

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 26, 2024
12:00 p.m.
Regular Meeting

COMMISSIONERS PRESENT: SO, MOORE, BRAUN, CAMPBELL, IMPERIAL, MCGARRY, WILLIAMS
COMMISSIONERS ABSENT: NONE

THE MEETING WAS CALLED TO ORDER BY PRESIDENT SO AT 12:03 PM

STAFF IN ATTENDANCE: Aaron Starr, Danielle Ngo, Megan Calpin, Dakota Spycher, David Winslow, Rachael Tanner, 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.

10. [2024-005356CUA](#) (V. PAGE: (628) 652-7396)
229-233 WHITNEY STREET – east side between Fairmount and Chenery Streets; Lot 025 in Assessor's Block 6685 (District 8) – Request for **Conditional Use Authorization** pursuant to Planning Code Sections 303 and 317 to legalize the demolition of a two-story residential building with two dwelling units and one unauthorized dwelling unit and construct a four-story, approximately 4,700 gross square-foot building with two dwelling units and an attached, State-mandated Accessory Dwelling Unit in the rear yard, three off-street automobile parking spaces, three Class 1 bicycle parking spaces within a RH-2 (Residential House, Two-Family) Zoning District, Central Neighborhoods Large Residence SUD (Special Use District), and 40-X Height and Bulk District. The Planning Department found that the project is exempt from the California Environmental Quality Act (CEQA).

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

Preliminary Recommendation: Approve with Conditions

SPEAKERS: Laura Strazzo – Opposes continuance to
Georgia Schuttish – Questions continuance
Austin Yang, Deputy City Attorney – Response to comments and questions
Rich Hillis – Response to comments and questions
ACTION: Continued to October 17, 2024
AYES: Campbell, McGarry, Williams, Braun, Imperial, Moore, So
NAYS: None

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.

1. [2024-007340PCA](#) (A. MERLONE: (628) 652-7534)
PUBLIC WORKS CODE, PLANNING CODE – FEE WAIVER FOR VICHA RATANAPAKDEE MOSAIC STAIRWAY [BOARD FILE NO. 240806] – Planning Code Amendments – Ordinance, introduced by Supervisor Stefani, amending the Public Works Code to waive the major encroachment permit fees for a project to install and maintain mosaic tiles on the Vicha Ratanapakdee Way stairs located in the Anza Vista neighborhood between O'Farrell Street and Terra Anza Avenue and amending the Planning Code to waive the General Plan referral fee associated with this encroachment permit; affirming the Planning Commission's determination under the California Environmental Quality Act; and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.

Preliminary Recommendation: Adopt a Recommendation for Approval

SPEAKERS: None
ACTION: Adopted a Recommendation for Approval
AYES: Campbell, McGarry, Williams, Braun, Imperial, Moore, So
NAYS: None
RESOLUTION: [21619](#)

C. COMMISSION MATTERS

2. LAND ACKNOWLEDGEMENT

Commissioner Campbell:

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. CONSIDERATION OF ADOPTION:

- [Draft Minutes for September 12, 2024](#)

SPEAKERS: Georgia Schuttish – Comments on item 17
ACTION: Adopted with corrections

AYES: Campbell, McGarry, Williams, Braun, Imperial, Moore, So
NAYS: None

4. COMMISSION COMMENTS/QUESTIONS

None.

D. DEPARTMENT MATTERS

5. DIRECTOR'S ANNOUNCEMENTS

None.

6. 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

This week the land use committee considered the Establishment the 555 9th Street Special Sign District, sponsored by Supervisor Dorsey

The proposed Ordinance would amend the Planning Code and Zoning Map to create a special sign district at 555 9th. The Ordinance models the sign regulations after the C-3 zoning district with two exceptions: 1) allowing additional wall signs on the second story facing the internal parking lot and 2) video signs up to a certain size and distance from the pedestrian entrances.

The Commission heard this item on July 18th and adopted a recommendation for approval. During the hearing, Commissioners expressed concerns with impacts of illuminated signs on adjacent residences.

As a result, Supervisor Dorsey amended the draft Ordinance based on this feedback. The amendment would only allow signs to be illuminated during business hours.

During the hearing, there were no public comments or Committee discussion. The proposed Ordinance was amended and recommended as amended to the full Board.

Full Board

At the Full Board this week, the Board considered the CEQA Appeal of the General Plan Evaluation- otherwise known as a GPE- for 700 Indiana Street.

