

SAN FRANCISCO PLANNING COMMISSION

Meeting Minutes

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

Thursday, March 9, 2023
1:00 p.m.
Regular Meeting

COMMISSIONERS PRESENT: Tanner, Moore, Braun, Diamond, Imperial
COMMISSIONERS ABSENT: Koppel, Ruiz

THE MEETING WAS CALLED TO ORDER BY PRESIDENT TANNER AT 1:08 PM

STAFF IN ATTENDANCE: Aaron Starr, Dakota Spycher, Mat Snyder, Vincent Page, Nick Foster, David Winslow, Liz Watty – Director of Current Planning, 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.

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 a Regular hearing on February 23, 2023)

SPEAKERS: David Beaupre – Response to comments and questions
 Austin Yang, City Attorney – Response to comments and questions
 ACTION: Continued to March 16, 2023
 AYES: Braun, Diamond, Imperial, Moore, Tanner
 ABSENT : Ruiz, Koppel

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. [2021-010355CUA](#) (E. WU: (628) 652-7415)
3435 CESAR CHAVEZ STREET – south side between Mission Street and Valencia Street; Lot 069 of Assessor's Block 6574 (District 9) – Request for **Conditional Use Authorization**, pursuant to Planning Code Sections 155 (r) and 303 to create a curb cut on a Transit Preferential Street. The Project Site is located within the Mission Bernal NCD (Neighborhood Commercial District), Mission Alcoholic Beverage SUD (Special Use Subdistrict), Mission Street Formula Retail Restaurant Subdistrict, Fringe Financial Service Restricted Use District and 50-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, Diamond, Imperial, Moore, Tanner
ABSENT : Ruiz, Koppel
MOTION: 21268

3. [2022-012040CUA](#) (E. WU: (628) 652-7415)
3979 24TH STREET – south side between Noe Street and Sanchez Street; Lot 028 of Assessor's Block 6508 (District 8) – Request for **Conditional Use Authorization**, pursuant to Planning Code Sections 303 and 728, to establish Health Services use. Project is qualified for the Community Business Priority Processing Program (CB3P). The Project Site is located within the 24th Street-Noe Valley NCD (Neighborhood Commercial District) and 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: None
ACTION: Approved with Conditions
AYES: Braun, Diamond, Imperial, Moore, Tanner
ABSENT : Ruiz, Koppel
MOTION: [21269](#)

C. COMMISSION MATTERS

4. 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.

5. Consideration of Adoption:
- [Draft Minutes for February 23, 2023](#)

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

6. Commission Comments/Questions

President Tanner:

Thank you all. I just want to bring to your attention an email that, I believe you received today, inviting us to a training for Equity Minded Decision Making for Commissioners. There are two sessions. They are identical sessions so you should choose one session to attend. You don't need to go to both. Wednesday, May 3rd, from 9:00 am to noon and Thursday, May 18th from 9:00 am to noon. These are virtual sessions so it will be held online. So, please let Jonas know if you would like to attend and the Department will make sure we can arrange for that. There is a limit to each sessions so if you're interested, probably sign up sooner than later.

Jonas P. Ionin, Commission Secretary:

Indeed. And this is sort of a follow up. I believe Commissioners Moore and Koppel already attended an equity training.

Commissioner Moore:

Correct.

Jonas P. Ionin, Commission Secretary:

So, it would probably be unnecessary for you to go to this one. But if, again, if you decided to, I'm not telling you not to. But it's really geared, the invitation is more for our newer Commissioners.

President Tanner:

Great. Thank you.

Commissioner Diamond:

I just wanted to give a shout out to the entities that organized the "Free Tulip Giveaway" in Union Square on Saturday. I happened to be in that area for reasons unrelated to the "Free Tulip Giveaway" and was just astonished by the amount of joy that was in Union Square. Not only were people lined up 5 or 6 deep entirely encircling the square in order to get 15 free tulips, but everywhere I walked downtown people were walking around with bouquets of tulips. And this was in damp wet weather clearly lighting up the spirit. The restaurants were packed, the stores were packed. And it seemed that it was worth bringing it to everybody's note because we just had a presentation on Downtown and how one of the ways we need to think about downtown is how we use events in order to attract people who will then shop hopefully, or have a coffee, and Saturday was like the most perfect example of how that could actually work. And just personally, it was just so much fun to see Union Square alive and vibrant and filled with very very happy people with their bouquets of tulips.

President Tanner:

Wonderful. Thank you for bringing that to our attention. And yeah, that was so wonderful.

