

SAN FRANCISCO PLANNING COMMISSION



Meeting Minutes

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

Thursday, January 12, 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 1:06 PM

STAFF IN ATTENDANCE: Aaron Starr, Julie Moore, Rebecca Salgado, Jeff Horn, Monica Giacomucci, 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 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.

8. [2022-001764CUA](#) (C. FEENEY: (628) 652-7313)
[434 CORTLAND STREET](#) – south side between Andover and Bennington Streets; Lot 031 in Assessor's Block 5678 (District 11) – Request for **Conditional Use Authorization** pursuant to Planning Code Sections 303, 317, and 738 to demolish a one-story, mixed-use building

with a retail storefront and one dwelling unit and construct a three-story, 6,245 square foot, four-unit residential building with a ground floor retail storefront and roof decks within the Cortland Avenue NCD (Neighborhood Commercial District) Zoning District and 40-X Height and Bulk Districts. 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 a Regular hearing on January 5, 2023)

SPEAKERS: None
ACTION: Continued to March 23, 2023
AYES: Braun, Ruiz, Diamond, Imperial, Koppel, Moore, Tanner

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

1. [2022-010719PCA](#) (A. STARR: (628) 652-7533)
SOMA NIGHTTIME ENTERTAINMENT USES; LEATHER AND LGBTQ CULTURAL DISTRICT (BOARD FILE 221104) – Planning Code Amendment – The proposed Ordinance would amend the Planning Code to allow Nighttime Entertainment as a principally permitted use on properties fronting Folsom Street between 7th Street and Division Street and properties fronting 11th Street between Howard Street and Division Street in the Folsom Street Neighborhood Commercial Transit District and the Western SoMa Mixed Use-General District; removing certain restrictions on Nighttime Entertainment uses on properties fronting Folsom Street between 7th Street and Division Street and properties fronting 11th Street between Howard Street and Division Street in the Western SoMa Special Use District; affirming the Planning Department's determination under the California Environmental Quality Act; making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and making findings of public necessity, convenience, and welfare pursuant to Planning Code, Section 302
Preliminary Recommendation: Approve with Modifications

SPEAKERS: None
ACTION: Approved with Modifications
AYES: Braun, Ruiz, Diamond, Imperial, Koppel, Moore, Tanner
RESOLUTION: [21225](#)

C. COMMISSION MATTERS

2. 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.

3. Commission Comments/Questions

None.

D. DEPARTMENT MATTERS**4. Director's Announcements**

None.

5. 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, this week the Board met for the first time to swear in its recently elected members and to elect a Board President.

I'm sure you all are aware that Supervisor Peskin was eventually voted in as president after several rounds of voting. Supervisor Peskin's office is now in the process of making committee assignments, which should be announced at the end of the week or early next week.

The Board also met on Tuesday for a regular legislative session; however, there were no planning items. The Land Use Committee did not meet this week. The Board and the land use committee are not meeting next week in honor of Martin Luther King Day.

