

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 18, 2024
12:00 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 12:01 PM

STAFF IN ATTENDANCE: Aaron Starr, Audrey Merlone, Veronica Flores, Monica Giacomucci, Claire Feeney, Corey Teague, Zoning Administrator, David Winslow, 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. 2023-006990DRP (M. DITO: (628) 652-7358)
1846 GROVE STREET – south side of Fulton Street between Ashbury Street and Masonic Avenue; Lot 003H in Assessor's Block 1187 is an undeveloped "Flag" lot with minimal street frontage and a long access path before widening at the rear. The lot is accessed from Fulton Street, despite the Grove Street address. (District 5) – Request for **Discretionary Review** of Building Permit Application Nos. 2019.1224.0493, 2019.1224.0614, and 2019.1224.0615 to construct four dwelling units on a vacant lot. The project proposes two duplexes and one accessory structure for bicycle parking and miscellaneous storage. The subject property is located within a RH-2

(Residential, House – Two-Family) and RH-3 (Residential, House – Three-Family) Zoning District, Family Housing Opportunity 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). Pursuant to Chapter 31 of the San Francisco Administrative Code, the Environmental Review Officer determined that the proposed project, which was originally approved by the Board of Supervisors on November 3, 2020 (Motion M20-165), does not constitute a “substantial modification” as compared to the original project application upon which the CEQA exemption dated November 21, 2019 was based. Therefore, no additional environmental review is required.

Preliminary Recommendation: Do Not Take Discretionary Review and Approve

(Proposed for Continuance to February 29, 2024)

SPEAKERS: None
 ACTION: Continued to February 29, 2024
 AYES: Braun, Ruiz, Diamond, Imperial, Koppel, Moore, Tanner
 ABSENT: None

2. 2023-004973CUA (T. ATOYEI: (628) 652-7363)
1701 FILLMORE STREET – west side between Post and Sutter Streets; Lot 034 in Assessor's Block 0683 (District 5) – Request for **Conditional Use Authorization** pursuant to Planning Code Sections 303, and 303.1, and 760, to establish a formula retail use (d.b.a. Super Duper Burgers), within an existing commercial space at the ground floor of a four-story mixed-use building, within the Fillmore Street NCT (Neighborhood Commercial Transit) Zoning District and 50-X 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
 Continued from Regular hearing on November 16, 2023
(Proposed for Continuance to March 7, 2024)

SPEAKERS: None
 ACTION: Continued to March 7, 2024
 AYES: Braun, Ruiz, Diamond, Imperial, Koppel, Moore, Tanner
 ABSENT: None

3. 2023-005698CUA (E. OROPEZA: (628) 652-7416)
2450 SAN BRUNO AVENUE – southwest corner of Silliman Street; Lot 031 in Assessor's Block 5925 (District 9) – Request for **Conditional Use Authorization** pursuant to Planning Code Sections 303, and 303.1, and 741, to establish a formula retail use (d.b.a. Chase Bank), within an existing retail space at the ground floor of a two-story commercial building, within the San Bruno Avenue NCD (Neighborhood Commercial District) 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 November 9, 2023
(Proposed for Indefinite Continuance)

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

4. 2022-001394CUA (C. ENCHILL: (628) 652-7551)
1526 POWELL STREET – east side of Powell Street, north of Vallejo Street; Lot 025 in Assessor's Block 0130 (District 3) – Request for **Conditional Use Authorization**, pursuant to Planning Code Section 121.1 for development on a

lot exceeding 2,500 square feet and Sections 155(t) and 303 to install a garage within the North Beach Neighborhood Commercial District (NCD). Request for State Density Bonus pursuant to Planning Code Section 206.6 to achieve an additional seven units over the base density of 13 units, for a total of 20 units, one Concession/Incentive to allow residential use at the ground floor in-lieu of required ground floor commercial (Section 722) and three Waivers: including: Rear Yard (Section 134), Dwelling Unit Exposure (Section 140), and Building Height (Section 260), within the North Beach NCD (Neighborhood Commercial District) North Beach Specific Use District (SUD), Group Housing SUD and 40-X Height and Bulk District. The project proposes a major alteration to a one-story over basement light-industrial building that is a historic resource while retaining the front façade, and construct a six-story residential addition. A Planning Commission approval at the public hearing would constitute the Approval Action for the project for the purposes of CEQA, pursuant to San Francisco Administrative Code Section [31.04](#) (h).

