

# SAN FRANCISCO PLANNING COMMISSION

## Meeting Minutes

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

**Thursday, September 28, 2023**  
**1:00 p.m.**  
**Regular Meeting**

COMMISSIONERS PRESENT: TANNER, MOORE, BRAUN, DIAMOND, IMPERIAL, KOPPEL, RUIZ  
COMMISSIONERS ABSENT: NONE

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

STAFF IN ATTENDANCE: Aaron Starr, Veronica Flores, Natalia Fossi, Julie Moore, Danielle Ngo, Ashley Lindsay, Kalyani Agnihotri, Sharon Young, David Winslow, Liz Watty – Director of Current Planning, Rich Hillis – Planning Director, Jonas P. Ionin – Commission Secretary

### SPEAKER KEY:

- + INDICATES A SPEAKER IN SUPPORT OF AN ITEM;
- INDICATES A SPEAKER IN OPPOSITION TO AN ITEM; AND
- = INDICATES A NEUTRAL SPEAKER OR A SPEAKER WHO DID NOT INDICATE SUPPORT OR OPPOSITION.

### A. CONSIDERATION 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. 2021-010176CUA (J. HORN: (628) 652-7366)  
2261 FILLMORE STREET – west side between Sacramento and Clay Streets, Lot 002; southwest corner of Clay Street, Lot 001; in Assessor's Block 0630 (District 2) – Request for **Conditional Use Authorization** pursuant to Planning Code Sections 202.4 and 303 to permit a change of use from a Movie Theater use to Retail Sales and Service use on the subject property within the Upper Fillmore NCD (Neighborhood Commercial District) Zoning District and 40-X Height and Bulk District. The Planning Department found that the project is exempt from the

California Environmental Quality Act (CEQA). The Commission's action constitutes the Approval Action for the project for the purposes of CEQA, pursuant to San Francisco Administrative Code Section [31.04\(h\)](#).

*Preliminary Recommendation: Approve with Conditions*

(Continued from Hearing on July 27, 2023)

**(Proposed for Continuance to November 2, 2023)**

SPEAKERS: Speaker - Continuance  
 ACTION: Continued to November 2, 2023  
 AYES: Braun, Ruiz, Diamond, Imperial, Koppel, Moore, Tanner  
 ABSENT: None

2. 2023-006115MAP (A. MERLONE: (628) 652-7534)

**DENSITY CALCULATION IN RC, RTO, NC, AND CERTAIN NAMED NCD'S [BOARD FILE NO. 230734] – Planning Code & Zoning Map Amendment** – Ordinance, introduced by Mayor Breed, amending the Planning Code to replace numerical density limits in Residential-Commercial (RC), Residential Transit Oriented (RTO), Neighborhood Commercial (NC) and certain Neighborhood Commercial Districts (NCD), except for parcels located in the Priority Equity Geographies Special Use District, with already-existing regulations on the built envelope of buildings, such as height, bulk and setbacks; creating the Priority Equity Geographies Special Use District; amending the Zoning Map to add the Priority Equity Geographies Special Use District; affirming the Planning Department's determination under the California Environmental Quality Act; and making public necessity, convenience, and welfare findings under Planning Code, Section 302, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

*Preliminary Recommendation: Approve with Modifications*

**(Proposed for Continuance to October 26, 2023)**

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

3. 2023-006114PCA (A. MERLONE: (628) 652-7534)

**REMOVING RESIDENTIAL NUMERICAL DENSITY LIMITS IN NEIGHBORHOOD COMMERCIAL DISTRICTS [BOARD FILE NO. 230375] – Planning Code Amendment** – Ordinance, introduced by Supervisor Safai, amending the Planning Code to change the manner in which residential density is regulated in Neighborhood Commercial Districts by replacing residential numerical density limits with already-existing regulations on the built envelope of buildings, such as height, bulk, and setbacks; affirming the Planning Department's determination under the California Environmental Quality Act; and making public necessity, convenience, and welfare findings under Planning Code, Section 302, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