The project would demolish the existing vacant commercial storage building and constructing a new three-story laboratory with approximately 72,000 square feet. The Planning Commission heard this item on June 13, 2024, and approved the project's Large Project Authorization and Shadow Findings on Esprit Park.

The appellants were members of the Potrero Boosters Neighborhood Association and Dogpatch Neighborhood Association. Their primary objection was to the department's issuance of a GPE and their concern over the project description, and quality, shadow, and hazardous material impacts.

The department clarified the GPE's project description provides enough detail sufficient for evaluation of environmental impacts. The department also appropriately revised the project's mitigation measure regarding toxic air contaminants, as allowed by CEQA. Further the department made clear additional analysis of shadow done after the issuance of the GPE did not violate CEQA. This is because its findings were consistent with the GPE's conclusion of less than significant. And the Eastern Neighborhoods Area Plan EIR, of which the GPE is based, appropriately analyzed laboratory and biotechnical uses for hazardous materials. Staff also spoke about a recent case in San Diego that emphasized CEQA-Guidelines mandate for streamlining environmental review.

During the appeal hearing, there was no public comment in support of the appeal, and approximately 11 people spoke in support of the department's CEQA determination.

During the hearing, Supervisor Walton asked the Planning Department to elaborate on how the department analyzed hazardous materials, whether the shadow studies contained prejudged outcomes, and the department's modification to air quality mitigation. Additionally, he questioned the relevance of the San Diego court case. The ERO explained the decision was precedential even in San Francisco. Further, the department staff conduct their work in an objective, impartial manner and ensure that consultants do as well.

At the end of the hearing, the Board voted to affirm the general plan evaluation and denied the appeal +9 - 1, with Supervisor Walton opposed. Supervisor Peskin was excused from the hearing.

E. GENERAL PUBLIC COMMENT

SPEAKERS: Georgia Schuttish – Demolition timeline, Section 317
Sue Hestor – 2025 calendar, Planning Commission rules

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.

7. [2018-014712CWP](#) (D. NGO: (628) 652-7591)
2025 DRAFT HAZARDS AND CLIMATE RESILIENCE PLAN – Informational Presentation – Staff will provide an informational presentation on the 2025 update to the Hazards and Climate Resilience Plan (HCR). The HCR is an action plan for building a safer and more resilient future in San Francisco by reducing the impacts of hazards such as earthquakes, landslides, and pandemics. The HCR also addresses the ways in which hazards like flooding, extreme heat, and wildfire smoke are becoming more frequent and severe due to climate change. As the City's Federal Emergency Management Agency (FEMA)-approved Local Hazard Mitigation Plan, it is required to be updated every five years for the City to be eligible for critical FEMA funding sources. Reference and adoption of the HCR in the Safety and Resilience Element allows San Francisco to be compliant with SB 379 and considered for additional state cost-share on eligible FEMA Public Assistance projects per AB 2140.
Preliminary Recommendation: None – Informational

SPEAKERS: = Danielle Ngo – Introduction
+ Melissa Higbee, ORCP – Presentation
= Rachael Tanner – Response to comments and questions
+ Alex Morrison, ORCP – Response to comments and questions
ACTION: Reviewed and Commented

8. [2022-009819ENV](#) (M. CALPIN: (628) 652-7508)
3400 LAGUNA STREET – north of Francisco Street, south of Bay Street, west of single- and multi-family residences along Octavia Street, and east of Laguna Street. Lot 003 in Assessors Block 0471 (District 2) – Public Hearing on the **Draft Environmental Impact Report**. The current and proposed use is an Institutional Residential Care Facility for the Elderly named Heritage on the Marina. The proposed project would: 1) demolish two of the five existing buildings (the Perry Building Connector and the Health Center); 2) construct two new buildings (the Bay Building and the Francisco Building); 3) add a new curb cut along Bay Street and construct a below-grade garage underneath the two new buildings; 4) renovate the historically-rated Julia Morgan Building and the Perry Building; and 5) add bulb outs at the two intersections on the project site frontage. In total, the proposed project would add approximately 58,380 square feet of institutional uses, increase the number of residential care suites by 23 from 86 to 109, and reconfigure off-street loading and parking. The project is within a RM-1 (Residential - Mixed, Low Density) Use District and 40-X Height and Bulk District.

Written comments will be accepted at CPC.3400LagunaEIR@sfgov.org or at the Planning Department until 5:00 p.m. on October 15, 2024.