Commissioner Moore:

Another example for civic cohesiveness for something that brightens your day, I listened to the Historic Preservation meeting on March 1st and there was the remarkable presentation

on New Deal Historic Context Statement 1933 – 1943. And I hope that this Commission will very carefully listen to that statement. And if Secretary Ionin would be so kind, have these Commissioners receive a copy of the report. It is inspirational what the city did at that time, what the resources are. And I think we all should organize a tour and experience that together. Because those are the small elements mostly, we don't know about them which creates the civic cohesiveness that we need at this time when things seem very weak and very afraid. So, I strongly encourage you and my kudos to Historic Preservation. It was a remarkable day when this particular thing happened.

President Tanner:

That's great. And I think last week when they reported this, they said it was so good that it should be made into a book, the report so.

Jonas P. Ionin, Commission Secretary:

Indeed.

President Tanner:

You rarely hear that about things that are staff report items. So, I think I'll look forward to reading that.

Commissioner Moore:

President Tanner, as you added, if you listen to the presentation, there was also the first building for Historic designation which relied on racial and social equity. That was the first. That is 2041 Larkin Street, a church around the corner from where I live and I immediately ran down there to look at all took carefully listened to the history. That was the first for Historic Preservation. I hope that we can follow quickly with doing something similar.

President Tanner:

That's wonderful. Thank you, Commissioner Moore.

Jonas P. Ionin, Commission Secretary:

I'll just suggest that if you'd like to receive a hard copy, we'll be happy to print it out for you. It is already available online through the agenda from the Historic Preservation Commission.

Commissioner Moore:

Which we don't have. If you could send the link that would be helpful.

Jonas P. Ionin, Commission Secretary:

Certainly.

D. DEPARTMENT MATTERS

7. Director's Announcements

Rich Hillis, Planning Director:

Good afternoon, Commissioners. Just to piggyback on Commissioner Diamond's comment, that was in part sponsored by the Union Square Association and then I think they felt strongly that it was a success as well. But they would like to come at some point and talk to

us, the Commission. Not just about the work we are doing work with them, you know, zoning related work, but they are obviously have a broader focus on an economic development focus. So, we will calendar them. You know, working with President Tanner to come and talk to the Commission about their overall efforts.

President Tanner:

Yeah. I think we'd welcome that for sure.

8. 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

220878 Planning, Building Codes - Penalties for Code Enforcement. Sponsors: Ronen; Peskin and Chan. Staff: Merlone.

This week, the Land Use Committee considered the Code Enforcement ordinance sponsored by Supervisor Ronen. Commissioners, you heard this item on January 19th of this year and voted to approve the legislation with modifications. Your recommended modifications were:

1. require the Department to record Notices of Violation where a penalty will be imposed against the property's title, instead of requiring the Department to serve notices to new property owners when titles transfer.
2. Add language to state that the one-time fines of either up to \$250k for loss of residential units, or up to \$500k for the damage/loss of a historic structure fine is triggered when an NOV is issued.
3. Remove the 5-year prohibition on construction for violations of Sec. 176(c)(1)(C).
4. Amend the ordinance so that adding more than three units would be subject to the \$250,000 fine instead of adding two units; and
5. Encourage the Board of Supervisors to consider a lower limit from the proposed \$50,000 minimum amount that the Board of Appeals may lower illegal demolitions or addition of residential units cases to that are appealed to them.

Supervisor Ronen incorporated all but one of the Commission's modifications for the Committee to consider. The modification that she did not take being the final recommendation to lower the limit that the Board of Appeals may assess illegal demolition cases.

There was little discussion among the Committee members, and only one public commentor who was in favor of the proposed ordinance. The Committee voted unanimous to send the item to the Full Board with a positive recommendation.

210585 Planning Code - State-Mandated Accessory Dwelling Unit Controls. Sponsor: Mayor. Staff: V. Flores.
Continued to March 13.

Full Board

221261 Planning Code, Zoning Map – The Village Special Use District. Sponsor: Mayor.
Staff: Westhoff.
Passed First Read

230232 Initiating Landmark Designation – Colombo Market Arch. Sponsors: Peskin; Stefani.
Staff: TBD
Adopted

E. GENERAL PUBLIC COMMENT

SPEAKERS: None

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.