E. GENERAL PUBLIC COMMENT

SPEAKERS: Georgia Schuttish – Flat Policy, Section 317

E. 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.

6. [2019-014146ENV](#) (J. MOORE: (628) 652-7566)
LAKE MERCED WEST PROJECT – Certification of the **Final Environmental Impact Report (EIR)** – The project site is located on approximately 11 acres at 520 John Muir Drive on the south side of Lake Merced; Lot 004 in Assessor's Block 7283 (District 7). The Recreation and Parks Department proposes a public recreational facility that would offer an array of activities such as trail use, picnicking, paddleboarding, kayaking, fishing, fitness activities, ropes course, birdwatching, outdoor exercise, skateboarding, basketball, and other activities on multi-use courts, as well as restaurant dining, and indoor space for gatherings such as community meetings and birthday parties. The existing buildings would be demolished. A new community building, restaurant, and patio would be built near the center of the site, along with a playground, multi-use court, basketball court, and picnic areas surrounded by meadows and natural areas. A new boathouse, boat dock, and watercraft soft landing area are proposed adjacent to the lake. An arborist office and yard are proposed at the southeastern end of the site; new restrooms, a ropes course, skatepark, and 80 public parking spaces are also proposed.
Note: The public hearing on the draft EIR is closed. The public comment period for the draft EIR ended on April 11, 2022. Public comment will be received when the item is called during the hearing.
Preliminary Recommendation: Certify
- SPEAKERS: = Julie Moore – Staff presentation
ACTION: Certified
AYES: Braun, Ruiz, Diamond, Imperial, Koppel, Moore, Tanner
MOTION: [21226](#)
7. [2022-009297DNX](#) (R. SALGADO: (628) 652-7332)
1010V MISSION STREET – north side between 6th and 7th Streets; Lot 026 in Assessor's Block 3703 (District 6) – Request for **Downtown Project Authorization** pursuant to Planning Code Sections 210.2 and 309 and Adoption of Findings related to the Individually Requested State Density Bonus Program pursuant to Planning Code Section 206.6 and California Government Code Section 65915 to demolish a surface parking lot and construct a nine-story, approximately 84-foot-tall residential building containing 57 single room occupancy (SRO) dwelling units and approximately 2,050 square feet of common open space on the ground floor and on the roof, within a C-3-G (Downtown-General) Zoning District and 160-F Height and Bulk District. The project seeks waivers from development standards, including the rear yard (Section 134); exposure (Section 140); reduction of wind currents in a C-3 district (Section 148); and bulk (Section 270) requirements of the Planning Code pursuant to State Density Bonus Law. The Planning Department issued a mitigated negative declaration 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
- SPEAKERS: = Rebecca Salgado – Staff report
+ John Kevlin - Project sponsor presentation
- David Woo – Does not support low-income families, no racial and social equity analysis, please stand with the working-class residents
+ Sean Keighran – Fair, open and transparent process, affordable by design

- + Stephanie – Will bring much needed housing
- + Michael – Code compliant, replaces a parking lot and displaces no one
- + Amelia – We are in a housing crisis
- + Mike Stack – Affordable by design and replacing a vacant lot is a great idea
- + Ed – 13 affordable units is better than no affordable units
- + Thea – Code compliant and will bring much needed housing, stop denying projects of empty parking lots
- + Joe – Should have no further delays
- = Liz Watty – Response to comments and questions
- = Rich Hillis – Response to comments and questions
- + Reza Khoshnevisan – Response to comments and questions

ACTION: Approved with Conditions as amended to include:

1. Moving the Jessie Street unit one foot and one step up;
2. A review of moving the window and PGE meter; and
3. Adding a finding encouraging undergrounding PGE utilities.

AYES: Braun, Diamond, Koppel, Moore, Tanner

NAYS : Ruiz, Imperial

MOTION: [21227](#)

9. [2022-003329CUA](#) (J. HORN: (628) 652-7366)
3790-3792 21ST STREET – northeast corner of Noe Street; Lot 026A in Assessor's Block 3604 (District 8) – Request for **Conditional Use Authorization** pursuant to Planning Code Sections 209.1, 303 and 317 to legalize the tantamount to demolition that occurred during the construction of alterations and additions to a 2,056 gross square-foot, two-story, two-family dwelling that resulted in the current 4,831 gross square-foot, four-story, two-family dwelling located within a RH-2 (Residential- House, Two Family) Zoning District and the 40-X Height and Bulk Districts. 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: = Jeff Horn – Staff report
 + Tara Sullivan – Project sponsor presentation
 + Sachin Bavishi - Homeowner
 = Georgia Schuttish - How did this illegal Demolition happen? General Plan Policy 4.1 in the Findings not met. This is not a remodel of existing housing for families with children because it is an illegal Demolition and the original flats were suitable for families with children. All the General Plan Findings are challengeable. The Staff did request Demo Calcs per the two NOPDRs from 2015. The Residential Flat Policy needs to be codified to preserve existing housing unlike what happened with these flats. Section 317 (5) (i) Finding not met. Because of sales history, no relative affordability protected. The two original flats, were livable, likely to be separately occupied, located in a well-resourced, high opportunity neighborhood, "contributed positively to the City's housing stock". Please have a hearing to consider adjusting the Demo Calcs to close one loophole

that has aided/abetted the speculative culture in housing since the 2008 economic crisis.

