it allows us to improve our score and receive priority processing for applications to a lot of state funding sources including sources related to affordable housing and infill infrastructure. So, I'm very excited that we've gotten to this point and I'm looking forward to continuing to move forward.

Commissioner Moore:

[inaudible]

Jonas P. Ionin, Commission Secretary:

Commissioner Moore, can you turn your microphone on.

Commissioner Moore:

I'm sorry, I did not know. Did you hear me and if not, I will repeat – that we should potentially expect some push back from Washington particularly regarding infrastructure and other things that are important to California. We are the largest state and most contributing state at the federal government and I do believe that as of news in the paper, push back to California particularly Governor Newsom has already been significantly expressed. So, I want all of us in our optimism of how we move forward to keep that in mind and particularly for those who are close to information that may be proprietary, keep us informed of what you're hearing.

D. DEPARTMENT MATTERS

11. DIRECTOR'S ANNOUNCEMENTS

Rich Hillis, Planning Director:

Thank you. Commissioners, I was going to make the same note that we did receive that Pro Housing designation. It also came kind of a year and a day after the state issued the Policy and Practice Review and we've made great progress. There are a couple of items that's still kind of remain and we can give you an update on kind of where things stand with the Policy and Practice Review. Also to note, Ms. Schuttish kind of brings up the Flat Policy, and I think she'll bring it up today too. But I wanted to remind you, it is 1) the policy is in effect, you've adopted it. We kind of treated it as a code, But it is on our work program, will come to you as part of the rezoning work that actually codifying the Flat Policy. So, looking forward to that as well. Thank you.

12. 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 Aaron Starr Manager of Legislative Affairs.

My husband started practicing Qi Gong a couple of years ago. If you're not familiar it's like Tai Chi, Tai Chi is more martial arts based, and Qi Gong is more focused on moving energy in and around the body.

So, energy, or Qi, has been a topic of conversation around my house a lot lately, and I'm starting to notice it more myself. The energy when you walk into a room and whether it has good or bad vibes, or you can tell if someone is tense or relaxed by the Qi they are giving off.

Cities also have Qi. Los Angeles, New York, and Wichita all have vastly different Qi, and that Qi can change based on the season changing or what's going on in the world.

You could really feel a different kind of Qi in San Francisco yesterday. It was a beautiful day, but the streets weren't bustling. You could feel this communal vibe everywhere. Best word I can use to describe it is melancholy. When I was out, walking around, I saw it in people, the tenderness in their step and the soft sadness on their faces.

That was a good reminder for me that part of our job here at planning is to build and maintain a city that fosters not only good Qi, but a city that can also help hold our collective grief and sadness, so when bad things happen, we don't feel so alone.

I didn't feel great yesterday, I don't feel great today, but I don't feel alone either. And that's saying something.

Land Use

240802 Planning Code - Authorize Increases to the Affordable Price and Income Limits for Certain Below Market Rate Owned Units and Require Amenities to be Resold with Unit. Sponsor: Melgar.

Last week the land use committee met and considered Supervisor Melgar's ordinance that would authorize Increases to the Affordable Price and Income Limits for Certain Below Market Rate Units.

The proposed Ordinance adds a new waiver for BMR units that were purchased at a higher price than the affordable resale price of today.

On October 17th, the Planning Commission adopted a recommendation for approval with amendments. The two amendments were:

1. Add a ten-unit trigger for a report to the Planning Commission, and
2. Allow the Planning Commission to delegate authority to staff. <<<note for you, this was already in the ordinance so there are no further amendments to this effect>>>

During the hearing, Supervisor Melgar read amendments into the record including:

1. requiring MOHCD to report to the TAC, Planning Commission, and the Board after 10 price adjustments, and every 10 thereafter.
2. requiring MOHCD to submit a report to BOS within 12 months of effective date, and every 12 months thereafter.

Supervisor Peskin inquired about potentially sunseting the proposed Ordinance 36 months from effective date, which Melgar was opposed to.

During Public Comment, there was one speaker, John Avalos from CCHO who spoke about his concerns over the proposed ordinance.

The Committee took two actions: 1) amended the ordinance as described, duplicated the file, and recommended the original ordinance as amended to the full board as a committee report and 2) continued the duplicate file (as amended) to Nov. 18th.

240727 Planning Code; Zoning Map - New Asia Senior Housing Special Use District - 758 and 772 Pacific Avenue. Sponsors: Peskin and Chan. Passed First Read

Next the Committee heard the ordinance sponsored by Supervisor Peskin that would create the New Asia Senior Housing Special Use District at 758 and 772 Pacific Avenue.