Continued from Canceled hearing on January 4, 2024

(Proposed for Indefinite Continuance)

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

16. [2022-009059DRP](#) (D. WINSLOW: (628) 652-7335)
2955 SACRAMENTO STREET – south side between Broderick and Divisadero Streets; Lot 028 in Assessor's Block 1025 (District 2) – Request for **Discretionary Review** of Building Permit No. 2022.0921.2825 to construct a studio dwelling and to construct a two-story vertical addition and a horizontal rear addition to a two-story single-family home 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 as Modified

WITHDRAWN

SPEAKERS: None
 ACTION: Withdrawn

B. COMMISSION MATTERS

5. LAND ACKNOWLEDGEMENT

President Tanner:

Thank you. I want to finally do something that I said I was gonna do a year ago, which is make a schedule for the Land Acknowledgment to share the duty amongst those of us who want to do that. So, it just has each Commission hearing and then someone's name next to it. And then a slightly easier to read version of the Land Acknowledgment. And this folder will just be back there with our little snack and name tag cabinet. So, if you want to take a look at it later on, if you're not interested, you can just cross yourself out. And the only order is just alphabetically, I think. And goes it goes basically me to everybody and then comes back around. So, it's just repeating. So anyhow, there's that little housekeeping for the land acknowledgment and I'll happy to share it today.

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. COMMISSION COMMENTS/QUESTIONS

Commissioner Moore:

I wanted to thank everybody, the Department, the developer and everybody who organized our site visit to the TransAmerica Pyramid yesterday. A remarkable experience, high quality architecture, beautifully crafted spaces. And I think it's going to be a major improvement of what it was before. I am very thankful, and I assume my colleagues who were with us will share my sentiment here.

President Tanner:

Absolutely. I definitely second that and very, even with the construction fencing still around, I was very impressed and can't wait until it's completely done. So, definitely creating a lot of more connectivity in that area. And just again, great to see folks taking an investment in San Francisco and continuing to believe in the present and the future of the city.

Commissioner Imperial:

Yeah, I noticed in, we, as we have a conversation last hearing about the remote hearing. It's not scheduled today. I thought this would be the day we would have discussion on that or...

President Tanner:

Well, we could, you could request to have this discussion. I didn't hear anybody who voted to end remote comment saying that they would incline to change their vote so it didn't seem that there would be a change. But if you, we want to discuss it again, this is the time to request future discussion items. But I don't know that there'd be a different outcome.

Commissioner Moore:

I got the impression that at least 3 or 4 Commissioners voiced support to at least re-discuss it. That did not state a preference or not, no preference, just the ability to revisit it one more time. Particularly, I think also people were interested in the position that Historic Preservation took. That was really part of the reason.

President Tanner:

Okay, well, if folks want to discuss it, we can discuss it. I just will say nobody who voted no said anything. So, or voted to end public comment, said that they wanted to change their votes. But if folks are interested then we can discuss it.

Commissioner Imperial:

I guess another question on that. When is the decision for the Historic Preservation?

Jonas P. Ionin, Commission Secretary:

They made that decision yesterday, in fact, and I can give you that update now, or I can give it to you when we talk about the Historic Preservation Commission---

President Tanner:

Well, we're on the topic.

Jonas P. Ionin, Commission Secretary:

Yeah, since we're on topic, the Historic Preservation Commission actually voted unanimously to cease their remote public comment. And, during their deliberations, I mentioned that the Planning Commission actually decided to afford peripheral staff or sort of advisory members of staff, technical experts, to continue to come in or participate via Webex or remotely. They chose actually to not afford that to staff and require that all staff presenters be in person before them. So, they completely ceased remote public comment. They felt it was, some of their comments were related around the importance of getting back to normal and social implications and the negative impacts of being remote not only for the workplace, but for just people in general.

