

SAN FRANCISCO PLANNING COMMISSION

Meeting Minutes

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

Thursday, June 6, 2024
12:00 p.m.
Regular Meeting

COMMISSIONERS PRESENT: DIAMOND, MOORE, IMPERIAL, KOPPEL, SO, WILLIAMS
COMMISSIONERS ABSENT: BRAUN

THE MEETING WAS CALLED TO ORDER BY PRESIDENT DIAMOND AT 12:06 PM

STAFF IN ATTENDANCE: Aaron Starr, Tina Tam, Richard Sucre, Rachael Tanner, Lisa Chen, Trent Greenan, Joshua Switzky, Elizabeth Watty – Director of Current Planning, Rich Hillis – Planning Director, Jonas P. Ionin – Commission Secretary

SPEAKER KEY:

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

A. CONSIDERATION ITEMS PROPOSED FOR CONTINUANCE

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

1. 2022-012515CUA (G. PANTOJA: (628) 652-7380)
45 BRONTE STREET – northeast corner of Mojave Street; Lot 031 in Assessor's Block 5689 (District 9) – Request for **Conditional Use Authorization** pursuant to Planning Code Sections 209.1, 242, 303, and 317 for the construction of horizontal and vertical additions to an existing one-story, single-family residence and remodel of the residence that is tantamount to demolition within the RH-1 (Residential-House, One-Family) Zoning District, Bernal Heights 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
(Proposed for Continuance to June 13, 2024)

SPEAKERS: None
ACTION: Continued to June 13, 2024
AYES: So, Williams, Imperial, Koppel, Moore, Diamond
ABSENT: Braun

2. 2022-000438DRP (D. WINSLOW: (628) 652-7335)
320-322 FREDERICK STREET – north side between Clayton and Belvedere Streets; Lot 026 in Assessor's Block 1253 (District 8) – Request for **Discretionary Review** of Building Permit No. 2021.1208.3935 to construct a four-story horizontal rear addition and add accessory dwelling unit to a three-unit residential building within a RM-3 (Residential Mixed – High Density) 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 April 11, 2024)
(Proposed for Continuance to June 20, 2024)

SPEAKERS: None
ACTION: Continued to June 20, 2024
AYES: So, Williams, Imperial, Koppel, Moore, Diamond
ABSENT: Braun

- 3a. 2023-003652CUA (M. MATHUR: (628) 652-7355)
3901 NORIEGA STREET – southwest corner of 46th Avenue; Lot 001 in Assessor's Block 2083 (District 4) – Request for **Conditional Use Authorization**, pursuant to Planning Code Sections 303 and 710, to allow expansion of the existing restaurant use (d.b.a. The Pizza Place on Noriega) into the adjacent storefronts and beyond the permitted use size of 2,999 square feet within an existing one-story commercial building in a NC-1 (Neighborhood Commercial) 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 Regular hearing on May 9, 2024)
(Proposed for Continuance to July 18, 2024)

SPEAKERS: None
ACTION: Continued to July 18, 2024
AYES: So, Williams, Imperial, Koppel, Moore, Diamond
ABSENT: Braun

- 3b. 2023-003652VAR (M. MATHUR: (628) 652-7355)
3901 NORIEGA STREET – southwest corner of 46th Avenue; Lot 001 in Assessor's Block 2083 (District 4) – Request for **Variance** from rear yard requirements of Planning Code Section 134 to legalize four accessory structures in the required rear yard within an existing one-story commercial building in a NC-1 (Neighborhood Commercial) Zoning District and 40-X Height and Bulk District.
(Continued from Regular hearing on May 9, 2024)
(Proposed for Continuance to July 18, 2024)

SPEAKERS: None
 ACTION: ZA Continued to July 18, 2024

- 11a. [2023-006982CUA](#) (M. MATHUR: (628) 652-7355)
305 LIBERTY STREET – south side between Church and Sanchez Streets.; Lot 040 in Assessor's Block 3605 (District 8) – Request for **Conditional Use Authorization**, pursuant to Planning Code Sections 249.92, 303, and 317, to allow for demolition of an existing two-story-over-garage, single family home, and construction of a four-story-over-garage, single-family home with an Accessory Dwelling Unit (ADU) pursuant to the State ADU Program. The proposal will result with a dwelling unit exceeding 3,000 square feet within a RH-1 (Residential- House, One Family) Zoning District, Dolores Heights SUD (Special Use 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
 (Continued from Regular hearing on May 9, 2024)