*Preliminary Recommendation: Approve with Modifications*

**(Proposed for Continuance to October 26, 2023)**

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

4. 2022-011623CUA (M. GIACOMUCCI: (628) 652-7414)

**555 09<sup>th</sup> STREET** – east side between Bryant and Brannan streets; Lot 003 in Assessor's Block 3781 (District 6) – Request for **Conditional Use Authorization** pursuant to Planning Code Sections 303, and 303.1 to establish a Formula Retail use (DBA "The Container Store") in a vacant 22,329 square-foot retail space located on the second floor of the subject property within a UMU (Urban Mixed Use) Zoning District and 48-X Height and Bulk District. **NOTE: On June 29, 2023, after hearing and closing public comment, continued to September 28, 2023, by a vote of +6 –0 (Ruiz absent).**

**WITHDRAWN**

SPEAKERS: None  
ACTION: Withdrawn

## B. CONSENT CALENDAR

All matters listed hereunder constitute a Consent Calendar, are considered to be routine by the 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.

5. [2022-005783CUA](#) (M. DITO: (628) 652-7358)  
300 IVY STREET, #105 – north side between Octavia and Gough Streets; Lot 077 in Assessor's Block 0808 (District 8) – Request for **Conditional Use Authorization** pursuant to Planning Code Sections 202.10, 303, and 761 to classify 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 proposed for ILO classification will remain a dwelling unit. The subject property is located within the Hayes-Gough NCT (Neighborhood Commercial Transit) Zoning District and 40-X and 50-X Height and Bulk District.  
*Preliminary Recommendation: Approve with Conditions*  

SPEAKERS: None  
ACTION: Approved with Conditions  
AYES: Braun, Ruiz, Diamond, Imperial, Koppel, Moore, Tanner  
NAYS: None  
MOTION : [21392](#)
6. [2023-003547CUA](#) (J. HORN: (628) 652-7366)  
1870 UNION STREET – north side between Laguna and Octavia Streets; Lot 052 in Assessor's Block 0530 (District 2) – Request for **Conditional Use Authorization**, pursuant to Planning Code Sections 303, 303.1, 703.4 and 725 to establish a formula retail use (d.b.a. Skin Laundry) within a vacant 1,376 square foot commercial space (plus 799 sq. ft. basement) located within the Union Street Neighborhood Commercial District (NCD) 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, Moore, Tanner  
NAYS: None  
MOTION : [21393](#)
7. [2021-013000CUA](#) (C. ALEXANDER: (628) 652-7334)  
725 SANCHEZ STREET – east side between 20th and Liberty Streets; Lot 053 in Assessor's Block 3605 (District 8) – Request for **Conditional Use Authorization** pursuant to Planning Code Sections 209.1, 303, and 317, to demolish an approximately 1,104 gross square foot two-story, single family dwelling and construct an approximately 3,429 gross square foot three-story over basement, single family dwelling within a RH-1 (Residential-House, One Family) Zoning District, the Dolores Heights and Central Neighborhoods Large Residence 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*  

SPEAKERS: None  
ACTION: Continued to October 5, 2023

AYES: Braun, Ruiz, Diamond, Imperial, Koppel, Moore, Tanner  
 NAYS: None

8. [2023-003923CUA](#) (C. ALEXANDER: (628) 652-7334)  
2262-2266 CHESTNUT STREET – northwest corner of Avila Street; Lot 034 in Assessor's Block 0488A (District 2) – Request for **Conditional Use Authorization**, pursuant to Planning Code Sections 202.12, 303, and 711, to remove an approximately 2,690 square foot Laundromat use and establish a General Retail Sales and Service use on the first and second levels of a two-story commercial building within a NC-2 (Neighborhood Commercial, Small Scale) Zoning District and 40-X Height and Bulk District. The Laundromat use ceased operation in late 2021 as the tenant's lease ended and the tenant decided not to renew. 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, Moore, Tanner  
 NAYS: None  
 MOTION : [21394](#)