President Tanner:

Great. Thanks for the update.

Commissioner Imperial:

I guess my question is to other Commissioners who commented last week whether they're still interested for another discussion on this, and are there any more clarification, questions that needs to happen or--

President Tanner:

Great question. If we if we can discuss agendizing it. And, if you have additional information you're seeking at that discussion, please let, you know, particularly Secretary know. So, if there's other Boards or Commissions, you're trying to understand other trends that, that information could be provided again or sought if it was unknown at the time.

Commissioner Braun:

I would just say I'm open to having the discussion again. Last time we left it at, I think it was going to be discussed at the Officers meeting. But if it's something that needs to be agendized, we could do that. Although I guess the question does remain to some extent, does it, will it matter? Has anyone actually who voted no, changed their position on it? And if not, maybe it's just not a good use of our time so --

Commissioner Imperial:

I guess I can speak. On my end, if there is additional information or questions in terms of how the accommodate, the request for accommodation, if there are more further questions on that. And other, other circumstances that we see, you know, I think that will probably need to be, I guess, more discussed.

President Tanner:

Do you have questions? Is that what you're saying or you're saying other people have questions?

Commissioner Imperial:

No. If other people have questions if they want to address additional information.

President Tanner:

Yeah, okay great. do you have any further comments, Commissioner Braun?

Commissioner Braun:

No, I don't think so.

President Tanner:

Okay great.

Jonas P. Ionin, Commission Secretary:

So, are we or are we not scheduling an agendized item for remote public comment? It didn't sound like but I just want to be clear because at the last hearing--

President Tanner:

It sounds like Commissioner Imperial would like to discuss it. That's what I am hearing but --

Commissioner Moore:

I like clarity. And since we left it somewhat ambiguous for the public, it would take five minutes for us to revisit the subject matter and make a clear statement one way or the other.

Jonas P. Ionin, Commission Secretary:

So, you would like to revote?

Commissioner Moore:

Yes, I would like to schedule it again just for a brief revisit. And also, because some people may be [inaudible]

Jonas P. Ionin, Commission Secretary:

Is there consent from the rest of the Commission?

Commissioner Moore:

--right now hear the position of HPC. That's what I would do.

Jonas P. Ionin, Commission Secretary:

Is there consent from the rest of the Commissioners?

Commissioner Braun:

I agree.

President Tanner:

Okay, we've got a couple folks. I think it's fine.

Commissioner Koppel:

I just wanted to remind everyone that people still have the ability to approach the Secretary prior to the hearing and gain this access. So, the avenue for them to participate remotely still exists, as we are right now.

President Tanner:

Very true. So why don't we just discuss it one more time, put it to bed, and we'll be concluded with that item.

Jonas P. Ionin, Commission Secretary:

Very good. I will add it to next week's hearing. Although, Commissioner Diamond, you're expected to be absent, so maybe the in two weeks.

President Tanner:

The following hearing.

Commissioner Diamond:

Could you do it in two weeks then?

Jonas P. Ionin, Commission Secretary:

Yeah.

7. ELECTION OF OFFICERS

SPEAKERS: None

ACTION: President – Diamond, Vice President – Moore

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

C. DEPARTMENT MATTERS

8. DIRECTOR'S ANNOUNCEMENTS

Rich Hillis, Planning Director:

Good afternoon, Commissioners. Congratulations, President Diamond, and thank you former President Tanner. Just one announcement on our work with HCD and the Policies and Practices review. I'll forward you a letter we got from them this week. That said, we're in compliance. We've been going back and forth on some of the items that were due at the end of last year, but they've cleared everything and said, we've met the obligations that we

had under the Policy and Practice review. So, I'll send you that letter. So, we're good. There are a couple items that are due to them at the end of this month, but we've actually completed them and told them that. So, I think we're good for the for the next couple months, but just giving you a heads up on that. Thank you

9. REVIEW OF PAST EVENTS AT THE BOARD OF SUPERVISORS, BOARD OF APPEALS AND HISTORIC PRESERVATION COMMISSION

Corey Teague, Zoning Administrator:

The Board of Appeals did meet last night, but they did not take up any items of interest to the Commission.