1. [2022-009200CUA](#) (D. SPYCHER: (628) 652-7588)
101 CALIFORNIA STREET – south side between Davis and Front Streets; Lot 011 in Assessor's Block 0263 (District 3) – Request for **Conditional Use Authorization** pursuant to Planning Code Sections 210.2 and 303, to convert approximately 2,450 square-feet of existing, vacant ground floor retail space to general office (Non-Retail Sales & Service) use (functioning as a conference center for tenants) within the subject property located within a C-3-O (Downtown-Office) Zoning District and 400-S Height and Bulk District. There will be no expansion of the existing building envelope. 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: - Sue Hestor – Request to take off Consent
 = Rich Hillis – Staff introduction
 = Dakota Spycher – Staff report
 + Justin Zucker – Project Sponsor presentation
 = Liz Watty – Response to comments and questions

ACTION: After being pulled off of Consent; Approved with Conditions as amended by Staff to include the standard TDR condition; adding a finding that the CPC Approval is for a Conference Center in the configuration detailed in Exhibit B.

AYES: Braun, Diamond, Imperial, Tanner

NAYS : Moore

ABSENT : Ruiz, Koppel

MOTION: [21270](#)

- 10a. [2019-023037GPA](#) (M. SNYDER: (628) 652-7460)
WATERFRONT PLAN RELATED GENERAL PLAN AMENDMENTS – Initiation of **General Plan Amendments** to amend the Recreation and Open Space Element, the Northeastern Waterfront Area Plan and the Central Waterfront Area Plan. The Port of San Francisco's proposed Waterfront Plan would update 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 of San Francisco. 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 General Plan Amendments would update the two area plans and element to assure they are aligned with the proposed updated Waterfront Plan and other City policy actions and developments that have occurred since they were last updated.

Preliminary Recommendation: Initiate and schedule a public hearing on or after April 13, 2023

SPEAKERS: = Mat Snyder – Staff presentation
+ David Beaupre - SF Port presentation
- Sue Hestor – Continuance date
= Austin Yang, City Attorney – Response to comments and questions
ACTION: Initiated as Amended and scheduled a hearing on or after April 13, 2023
AYES: Braun, Diamond, Imperial, Moore, Tanner
ABSENT : Ruiz, Koppel
RESOLUTION: [21271](#)

- 10b. [2019-023037PCA](#) (M. SNYDER: (628) 652-7460)
WATERFRONT PLAN RELATED PLANNING CODE AMENDMENTS – Initiation of **Planning Code Text Amendment** to amend Planning Code Section 240, the Waterfront Special Use District, by (1) creating a new special use district (SUD), Waterfront Special Use District No. 4 for the properties owned and managed by the Port of San Francisco south of the Mission Rock Special Use District and subjecting development projects on such properties to the review procedures of the Waterfront Design Advisory Committee (WDAC); (2) making minor changes to the composition of the WDAC; (3) making minor administrative procedural changes to the WDAC; and (4) removing the conditional use requirement for uses not screened from view from adjacent streets or other public areas in Waterfront Special Use District No. 3.

Preliminary Recommendation: Initiate and schedule a public hearing on or after April 13, 2023

SPEAKERS: Same as item 10a.
ACTION: Initiated as Amended and scheduled a hearing on or after April 13, 2023
AYES: Braun, Diamond, Imperial, Moore, Tanner
ABSENT : Ruiz, Koppel
RESOLUTION: [21272](#)

- 10c. [2019-023037MAP](#) (M. SNYDER: (628) 652-7460)
WATERFRONT PLAN RELATED ZONING MAP AMENDMENTS – Initiation of **Zoning Map Amendment** to amend (1) Zoning Map ZN-08 by rezoning Lot 031 in Assessor's Block 3941 from P (Public) to M-1 (Light Industrial); and (2) Zoning Maps SU-08 and SU-09 by rezoning the following parcel so that they are included in the newly created Waterfront Special Use District No. 4: Block 9900/ Lots 050, 050H, 052, 054, 064, 064H, 068, 070, and 098; Block 3941/ Lots 021, 028, 031, and 041; Block 4111/Lot 008, Block 4301/Lot 001, Block 4302/Lot 001, Block 4303/Lot 001, Block 4304/Lot 002, Block 4307/Lot 006, Block 4308/Lots 005 and 007, Block 4379/Lot 001, Block 4380/Lot 010, Block 4502A/Lot 002, Block 4827/Lots 001 and 002 and Block 4845/Lot 002.