9. [2022-012067PCA](#) (A. MERLONE: (628) 652-7534)  
CODE CORRECTIONS ORDINANCE – **Planning and Administrative Code Amendments** – Ordinance, initiated by the Planning Commission, amending the Planning Code to correct typographical errors, update outdated cross-references, and make non-substantive language revisions to clarify/simplify Code language; making findings 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: Approve with Modifications*

SPEAKERS: None  
 ACTION: Approved with Modifications  
 AYES: Braun, Ruiz, Diamond, Imperial, Koppel, Moore, Tanner  
 NAYS: None  
 RESOLUTION : [21395](#)

10. [2018-008802MAP](#) (G. PANTOJA: (628) 652-7380)  
68 NANTUCKET AVENUE – Initiation of **Zoning Map Amendments** to amend Sectional Map ZN11 of the Zoning Map to rezone Assessor's Block 3144B, Lots 027A and 036A, known as 68 Nantucket Avenue, from Public (P) to Residential-House, One-Family (RH-1) Zoning 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 making findings of public necessity, convenience, and welfare under Planning Code, Section 302.  
*Preliminary Recommendation: Initiate and schedule a public hearing on or after November 2, 2023*

SPEAKERS: None  
 ACTION: Initiated and Scheduled a hearing on or after November 2, 2023  
 AYES: Braun, Ruiz, Diamond, Imperial, Koppel, Moore, Tanner  
 NAYS: None  
 RESOLUTION : [21396](#)

## C. COMMISSION MATTERS

### 11. LAND ACKNOWLEDGEMENT

**President Tanner:**

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.

### 12. CONSIDERATION OF ADOPTION:

- [Draft Minutes for September 7, 2023](#)

SPEAKERS: None

ACTION: Adopted

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

NAYS: None

### 13. COMMISSION COMMENTS/QUESTIONS

**Commissioner Moore:**

This morning and actually in some other minor newspaper yesterday, I read something about a new form of housing called Pods. And I'm not sure if you all have read about it, it sounds kind of like fun, but I'm not quite sure if it fits of what we all have in mind, so I direct my question to Director Hillis as to whether or not you will update us or have any forecast of what this may be.

**Rich Hillis, Planning Director:**

What we, I saw that as well. We've got an enforcement case open because as you suspected, it does not meet the code requirements, but you know,--

**Commissioner Moore:**

Who knows.

**Rich Hillis, Planning Director:**

We'll, we can follow up and give you an update on what happens.

**Commissioner Moore:**

I thought it would be kind of like a youth hostel perhaps or something to that extent.

**Rich Hillis, Planning Director:**

We'll let you know. We can give you more details on that.

**Commissioner Moore:**

Okay, that would be great. Thanks.

## D. DEPARTMENT MATTERS

### 14. DIRECTOR'S ANNOUNCEMENTS

**Rich Hillis, Planning Director:**

Just one item. You know, we're nearing the end of the state legislative session, so all bills have either passed or not passed out of both houses of the state legislature and are sitting on the Governor's desk. There are a couple of them

that are significant to us that relate mostly to housing, but land use items as well, and we plan to come to you in November with an Informational hearing as we digest them. One I wanted to note, because it was in the newspaper, and that was SB 423 which is an extension of SB 35. So, basically allowing for ministerial approval if we're not meeting our RHNA targets, where we measure, whether we're meeting our RHNA targets was going to take place in year 4 of our RHNA cycle and then year 8 of our RHNA cycle which will be 2027. That bill was amended so that we have to look and see how we're doing in relation to our RHNA cycles in year one. So at the end of this year, and if we're not meeting our goals, either market rate or affordable housing projects or both become ministerial. So that's a significant change. So we'll come and talk more to you about that, but just wanted to highlight that. And again, it's on the Governor's desk. We believe the governor will sign that. So, more to come on that and a couple other state bills.