SPEAKERS: None
 ACTION: Continued to June 20, 2024
 AYES: So, Williams, Imperial, Koppel, Moore, Diamond
 ABSENT: Braun

- 11b. [2023-006982VAR](#) (M. MATHUR: (628) 652-7355)
305 LIBERTY STREET – south side between Church and Sanchez Streets.; Lot 040 in Assessor's Block 3605 (District 8) – Request for **Variance** to add a garage in the required front setback per Section 132 in a dwelling unit within a RH-1 (Residential- House, One Family) Zoning District, Dolores Heights SUD (Special Use District), Central Neighborhoods Large Residence SUD (Special Use District), and 40-X Height and Bulk District.
 (Continued from Regular hearing on May 9, 2024)

SPEAKERS: None
 ACTION: Acting ZA Continued to June 20, 2024

B. CONSENT CALENDAR

All matters listed hereunder constitute a Consent Calendar, are considered to be routine by the Planning Commission, and may be acted upon by a single roll call vote. There will be no separate discussion of these items unless a member of the Commission, the public, or staff so requests, in which event the matter shall be removed from the Consent Calendar and considered as a separate item at this or a future hearing.

- 4a. [2019-000494DNX-02](#) (V. PAGE: (628) 652-7396)
555 HOWARD STREET – south side between 1st and 2nd Streets; Lots 086, 107, and 110 in Assessor's Block 3736 (District 6) – Request to modify conditions of approval for an existing **Downtown Project Authorization** approved by the Planning Commission on September 24, 2020 through Motion No. 20787, extending the Project's validity, expiration and renewal period by three years. The original entitlement was for a Downtown Project Authorization pursuant to Planning Code Sections 210.2 and 309 to allow a project greater than 50,000 square feet of floor area within the C-3 Zoning District with exceptions for streetwall base (Section 132.1(c)); tower separation (Section 132.1(d)); reduction of ground-level wind currents in C-3 zoning districts (Section 148); off-street tour bus loading (Section 162); upper tower extensions (Section 263.9); and bulk controls (Section 270). The Project has not changed since it was approved on September 24, 2020. The Project includes demolition of three, existing buildings containing non-residential uses and construction of a new 35-story building reaching a roof height up to 385 feet tall (approximately 419 feet tall inclusive of elevator overrun and rooftop screening/mechanical equipment). The Project includes a total gross floor area of approximately 381,000 gross square feet (gsf) of hotel uses and approximately 7,800 gsf of privately-owned public open space (POPOS) located on the rooftop (level 36). The hotel would include 401 tourist hotel guest rooms, and several

accessory hotel uses that would be open to the public, including a full-service restaurant and bar on the ground floor and a sky bar/lounge located on level 35. The hotel would include approximately 15,000 gsf of function/meeting space including pre-function and function spaces, and a range of conference room sizes to accommodate events of varying sizes. Fitness facilities for use by hotel guests, including a pool, spa, and exercise room, would be located on level 6. The Project includes three off-street loading spaces, 16 Class 1 and 10 Class 2 bicycle parking spaces, with no off-street parking provided. The subject property is located within a C-3-O(SD) Zoning District and 350-S Height and Bulk District.

Preliminary Recommendation: Approve with Conditions

SPEAKERS: None
 ACTION: Approved with Conditions
 AYES: So, Williams, Imperial, Koppel, Moore, Diamond
 ABSENT: Braun
 MOTION: [21570](#)

