

SAN FRANCISCO PLANNING COMMISSION

Meeting Minutes

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

Thursday, July 13, 2023
1:00 p.m.
Regular Meeting

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

THE MEETING WAS CALLED TO ORDER BY PRESIDENT TANNER AT 1:01 PM

STAFF IN ATTENDANCE: Dan Sider, Lily Langlois, Kate Conner, Carly Grob, Jeff Horn, Dakota Spycher, David Winslow, Rich Hillis – Planning Director, Liz Watty – Director of Current Planning, 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. [2022-006707CUA](#) (M. CHANDLER: (628) 652-7340)
1240 STANYAN STREET – east side between 17th Street and Belgrave Avenue; Lot 054 in Assessor's Block 1289 (District 8) – Request for **Conditional Use Authorization** pursuant to Planning Code Sections 209.1, 303, and 317, to allow the demolition of an existing two-

unit building to construct a new 3,760 gross-square-foot, 30-foot tall, four-story two-unit building with one off-street parking space and two Class 1 bicycle parking spaces, 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
(Proposed for Continuance to October 5, 2023)

SPEAKERS: None
 ACTION: Continued to October 5, 2023
 AYES: Braun, Ruiz, Diamond, Imperial, Koppel, Tanner
 ABSENT: Moore

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. [2015-007816CUA-02](#) (S. JIMENEZ: (628) 652-7348)
400-444 DIVISADERO AND 1048-1064 OAK STREETS – northeast corner of Divisadero and Oak Streets; Lots 004, 005, 017, 018, and 019 in Assessor's Block 1216 (District 5) – Request to modify existing conditions of approval pertaining to project Validity, Expiration, and Renewal for the project's **Conditional Use and Planned Unit Development Authorization** authorized under Motion No. 20464 by extending their validity by a period of three years. Under the requested modification, the authorization would be valid until June 13, 2025. No changes are proposed to the previously approved project.

Preliminary Recommendation: Approve with Conditions

SPEAKERS: None
 ACTION: Approved with Conditions
 AYES: Braun, Ruiz, Diamond, Imperial, Koppel, Tanner
 ABSENT: Moore
 MOTION: [21345](#)

3. [2022-007507CUA](#) (D. SPYCHER: (628) 652-7588)
8 BUCHANAN STREET #210 – northeast corner of Market Street; Lot 039 in Assessor's Block 0872 (District 8) – Request for **Conditional Use Authorization** pursuant to Planning Code Sections 202.10, 303 and 752 to unit #210 at the subject property as an Intermediate Length Occupancy (ILO) unit. Classification as an ILO unit allows a dwelling unit to be offered for occupancy for an initial stay with a duration of greater than 30 days but less than one year (365 days). ILO units are a use characteristic. The unit(s) proposed for ILO classification will remain dwelling units. The subject property is located within a NCT-3 (Neighborhood Commercial Transit, Moderate-Scale) Zoning District and 85-X Height & Bulk District.

Preliminary Recommendation: Approve with Conditions

SPEAKERS: None
ACTION: Approved with Conditions
AYES: Braun, Ruiz, Diamond, Imperial, Koppel, Tanner
ABSENT: Moore
MOTION: [21346](#)

4. [2022-006560CUA](#) (D. SPYCHER: (628) 652-7588)
8 BUCHANAN STREET #403 – northeast corner of Market Street; Lot 063 in Assessor's Block 0872 (District 8) – Request for **Conditional Use Authorization** pursuant to Planning Code Sections 202.10, 303 and 752 to classify unit #403 at the subject property as an Intermediate Length Occupancy (ILO) unit. Classification as an ILO unit allows a dwelling unit to be offered for occupancy for an initial stay with a duration of greater than 30 days but less than one year (365 days). ILO units are a use characteristic. The unit(s) proposed for ILO classification will remain dwelling units. The subject property is located within a NCT-3 (Neighborhood Commercial Transit, Moderate-Scale) Zoning District and 85-X Height and Bulk District.