**President Tanner:**

I was going to say, are there may be some other bills, but I know we routinely get an update I think as the legislative cycle moves forward on kind of what passes and what we might need to look forward to and get signed.

**Rich Hillis, Planning Director:**

Yeah, we're going to have a hearing in November that just talks about all these.

**President Tanner:**

Great.

**Commissioner Diamond:**

Director Hillis, if you could just elaborate a little bit, we have to make, meet 1/8th of the goal in year one?

**Rich Hillis, Planning Director:**

Yeah.

**Commissioner Diamond:**

I see.

**Rich Hillis, Planning Director:**

Yeah, correct.

**Commissioner Diamond:**

And the affordable category and in the market rate.

**Rich Hillis, Planning Director:**

Both will get looked at separately, yes. So, as you can imagine, we're not going to meet --

**Commissioner Diamond:**

Right.

**Rich Hillis, Planning Director:**

Our RHNA goals in year one, which is, you know, 8,000 a year, so, you know, after we report to HCD, they accept our report that we didn't meet our RHNA goals, which will be sometime early in the spring of next year, ministerial approval would kick in. We've obviously got a history with that because we haven't met our affordable goals, so we've approved projects, ministerially under SB 35 for affordable projects, that'll obviously kick in for market rate projects as well. There's limitations to it - you got to be creating two or more units; they can't be subject to rent control, the existing units, or there can't be existing units subject to rent control; can't be individually listed locally or on the state or National Register; there are labor provisions. So, there's details every project is not eligible for that we'll come and talk to you about.

**Commissioner Diamond:**

When you come back to us with a fuller report, will you be able to tell us how many applications are pending that this might apply to. So we have some sense as to the magnitude of the impact of this provision. Thank you.

**Rich Hillis, Planning Director:**

Sure. Yeah.

**Commissioner Moore:**

On the positive side as the discussion of adaptive reuse of office is heating up, which in the beginning, when it was brought up was actually not received particularly, well, would that give us a break on our housing element because that particular building type was not introduced as a candidate, a resource for housing anyway.

**Rich Hillis, Planning Director:**

Yeah, I mean they'll definitely count to, towards our RHNA goals, if we create, you know, the Warfields building is moving forward, currently it'll create 40 units. We issued an RFI with OEWD. Responses were due this past week. There were ten responses, I think close to a 1,000 units where sponsors said we're interested, but we need certain kind of concessions from the City in order to make these projects feasible. So we're looking at that and how those kind of guide our policy decisions and land use changes or code changes in the future. So, we'll also come back and talk to you about those, but those will certainly count towards our RHNA goals. Some of those projects, 100% affordable as well which was exciting to see. So, you'll hear more about that as well.

**Commissioner Moore:**

It's a slightly most stinging question, but can we also look for financial mechanisms. I'm not talking it calling it help from the State as well as from the Federal Government because the housing shortage is a national problem not a -

**Rich Hillis, Planning Director:**

Yeah, yeah.

**Commissioner Moore:**

- - solely San Francisco focused problem and I would be interested to see as to whether or not we are also entertaining discussions about financing, which is basically ultimately the stumbling stone of why we're not moving.

**Rich Hillis, Planning Director:**

Absolutely. I mean, we're already doing that regardless of conversions figuring out how we finance and get resources to build the 46 thousand units of affordable housing we need to build. So, that is, you know, as we've talked to you in the past, it's part of our work program going forward.

**Jonas P. Ionin, Commission Secretary:**

Commissioners, I'd like to respectfully remind you this is not an agendized item and we should limit the discussion related to it,--

**Rich Hillis, Planning Director:**

But yes, that's part of our, that's part of our work program and could it apply or could there be mechanisms that apply to office to residential conversions separately, sure we're looking at that.

**Commissioner Moore:**

I would be interested if as a department to keep us really posted not even to schedule a special short discussion on it once it is agendized.

**Rich Hillis, Planning Director:**

Yeah, absolutely. Sorry Jonas.