Preliminary Recommendation: Review and Comment

SPEAKERS: = Megan Calpin – Staff presentation
 - Tanya Albuquerque – Public’s ability to comment, concerns
 ACTION: Reviewed and Commented

9. [2023-009219CUA](#) (D. SPYCHER: (628) 652-7588)
842 CALIFORNIA STREET – northwest corner of Joice Street; Lot 027 in Assessor’s Block 0243 (District 3) – Request for **Conditional Use Authorization**, pursuant to Planning Code Sections 303 and 317, to demolish four existing buildings, consisting of five dwelling units and two commercial spaces, for the construction of a new eight-story, approximately 89-foot tall, 40,949 gross square foot, residential building with 33 dwelling units, including five permanently affordable replacement dwelling units, within a RM-4 (Residential- Mixed, High Density) Zoning District, Priority Equity Geographies SUD (Special Use District), and 65-A Height and Bulk District. The project is utilizing the Individually Requested State Density Bonus Program pursuant to Planning Code Section 206.6 and California Government Code Section 65915, to achieve up to a 6.45 percent bonus and is seeking waivers from development standards for Front Setback (Section 132), Rear Yard (Section 134), Exposure (Section 140), and Height (Section 250). 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 September 12, 2024)

SPEAKERS: = Dakota Spycher – Staff report
 + Steve Vettel – Project sponsor presentation
 + Cass Calder Smith– Project design presentation
 - Catherine Anderson – Height level, concerns with noise
 - Erica Fricke – Tall building, will stick out like a sore thumb
 - Bob Cohen – Decrease property value in the neighborhood
 - Doug Powell – Will continue to drive down the property value
 - Regina Scolaro – Will benefit the developer
 = Rich Hillis – Response to comments and questions
 = Liz Watty – Response to comments and questions
 = Austin Yang, Deputy City Attorney – Response to comments and questions
 ACTION: Approved with Conditions
 AYES: Campbell, McGarry, Braun, So
 NAYS: Williams, Imperial, Moore
 MOTION: [21620](#)

G. DISCRETIONARY REVIEW CALENDAR

The Commission Discretionary Review Hearing Procedures provide for presentations by staff; followed by the DR requestor team; followed by the project sponsor team; followed by public comment. 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. [2023-006047DRP](#) (D. WINSLOW: (628) 652-7335)
1657-1659 MASON STREET – southwest corner of Green Street; Lot 001 in Assessor’s Block 0128 (District 3) – Request for **Discretionary Review** of Planning Application No. 2023-006047PRJ for the construction of a 9,239 square foot, three story, two-unit residential building over an existing one-story, two car garage in the required rear yard within a RH-2 (Residential-House, Two Family) Zoning District and 40-X Height and Bulk District. The project is seeking a variance for the rear yard encroachment. Per Planning Code section 207 (c) (8) zoning lots in RH- districts may receive exceptions for density limits up to six dwellings for corner lots. 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
 - Kelley Melendez – DR presentation
 - Beverly Chan – DR presentation
 + Elmer Lin – Project sponsor presentation
 + John Marks – Building matches the quality of the houses in the area
 - Speaker – Concerns were dismissed, not a good neighbor
 - Daniel – Reduce to one story
 ACTION: Took DR and Approved with Staff modifications
 AYES: Campbell, McGarry, Williams, Imperial, Moore, So
 NAYS: Braun
 DRA: [860](#)

12. [2021-004443DRP-02](#) (D. WINSLOW: (628) 652-7335)
[1229 45TH AVENUE](#) – west side between Lincoln Way and Irving Street; Lot 004 in Assessor's Block 1705 (District 4) – Request for **Discretionary Review** of Building Permit Application No. 2021.0622.2952 for the demolition of an existing one-story, two car garage and construction of a 2,615 square foot, four-story accessory dwelling unit with a one-car garage in the front portion of the lot within a RH-2 (Residential-House, Two Family) Zoning District and 40-X Height and Bulk District. The project is seeking approval through the local ADU program (CPC 207.1) and is within the buildable area but is requesting a waiver from the density limitation of RH-2 zoning as there is an existing two-unit residential building in the rear of the lot. 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
 - Eileen Boken – DR 1 presentation
 - Reverend Margot Campbell Gross – DR 2 presentation
 + Toby Morris – Project sponsor presentation
 - Michael Lebeau – ADU code and intent
 - Caroline Strong – The building in the back should be done first
 - Georgia Schuttish – Project is extraordinary and exceptional and must take DR
 ACTION: No DR
 AYES: Campbell, McGarry, Braun, Moore, So
 NAYS: Williams, Imperial
 DRA: [861](#)

ADJOURNMENT 4:32 PM

ADOPTED OCTOBER 10, 2024