- 4b. [2019-000494CUA-02](#) (V. PAGE: (628) 652-7396)
555 HOWARD STREET – south side between 1st and 2nd Streets; Lots 086, 107, and 110 in Assessor's Block 3736 (District 6) – Request to modify conditions of approval for an existing **Conditional Use Authorization** approved by the Planning Commission on September 24, 2020 through Motion No. 20788, extending the Project's validity, expiration and renewal period by three years. The original entitlement was for a Conditional Use Authorization to permit hotel use (Sections 210.2 and 303(g)). The Project has not changed since it was approved on September 24, 2020. The Project includes demolition of three, existing buildings containing non-residential uses and construction of a new 35-story building reaching a roof height up to 385 feet tall (approximately 419 feet tall inclusive of elevator overrun and rooftop screening/mechanical equipment). The Project includes a total gross floor area of approximately 381,000 gross square feet (gsf) of hotel uses and approximately 7,800 gsf of privately-owned public open space (POPOS) located on the rooftop (level 36). The hotel would include 401 tourist hotel guest rooms, and several accessory hotel uses that would be open to the public, including a full-service restaurant and bar on the ground floor and a sky bar/lounge located on level 35. The hotel would include approximately 15,000 gsf of function/meeting space including pre-function and function spaces, and a range of conference room sizes to accommodate events of varying sizes. Fitness facilities for use by hotel guests, including a pool, spa, and exercise room, would be located on level 6. The Project includes three off-street loading spaces, 16 Class 1 and 10 Class 2 bicycle parking spaces, with no off-street parking provided. The subject property is located within a C-3-O(SD) Zoning District and 350-S Height and Bulk District.

Preliminary Recommendation: Approve with Conditions

SPEAKERS: None
 ACTION: Approved with Conditions
 AYES: So, Williams, Imperial, Koppel, Moore, Diamond
 ABSENT: Braun
 MOTION: [21571](#)

- 4c. [2019-000494VAR-02](#) (V. PAGE: (628) 652-7396)
555 HOWARD STREET – south side between 1st and 2nd Streets; Lots 086, 107, and 110 in Assessor's Block 3736 (District 6) – Request for **Zoning Administrator** review of: 1) a Variance to permit relief from the strict limits of the Planning Code related to off-street loading entrances (Section 155(s)(4)(A)) and location of Class 1 bicycle parking (Section 155.1(b)(1)); and 2) a Height Exemption for the elevator penthouse to accommodate the elevator overrun (Section 260(b)(1)(B)). The Project has not changed since it was approved on September 24, 2020. The Project includes demolition of three, existing buildings containing non-residential uses and construction of a new 35-story building reaching a roof height up to 385 feet tall (approximately 419 feet tall inclusive of elevator overrun and rooftop screening/mechanical equipment). The Project includes a total gross floor area of approximately 381,000 gross square feet (gsf) of hotel uses and approximately 7,800 gsf of privately-owned public open space (POPOS) located on the rooftop (level 36). The hotel would include 401 tourist hotel guest rooms, and several accessory hotel uses that would be open to the public, including a full-

service restaurant and bar on the ground floor and a sky bar/lounge located on level 35. The hotel would include approximately 15,000 gsf of function/meeting space including pre-function and function spaces, and a range of conference room sizes to accommodate events of varying sizes. Fitness facilities for use by hotel guests, including a pool, spa, and exercise room, would be located on level 6. The Project includes three off-street loading spaces, 16 Class 1 and 10 Class 2 bicycle parking spaces, with no off-street parking provided. The subject property is located within a C-3-O(SD) Zoning District and 350-S Height and Bulk District.

SPEAKERS: None

ACTION: Acting ZA closed the PH and indicated an intent to Grant

C. COMMISSION MATTERS

5. LAND ACKNOWLEDGEMENT

Commissioner So:

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.

6. CONSIDERATION OF ADOPTION:

- [Draft Minutes for May 2, 2024](#)
- [Draft Minutes for May 23, 2024 – Closed Session](#)
- [Draft Minutes for May 23, 2024 – Regular](#)

SPEAKERS: None

ACTION: Adopted

AYES: So, Williams, Imperial, Koppel, Moore, Diamond

ABSENT: Braun

7. COMMISSION COMMENTS/QUESTIONS

President Diamond:

So, I'd like to start. We have received from staff a copy of a letter written by counsel for the San Bruno project which was in response to our Condition 18 on our CU Motion of Approval, which required a report in every 6 months on compliance and the status of the project. I, they started by saying, the attorneys seemed to think this was a somewhat burdensome requirement and asked us to consider lowering the barre on that. I don't feel any need to do that. I think given the circumstances that the 6-month check-in is entirely appropriate and recommend that we continue to do that. The condition also allows us to call for a public hearing if we think it's important based upon the contents of the letter that we received. So, I had one question for staff. And that will—your answer will determine how I feel about having a public hearing in response to this letter. One of the primary concerns, I recall, of all of the Commissioners was what happens to the tenants during this time period when they need to reduce, well to eliminate the illegal units, some of which have been occupied by tenants. The letter say they currently have twelve tenants, and my recollection is that there had been at least fifteen at some point and maybe more. And I'm wondering, Ms. Watty, if you can suggest a procedure for how we ask the project sponsor in their 6-month report and certainly as additional information for this one to keep us better posted on what's happening to the tenants.

Elizabeth Watty, Director of Current Planning:

Sure, absolutely. In the Executive Summary, in the final packet the day that you all approved this project, there was what I think was a very helpful chart in there that went building by building, floor by floor, and enumerated

which units were vacant and which were occupied. I think it could be really helpful to have that as part of the standard update as sort of a baseline of here was the state of the building at approval and here is it now, and if there is any difference from then to now, if there are fewer tenants in there, describing why. You know, did those folks leave on their own behalf, was there a negotiated leave from the property owner, if so, what were the terms of those conditions if they are allowed to share. But I think describing if somebody left, you know, sort of what is the disposition of that family, you know, was it a family, did they have protected tenants, were there children, but just a little bit of a description of who left. So, again, I think we have a good baseline of who is there and so to understand what that delta is between the original hearing and the 6-month update. Obviously, this is the first one so it will be just those two comparisons. And I would think at least going forward, it would be helpful to still always have that reference back to the original and sort of on a rolling list of sort of the 6-month changes in tenancy. There has been a reduction in tenants from where we were on the original but again, I don't think we, as the City staff, know why. So, I think that if nothing else could be a helpful understanding. I do think what was called out in the letter sort of does demonstrate that right now they are not yet at the stage where tenants are required under the phasing or tenants sort of phasing plan to be notified yet because they don't have an issued permit yet. And as you recall, the first building that they'll have to work on is the most interior which is currently vacant. So, they can do the work without having to displace anyone since it's already a vacant building. And then the idea was they will notify people on the first building if they want to move. So, that will be the first set of tenants that are impacted, are the tenants on sort of the corner. But I think in, for your next 6-month update to kind of get that rolling list of as compared to when approved, what's changed.

President Diamond:

So, I think that's a great idea and I would appreciate it if you would go back to them now and say, as part of this first 6-month update, we want to know what happened to the tenants that have left. I don't know if any of the other Commissioners feel like at this point, you want to schedule a public hearing or if you want to see the response to that tenant inquiry first. So, I'm looking for your input.

Commissioner Moore:

The first thing I would appreciate is for all of us, memory fades very quickly, this was supposed probably one of the most painful things the Department and each of us on the various Commissions who have been in the cycle of this particular project have experienced, to bring up a brief update for our new Commissioners who were not in the middle of this painful sorting out of absolutely incredible challenges. That would be very helpful as probably enough institutional memory enough, put memos and other things. To briefly do that, that also gives the public the benefit to basically recollect of where we are. I think the timing of a full-fledged meeting to ask the attorneys to come back and report could perhaps set a couple of months based on what you are describing. And I fully agree with you on what I read out of the letter but then ask for very specific reporting that gets into detail and accountability on a number of issues that are completely being shoved under the table and what this letter indicates to us. So, I think that is a two-fold answer. Whenever you do the update, I'll leave that up to you. It could be you calling in our new Commissioners or do it in a small group, whatever, whatever suits you.

Elizabeth Watty, Director of Current Planning:

Sure. And certainly, we're happy to give updates to any of the Commissioners who were not here. I think it would be Commissioner Williams and So who were the only ones, right? The rest of, yeah, those two. So, we're happy to give you an update on what that project history was to give you a little context. Happy to do that. And happy to relay that information to the applicant.

President Diamond:

You know, at the same time, I will say the tone of the attorney's letter gave the impression they thought this requirement was quite burdensome and I think you should relay them that given the facts behind this that I think the 6-month update is entirely appropriate and that a constructive attitude would be really appreciated.