**Commissioner Moore:**

Sorry, Jonas. It's a very burning issue and I think everybody's trying to find constructive solutions. Thank you.

**Rich Hillis, Planning Director:**

Yeah

**President Tanner:**

Great, thank you.

15. 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.

This week the land use committee was cancelled; however, they did meet last week.

**Land Use Committee**

**230855 Planning, Administrative Codes - Development Impact Fee Reductions. Sponsors: Peskin; Safai and Mandelman. Staff: Grob. Forwarded**

First on last week's agenda was the duplicated file for the Development Impact Fee Reductions. The prior week, Supervisor Safai proposed amendments to the ordinance that would allow pipeline projects between 10-24 units and those under HOME SF to receive the inclusionary rate reduction. The item passed out of committee without recommendation on a unanimous vote.

**230880 Initiating Landmark Designation Amendment - San Francisco Fire Station No. 44. Sponsor: Walton. Staff: TBD. Recommended**

The committee also considered a resolution initiating landmark designation for San Francisco Fire Station No. 44. The station is located 1298 Girard Street in District 10, Supervisor Walton's District who is also the sponsor. A few speakers called in to support the resolution. The item was then forwarded to the Full Board with a positive recommendation. This initiation just starts the designation process, as the item still needs to be reviewed and acted upon by the HPC.

**230922 Planning Code - Landmark Designation - Colombo Market Arch. Sponsor: Peskin. Staff: LaValley. Recommended**

Next on the agenda was the landmark designation of the Colombo Market Arch. Located at 600 Front Street. The arch is the last remaining remnant of the building that used to house the Colombo Market, which was eventually torn down as part of the redevelopment of the Embarcadero. During the hearing, Supervisor Pekin, who is the sponsor, praised the designation report, and said how much he enjoyed reading it and that he learned a lot from the report. There were a few speakers who called in to express support of the designation, and after closing comments from Supervisor Peskin the item was unanimously referred to the Full Board with a positive recommendation.

**230446 Planning Code, Zoning Map - Housing Production. Sponsors: Mayor; Engardio and Dorsey. Staff: Starr. Continued to 10/02/23**

Finally, the Committee considered the mayor's Constraint's Reduction ordinance. Commissioners, you considered this item in June of this year and voted to recommend approval with modifications. Those



modifications included adding a tenant buy-out provision to the eligibility list to be exempt from Demo CUs, and language to maintain 15' setback when there is a predominate street pattern of 15' setbacks.

The mayor's office did take all the Planning Commission recommended modifications and had a set of proposed modifications to introduce at the land use hearing. They included items like maintaining the CU for large lot developments in Priority Equity Geographies and expanding the PEG SUD to include all of Calle 24. Planning Staff read these into the record; however, the Committee did not take a vote to accept the modifications, saying they needed more time to review and understand them.

The mayor's office did not send a representative to the hearing, and instead relied on Planning Staff to answer questions about the proposed ordinance. Questions from the Committee members were intense at times, and mainly focused on how the mayor's office plans to build the 42,000 affordable housing units called for in our RINA goals, and how this ordinance helped advance affordable housing. Committee members, specifically Peskin and Preston, took exception to the fact that the mayor did not send a representative to the hearing. There were almost no questions about what the ordinance did, nor were there any questions about how the ordinance helped fulfill our obligations under the Housing Element.

As you might have guessed, public comment was also lengthy and contentious. Many of the commentators were misinformed about what the ordinance did, as evidenced by their claims that the ordinance would demolish thousands of rent controlled buildings and lead to mass displacement. Those that supported the ordinance spoke about our obligations under state law and that this ordinance would remove bureaucratic barriers to housing production.

After several hours of questions and public comment, the committee voted to continue the item to October 2.