Jonas P. Ionin, Commission Secretary:

The Historic Preservation Commission did meet yesterday. They had one item on the regular calendar after voting unanimously to cease remote public comment. They took up amendments to their Mills Act Program, incorporating some criteria for priorities.

D. GENERAL PUBLIC COMMENT

SPEAKERS: Tom Radulovich, Livable City – SF values, plan the future of the city

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.

10. [2023-010060PCA](#) (A. MERLONE: (628) 652-7534)
DENSITY CONTROLS IN COMMUNITY BUSINESS DISTRICTS [BF 231079] – Planning Code Amendment – Ordinance, sponsored by Supervisor Peskin, amending the Planning Code to modify density limits in C-2 Districts (Community Business), east of Columbus Avenue and north of Washington Street; affirming the Planning Commission's determination under the California Environmental Quality Act; making public necessity, convenience, and welfare findings under Planning Code, Section 302; and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.
Preliminary Recommendation: Approve with Modifications

SPEAKERS: = Audrey Merlone – Staff report
 + Nate Horrell, Legislative aide to Sup. Peskin – Introduction to the ordinance
 + Corey Smith – Challenges, historic resources in converting to housing
 + Jane Natoli – Empty parking lots that are worth not protecting and adoptedly reuse, response to Policy and Practice
 + Jeremy Paul – Historic designation for preservation of the structure not come into conflict with the historic preservation designation allowing use of the historic building code
 = Austin Yang, CAT – Response to comments and questions
 = Rich Hillis – Response to comments and questions
 ACTION: Approved with Staff Modifications
 AYES: Braun, Ruiz, Tanner, Imperial, Koppel, Moore, Diamond
 RESOLUTION: [21488](#)

11. [2023-010847PCA](#) (V. FLORES: (628) 652-7525)
CONDITIONAL USE AUTHORIZATION FOR REMOVAL OF UNAUTHORIZED UNIT [BF 231185] – Planning Code Amendments – Ordinance, sponsored by Supervisor Melgar, to amend the Planning Code to waive the Conditional Use Authorization requirement for removal of an unauthorized unit in a single-family home where the owner satisfies certain eligibility criteria, waive the Conditional Use Authorization requirement for removal of an unauthorized unit where that unit does not satisfy open space, dwelling unit exposure, or minimum floor-to-ceiling height requirements, update the required Conditional Use Authorization findings for removal of an

unauthorized unit to account for the history of tenancies in that unit; amending the Administrative Code to require that where an owner obtains an exemption from the Conditional Use Authorization requirement to remove an unauthorized unit from a qualifying single-family home, the single-family home shall be subject to the rent increase limitations of the Rent Ordinance; affirming the Planning Department'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 101.1, and adopting findings of public necessity, convenience, and welfare under Planning Code, Section 302.

Preliminary Recommendation: Approve with Modification

SPEAKERS: = Veronica Flores – Staff report
 + Mike Farrah, Legislative aide to Sup. Melgar – Introduction to the ordinance
 = Liz Watty – Response to comments and questions
 = Austin Yang, CAT – Response to comments and questions
 ACTION: Approved with Staff Modifications
 AYES: Braun, Ruiz, Tanner, Imperial, Koppel, Moore, Diamond
 RESOLUTION: [21489](#)