Elizabeth Watty, Director of Current Planning:

More than happy to relate that.

President Diamond:
Thank you.

Commissioner Imperial:

Yeah, I'd like to, you know, in terms of having a hearing or informational hearing about this, given that we still need more information, I think that's when we can have the more in-depth informational hearing and yeah, I'm looking forward to have it. Perhaps they can give us you know, response in the next month. So, yeah. I would be happy to have an informational hearing when we have all of the information. Especially, of course, because again, there are lawyers involved, to get rid of tenants and perhaps also client-attorney privilege in it that I'm not sure what they can be shared. Again, but you know, again realizing what are the things that need to be shared with the Commission. But I do have, you know, of course my concern is where the tenants at this point too. Thank you.

Commissioner Moore:

I want to briefly say something regarding the expressed concern of Commissioner Koppel at the time, like life safety is a big issue on this project. And I think any update from our qualified staff at DBI who helped dive into the background of this project would be very helpful, because I share that deep concern with Commissioner Koppel.

Elizabeth Watty, Director of Current Planning:

And maybe my suggestion on that, right now DBI has not yet concluded their plan check review of the permits. So, that is literally mid-stream right now. So, I think what might be helpful is for us to continue with that process and when the permits are done being reviewed, that might be a good time for us to sort of circle back on that and get a better understanding of what happened. Did DBI ask for changes, you know, I'm sure they have done a really deep dive to ensure life safety. So, I think that would be a good milestone once they actually get through, get all the revisions they need and get it to a point where they feel it complies with the building code. I think that will be a good milestone for them to maybe reflect back on what they are asking for. And so again, I think if there are any other specific questions that you think this letter was deficient in, in any way, it will be helpful to get a lot of specifics from you. But certainly, that comparison of tenant occupancy and why, we will for sure relay back to the applicants. Thanks.

D. DEPARTMENT MATTERS

8. DIRECTOR'S ANNOUNCEMENTS

None.

9. 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

Land Use Committee

240263 Planning Code - Divisadero Street Neighborhood Commercial Transit District. Sponsor: Preston. Staff: V. Flores.

The week the Land Use Committee considered Supervisor Preston's ordinance that would amend the Planning Code to permit liquor stores in buildings with off-street parking accessed on Broderick Street within the Divisadero Street Neighborhood Commercial Transit District (NCT). As you likely recall this is intended to help the mixed use complex that houses Falletti's grocery store.

The Planning Commission heard this on May 30th and recommended approval with modifications. The modifications were technical in nature and included:

1. Amend the footnote to specifically cite the block and lot number, instead of referencing the existing conditions; and
2. Amend the proposed footnote for clarity.

The Planning Commission also encouraged the BOS to consider amending the Divisadero NCT Zoning Control Table to conditionally permit Liquor Stores on the ground floor.

During the hearing, Supervisor Preston incorporated the two technical amendments into the proposed Ordinance. There was one public comment in support of the proposed Ordinance from the property owner, Tick Falletti.

Supervisor Melgar supported the Ordinance and noted she looked forward to future discussions on widening the amendment. She also noted future opportunities as physical bank locations are not as prevalent in today's economy.

The Ordinance was then forwarded to the full Board with a positive recommendation as a committee report.

240228 Planning Code, Local Coastal Program Amendment - Wawona Street and 45th Avenue Cultural Center Special Use District. Sponsors: Engardio; Peskin. Staff: Pantoja. Item 3

240563 Local Coastal Program Amendment - Wawona Street and 45th Avenue Cultural Center Special Use District. Sponsors: Engardio; Peskin. Staff: Pantoja. Item 4

Lastly the Committee considered an ordinance that would amend the Planning Code and Local Coastal Program for the Wawona Street and 45th Avenue SUD, along with the corresponding Resolution amending the Local Coastal Program. Commissioners, you heard this item on May 2 and recommended approval.

At the land use hearing, there were about 10 public commenters, about half in favor and half opposed. The opposition objected to amending the Local Coastal plan and were under the impression that it had implications beyond the Irish Cultural Center. They were also against the proposed project at the Irish Cultural Center. Those in support spoke of the center fondly as a community space and of the need to improve the center to respond to changing times.