Preliminary Recommendation: Initiate and schedule a public hearing on or after April 13, 2023

SPEAKERS: Same as item 10a.
 ACTION: Initiated as Amended and scheduled a hearing on or after April 13, 2023
 AYES: Braun, Diamond, Imperial, Moore, Tanner
 ABSENT : Ruiz, Koppel
 RESOLUTION: [21273](#)

11. [2022-007758CUA](#) (V. PAGE: (628) 652-7396)
281 MADISON STREET – east side between Felton and Silliman Streets; Lot 017 in Assessor's Block 5942 (District 11) – Request for **Conditional Use Authorization** pursuant to Planning Code Sections 209.1, 303 and 317 to legalize the tantamount to demolition of an existing 2,295 square-foot, two-story, single family dwelling and construction of a 2,959 square-foot, three-story, single family dwelling within an RH-1 (Residential, House – One-Family) Zoning District and a 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: = Vincent Page – Staff report
 + David Cumby – Project sponsor presentation
 - Ryan Phelan – Impacts to quality of life, shadow, alter the decks
 - Georgia Schuttish – Demo calcs should be submitted right away
 - Ozzie Rohm – Non-compliance with what was approved to built
 ACTION: Approved with Conditions
 AYES: Braun, Diamond, Imperial, Moore, Tanner
 ABSENT : Ruiz, Koppel
 MOTION: 21274

H. 2:00 PM

Items listed here may not be considered prior to the time indicated above. It is provided as a courtesy to limit unnecessary wait times. Generally, the Commission adheres to the order of the Agenda. Therefore, the following item(s) will be considered at or after the time indicated.

14. [2022-005154DRP-02](#) (N. FOSTER: (628) 652-7330)
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 65-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:
- = Nick Foster – Staff report
 - Andy Chu – DR #2 presentation
 - Susana Lam – DR #2 presentation
 - XiaoChuan Sun Peng – DR #1 presentation
 - + Lawrence Michelson – Project sponsor presentation
 - Speaker – Marijuana permitting must deposit funds to use for monitoring of health concerns, Good Neighbor Policy, the exhaust must be monitored
 - + Jeremy Vladis – Project sponsors are good people
 - + David Goldman – No evidence that employees or customers have caused any problems for the neighborhood
 - Josephine Chao – Where is the equity
 - + Keith Arnold – Need consumption lounges where patients can consume
 - Speaker – Oppose to opening of the dispensary
 - Tam Min Ying – Oppose to opening of the dispensary
 - Hazel Lee – Must be a balance, 200+ cannabis stores, west side
 - Marlene Tran – Near childcare and school, care about children and youth
 - Speaker – Morals before money, people before money
 - + Michael Cohen – Improve - neighborhood, retail, pedestrian, seniors
 - Speaker – Wants to live in a safe and healthy environment
 - Mushin Lin – Oppose to opening of the dispensary
 - Speaker – Oppose to opening of the dispensary
 - Speaker – Oppose to opening of the dispensary
 - Eileen Chen – Oppose to opening of the dispensary
 - Speaker – Oppose to opening of the dispensary
 - Speaker – Oppose to opening of the dispensary
 - Speaker – Too close to the school and to the children
 - Chu – Oppose opening a store near schools
 - + Speaker – City has the weakest pandemic recovery
 - Ho Ming Tan – Going to harm our kids, it's not right
 - Speaker – Harming the health of our children
 - Speaker – Impact the next generations
 - Speaker – Not good for the next generations, the children
 - Speaker – Harming the next generation's health
 - Speaker – Oppose to opening of the dispensary
 - Ni Hao Lu – Oppose to opening of the dispensary
 - Speaker – Oppose to opening of the dispensary
 - Speaker – Oppose to opening of the dispensary
 - Speaker – Not good for the children

- Jen – Oppose to opening of the dispensary
- Speaker – Has a baby and wants to live in a safe place
- Speaker – For the safety of the community, the kids' health
- Speaker – Against the opening of the dispensary
- Speaker – Against the opening of the dispensary
- Speaker – Will harm my next generation
- Speaker – Against the opening of the dispensary
- Wong Po Kho – Impact the neighbors and the next generation
- Speaker – Not good for the younger generation
- Speaker – Against consumption of Marijuana, kids should be protected
- Speaker – Protect the kids' health and safety
- Speaker – Protect the next generation health and safety
- Speaker – Impact community, protect next generation's health / safety
- Speaker – Oppose to opening of the dispensary
- Speaker – Oppose, not beneficial
- Speaker – Affect the health of the next generation
- Speaker – Oppose to opening of the dispensary
- Speaker – Protect our family and children
- Yu Yu Wu – For the good of the community and children
- Speaker – For the sake of the next generation
- Mi Hung Li – Will cause harm to the community
- Ju Ju Li – Oppose to opening of the dispensary
- Li Hing Quan – For the safety and health of the community
- Speaker – Affect the health of the children
- Speaker – For the health of the next generation
- Speaker – Will affect the children
- Speaker – Opposing for the health of the family and children
- Speaker – Do not approve
- Speaker – Against the opening
- Speaker – Against the opening
- Speaker – Will affect the health of kids and next generation
- Speaker – Oppose to opening of the dispensary
- + Madeline Trembly – Seniors looking forward to lounge for medicinal purpose
- Li Quan Ying – Will harm our next generations
- + Alec Bash – Many will benefit the dispensary, bring foot traffic to area
- Selina Chu – What's right for the community, too close to school
- Winnie Fong – Near school with lots of children and youth
- Sherie – Bad for health
- Speaker – Work together, increase the buffer zone
- Liana Liu – Why do we need another one
- Yang Kim Kim – Area has too many students
- + Graham – No other store that has consumption area
- + Sam – Excellent operator
- Jim – Parent of a young child
- Chun Yun Li – Language support not provided
- Speaker – Violation of Sunshine Ordinance, public notice
- + Speaker – Crime goes down and help clean up streets
- Speaker - Language used in public notice did not include the details

