

SAN FRANCISCO PLANNING COMMISSION



Meeting Minutes

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

Thursday, February 9, 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 1:11 PM

STAFF IN ATTENDANCE: Aaron Starr, Deborah Landis, Florentina Craciun, Liz Watty – Director of Current Planning, Rich Hillis – Planning Director, Jonas P. Ionin – Commission Secretary

SPEAKER KEY:

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

A. CONSIDERATION OF ITEMS PROPOSED FOR CONTINUANCE

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

1. 2019-004404CUA (M. LAUSH: (628) 652-7339)
3434 17TH STREET – north side between Albion and Valencia Streets; Lots 013 and 014 in Assessor's Block 3568 – Request for **Conditional Use Authorization** pursuant to Planning Code Sections 762 and 303 to allow temporary conversion of a portion of the accessory surface parking lot of a mortuary (DBA Duggan's Funeral Service) to a commercial parking

lot (DBA Golden State Parking) for a term not to exceed five years, within the NCT (Valencia Street Neighborhood Commercial Transit) Zoning District and the 55-X Height and Bulk District. This 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 February 23, 2023)

SPEAKERS: None

ACTION: Continued to February 23, 2023

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

9. [2019-023037ENV](#) (S. GEORGE: (628) 652-7558)

WATERFRONT PLAN – Certification of the **Final Environmental Impact Report** (EIR). The Port of San Francisco's proposed 2019 Waterfront Plan Project (2019 Plan or proposed project) would update and amend the 1997 Waterfront Land Use Plan, which sets long-term goals and policies to guide the use, management, and improvement of 7.5 miles of properties owned and managed by the Port's jurisdiction, from Fisherman's Wharf to India Basin. The nine goals and policies proposed by the Plan include but are not limited to preservation and enhancement of the waterfront's function as a maritime port, hosting a diversity of activities and people, enhancing public access and open space along the waterfront, the design of quality new development and preservation of the waterfront's historic character, strengthening the Port's resilience to climate change impacts, and cultivating an environmentally sustainable port to limit the impacts of climate change. The EIR would analyze the physical environmental impacts of the proposed goals, policies, and objectives of future waterfront improvements, and includes land use growth assumptions determined by the San Francisco Planning Department, and the resulting physical development that could occur under the 2019 Plan. Land use objectives proposed by the Plan are particular to each of the five waterfront subareas: Fisherman's Wharf, Northeast Waterfront, South Beach, Mission Bay and the Southern Waterfront. Overall, the land use objectives increase intensity of use, diversify uses, and enhance public access and transportation infrastructure throughout the waterfront. The 2019 Plan requires amendments to the general plan, planning code, and zoning map (for waterfront special use districts), including updates the waterfront design review procedures and creation of the Waterfront Special Use District 4.

Note: The public hearing on the Draft EIR is closed. The public comment period for the Draft EIR ended on April 25, 2022. Public comment will be received when the item is called during the hearing. However, comments submitted may not be included in the Final EIR.

Preliminary Recommendation: Certify

(Continued from Regular hearing on February 2, 2023)

SPEAKERS: None

ACTION: Continued to February 23, 2023

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

11. [2020-010275ENX](#) (E. SAMONSKY: (628) 652-7417)

98 PENNSYLVANIA STREET – northwest corner of 17th Street; Lot 002 in Assessor's Block 3948 (District 10) – Request for **Large Project Authorization** pursuant to Planning Code Sections 329 and Adoption of Findings Related to State Density Bonus pursuant to Planning Code Section 206.6 and California Government Code Section 65915 to demolish a

surface parking lot and construct a six-story, 60 foot-tall, residential building containing 64 dwelling units (five three-bedroom, 28 two-bedroom, 20 one-bedroom, and 11 studios), 23 vehicle parking spaces and 64 Class One bicycle parking spaces within a UMU (Urban Mixed-Use) Zoning District and 48-X Height and Bulk District. The project seeks waivers from development standards, including Rear Yard (Section 134), Ground Floor Ceiling Height (Section 145.1), and Height Limit (Section 250) requirements of the Planning Code pursuant to State Density Bonus Law. The Planning Department issued a community plan evaluation pursuant to 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 January 5, 2023)

SPEAKERS: None

ACTION: Continued to March 2, 2023

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

12. [2022-005154DRP-02](#) (E. LANE: (628) 652-7582)