The new SUD would support a 175-unit 100% affordable senior housing project mainly by increasing the height limit in the SUD to 155 feet

The Planning Commission heard this item on September 19th and adopted a recommendation for approval with one proposed amendment, which was to rename the SUD to simply "758 and 772 Pacific Avenue Affordable Senior Housing SUD".

The Supervisor decided to keep the current name, so that the amendment was not accepted.

There were five comments in support of the ordinance including comments from CCDC, community leaders, and Chinatown residents. Preston and Melgar also signed on as co-sponsors.

At the end of public comment, the committee recommended the item as a committee report to the Full Board.

Board Last Week

[240806](#) Public Works Code, Planning Code - Fee Waiver for Vicha Ratanapakdee Mosaic Stairway. Sponsor: Stefani. Staff: Merlone. PASSED Second Read

[231268](#) Planning Code - Eliminating Public Art Requirement for 100% Affordable Housing Projects. Sponsor: Dorsey. Staff: Merlone. PASSED Second Read

[240727](#) Planning Code; Zoning Map - New Asia Senior Housing Special Use District - 758 and 772 Pacific Avenue. Sponsors: Peskin and Chan. Passed First Read

[240802](#) Planning Code - Authorize Increases to the Affordable Price and Income Limits for Certain Below Market Rate Owned Units and Require Amenities to be Resold with Unit. Sponsor: Melgar. Passed First Read

This week

No Land Use hearing

Full Board

[240727](#) Planning Code; Zoning Map - New Asia Senior Housing Special Use District - 758 and 772 Pacific Avenue. Sponsors: Peskin and Chan. PASSED Second Read

[240802](#) Planning Code - Authorize Increases to the Affordable Price and Income Limits for Certain Below Market Rate Owned Units and Require Amenities to be Resold with Unit. Sponsor: Melgar. PASSED Second Read

Commissioner Williams:

I just wanted to thank Mr. Starr for your commentary. Thank you.

Jonas P. Ionin, Commission Secretary:

The Historic Preservation Commission did meet yesterday and among other things considered two legacy business registry applications. The first was Lehr's German Specialties on Church Street and the second was Geary Print Shop on Geary Boulevard and adopted recommendation for approval for both.

E. GENERAL PUBLIC COMMENT

SPEAKERS: Georgia Schuttish – Video from 2015, 235-237 Jersey
Sue Hestor – Presentation on the Rules and Regulations, adopt 2025 hearing calendar

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.

13a. [2024-007906GPA](#)

(A. MERLONE: (628) 652-7534)

CENTRAL SOMA AND TRANSIT CENTER DISTRICT COMMERCIAL DEVELOPMENT REQUIREMENTS – General Plan Amendment – Ordinance, initiated by the Planning Commission, amending the General Plan to reduce commercial development requirements in the Central SoMa Area Plan and the Transit Center District Sub-Area Plan areas; 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 adopting findings of public necessity, convenience, and welfare under Planning Code, Section 340.

Preliminary Recommendation: Adopt a Recommendation for Approval

(Continued from Regular hearing on October 24, 2024)

SPEAKERS: = Audrey Merlone – Staff report
+ Lisa Gluckstein, Mayor's office – Introduction to the ordinance
- David Woo, SOMA Pilipinas – Lack of public process
- PJ Eugenio, SOMCAN – No affordable housing plan
- Zachary, SOMCAN – Displacement impacts

- Teresa, SOMCAN – Fees, impacts, shadow analysis
- Jesse Blout – Challenge of office construction
- + Brianna Morales, Housing Action Coalition – Opportunity to provide housing in the
- + Jim Abrams, Land Use Council – Should not apply to the transit center
- Sue Hestor – Residence that are low income
- = Rich Hillis – Response to comments and questions
- = Joshua Switzky – Response to comments and questions
- = Elizabeth Watty – Response to comments and questions

ACTION: Adopted a Recommendation for Approval
 AYES: Campbell, McGarry, Williams, Braun, Imperial, Moore, So
 NAYS: None
 RESOLUTION: [21640](#)

- 13b. [2024-006988PCAMAP](#) (A. MERLONE: (628) 652-7534)
CENTRAL SOMA AND TRANSIT CENTER DISTRICT COMMERCIAL DEVELOPMENT REQUIREMENTS [BOARD FILE NO. 240787] – **Planning Code and Zoning Map Amendment** – Ordinance, introduced by the Mayor, amending the Planning Code and Zoning Map to reduce commercial development requirements in the Central SoMa Special Use District and remove the Transit Center C-3-0(SD) Commercial Special Use District; 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 adopting findings of public necessity, convenience, and welfare under Planning Code, Section 302.
Preliminary Recommendation: Adopt a Recommendation for Approval with Modifications
 (Continued from Regular hearing on October 24, 2024)