The Committee members did not have any questions for staff and made some brief remarks in support of the center. Ultimately the item was forwarded to the Full Board as a committee report. The resolution also passed but not as a committee report; however, the two items will pass at the same time since the ordinance needs two reads at the board and the resolution only needs one.

Full Board

240193 Parcel Delivery Service. Sponsors: Chan; Dorsey, Stefani, Mandelman, Preston, Melgar and Engardio. Staff: Flores. PASSED Second Read

240353 Landmark Designation - The Gregangelo Museum. Sponsors: Melgar. Staff: LaValley. Passed First Read

240228 Planning Code, Local Coastal Program Amendment - Wawona Street and 45th Avenue Cultural Center Special Use District. Sponsors: Engardio; Peskin. Staff: Pantoja. Passed First Read

240263 Planning Code - Divisadero Street Neighborhood Commercial Transit District. Sponsor: Preston. Staff: V. Flores. Passed First Read

Tina Tam, Deputy Zoning Administrator:

Good afternoon, President Diamond, and members of the Commission, I'm Tina Tam, Deputy Zoning Administrator. The Board of Appeals did not meet last night but they did meet last week on May 29th. At that hearing, the Board decided on one case of interest to the Planning Commission. This Commission previously heard a DR for a building permit at 45 Barnard Street in August 2022. The scope of the work for this permit is to construct a rear expansion to an existing three-unit building and to add a roof deck for the top unit. The DR hearing focused heavily on the owner move-in evictions that occurred for two of the three units. Documentations and testimonies did show that all state and local laws were followed. While the DR requestor raised concerns about the depth of the proposed building, this Commission determined that the depth and massing was appropriate. However, this Commission took issue with the proposed roof deck and voted 4 to 1 with two absences to take DR and place conditions on this permit. The conditions were to, 1) remove the roof deck and associated spiral stairs, 2) to reconfigure the third floor to be consistent with the second floor, 3) to require the project sponsor to provide an update to the Commission 6 months after permit the issuance, and 4) to encourage any relocation of the remaining tenants and construction to be as short as possible.

The permit was issued in January of this year and was appealed by the DR requestor and the property owner. Both requesting different outcomes of this Commission's DR decision. During the review of this appeal, staff has discovered a couple of changes. It was determined that the required rear yard for the project had increased by three inches due to the Constraints Reduction Ordinance. The amount of open space have been slightly decreased for the lower two units and DBI required a fire escape at the rear of the building for emergency rescue purposes. The Board heard the appeal on April the 3rd and heard many of the same arguments that was raised during the DR hearing. There were significant public comments and a lengthy discussion by the Board where several design options were considered. Ultimately, the Board voted to allow the roof deck, which was previously removed by this Commission, as part of the project so long as contextually designed, consistent with the nearby decks, and compliant with the residential design guidelines. The Board noted that the roof deck had not been a concern raised by any of the opposing neighbors. The vote was 3 to 1 with one absence to continue the hearing to May 29th and requested the project sponsor to submit revised plans reinstating the roof deck and the spiral stairs, revise the rear of the building to meet the new building code and the Planning code requirements, and to adjust the open space for the two lower units. The project sponsor worked directly with the Building Department and the Planning Department during this time to ensure the revised plans were fully code complying. Additionally, the Department conducted a formal UDU screening for the basement level and determined that no UDU existed. Although there is currently a separate building permit on file with the City to add an ADU on the ground floor. At the May 29th hearing, the board lamented the history of this case, encouraged better communication in the future and voted 5 to 0 to grant the project sponsor's appeal and approved the project as revised with no additional conditions. That concludes my report. I am happy to answer any questions.

Richard Sucre, Deputy Director for Current Planning:

Good afternoon, Commissioners. Rich Sucre, Department staff, providing you the report from this past week's Historic Preservation Commission hearing. At HPC yesterday, the HPC passed five Legacy Business applications including Bob's Donuts and The Verdi Club which was excellent. They also approved a Permit to Alter to replace the Palace Hotel sign, adding additional conditions basically related to the temporary nature of the LEDs as well as providing for additional study regarding adhesives and additional enamels that are required basically as part of that. And then the HPC approved two Certificates of Appropriateness for properties located within Alamo Square and the basically Bush Cottage Row area. So, this concludes the HPC report. Thank you.