100 BROADWAY – northwest corner of Front Street; Lot 003B of Assessor's Block 0141 (District 3) – Request for **Discretionary Review** of Building Permit Application No. 2022.0331.1283 for the change of use from Office to Cannabis Retail. Approximately 10,000-square-feet of the building will be Cannabis Retail, including an on-site consumption lounge. Approximately 15,525 square feet will remain as Office. The scope of work is limited to interior improvements. This site is within a C-2 (Community Business) Zoning District and 45-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

SPEAKERS: - Lawrence Michaelson – No to continuance, allow the project to move forward

- Jeremy Bladis – No reason to continue

- Cindy Kim – Reconsider the continuance

- Aleck Bash – Why is it being continued

- Suzy – Opposed to opening a marijuana store

+ Speaker – Supports continuance

+ Jimmy Gubeladze – For the continuance

- Danielle – Should hear today

- Speaker – Concerns

- Selena – No choice for the public

- Speaker – Unfair to continuance

= Liz Watty – Response to comments and questions

ACTION: Continued to March 9, 2023

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

RECUSED: Ruiz

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. [2022-004341CUA](#) (S. YOUNG: (628) 652-7349)
2066 CHESTNUT STREET – north side between Pierce Street and Mallorca Way; Lot 010 in Assessor's Block 0486A (District 2) – Request for **Conditional Use Authorization** pursuant to Planning Code Sections 303, 303.1, 703.4, and 711 to establish a Formula Retail Use (d.b.a. Vans, a retail clothing, and accessories store) in an approximately 2,451 square foot vacant commercial space on the ground and mezzanine floors which was previously occupied by a restaurant use (d.b.a. Le Marais Bakery). Interior tenant modifications to the commercial space and minor storefront improvements are proposed. There will be no expansion of the existing building envelope. New business signage for the commercial space will be filed under separate permit. The project site is located within a NC-2 (Small-Scale Neighborhood Commercial) Zoning District, Chestnut Street Financial Service Subdistrict, 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
MOTION: [21247](#)

C. COMMISSION MATTERS

3. 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.

Thank you.

4. Consideration of Adoption:
- [Draft Minutes for January 26, 2023 – Closed Session](#)
 - [Draft Minutes for January 26, 2023 – Regular](#)

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

5. Commission Comments/Questions

President Tanner:

I want to just call attention to the Mayor's Executive Directive, which was issued on Monday, I believe. Thank you, Director Hillis, for sending us that. And I was excited to see some pretty firm and for some items and very soon and I think within probably the next year dates for moving forward items on the Housing Element. So, it's really great to again have us had it approved last week and then already seeing the Mayor take steps to help our city organizations and departments get organized to deliver on the Housing Element. And also coming from the State of the City Address this morning. Just being able to hear further other adjacent priorities in addition to the Housing Element, reducing our unhoused population and helping folks exit homelessness, as well as reimagining downtown. So, certainly a lot of things that knock on our door in terms of priorities for the entire city. So, we definitely have our work cut out for us. I do wonder about perhaps scheduling a session at the Commission where we can talk a little bit our role in implementation and kind of what we might see coming forward. Obviously, there's a lot of moving pieces and not something that I hope has a tremendous amount of staff report writing but an opportunity to have Commissioners weigh in and kind of both what we might like to see, how we might see items even in our staff reports or just keep track of what's going on and be part of the accountability team as the Housing Element is being implemented. So, open to ideas and what that could look like but I think it would be good for us to kind of get organized as well and understand our role in the larger implementation strategy.

Rich Hillis, Planning Director:

I think that's a great idea and we can organize a hearing here. You have a big role both in budgeting and allocating resources but also in most of what the mayor called out in the Housing Element Executive Directive will require a legislation and changes to the Planning Code. That will come here so we may want to go about giving you what overall calendar and schedule when you may expect to see those pieces of legislation come. You know, board members may introduce legislation on their own as well on implementing Housing Element. So, yeah, absolutely. Happy to have that discussion.

President Tanner:

Great, thank you.

Commissioner Moore:

I'd like to draw attention to the devastating earthquake in Turkey and Syria. The pictures I've seen, particularly reading European newspapers, are so devastating that I only can think of us here in earthquake prone country to extend our best wishes and support to the people of Turkey and Syria.

President Tanner:

Certainly well placed sentiment and I think we all certainly share that.

Commissioner Ruiz:

Thanks, President Tanner. I just wanted to acknowledge my virtual attendance last week and this week for the public and potentially staff at the Department who are unaware but I am 37 weeks pregnant which means baby could come any day now. And so, I will be participating virtually, hopefully for the rest of February and then following February I will be going on leave. So I will just say farewell in case something happens within the next week or so and will miss everyone on the Commission and will see you all in a couple of months after my leave.