SPEAKERS: Same as item 13a.
 ACTION: Adopted a Recommendation for Approval with Staff recommended modifications, specifically excluding the Transit Center; exploration of site specific benefits for the key sites impacted by the legislation; prioritization of the SOMA CHESS Implementation Plan; and to transmit comments encouraging a complete neighborhood plan.
 AYES: Campbell, McGarry, Williams, Braun, Imperial, Moore, So
 NAYS: None
 RESOLUTION: [21641](#)

14. [2024-008986PPS](#)
10 SOUTH VAN NESS AVENUE – southwest corner of the intersection of Market Street and South Van Ness Avenue, bound by those two streets and 12th Street to the west; Lots 003A and 004 in Assessor’s Block 3506 (District 6) – **Informational Presentation** for the proposed construction of a housing development project pursuant to Government Code Section 65913.4 (SB 423), in an area subject to Government Code section 65913.4(q). The Project would utilize the State Density Bonus Law to demolish the existing two-story commercial building and construct a 65-story mixed-use residential building with a 13-story podium containing approximately 1,492,000 gross square feet of residential uses and approximately 19,000 gross square feet of ground-floor retail uses. The Project includes a total of 952 dwelling units with a unit mix of 515 one-bedroom units, 408 two-bedroom units, and 29 three-bedroom (or larger) units, with 73 of the dwelling units provided as affordable units. The Project includes 238 off-street parking spaces, five off-street freight loading spaces, six car share spaces, and 372 bicycle parking spaces. The Project Sponsor submitted a notice of intent to construct the project on October 2, 2024. After the hearing and upon completion of tribal consultation, a formal application may be submitted following the project sponsor’s review of any public testimony and written comments from the hearing.
Preliminary Recommendation: None – Informational

[Disclosure by Commissioner Braun 1:37:52 – 1:38:28](#)

- SPEAKERS: + Nick Roosevelt – Project sponsor presentation
 - Bridget Maley – Unit mix, segregated building
 = Georgia Schuttish – How are people notified of SB 423 projects
 + Brianna Morales, Housing Action Coalition – More housing and affordable units, insights and considerations
 = Sue Hestor – Neighborhood notices
 = Elizabeth Watty – Response to comments and questions
 = Rich Hillis – Response to comments and questions
- ACTION: None – Informational

15a. [2024-008290PCAMAP](#) (M. GIACOMUCCI: (628) 652-7414)

30 VAN NESS AVENUE [BOARD FILE NO. 240872]: 30 VAN NESS AVENUE SPECIAL USE DISTRICT; AMENDMENT OF AGREEMENT FOR SALE OF REAL ESTATE – Planning and Zoning Code Amendment – Ordinance, introduced by Mayor Breed and Supervisor Dorsey, amending the Planning Code and Zoning Map to create the 30 Van Ness Avenue Special Use District, in the area generally bound by Fell Street to the north, Market Street to the east and south, and Van Ness Avenue to the west; modifying the Notice of Special Restrictions related to inclusionary housing obligations under the Agreement for Sale of Real Estate between the City and 30 Van Ness Development LLC; 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 public necessity, convenience, and welfare findings under Planning Code, Section 302.

Preliminary Recommendation: Approve

[Disclosure by Commissioner Braun 2:28:53 - 2:29:29](#)

[Recusal by Commissioner Campbell 2:29:31 - 2:30:18](#)

- SPEAKERS: = Monica Giacomucci – Staff report
 + Madison Tam, Legislative aide to Sup. Dorsey – Introduction to the ordinance
 + Anne Taupier – OEWD report
 + Pat Hanlon – Project sponsor presentation
 + Brianna Morales, Housing Action Coalition – Increase financial feasibility
 + Rudy Gonzales, SF Building Trades – Construction industry, job opportunities
 + Jay Bordeleau – Support
 + Tracy Everline – Active storefront, foot traffic, safety
 + Scott Nielson – Significant improvement in the neighborhood
 + Michael Low – Foot traffic
- ACTION: Adopted a Recommendation for Approval
- AYES: McGarry, Williams, Braun, Moore, So
- NAYS: Imperial
- RECUSED: Campbell
- RESOLUTION: [21642](#)

15b. [2024-008290DNX](#) (M. GIACOMUCCI: (628) 652-7414)

30 VAN NESS AVENUE – northeast corner of Market Street; Lot 004 in Assessor's Block 0835 (District 6) – Request for an **Amendment** to the **Conditions of Approval** of the Downtown Project Authorization for the project (the "Initial Project") at 30 Van Ness Avenue previously approved by the Planning Commission on May 21, 2020, through Motion No. 20717 to allow the Project to no longer provide on-site inclusionary affordable units pursuant to a proposed Special Use District, which would remove the on-site affordable housing obligation in consideration of the Project Sponsor's excess payment of development impact fees as compared to what would have been owed if the Sponsor had elected to delay issuance of building permits and qualified for the 33% impact fee reduction program adopted by the City in 2023 (Ordinance No. 201-23, Board file 230855). The