Preliminary Recommendation: Approve with Conditions

SPEAKERS: None
ACTION: Approved with Conditions
AYES: Braun, Ruiz, Diamond, Imperial, Koppel, Tanner
ABSENT: Moore
MOTION: [21347](#)

5. [2022-010149CUA](#) (M. DITO: (628) 652-7358)
96 CASELLI AVENUE – northeast corner of Clover Street; Lot 068 in Assessor's Block 2691 (District 8) – Request for **Conditional Use Authorization** pursuant to Planning Code Sections 209.1, 249.92, and 303, for a one-story vertical addition to an existing single-family dwelling that results in the subject dwelling unit exceeding a 1:1.2 floor area ratio. The subject property is located 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: None
ACTION: Approved with Conditions
AYES: Braun, Ruiz, Diamond, Imperial, Koppel, Tanner
ABSENT: Moore
MOTION: [21348](#)

6. [2023-000361CUA](#) (C. ALEXANDER: (628) 652-7334)
6000 GEARY BOULEVARD – northwest corner of 24th Avenue; Lot 016 in Assessor's Block 1456 (District 1) – Request for **Conditional Use Authorization** pursuant to Planning Code Sections 187.1, 303, and 739 to intensify an existing 1,989-square-foot Automotive Service

use (d.b.a. Chevron) within an existing one-story commercial building, within the Geary Blvd NCD (Neighborhood Commercial District) Zoning District and 40-X Height and Bulk District. The Project proposes interior and exterior tenant improvements to remove the existing service bays and replace them with additional retail use, installation of a new trash and mechanical enclosure, and accessible parking. New business signage will be applied for under a separate building permit. 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, Ruiz, Diamond, Imperial, Koppel, Tanner
ABSENT: Moore
MOTION: [21349](#)

7. [2023-001397CUA](#) (C. ALEXANDER: (628) 652-7334)
2025 VAN NESS AVENUE – west side between Pacific and Jackson Streets; Lot 001 in Assessor's Block 0594 (District 2) – Request for **Conditional Use Authorization** pursuant to Planning Code Sections 209.3, 303, and 303.1 to establish an approximately 4,200-square-foot Formula Retail use for Financial Service (d.b.a. First Republic Bank) within an existing one-story commercial building, within the RC-4 (Residential-Commercial, High Density) Zoning District, and 80-D Height and Bulk District. The Project proposes interior and exterior tenant improvements, installation of an ATM, and accessible parking. New business signage will be applied for under a separate building permit. 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, Ruiz, Diamond, Imperial, Koppel, Tanner
ABSENT: Moore
MOTION: [21350](#)

8. [2021-007063CUA](#) (G. PANTOJA: (628) 652-7380)
0 ALEMANY BOULEVARD/TOMPKINS AVENUE – west side of Alemany Boulevard; northeast corner of Tompkins and Peralta Avenues; Lot 023 in Assessor's Block 5695 (District 9) – Request for **Conditional Use Authorization** pursuant to Planning Code Sections 211.2 and 303 to establish a Community Recycling Collection Center Use (DBA "One Planet Recycling SF") within a P (Public) Zoning District and 40-X Height and Bulk District. The business is established at the adjacent properties and will utilize the subject lot to provide vehicular access and storage. 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 May 4, 2023)

SPEAKERS: None
ACTION: Approved with Conditions
AYES: Braun, Ruiz, Diamond, Imperial, Koppel, Tanner
ABSENT: Moore
MOTION: [21351](#)

C. COMMISSION MATTERS

9. Land Acknowledgement

President Tanner:

Thank you. I have asked Commissioner Ruiz, we're so happy to have you back, to share the Land Acknowledgement today. And we'll just give a moment for folks to clear out of the chamber before you begin but yeah, it's great to have you here.

Commissioner Ruiz:

Thanks everybody. Happy to be back.

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.

10. Consideration of Adoption:

- [Draft Minutes for June 29, 2023](#)

SPEAKERS: None
ACTION: Adopted
AYES: Braun, Ruiz, Diamond, Imperial, Koppel, Tanner
ABSENT: Moore

11. Commission Comments/Questions

Commissioner Diamond:

Thank you. I want to raise an issue that was brought to my attention by the Divis item we just approved, I was happy with how we've resolved the Divisadero item, so I just didn't take it off the Consent, but it raises a broader issue that I think is appropriate for us to think about going forward. So, as we get this increasing number, the extensions, I believe that how the property is maintained during this time period where construction is not occurring, is critically important. In that particular case, the neighbors brought it to our attention through this Planning Commission agenda item for the extension, and ultimately a series of agreements were worked out that were enforced, that we will be able

to enforce because they were adopted as Conditions of Approval. So, I think it's worth some discussion, Director Hillis, about how we proceed going forward. I recognize that every property is different – some are vacant, some have dilapidated buildings on them, some are in better shape. So, how do we, as a matter of course, understand the nature of the property before the extension is granted. And it's particularly pertinent I think that we think about this because later in today's agenda, in conjunction with some of the legislation, there is a portion of the legislation that would have us delegate authority on extensions to the Planning Department. And so, how do neighbors have notice of what's going on in order to bring it to our attention. I guess I'm thinking that a standard condition might be appropriate that we broadly devise to deal with different scenarios but I'm open to anything so long as we're not asking neighbors to live with poorly maintained properties while the developer is trying to decide when he or she may move forward.

President Tanner:

Great. Thanks for that, Commissioner Diamond. Director Hillis, do you want to respond--

Rich Hillis, Planning Director:

Yeah. I mean I think, and we've spoken about this Commissioner Diamond, and I think we can look at either a standard condition or a condition we apply on a case-by-case basis for these projects. I was thinking about this when I was, as I was walking over here. Divisadero was in operation when we approved this project. You know, it's not just during the extension that there were issues. It's been during this kind of original, initial period of entitlement. So, I think we can look internally at either a standard condition or a standard condition plus some things we may want to add on for vacant parcels to respond to this issue because I know it's been an issue and saw the response from neighbors of how Divisadero and I think we have that issue elsewhere as well.

Commissioner Diamond:

Yeah. I just want to make sure that we are not dependent upon neighbors to bring it to our attention.

Rich Hillis, Planning Director:

Yeah.

Commissioner Diamond:

I feel like we should be proactive in understanding this situation on these properties and in requiring the project sponsors, you know, to undertake the appropriate maintenance so that the adjacent neighbors don't deal with all the negative impacts of poor maintenance.

Rich Hillis, Planning Director:

And the City's got, obviously, rules around graffiti abatement and things like that. So, let us work with some of our fellow agencies like DPW and DBI and craft either a standard condition or a condition we can use in these situations.

Commissioner Diamond:

Okay. Thank you.

President Tanner:

I would just add my voice to second that discussion as we go forward to make sure because a property could be in one condition when we entitle it and change hands and things can happen and you know, time goes on. So, certainly looking forward to that. Commissioner Braun, I saw you had your hand up, but it went down. Did you want to add something or are you alright?

Commissioner Braun:

No, I was just going to ask that we, as that standard language is developed, it would be helpful to understand to what extent some of this is just the responsibility primarily through code enforcement and something that is already kind of in the books. But I am in full support of the idea of doubling down on including conditions as well.

President Tanner:

Thank you. Great. Shall we do the resolution now for Claudia? Awesome. Well, it is my privilege to do a resolution recognizing Claudia Flores for her great work and contributions to the Planning Department. I'm going to read just a few parts of this wonderful resolution but just suffice it to say I don't think it fully covers the contributions you've made to this Department, to this city, and we are just having so blessed to have you on our staff and as a part of a leader of this Department. So, really just so grateful to be able to offer just a few words recognizing your service here.

"Whereas Claudia Flores received her graduate degree from Princeton University and her undergraduate degree from the University of California Berkeley,

And whereas Claudia has served the San Francisco Planning Department for 17 years, both in the Citywide and Community Equity Divisions,

And whereas as a mixed-race mestiza female and immigrant, Claudia remained respectful towards and anchored in the strength of her ancestors,

And whereas a resilient and innovative leader, Claudia brought knowledge to challenge the Planning Department's approaches that were harmful to our communities,

Whereas Claudia was instrumental in the development and adoption of the Centering Planning on Racial and Social Equity Resolutions by the Planning Commission and Historic Preservation Commission,

And whereas Claudia has normalized, organized, and operationalized Racial Equity at the Planning Department such that the Department can maintain this work beyond any staff's tenure,

And therefore, be it resolved that the San Francisco Planning Commission and the Planning Director express their deepest appreciation to Claudia Flores in recognition of her substantial work at the San Francisco Planning Department and extraordinary service to our communities of color and low income communities, and for her leadership and mentorship of staff and the impact she continues to make in San Francisco and beyond, and wishes her every success in her new role at the City's Office of Racial Equity."