- Carol Lundy – Should include pre-schools in the regulations
- Speaker – Parent of a preschooler, safety of seniors and women
- + Speaker – Benefit locals, provides legal cannabis access, generate jobs
- Speaker – Oppose opening of a cannabis store, general notice provided
- Speaker – Concerns to the health of young children
- Speaker – Oppose project in this location, daycare/preschool loopholes
- + Speaker – Opportunity to approve a legal business
- + Speaker – Diversification in the area
- + Lucia – Can attest to project sponsor's integrity
- Speaker – Protection for the youth
- + Speaker – Approve the safe place for marijuana consumption
- + Patrick – Reestablishment of people coming back to downtown
- + Yesina Perry – Supports the opening of the cannabis store
- + Speaker – Will create positive impact, increased security will deter crime
- Speaker – Extend distance to 1,000 ft vs 600 ft
- + Austin Stewart – Project sponsor is a community leader
- Jane – Will Sponsor be responsible for accidents caused by customers?
- + Elizabeth Hansen - Will bring diversity
- + Michael – Access to medicine, will create jobs
- Ms. Peng – Adverse effects on youth

ACTION: Took DR and Approved with Conditions that include:

1. Amended conditions submitted by Staff;
2. DPH testing for smoke and odor 6 mos and 1 yr after operation;
3. Venting away from courtyard and pre-school playground;
4. No smoking on the street signage;
5. Two to three foot buffer zone from exterior windows for display cases; and
6. Provide translation services.

AYES: Braun, Diamond, Imperial, Moore, Tanner

ABSENT : Ruiz, Koppel

DRA: [816](#)

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.

12. (D. WINSLOW: (628) 652-7335)

1550-1552 LAKE STREET – northeast corner of 17th Avenue; Lot 012 in Assessor's Block 1342 (District 1) – Request for **Discretionary Review** of Building Permit No. 2022.0404.1725 to legalize the demolition of more than 75% of existing interior walls (that exceeded the scope of work under BPA No. 2019.0125.1296) the removal of a chimney from the property's northeast corner, and the construction of a new stair penthouse not visible from the street to a three-story, two-family building within 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: Do Not Take Discretionary Review and Approve

SPEAKERS: = David Winslow – Staff report
 - Jerry Dratler – DR presentation
 + Hen Chen – Project sponsor presentation
 + Speaker – Project is compliant with all requirements
 + Andy Taylor – In need of repair, chimney has little impact to the neighborhood
 - Stephanie Peek – Project sponsors submitted false plans
 - Ozzie Rohm – Building history, work done without permit, require new plans
 = Vincent Page – Response to comments and questions

ACTION: After hearing and closing public comment; Continued to March 16, 2023 with direction to the Sponsor.

AYES: Braun, Diamond, Imperial, Moore, Tanner

ABSENT : Ruiz, Koppel

13. [2021-011909DRP](#) (D. WINSLOW: (628) 652-7335)
2652 CALIFORNIA STREET – north side between Pierce and Scott Streets; Lot 002 in Assessor's Block 0633 (District 2) – Request for **Discretionary Review** of Building Permit No. 2021.1116.2539 to construct a horizontal and vertical addition to add a new second dwelling unit; front facade improvements, including new windows, doors, metal balcony, exterior finishes and removal of existing decorative plaster to an existing single-family dwelling 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
 - Jay Van Dorn – DR presentation
 + Steve Williams – Project sponsor presentation
 + Tom Taylor – Project sponsor architect
 - Speaker – Back of the building looks into other people's homes
 - Susan McBride – Scale of what is being built in their backyard

ACTION: No DR

AYES: Braun, Diamond, Imperial, Moore, Tanner

ABSENT : Ruiz, Koppel

DRA: [817](#)

ADJOURNMENT 7:34 PM
 ADOPTED MARCH 23, 2023