**Full Board past two weeks.**

**230817 Interim Zoning Controls - Extending and Modifying Conditional Use Authorization Requirement for Parcel Delivery Service Uses. Sponsor: Dorsey. Staff: V. Flores. Adopted**

**230856 Mayoral Appointment, Historic Preservation Commission - Hans Baldauf. Sponsor: Mayor. Staff: Ionin. Adopted**

**230922 Planning Code - Landmark Designation - Colombo Market Arch. Sponsor: Peskin. Staff: LaValley. Passed First Read**

**230880 Initiating Landmark Designation Amendment - San Francisco Fire Station No. 44. Sponsor: Walton. Staff: TBD. Adopted**

**230855 Planning, Administrative Codes - Development Impact Fee Reductions. Sponsors: Peskin; Safai and Mandelman. Staff: Grob. Passed First Read.**

**Commissioner Diamond:**

I read in the paper as many of you did with horror about the public comment section at the Board of Supervisors where people were calling in with racist and anti-semitic comments and with the board president Peskin saying it had to stop and he was gonna reconsider to some extent, the use of the public comment section as a forum for those who are abusing it, which sadly would affect everybody and I wondered whether that, you know, that exploration will have an impact on call-ins at the Planning Commission hearings, what the status of that is. And I don't know, whether who, to whom to direct that question.

**Jonas P. Ionin, Commissions Secretary:**

Commissioner Diamond, if the board elects to modify its public remote public comment opportunities that avail themselves, it would not impact us unless they passed some sort of legislation that would encompass all commissions and policy bodies throughout San Francisco. But we make up our rules as far as public comment is concerned.

**Commissioner Diamond:**

Fortunately, we have not been subject to those kinds of comments and I certainly hope it continues along that path. I just didn't know what he was exploring as a, you know, a rule that would apply to all public hearings or just limited to the board of Supervisors.

**Jonas P. Ionin, Commissions Secretary:**

Right.

**Commissioner Moore:**

I unfortunately heard that this is happening in all other surrounding communities, including all the way down to San Diego and Los Angeles, and I hope we will not be having to focus on that, but I think ultimately, we would have to talk to our city attorney because somebody weighed in that it may go against free speech. I personally would weigh in on where you are but it's a very serious issue.

**Jonas P. Ionin, Commissions Secretary:**

I mean, knock on wood, I'm quite shocked that we have been so fortunate.

**E. GENERAL PUBLIC COMMENT**

- SPEAKERS:** Georgia Schuttish – The Residential Flat Policy was a good first step in protecting this recognized typology of housing per Planning Commission Resolution No. 20024. However while important, egress and exposure as definitions of what makes it a Flat is not enough. Preserving the existing or original location of a Flat within a structure is critical. So is the existing or original layout. This layout generally includes a hallway that runs through most of a Flat from the front door to the back door. Or it may be a foyer near the front door. (.e Tunnel Entrance Flats) This feature is key in the layout of Residential Flats. In any plans submitted for renovation of Residential Flats, the hallway and/or the foyer must not be permitted to be altered or eliminated. Also an entire Flat should not be re-located to the garage/ basement level, which offers the opportunity for an ADU.  
Eileen Boken – Article regarding the Solano County mega project

**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.

16. [2023-003061PCA](#) (V. FLORES: (628) 652-7525)  
STATE-MANDATED ACCESSORY DWELLING UNIT CONTROLS [BF 230310] – Planning Code Amendment – Ordinance, sponsored by Mayor Breed, to the Planning Code to clarify the ministerial approval process for certain Accessory Dwelling Units (ADUs) meeting certain requirements in single-family and multi-family buildings and to permit certain ADUs in the rear yard under the City's local, discretionary approval program; making findings 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: Approve*

- SPEAKERS:** = Veronica Flores – Staff report  
+ Mark Hogan – Removing the unit mix requirement  
= Natalia Fossi – Response to comments and questions

= Liz Watty - Response to comments and questions  
 ACTION: Approved with Modifications  
 AYES: Braun, Ruiz, Diamond, Koppel, Tanner  
 NAYS: Imperial, Moore  
 RESOLUTION : [21397](#)

17. [2019-020115ENV](#) (J. MOORE: (628) 652-7566)