So, I hope we'll broke from protocol a little bit just to give Claudia a round of applause. And I'll make space if other Commissioners or other staff would like to say a few words to Claudia.

Rich Hillis, Planning Director:

I just want to add my thanks and congratulations. Claudia is moving on to do similar work that she's done for our Department for the City, for the entire City and it's appropriate and we're going to miss Claudia extremely at the Department and the work she's done. But she's taking that role on citywide. And you called out the work she's directly done like MAP22 and our Equity Plan, but I think a lot of the things you are seeing today were taking on because of the work Claudia has done whether it's our Housing Element or our Community Equity Division and the work we're doing in communities. She's really led the way. So, I just want to add to my thanks and appreciation for all her work. And she's a great person. So, we will miss her.

President Tanner:

Here, here.

Miriam Chion:

I just want to join this thank you and recognize Claudia for her resilience. She started this work when things were not that well established, for opening the road and for having these delicate conversations with community folks and with staff as well. Thank you.

Commissioner Imperial:

First of all, congratulations moving into a different department and also congratulations to all the contributions that you have contributed to the Planning Department and to the community. Before coming to the Planning Commission, I know more of you as on the community side and it is a demonstration of your partnership that you really want to work with the community and that speaks a lot to me personally. So, congratulation on your next endeavor and Planning Department is going to miss a ton. But you left a lot at the same time too. So, congratulations.

President Tanner:

Here, here. Wonderful. Claudia, did you want to say anything on your own behalf. You don't have to but just want to give you an opportunity if you would like to.

Claudia Flores:

Yes. I had all these plans and then it got continued so I forgot what I was going to say but the main thing I want to say is I'm, you know, I'm really from a strong belief that you know we just come from our families and our communities, and I just got emotional—so, while I appreciate and I take all the accolades, like we really couldn't do it alone. This work was started, the Mission Action Plan, it was the community that asked for it and we just like stepped up to serve the community and we had the support of our leadership, formally our former director, our current director, same thing Racial Equity Plan, it was a collective staff effort. You know I just inherited a baton, and I was proud and happy to continue it. And I also just appreciate, I think what kept me in the agency for 17 years is just the people. It's the people that are committed to the city, just dedicated to making San Francisco a better place, a livable place, an equitable place. I have appreciated the Commission's leadership and support of staff work and you've been charging ahead alongside with staff; let's try

something risky, let's try something new, it's the right thing to do. So, I appreciate the thanks, but I think it's all of our effort. And I'm happy to, some of my new team members are here, thank you for all of us to continue this work together. So, thank you.

President Tanner:

Well-spoken like a true community builder and I just want to say [inaudible] the role that you had played and the leadership [inaudible] 17 years. Sorry my microphone really goes in and out. I don't know what I said but hopefully you've heard some of it. The main point is that yes, it's a collective effort but hopefully you can bask a little bit in your accomplishments and we're so happy you're not going very far. So, great.

D. DEPARTMENT MATTERS

12. Director's Announcements

Rich Hillis, Planning Director:

Good afternoon. Welcome back Commissioner Ruiz. Today is also, you know, we're recognizing our, as Jonas said, our future planners. So, our interns are here today, if you all want to stand up that would be great. Don't be shy. Steve Vettel, stay seated. So, this year we have 40 Planning interns for this summer. All are being paid and generously, thanks to San Francisco's Minimum Wage Ordinance. 16 college interns, 24 high school interns. For the college internship, we have received over 900 applications and letters of interest, so it's a great crowd who's here. They are working on all facets of what we do from housing element implementation to making recommendation to make the Mills Act more equitable, Historic Resource Context Statements, Parklets, Transportation Element, etc. So, a ton of great work they are doing. And our Young Planners Program, which is the high school program, we've grown over the years. Again, now 24 interns. I want to thank Opportunities For All which helps fund the high school program and more focuses on San Francisco public schools. So, it's been a great partnership with Opportunities For All and our high school. I want to thank Commissioner Chan who was here and led the effort and pushed up to advance that program and make it more robust. I know when I was in high school, I had no idea what a Planner did, but I love cities and living in cities, and so hopefully this is giving those in high school opportunities to know what we do and how they can be the future Claudia Flores's that impact communities and work with communities on their dreams and hopes for the city, So, thank you. I also wanted to recognize Tina Tam who runs this program on top of her job also as Deputy Zoning Administrator and does a wonderful job in making this a successful program. So, thank you Tina.