Modified Project would not change the building envelope approved under the Initial Project, and includes a total gross floor area of approximately 722,072 gross square feet, with approximately 467,107 gross square feet of residential use (333 dwelling units) within a tower situated atop a nine-story podium containing approximately 252,905 gross square feet of general office use, approximately 2,060 gross square feet of retail uses, 300 Class 1 and 72 Class 2 bicycle parking spaces, and three below-grade levels that would accommodate up to 146 vehicle parking and five car share spaces provided for the residential and office uses. The subject property is located within a C-3-G (Downtown- General) Zoning District and 120/400-R-2//140/520-R-2 Height and Bulk District.

Preliminary Recommendation: Approve with Conditions

SPEAKERS: Same as item 15a.
 ACTION: Approved with Conditions
 AYES: McGarry, Williams, Braun, Moore, So
 NAYS: Imperial
 RECUSED: Campbell
 MOTION: [21643](#)

- 15c. [2024-0082900FA](#) (M. GIACOMUCCI: (628) 652-7414)
30 VAN NESS AVENUE – northeast corner of Market Street; Lot 004 in Assessor's Block 0835 (District 6) – Request for an **Office Development Authorization** from the "Large Cap" program for the project at 30 Van Ness Avenue previously approved by the Planning Commission on May 21, 2020, through Motion No. 20717. The Project would add approximately 19,000 square feet of office space, located on a portion of the second floor previously approved as retail and building support/mechanical space, as the overall amount of office use in the Project will exceed 50,000 gross square feet. The Modified Project would not change the building envelope originally approved by the Commission under Motion No. 20717. As proposed, the Modified Project includes a total gross floor area of approximately 722,072 gross square feet, with approximately 467,107 gross square feet of residential use (333 dwelling units) within a tower situated atop a nine-story podium containing approximately 252,905 gross square feet of general office use, approximately 2,060 gross square feet of retail uses, 300 Class 1 and 72 Class 2 bicycle parking spaces, and three below-grade levels that would accommodate up to 146 vehicle parking and five car share spaces provided for the residential and office uses. The subject property is located within a C-3-G (Downtown- General) Zoning District and 120/400-R-2 // 140/520-R-2 Height and Bulk District.

Preliminary Recommendation: Approve with Conditions

SPEAKERS: Same as item 15a.
 ACTION: Approved with Conditions
 AYES: McGarry, Williams, Braun, Moore, So
 NAYS: Imperial
 RECUSED: Campbell
 MOTION: [21644](#)

16. [2022-007042CUA](#) (M. LAUSH: (628) 652-7339)
250-252 CUMBERLAND STREET – north side between Sanchez and Church Streets; Lot 046 in Assessor's Block 3600 (District 8) – Request for **Conditional Use Authorization** pursuant to Planning Code Sections 249.92, 303, and 317 to legalize the relocation of unit 250 from the second floor to the first floor, a 34% reduction in floor area tantamount to a merger, the expansion of unit 252 to include the second through fourth floors, a 51% increase in floor area resulting in a dwelling unit more than 3,000 square feet, and unauthorized changes to the front façade 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

SPEAKERS: = Maggie Laush – Staff report
+ John Kevlin – Project sponsor presentation
+ Stephanie Lim - Owner
+ Rick Carrell – Approve with minimal conditions
+ Georgia Schuttish – It is subjective to say the illegal Alteration sanitized facade of Cumberland by removing original shingles and distinctive clinker bricks. But it is objective to say this CUA shows why Flat Policy should be Codified. Findings on Flat Policy in Draft Motion p. 6 should be amended. This is an "Exceptional Circumstance". As written in 11/5 email, families may use "living rooms" and "dining rooms" as sleeping spaces out of convenience and necessity. "An overly large one bedroom" is subjective description of original 250 Flat. Now is highly unlikely 250 Cumberland will ever be on the market for a separate family. For all intents and purposes the Flats are permanently a SFH with multiple bedrooms. Before the illegal work Flats sold for: \$1.7 million. After the illegal work SFH sold for: \$6 million. This fact also shows reason why Flat Policy should be codified. See "Whereas" clauses Resolution 20024.
= Kirsten Jensen, Deputy City Attorney – Response to comments and questions
= Elizabeth Watty – Response to comments and questions
ACTION: Approved as-built (façade) with Conditions
AYES: Campbell, McGarry, Williams, Braun, Imperial, Moore, So
NAYS: None
MOTION: [21645](#)

ADJOURNMENT 3:40 PM
ADOPTED NOVEMBER 21, 2024