E. GENERAL PUBLIC COMMENT

SPEAKERS: Ahmad Mohazab – Withdrawal of 1131-1133 Anza Street
Sue Hestor – Hear the San Bruno 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.

10. [2021-005878CWP](#) (L. CHEN: (628) 652-7422)

EXPANDING HOUSING CHOICE (HOUSING ELEMENT ZONING PROGRAM) – **Informational Presentation** on upcoming zoning amendments to implement the Housing Element, in accordance with state requirements. The zoning proposal will increase allowable building height and density to enable additional housing production in state-designated “Housing Opportunity Areas.” This hearing will focus on an overview of the Community Engagement process, an update to the draft Objective Design Standards, and the citywide approach to historic preservation as it relates to the zoning program. Subsequent informational hearings in 2024 will focus on other topics relevant to the Expanding Housing Choice zoning program.

Preliminary Recommendation: None – Informational

- SPEAKERS:
- = Rachael Tanner – Introduction
 - = Lisa Chen – Staff presentation
 - = Rich Sucre – Staff presentation
 - = Trent Greenan – Staff presentation
 - = Joshua Switzky – Staff presentation
 - Georgia Schuttish – Staff Memo clearly lays out issues. Very important to fully complete SF Survey. Critical. Preserving City’s vibrant neighborhood commercial areas also critical. Neighborhood Commercial: Commission expressed concern about Clement Street. Irving and Noe Valley 24th Streets also concerning. Staff Memo says Demolition of multi-unit housing will be “exceedingly rare.” Demolitions on Texas Street and Anza Street on 6/13 Agenda. On Day Street, Demolition, three units under review. Financial Feasibility Study on Rezoning was to be issued last November. Corners of Market/Van Ness? Speculation due to anticipated Rezoning may not just be limited to the high-end sales of swaths of Jackson Square and Filmore Street reported in the press. Nightmare: Country Garden and Evergrande Outcome of RHNA audit critical. PIPELINE... 50,000 or 70,000 units? San Francisco should seek credit/praise for what has been approved. Even though City not meeting the real need for housing at the lower AMIs.
 - Joe Stephani – Density, lessens the quality of urban life
 - + Corey Smith – Critical to housing goals
 - + Jim Warshell – Survey, state bonus density
 - + Christopher Roach – Outreach, continue to engage with community
 - Justin – Effects to small business
 - Jan Diamond – Focus on pipeline projects
 - Speaker – Survey, affordable housing, transportation corridors
 - George – Crowded
 - Bob Hurd – Mayor’s letter, state density bonus
 - + Eric Munsing – Clarity how state bonus density will interact
 - Jonathan Mead – Free market, consequences of unregulated upzoning, displacement
 - Isaac Santiago – Public housing tenants
 - Phil Dillard – Engage with all the people in the community
 - Kath Tsakalakis – Supply and demand
 - Gale – Wind, commercial corridors, living alley
 - Erin Donnely – Many people still do know about the changes
 - Ozzy Rohm – Feasibility
 - Kathleen Gee – Will change the nature of our city, affordability
 - Ian Cobalt – Affordability

- Stan Hayes – Unintended consequences
 - = Tim Rye – Skilled trade
 - Carolyn Kennedy – Will not work, affordable housing
 - = Sharon – Low income, BIPOC community
 - Daniella Kirshenbaum – Address genuine affordability and character
 - = Marlane Morgan – Damage to small corridors and historic districts
 - + Jane Natoli – Expand where people can build
 - + Annie Fryman – Conforms with state laws, rezoning map
 - Courtney Damkroger – Rent control, affordable housing
 - Aurora Robinson – Rent-control
 - Kevin McCarthy – Reach out to the communities that you are looking to change
 - + Bridget Malley – Historic districts
 - Lori Brooke – Community outreach
 - + Robert Fruchtman – More fair housing
 - + Speaker - Affordability
 - = Rich Hillis – Response to comments and questions
 - = Elizabeth Watty – Response to comments and questions
- ACTION: Reviewed and Commented

ADJOURNMENT 4:40 PM

ADOPTED JUNE 20, 2024