President Tanner:

Wow, it's really great to have you all here. Are they going to stay here for the entire hearing or just a little bit?

Rich Hillis, Planning Director:

You don't have to.

President Tanner:

I will tell you this one story of my very first job out of grad school, I had a, was in a program, a government program, and I had to go to every City Council meeting for a year.

So, I learned a lot. Look where I am now. So, just to say stay around, you might learn something. But seriously, welcome to the Department. Hopefully you're having a good summer and we just hope you learn something whether you do decide to go to Planning or just learn how to be an engaged citizen involved in planning and land use. This stuff affects you whether it's for your job or just for whatever city or town or even rural area you live in. Land Use and Planning is all around you. So, again welcome. And thank you, Tina. I know this is a lot of work, but you do it with as a labor of love and thank you so much for your service again.

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

Dan Sider:

Good afternoon, Commissioners, Dan Sider with Department Staff, standing in for Aaron Starr who couldn't be with us today. We had a very very busy week at the Board—given your calendar today I'll give you a high-level overview of what happened and if you'd like details, please just ask.

This week, the Land Use Committee considered changes associated with the Port's Waterfront Plan Update. These changes refreshed portions of the General Plan, amended and expanded the Waterfront SUD, and adjusted the Waterfront Design Advisory Committee. Commissioners, YOU considered these items on April 20 and recommended approval. The Committee echoed your action. They had no comments or questions, no one spoke during public comment, and they voted to recommend the items to the full Board.

Next, the Committee considered Supervisor Preston's Planning Code and Zoning Map changes related to the height of the proposed tower at 98 Franklin Street and to enable the construction of off-site affordable housing for that tower at 600 McAllister Street. YOU heard this item on March 30 and voted to recommend approval. Here too, members of the Committee had no questions or comments and they voted unanimously to recommend the item to the Full Board. That matter is also at the Government Audit and Oversight Committee RIGHT NOW, for their review.

Next, the Committee considered President Peskin's Ordinance that generally permits Health Services in the Polk Street NCD and would also clean-up provisions related to Tobacco Paraphernalia Establishments. You heard this item on June 15 and recommended approval. At the Committee, Supervisor Preston signed on as a co-sponsor, and the Committee voted to recommend the item to the Full Board as a Committee Report.

Lastly at Land Use, the Committee took up Supervisor Melgar's Family Housing Opportunity SUD. In broad terms, this proposal would increase housing density and ease restrictions in well-resourced neighborhoods, while also subjecting newly enabled units to rent control. You heard this item on June 1 and recommended approval with a number of modifications. I'm happy to say that nearly all of those modifications were incorporated by the Supervisor. There was a good deal of discussion and additional changes were made to enhance tenant protections and demolition safeguards, and to protect historic resources. Supervisor Engardio described his package of further amendments that would allow bigger, denser buildings on corner lots— just as he did at the Planning Commission

hearing last month. Public comment was plentiful and was a mixed-bag, and ultimately the Board voted to duplicate the file. The duplicated file will include Supervisor Engardio's amendments – along with a few others - and will be re-referred to you, while the original file was continued to next week's Committee hearing.

And with that, the Full Board also heard two items of particular note. The first was the amnesty program for existing unpermitted awnings. This was sponsored by the Mayor, President Peskin and Supervisors Chan and Preston. This passed on 2nd read. And on 1st read, the Board also passed President Peskin's Polk Street Health Service and Tobacco Establishment legislation that I mentioned earlier.

And with that, Commissioners, I thank you for your time and I'm happy to answer your questions.

E. GENERAL PUBLIC COMMENT

SPEAKERS: Mauricio Chavez – Carpenter Local 1022; labor standards
Georgia Schuttish – John King article
Anastasia Yovanopolous – Affordable housing

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.