**OCEAN BEACH CLIMATE CHANGE ADAPTATION PROJECT** – Certification of the **Final Environmental Impact Report (EIR)** – The project site is located at Ocean Beach and the Great Highway, between Sloat and Skyline boulevards, and Ocean Beach, North of Lincoln Boulevard. (Assessor's Block/Lots 7821/006; 7821/007; 7821/009; 7821/010; 7282/008; and 7282/009). The City and County of San Francisco (the city) proposes a coastal adaptation and sea level rise resiliency project to address shoreline erosion, severe coastal storm and wave hazards, and sea level rise which threaten city infrastructure, coastal access and recreational facilities, and public safety. Major project components include: (1) permanently closing the Great Highway between Sloat and Skyline boulevards, and reconfiguring affected intersections and San Francisco Zoo parking access; (2) removing pavement, rock and sandbag revetments, and rubble and debris from the beach, recontouring the bluff, and planting dune vegetation; (3) improving public access, maintaining coastal parking and continuing to provide restroom facilities; (4) installing a buried wall to protect existing sewer infrastructure from shoreline erosion; and (5) long-term beach nourishment (sand replenishment).

**Note: The public hearing on the draft EIR is closed. The public comment period for the draft EIR ended on January 24, 2022. Public comment will be received when the item is called during the hearing. However, comments submitted will not be included in the Final EIR.**

*Preliminary Recommendation: Certify*

SPEAKERS: = Julie Moore – Staff presentation  
 = Danielle Ngo - Staff presentation  
 + Zach – Reality in climate change, accessibility beach access  
 - Eileen Boken – Emergency route map, changes to sand mining activities, etc.  
 + Josh – Southern extension is unnecessary, hiking path in Fort Funston  
 - Tanya Peterson – SF Zoo concerns, impact to zoo habitat  
 - Speaker – Roadway being part of the emergency route map, VMT increased, limited data on erosion  
 = Rich Hillis – Response to comments and questions  
 = Ana Roche - Response to comments and questions  
 = Kristen Jensen, CAT - Response to comments and questions  
 ACTION: Certified  
 AYES: Braun, Ruiz, Diamond, Imperial, Koppel, Moore, Tanner  
 NAYS: None  
 MOTION : [21398](#)

18. [2019-020115GPR](#) (D. NGO: (628) 652-7591)

**OCEAN BEACH CLIMATE CHANGE ADAPTATION PROJECT** – **General Plan Conformity Findings** – Pursuant to San Francisco Charter Section 4.105 and San Francisco Administrative Code Section 2A.53, recommending General Plan conformity findings for the Project.

*Preliminary Recommendation: Adopt Findings*

SPEAKERS: Same as item 17.  
 ACTION: Adopted  
 AYES: Braun, Ruiz, Diamond, Imperial, Koppel, Moore, Tanner  
 NAYS: None  
 RESOLUTION : [21399](#)

19. [2022-011793CUA](#) (A. LINDSAY: (628) 652-7360)  
213 UPPER TERRACE – east side of Upper Terrace south of Clifford Terrace; Lot 059 in Assessor's Block 2628 (District 8) – Request for **Conditional Use Authorization**, pursuant to Planning Code Sections 249.77, 303, and 317 to demolish an approximately 2,664 square foot, three-story single family dwelling and to construct an approximately 4,972 square foot, four-story residential building with two units, within a RH-2 (Residential House, Two-Family) Zoning District, Corona Heights 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: = Ashley Lindsay – Staff report  
 + Steve Walker – Project sponsor presentation  
 + Jeffrey Dito – Current house is not in good shape  
 = Liz Watty – Response to comments and questions = Rich Hillis - Response to comments and questions  
 Approved with Conditions  
 ACTION: Braun, Ruiz, Diamond, Koppel, Tanner  
 AYES:  
 NAYS: Imperial, Moore  
 MOTION : [21400](#)