= Bruce Bowen – Second unit must be separate, change conditions as per Ms. Schuttish' comments

= Liz Watty – Response to comments and questions

ACTION: Approved with Conditions

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

MOTION: [21228](#)

10. [2020-007168CUA](#) (M. GIACOMUCCI: (628) 652-7414)
2 LAKE STREET – north side of Lake Street between Arguello Boulevard and Second Avenue; Lot 011 in Assessor's Block 1355 (District 1) – Request for **Conditional Use Authorization** of a Planned Unit Development (PUD) on a site that is over one-half acre to expand an existing 88,690 square-foot Religious Institutional Use pursuant to Planning Code Sections 209.2, 303, and 304, to allow a Floor Area Ratio (FAR) of 2.3:1 and to modify the method of height measurement as part of a Project that includes the expansion and renovation of the Congregation Emanu-El building. The project would preserve the existing use and proposes a total expansion of approximately 17,130 square feet, including 14,490 square feet of additional religious institutional space and approximately 2,640 square feet of additional preschool space, as well as 4,900 square feet of new rooftop open space within a RM-1 (Residential- Mixed, Low Density) 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). 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: = Monica Giacomucci – Staff report
 + David Goldman - Project sponsor presentation
 + Speaker - Project sponsor presentation
 + Speaker –Design presentation
 + Steve Cohen – Very good neighbor, commitment to safety and effort to traffic mitigation
 + Andrew Rosenthal – Will provide a courtyard where parents and kids can meet safely
 + Laurie Coleman – Safety concerns and the need for additional classroom space, security
 + Kirsten Wolberg – Seismic safety, more community space for the health of the community
 - Jonathan Pearlman – Project violates the Secretary of the Interior's Standards, destroys significant historic character of the building
 - Christine Madrid French – Treatment of the courtyard, character defining features, add a CUA with the redesign of the courtyard
 - Erik Hom – Request improvements for safety and traffic and to the courtyard, no noise ordinance, must have coordination of security
 + Mr. Smith – Good neighbor and always responsive to issues
 + Melissa Koenigsberg – Kids attended the preschool, integral part of their lives
 + Jeremy Sasson – Much needed seismic updates, security

+ Terry Kraus – Safety and security, changes to the courtyard
 ACTION: Approved with Conditions, recognizing the Sponsor will continue working with Staff
 AYES: Braun, Ruiz, Imperial, Koppel, Moore, Tanner
 RECUSED: Diamond
 MOTION: [21229](#)

F. 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.

11. [2021-008669DRP](#) (D. WINSLOW: (628) 652-7335)
627 16TH AVENUE – west side between Balboa and Cabrillo Streets; Lot 004 in Assessor's Block 1628 (District 1) – Request for **Discretionary Review** of Building Permit No. 2021.0715.4484 for the construction of a three-story rear addition to single family residence 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

SPEAKERS: = David Winslow – Staff report
 + Anita Zhu – Project sponsor presentation
 + Zahn - Homeowner
 ACTION: No DR
 AYES: Braun, Ruiz, Diamond, Imperial, Koppel, Moore, Tanner
 DRA: [808](#)

12. [2020-001606DRP](#) (D. WINSLOW: (628) 652-7335)
316-318 CHESTNUT STREET – north side between Grant Avenue and Bellair Place; Lot 007 in Assessor's Block 0054 (District 3) – Request for **Discretionary Review** of Building Permit No. 2020.0124.2722 for the construction of a roof deck to a three-unit residential building within a RH-3 (Residential House, Three 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 with Modifications

SPEAKERS: = David Winslow – Staff report
 - Peter Yolles – DR presentation
 + Speaker – Project sponsor presentation
 + Ahmad Larizadeh – Project sponsor presentation
 = Austin Yang, City Attorney – Response to comments and questions

ACTION: Take DR and Approved with Modifications reducing the roof deck from all building edges five feet and incorporating a glass railing.
AYES: Braun, Ruiz, Diamond, Imperial, Koppel, Moore, Tanner
DRA: [809](#)

ADJOURNMENT 5:11 PM
ADOPTED JANUARY 26, 2023