14. [2023-005431PCA](#) (L. LANGLOIS: (628) 652-7472)
COMMERCIAL TO RESIDENTIAL ADAPTIVE REUSE AND DOWNTOWN ECONOMIC REVITALIZATION [BF 230732] – Planning Code Amendment – Sponsored by Mayor Breed and Board President Peskin, to 1) facilitate residential uses Downtown by authorizing the conversion of non-residential uses to residential use in C (Commercial) Zoning Districts, and exempting such projects from requirements for rear yard, open space, streetscape improvements, dwelling unit exposure, off-street freight loading, curb cuts for vehicular access, bike parking, transportation demand management, dwelling unit mix, and Intermediate Length Occupancy controls, permitting live work units in such project, streamlining administrative approvals for projects in the C-3 Zoning District, and modifying the dimensional limits on exemptions to height restrictions for mechanical equipment, elevator, stair, and mechanical penthouses; 2) economically revitalize Downtown by adding Flexible Workspace as a defined use, authorizing large scale retail uses in the C-3 Zoning District, allowing window displays in the C-3 Zoning District, allowing Flexible Workspace as an active ground floor commercial use along certain street frontages in C-3 Zoning Districts, allowing accessory storage in any C Zoning District, allowing the temporary installation for 60 days of certain signs in the C-3-R District, allowing temporary non-residential uses in vacant spaces for up to one year, including formula retail, reducing density limits for Residential Dwelling Units and Senior Housing in the C-2 Zoning Districts east of or fronting Van Ness/South Van Ness Avenue Franklin Street/13th Street and north of Townsend Street, principally permitting Laboratory, Life Science, Agricultural and Beverage Processing, and Animal Hospitals in C-2 Zoning

Districts, principally permitting Senior Housing, Residential Care Facilities, Outdoor Entertainment, Open Recreation Areas, Animal Hospitals, and Trade Schools in the C-3 Zoning District, allowing formula retail as a ground floor use on Market Street, principally permitting office and design professional uses on the second floor and higher in the C-3-R Zoning District, and requiring consideration of office vacancy in consideration of granting exceptions in the Transit Center Commercial Special Use District; 3) streamline sign permitting citywide and in the C-3 and portions of the C-2 Districts by allowing for the repair and rehabilitation of certain neon signs, and exempting existing business signs in the C-3 Zoning District from certain zoning controls; 4) streamline Historic Preservation review of administrative certificates of appropriateness, and minor permits to alter for awnings, and Qualifying Scopes of Work, as may be delegated by the Historic Preservation Commission; 5) increase threshold for large projects subject to commercial to residential ratios in the C-3-O District, and provide alternatives to on-site open space in certain C-3 Districts by allowing for payment of an in lieu fee as an alternative to providing open space; 6) facilitate residential adaptive reuse by amending the Building Code to add standards for adaptive reuse of nonresidential buildings; and 7) principally permit formula retail and waive size limitations for such uses on a portion of Showplace Square Area (555 9th Street, Assessor's Parcel Block No. 3781, Lot No. 003).; 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, and findings of public convenience, necessity, and welfare under Planning Code, Section 302.

Preliminary Recommendation: Approve with Modifications

SPEAKERS: = Lily Langlois – Staff presentation
 + Jake Price – Office buildings most of the transit-oriented locations
 + Jane Natoli – Silver bullet for housing crisis
 ACTION: Approved with Modifications
 AYES: Braun, Ruiz, Diamond, Imperial, Koppel, Tanner
 ABSENT: Moore
 RESOLUTION: [21352](#)

15. [2023-005422PCA](#) (K. CONNER: (628) 652-7535)
INCLUSIONARY HOUSING AND DEVELOPMENT IMPACT FEE REDUCTION [BOARD FILE 230769] – **Planning Code and Administrative Code Amendment** – Sponsored by Board President Peskin and Supervisor Safai, amending the Planning Code to 1) reduce Inclusionary Housing Program requirements of the Planning Code, for projects exceeding a stated unit size that have been approved prior to November 1, 2023 and that receive a first construction document within a specified period; 2) adopt a process for those projects to request a modification to conditions of approval related to development impact fees, subject to delegation by the Planning Commission; 3) reduce Article 4 development impact fees, including Inclusionary Affordable Housing fees, for projects approved before November 1, 2026 that receive a first construction document within 30 months of entitlement; and, 4) modify the Inclusionary Housing Program Ordinance effective November 1, 2026 to reduce applicable fees, and on-site or off-site unit requirements, for projects that exceed a stated unit size; amending the Administrative Code to update the Inclusionary Housing Technical Advisory Committee member requirements; 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.