12. [2017-011878DVA-02](#) (M. GIACOMUCCI: (628) 652-7414)
POTRERO POWER STATION MIXED-USE PROJECT – east side between 22nd and 23rd Streets; Lots 002 and 017 in Assessor's Block 4175 and Lots 001 and 006 in Assessor's Block 4232 (District 10) – Request for **Resolution** recommending the Board of Supervisors approve an Amendment to the Development Agreement the City and County of San Francisco and "California Barrel Company LLC" in association with the Potrero Power Station Mixed-Use Project. The proposal would modify the Development Agreement and its Financing Plan to allow implementation of an Enhanced Infrastructure Financing District (EIFD) pursuant to Chapter 2.99 of Part 1 of Division 2 of Title 5 of the California Government Code. The EIFD would provide financing for the Project's public infrastructure, affordable housing, and other facilities such as parks and open The Potrero Power Station Mixed-Use Development project has undergone environmental review pursuant to California Environmental Quality Act (CEQA). The Planning Commission certified the EIR and CEQA findings for the Potrero Power Station Mixed-Use Development project on January 30, 2020. The Environmental Review Officer certified an addendum to the certified EIR for the Potrero Power Station Mixed-Use Development project on October 22, 2020.

Preliminary Recommendation: Approve

SPEAKERS: = Monica Giacomucci – Staff report
 + Leigh Lutenski – OEWD presentation
 + Enrique Landa – Project sponsor presentation
 ACTION: Adopted a Recommendation to Approve
 AYES: Braun, Ruiz, Tanner, Imperial, Koppel, Moore, Diamond
 RESOLUTION: [21490](#)

13. [2022-001045CUA](#) (C. FEENEY: (628) 652-7313)
2515 FOLSOM STREET – east side between 21st and 22nd Streets; Lot 029 in Assessor's Block 3613 (District 9) – Request for **Conditional Use Authorization**, pursuant to Planning Code Section 209.1, 303, and 317 to allow for the demolition of an existing single-family home and to construct a new four-story residential building with four dwelling units, roof decks, and a garage with four parking spaces in stackers, 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: Approve with Conditions

Continued from Regular hearing on December 7, 2023

SPEAKERS: = Claire Feeney – Staff report
 + Laura Strazzo – Project sponsor presentation
 + Shaun Keighran – Supports the project

- Deborah Holley – Concerns, request modifications
 - Tim Doherty – Request reasonable modifications
 - + Speaker, architect – Response to comments and questions
 - + Ryan Patterson – Response to comments and questions
 - Speaker – Response to comments and questions
- ACTION: Approved with Conditions with a request to continue to work with staff to reduce impacts to neighbors.
- AYES: Braun, Ruiz, Tanner, Imperial, Koppel, Moore, Diamond
- MOTION: [21491](#)

14. [2023-006564CUA](#) (C. FEENEY: (628) 652-7313)
767 BUSH STREET – south side between Mason and Powell Streets; Lot 018 in Assessor's Block 0284 (District 3) – Request for **Conditional Use Authorization**, pursuant to Planning Code Sections 202.12, 209.3, and 303, to remove an approximately 4,136 square foot Laundromat use and remove the mezzanine level, and establish a Restaurant use on the ground floor and basement level of a two-story commercial building, within a RC-4 (Residential- Commercial, High Density) Zoning District and 65-A 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: = Claire Feeney – Staff report
- ACTION: Approved with Conditions
- AYES: Braun, Ruiz, Tanner, Imperial, Koppel, Moore, Diamond
- MOTION: [21492](#)

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.

15. [2023-001805DRP-02](#) (D. WINSLOW: (628) 652-7335)
3751 21ST STREET – south side between Noe and Sanchez Streets; Lot 077 in Assessor's Block 3621 (District 8) – Request for **Discretionary Review** of Building Permit No. 2022.1216.8564 - a revision to a previously approved permit to extend the front of the third story of a two-story vertical and rear horizontal addition to a one-story over basement, single-family home and construction of an ADU within a RH-1 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
- Jeremy Paul – DR presentation
 - + Lucas Eastwood – Project sponsor presentation
 - Rick Carrell – Building heights and setbacks
 - Debora Nelson – DR rebuttal
 - + Ryan Patterson – Project sponsor rebuttal
- ACTION: No DR
- AYES: Braun, Ruiz, Tanner, Imperial, Koppel, Moore, Diamond
- DRA: [846](#)

ADJOURNMENT 2:52 PM

ADOPTED FEBRUARY 1, 2024