

# **SAN FRANCISCO PLANNING COMMISSION AND HISTORIC PRESERVATION COMMISSION**



## **Meeting Minutes**

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

**Thursday, June 15, 2023  
11:00 a.m.  
Special Meeting**

### **PLANNING**

**COMMISSIONERS PRESENT:** Tanner, Moore, Braun, Diamond, Imperial, Koppel

**COMMISSIONERS ABSENT:** Ruiz

### **HISTORIC PRESERVATION**

**COMMISSIONERS PRESENT:** Matsuda, Nageswaran, Foley, So, Vergara

**COMMISSIONERS ABSENT:** Wright

**THE MEETING WAS CALLED TO ORDER BY PRESIDENT TANNER AT 11:07 AM**

**STAFF IN ATTENDANCE:** Audrey Merlone, Alex Westhoff, Kelly Wong, Veronica Flores, Rich Hillis – Planning Director, 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. COMMISSION MATTERS****1. 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.

**B. SPECIAL CALENDAR****2a. [2022-005693PCA](#) (A. MERLONE: (628) 652-7534)**

**NIGHTTIME ENTERTAINMENT CASTRO STREET NEIGHBORHOOD COMMERCIAL DISTRICT – Planning Code Amendment** – Ordinance, to change the zoning controls in the Castro Street Neighborhood Commercial District to allow Nighttime Entertainment with a Conditional Use authorization on the second floor; and 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 findings of public necessity, convenience, and welfare under Planning Code, Section 302.

*Preliminary Recommendation: Recommend Approval with Modifications to the Planning Commission*

(Continued from Canceled Joint hearing on June 8, 2023)

**(Historic Preservation Commission Action Only)**

**SPEAKERS:**

- = Audrey Merlone – Staff report
- = Alex Westhoff – Staff report
- + Andrew Junius – Project sponsor presentation
- + Carolyn Kiernat – Project sponsor presentation
- + Chris Wasney – Project sponsor design presentation
- + Dan Serot, APE – Project sponsor presentation
- Jen Reck - Organized opposition
- Shane Watson – Organized opposition
- Peter Pastreich – Organized opposition
- + Andrew Bennett – People are at risk of losing jobs, we need this to survive
- + Audrey Joseph – Times have changed, keep this icon as a productive venue
- + Joanne Desmond – Will provide valuable jobs
- + Sam Petersen – The city and the neighborhood need it
- + Allison – Will draw people and foot traffic back in the area
- Mathew – Last movie palace, felt betrayed
- + John Lamer – Challenges of operating

- + Dawn Ross Golding – APE is poised financially to revitalize the theatre
- + Pete Nyberg – Viable plan
- + Speaker – Chance to revitalize the neighborhood, will benefit small business
  - Bill Banning – Only standing theatre of its kind
- + Dillon McDevin – Preserve as a theatre
- + Casey McKerchie – City is losing businesses
  - Speaker – Systems of power
- + Patrick Riley – Impacts to small business, increase foot traffic
- + Joe – Will protect the neighborhood's future
  - Terry Beswick – Economic benefits, capacity will not be increased
  - Jeffrey Kwong – Concerns about being only open for 175 days per year
  - Em Rocket – Corporate takeover of a community space, church
  - Tab Buckner – Character of the neighborhood, very sacred space
- + Zack Taylor – Decline of the neighborhood, renovation is crucial
- + Speaker – Change is inevitable, new generation
  - Roska Gonzalez – Felt threatened, movie cost
  - Sue Englander – Preserving the essence of a movie palace, gentrification
- + Scott Johnson – Positive economic impact on its current state
- + James – Move on and let the project move forward
  - Brett Thomas – Concert venue, business plan
- + Melanie Roller – Have movies still shown in the theatre
- + Donna Sachet – Change will be made but also preservation
- + Erin Reynolds – Supports the restoration for current and future generations
- + Andrea Aiello – Improved and restored historic landmark to be proud of, will bring full ADA accessibility
- + David Kim – Supports the revitalization of the neighborhood
- + Terry Asten Bennett – Creates vitality, small business
- + Andy Myerson – Queer art
  - Isaac – Owns a business in the neighborhood, crimes, business closing
- + John Jensen – Seats
- + Steve Murphy – Will bring more relevant events, younger generations
- + Mike Murray – Multi-use Castro Theatre
- + Sherrie – Closed businesses and very little foot traffic
  - Lee Hepner – Community divided, impose conditions
- + Elsie – Offers a logical solution
- + Speaker – Owners are excellent stewards
- + James – Disparity of the neighborhood
- + Scott – Nostalgia vs Reality
- + Lindsay Husband – Will revitalize the neighborhood
  - Richard Kurylo – Do not allow the removal of ground floor seats
  - Jessica – Do not approve without conditions
- Speaker – Affordable entertainment
- + Allan Burradell – Approve it today
- + Jack – Will revitalize the community
- + Bonnie McGregor – Step in the revitalization of the Castro
- Steven Torres – Nightlife impacts, need adequate outreach
- + Mike Chen – Pivot into the future