Preliminary Recommendation: Approve with Modifications

SPEAKERS: = Kate Conner – Staff presentation
 + Ted Conrad, OEWD – Project Sponsor presentation
 + Supervisor Aaron Peskin – Project Sponsor presentation
 + Ted Egan, Controller Office – Project Sponsor presentation
 + Marc Babsin – Include small projects, more financially feasible
 + John Abalos – 2 BMR units for every 1 market rate unit
 + Speaker – Step in the right direction
 + Jake Price – Promote financial feasibility and protectability
 - Lorraine Petty – Continue indefinitely, no justifiable reason to cut fees
 + Jane Natoli – More that needs to be done
 = Rich Hillis – Response to comments and questions
 = Carly Grob – Response to comments and questions
 = Sue Hestor – 2-week staff report to give public enough time to review
 - Anastasia Yovanopoulos – Not sufficient time to review the amendments

ACTION: Approved with Modifications
 AYES: Braun, Ruiz, Diamond, Koppel, Tanner
 NAYS : Imperial
 ABSENT: Moore
 RESOLUTION: [21353](#)

16. [2023-005461PCA](#) (D. SIDER: (628) 652-7539)
DEVELOPMENT IMPACT FEE INDEXING, DEFERRAL, AND WAIVERS: ADOPTION OF NEXUS STUDY [BF 230764] – Planning Code Amendments – Ordinance amending the Planning Code to 1) modify the annual indexing of certain development impact fees; 2) provide that the type and rates of certain applicable development impact fees be determined at the time of project approval; 3) exempt eligible development projects in PDR (Production, Distribution, and Repair) Districts and the C-2 (Community Business) District from all development impact fees for a three-year period; 4) allow payment of certain development impact fees to be deferred until issuance of the first certificate of occupancy and making associated revisions to the Building Code; and 5) adopt the San Francisco Citywide Nexus Analysis and making conforming revisions to Article 4 of the Planning Code; affirming the Planning Department's determination under the California Environmental Quality Act; making findings of consistency with the General Plan and Planning Code Section 302.

Preliminary Recommendation: Approve

SPEAKERS: = Dan Sider – Staff report
 + Ted Conrad – OEWD
 + Katy Tang – Office of Small business presentation
 + Jake Price – Predictability

ACTION: Approved with Amendments and recommendations submitted by the Small Business Commission

AYES: Braun, Ruiz, Diamond, Koppel, Tanner
 NAYS : Imperial
 ABSENT: Moore

RESOLUTION: [21354](#)

17. [2020-004806AHB](#) (J. HORN: (628) 652-7366)
4199 MISSION STREET – east side between Ney and Trumbull Streets; Lot 014 in Assessor's Block 5869 (District 11) – Request for **HOME-SF Project Authorization** pursuant to Planning Code Sections 206.3 and 328 to demolish an existing one-story, 1,118-square-foot gas station and construct a new 60-foot tall, six-story, 47,056 gross square foot residential building with a 7,028 square foot basement parking level on a 10,000 square foot project site. The Project includes 40 dwelling units (which includes 14 one-bedroom, 22 two-bedroom, and four three-bedroom units), 2,410 square feet of common open space, 1,412 square feet of private open space, 13 vehicle parking spaces and 40 Class I and two Class II bicycle parking spaces. The subject property is located within an Excelsior Outer Mission Street NCD (Neighborhood Commercial District) Zoning District and 40-X Height and Bulk District. The Planning Department issued a Mitigated Negative Declaration pursuant to the California Environmental Quality Act (CEQA).
Preliminary Recommendation: Approve with Conditions

SPEAKERS: = Jeff Horn – Staff report
+ Amy Lee – Project sponsor presentation
+ Gary Gee – Design presentation
+ Speaker – Small business
+ Jake Price – Home SF program
ACTION: Approved with Conditions
AYES: Braun, Ruiz, Diamond, Imperial, Koppel, Tanner
ABSENT: Moore
MOTION: [21355](#)

18. [2022-009099CUA](#) (D. SPYCHER: (628) 652-7588)
1111 CALIFORNIA STREET – southwest corner of Taylor Street; Lot 020 in Assessor's Block 0253 (District 3) – Request for **Conditional Use Authorization** pursuant to Planning Code Sections 303(e) to amend Conditions of Approval granted by the Planning Commission on November 14, 2013 under Motion No. 19020. Specifically, to amend conditions no. 48 and no. 49 to increase the maximum number of large entertainment events (defined as events with more than 250 attendees) from 79 to 91 events annually, while retaining the 54 annual limit for large entertainment events that are music events (concerts) for the General Entertainment Use at Nob Hill Masonic Center. No other modifications or improvements are proposed. The project site is located within a RM-4 (Residential-Mixed, High Density) Zoning District, the Nob Hill SUD (Special Use District), and 65-A Height and Bulk District.
Preliminary Recommendation: Approve with Conditions
(Continued from Regular hearing on June 29, 2023)