President Tanner:

Excellent. Congratulations. Again, we're very excited and thank you for continuing to participate.

D. DEPARTMENT MATTERS**6. Director's Announcements**

None.

7. Review of Past Events at the Board of Supervisors, Board of Appeals and Historic Preservation Commission**Aaron Starr, Manager of Legislative Affairs:****Land Use**

No Planning items at land use this week.

Full Board

221104 Planning Code - SoMa Nighttime Entertainment Uses; Leather and LGBTQ Cultural District. Sponsors: Dorsey; Mandelman. Staff: Starr. PASSED second read.

E. GENERAL PUBLIC COMMENT

SPEAKERS: Georgia Schuttish – Going forward the Residential Flat Policy must be codified. Flats should be maintained in their fundamental existing configuration to preserve this typology. The Resource Survey prepared a report on Residential Flats that is a good resource. It is also an entertaining read that is very informative. Additionally, efforts must be made to preserve second units and existing in-laws and/or UDUs. If these units, which are widespread throughout the City are in need of upgrading, funds should be made available to facilitate this during Alteration projects to preserve this housing. If there are existing kitchen facilities these should be enhanced. Loss of existing housing, whether Flats, Second Units, In-Laws, or UDUs that could be financially accessible and livable housing is a resource that should be discouraged as the City moves into the next decade.

Speaker – Interpretation on the 100 Broadway item
 Francisco DaCosta – Comments via virtual, quality of life issues
 Speaker – Interpretation on 100 Broadway and confusion of the public

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.

8. [2022-011950CRV](#) (D. LANDIS: (628) 652-7526)
FY 2023-2025 PROPOSED DEPARTMENT BUDGET – A request to **Adopt** the Department's proposed revenue and expenditure budget in FY 2023-2024 and FY2024-2025.
Preliminary Recommendation: Adopt

SPEAKERS: = Deborah Landis – Staff presentation
 = Rich Hillis – Response to comments and questions
 ACTION: Adopted
 AYES: Braun, Ruiz, Diamond, Imperial, Koppel, Moore, Tanner
 RESOLUTION : [21248](#)

10. [2021-012028ENV](#) (F. CRACIUN: (628) 652-7510)
3251 20TH AVENUE – Public Comment on the adequacy of the **Environmental Impact Report** for the Stonestown Development project. The proposed project would redevelop the approximately 27 acres of surface parking surrounding the existing Stonestown Galleria shopping mall into a master-planned, multiphase, mixed-use residential and retail community. Under the proposed project, the existing 775,000-square-foot mall would remain, with changes to the façade, entrances, and exits. However, the parcels that contain the shopping mall (Block/Lot 7295/038, 7295/004, 7296/005, and 7296/006) would be rezoned as part of a proposed special use district (SUD). The existing parking garage in the southwest corner of the project site, the vacant theater at the northwest corner of the site, and the commercial building at the northeast corner of the site would be demolished and redeveloped as part of the proposed project. The proposed project would include up to approximately 2,930 residential units; up to 160,000 square feet of new retail sales and service use space; up to 200,000 square feet of non-retail sales and service use; up to approximately 100,000 square feet of hotel use; approximately 53,000 square feet of institutional uses; approximately 4,250 parking spaces; and six acres of open space. The proposed project would also include transportation, circulation, and utility infrastructure improvements. The site at 3251 20th Avenue contains one historic resource, United Artists Stonestown Twin Theater, for purposes of the California Environmental Quality Act (CEQA). The project would result in significant and unavoidable impacts on Air Quality, Cultural Resources, Noise, Transportation and Wind resources.
NOTE: The public comment period for this DEIR is from December 14, 2022 till 5:00 PM on February 13, 2023.
Preliminary Recommendation: Review and Comment

SPEAKERS: = Florentina Craciun – Staff presentation
 - Jim Hurley – Reject, unavoidable negative impacts

- + Jake Price – Approve the draft EIR
 - + Tara Harsey – Approve and move forward
 - + Deena Williams – Draft EIR is complete and should be approved
 - Mimi – Traffic situation and lack of public transportation
 - + Karen Ceratti – Move forward to approve, wonderful contribution to the area
 - + Chen Yeung Lee – Great use of the area
 - + Martin Munoz – Will correct the wrongs of the past
 - Eileen Boken – Issues to be addressed
 - + Steve Marzo – Should be use for more housing
- ACTION: Reviewed and Commented
- AYES: Braun, Ruiz, Diamond, Imperial, Koppel, Moore, Tanner

ADJOURNMENT 3:16 PM
ADOPTED FEBRUARY 23, 2023