20. [2023-001895CUA](#) (K. AGNIHOTRI: (628) 652-7454)  
2214 MISSION STREET – west side between 18th and 19th Streets; Lot 002 in Assessor's Block 3589 (District 9) – Request for **Conditional Use Authorization** pursuant to Planning Code Sections 145.2, 249.60, 754 and 303 to establish an outdoor activity area and expand the existing liquor establishment in the subject restaurant's private parking lot, within the Mission Street NCT (Neighborhood Commercial Transit) Zoning District and 65-B Height and Bulk District. The Planning Department found that the project is exempt from the California Environmental Quality Act (CEQA). The Commission's action constitutes the Approval Action for the project for the purposes of CEQA, pursuant to San Francisco Administrative Code section [31.04](#) (h).  
*Preliminary Recommendation: Approve with Conditions*

SPEAKERS: = Kalyani Agnihotri – Staff report  
 + Mark Dimalanta – Project sponsor presentation  
 + Shawn Naputi – Co-owner and chef  
 + Speaker – Struggling neighborhood, rebuild that area of the Mission  
 + Speaker – Safe environment to eat, diversity in the Mission  
 - Mark Halesworth – Noise issues  
 - Joel Becker – Outdoor concert held, add condition with regards to noise  
 + Robert – Brought back life to the Mission  
 + Sheryl Cruz – Adding in the vibrancy of the neighborhood  
 + Chaundra Cox – Only restaurant serving Chamorro cuisine  
 + Jessica Butzer – Safe outside space to prevent getting sick  
 + Rose Fejerang – Chamorro cuisine  
 + Grace Breyley – Change to use of parking space  
 = Finn Macdonald – Outdoor events must not effect the livability of neighborhood  
 + Rosie Cho – Challenges from the pandemic  
 = Liz Watty – Response to comments and questions  
 ACTION: Approved with Conditions as amended  
 AYES: Braun, Ruiz, Diamond, Imperial, Koppel, Moore, Tanner  
 NAYS: None  
 MOTION : [21401](#)

21. [2022-008829CUA](#) (S. YOUNG: (628) 652-7349)  
[2277 33<sup>RD</sup> AVENUE](#) – west side between Rivera and Santiago Streets; Lot 003 in Assessor's Block 2316 (District 4) – Request for **Conditional Use Authorization** pursuant to Planning Code Sections 209.1, 202.13, 303, and 303(aa) for a change of use of a vacant Residential Care Facility back to its original use as a Residential Use (Single-Family Dwelling). The proposed project will also include interior renovations and exterior alterations to the two-story building. The proposed project will not involve an expansion of the existing building envelope. The project site is located in 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: Approve with Conditions*

SPEAKERS: = Sharon Young – Staff report  
 + Daniel Turner – Project sponsor presentation  
 - Kelly Growth, legislative aide – Request from Supervisor Chan to postpone decision  
 - Annie Chong – Licensed care home operator  
 = Rich Hillis – Response to comments and questions  
 + Speaker – Response to comments and questions

ACTION: After hearing and closing public comment; Continued to November 3, 2023

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

NAYS: Diamond

#### 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.

22. [2022-007482DRP-02](#) (D. WINSLOW: (628) 652-7335)  
[3748 22ND STREET](#) – north side between Noe and Sanchez Streets; Lot 020 in Assessor's Block 3621 (District 8) – Request for **Discretionary Review** of Building Permit No. 2022.0701.8994 to renovate the existing three-story over basement single-family residence and construct a horizontal addition at the rear. The project includes the addition of a new ADU with interior alterations 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: Take Discretionary Review and Approve as Modified*

SPEAKERS: = David Winslow – Staff report  
 - Robert Martin – DR presentation  
 + Lucas Eastwood – Project sponsor presentation  
 - Mark Spencer – Withdrew DR  
 = Eileen Boken – Include maps of DR's, DR process part of community participation

ACTION: Took DR and Approved as modified

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

NAYS: None

DRA: [835](#)

**ADJOURNMENT 4:58 PM**

**ADOPTED OCTOBER 19, 2023**