SPEAKERS: = Dakota Spycher – Staff report
+ Steve Vettel – Project sponsor presentation
+ Stan Landfair – Additional events
+ Joanne Desmond – Minimal disruption
+ Speaker – Good partners
+ Keith Nobler – Keep these venues going
+ Aaron Kohl – Positive impact on bars and restaurants

- + Clare Hughes – Concessions, great for employees
- + Robin Carter – Will help with the income for catering staff
- Barbara Fink – Traffic, noise, etc.
- Marilyn Brenner – Trash
- + Paul Guerrero – Pays the bill
- David Thompson – Activities are detrimental to the neighborhood
- + Michael Gerald – Great idea, more opportunities that the city needs
- James Wall – Notice compliance
- Ann Thompson – Make events compatible with the neighborhood
- + Allan Casalou – Response to comments and questions

ACTION: Approved with Conditions
 AYES: Braun, Ruiz, Diamond, Imperial, Koppel, Tanner
 ABSENT: Moore
 MOTION: [21356](#)

G. DISCRETIONARY REVIEW CALENDAR

The Commission Discretionary Review Hearing Procedures provide for presentations by staff; followed by the DR requestor team; followed by public comment opposed to the project; followed by the project sponsor team; followed by public comment in support of the project. 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.

19. [2022-008877DRP](#) (T. GREENAN: (628) 652-7324)
50 28TH STREET – north side between Guerrero and Dolores Streets; Lot 009A in Assessor's Block 6599 (District 8) – Request for **Discretionary Review** of Building Permit No. 2022.0802.9754 to construct a horizontal and vertical addition to convert a single-family dwelling to a 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
 (Continued from Regular hearing on June 15, 2023)

SPEAKERS: = David Winslow – Staff report
 - Sahana Shetty – DR presentation
 - Alex Simonson – DR presentation
 + Kate Stoia – Project sponsor presentation
 - Georgia Schuttish – Demo Calcs presented on plans illustrating the amount of removal are very sketchy. Created problems for the Staff because they are vague and hard to review. One iteration in error. Ultimately so close to TTD that a "warning letter" is required. Project illustrates why the Calcs should be adjusted. Upper unit at 50 28th Street not an efficient use of space at over 2500 square feet on two levels. First level of unit is 1400 square feet which is average size of a unit in San Francisco. This level could accommodate a family sized three-bedroom unit, creating an affordable by design dwelling unit. 4199 Mission Street project approved has four three-bedroom units that are each 1240 square

feet: Affordable by Design. Since this project is likely a Demo, it is not Necessary and Desirable to have another \$3 million condo High-end speculative projects like this need greater scrutiny.

- Lizelle – Slope roof
- Speaker – Reduce of light
- Speaker – Slope roof
- + Rony Maoz – Project sponsor presentation

ACTION: No DR
 AYES: Braun, Ruiz, Diamond, Imperial, Koppel, Tanner
 ABSENT: Moore
 DRA: [831](#)

20. [2021-002481DRP-02](#) (T. GREENAN: (628) 652-7324)
900 CHENERY STREET – north side between Lippard Avenue and Surrey Street; Lot 022 in Assessor's Block 6732 (District 8) – Request for **Discretionary Review** of Building Permit No. 2021.0107.2240 to construct a horizontal rear addition at the first and second floors of a single-family dwelling within a RH-1 (Residential House - One 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
 (Continued from Regular hearing on June 15, 2023)

SPEAKERS: = David Winslow – Staff report
 + Clare Beasley – Project sponsor presentation
 - Evelia Matsuda – DR 2 presentation
 - Speaker – Lights, notice
 + Carla – Project sponsor rebuttal

ACTION: No DR
 AYES: Braun, Ruiz, Diamond, Imperial, Koppel, Tanner
 ABSENT: Moore
 DRA: [832](#)

ADJOURNMENT 5:12 PM – IN HONOR OF VIOLET
 ADOPTED JULY 27, 2023