- Jessica Dillon – Preservation
- + Speaker – Theatre needs to remain active
- + Rob Markey – Will foster a thriving local economy
- Ashley – Fixed seating, flooring
- Speaker – Home
- Lynn Rosaro – Too much, find a common ground
- + Dan – Disability access
- + Josh Barnaby – Will be great for the neighborhood and merchants
- Louis Border – A nightclub is not a movie palace
- + Alex Torres – Challenges in the city, project sponsor is bay area based
- + Speaker – Multi use performance venue
- + Ryan Gleason – Foot traffic in the neighborhood, seats uncomfortable
- + Fred Lopez – Larger events will bring more people
- + Speaker – Needs renovation
- + Speaker – Current capacity very rare
- + John Delaplane – APE has a plan
- + Noah – Contribute to the economic revitalization of the community
- + Speaker – Approve
- Speaker – Not good to the neighborhood
- + John Lo – Support all the merchants and residents in the neighborhood
- Speaker – Save the seats
- + Jared – Benefits are numerous and long lasting
- + Daniel – Approve
- Speaker – Seating configuration
- + Stark – A win win situation
- + Brendan McDonald – Set up for future success for the city
- + Jack Edsen – Do not waste any more time and approve
- + Mark Taylor – Potential is there, seats not comfortable
- + Dave Rogers – Support
- Speaker – More room for compromise
- + Desmond Morgan – Updating the seats not removing it
- + James – Restoring the vitality of the neighborhood
- Speaker – Cost to watch
- + Mike Sullivan – Theatre desperately needs revitalization
- + Ray Connolly – Believes in the future of the Castro
- Michael Petrelis – Time for accountability
- + Nate – They are good neighbors
- + Neil – Proposal will keep it as a theatre
- + Mike Murphy – Restore the theatre
- + Wyatt Robertson – Revitalize the Castro theatre
- Speaker – Keep the theatre for movies
- James Curtis Smoot – Cultural significance of the theatre
- + Drew Taylor – Revitalize the Castro theatre
- Speaker – Expansion of the 2<sup>nd</sup> floor, increased noise
- Omar Rodriguez – Keep as a movie theatre
- + Speaker – No underlying issues
- Matthew – Leave the Castro alone, streetscape and quality of life
- Speaker – Concerns
- + Brett – Restore the theatre, will improve the cinematic experience

= Kelly Wong, Planning Staff – Response to comments and questions  
 + Jim Abrams – Response to comments and questions  
 + Mary Conde – Response to comments and questions  
 + Charles Salter – Noise study  
 = Kristen Jensen, Deputy City Attorney – Response to comments and questions  
 = Rich Hillis – Response to comments and questions

ACTION: Adopted a Recommendation for Approval with Staff modifications  
 AYES: Vergara, Foley, So, Nageswaran, Matsuda  
 ABSENT: Wright  
 RESOLUTION : [1332](#)

- 2b. [2022-005675COA](#) (A. WESTHOFF: (628) 652-7314)  
THE CASTRO THEATRE, 429-431 CASTRO STREET – east side between 17<sup>th</sup> and 18<sup>th</sup> Streets; Assessor's Block 3582, Lot 085 (District 8) – Request for **Certificate of Appropriateness** pursuant to Planning Code Section 1006 for interior and exterior alterations including: restoration/conservation/repair of interior historic features; removal of ground floor level seats, installation of tiered levels with chair lifts at the ground floor auditorium, installation of four counters, stage alterations, restroom improvements, construction of a new one-story rear addition, installation of a new HVAC system, rear stair replacement, and installation of a new front security gate. The Castro Theatre is currently designated as Landmark No. 100 in Article 10 of the San Francisco Planning Code. The subject property falls within the Castro NCD (Neighborhood Commercial District) Zoning District, Castro LGBTQ Cultural District, and 65-B Height and Bulk District.  
*Preliminary Recommendation: Approve with Conditions*  
 (Continued from Canceled Joint hearing on June 8, 2023)  
**(Historic Preservation Commission Action Only)**

SPEAKERS: Same as item 2a.  
 ACTION: Approved with Conditions as amended to include Staff administrative review and approval of Architectural finishes compliance with the Secretary of Interior Standards, including the scissor security gate. All rehabilitation efforts to be completed within five years. Scope of conservation work to be completed prior to issuance of TCO. Including the condition of approval submitted by the Sponsor re: Blade sign.  
 AYES: Vergara, Foley, So, Nageswaran, Matsuda  
 ABSENT: Wright  
 MOTION : [0463](#)

HPC ADOPTED ON JULY 19, 2023

**NOTE: FOLLOWING ITEMS 2A AND 2B, THE HISTORIC PRESERVATION COMMISSION WILL ADJOURN, AND THE PLANNING COMMISSION WILL REMAIN IN SESSION TO SEPARATELY CONSIDER THE FOLLOWING ENTITLEMENT ACTIONS.**

- 3a. [2022-005693PCA](#) (A. MERLONE: (628) 652-7534)  
NIGHTTIME ENTERTAINMENT CASTRO STREET NEIGHBORHOOD COMMERCIAL DISTRICT – **Planning Code Amendment** – Ordinance, to change the zoning controls in the Castro Street Neighborhood Commercial District to allow Nighttime Entertainment with a

Conditional Use authorization on the second floor; and 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 findings of public necessity, convenience, and welfare under Planning Code, Section 302.

*Preliminary Recommendation: Approve with Modifications*

(Continued from Canceled Joint hearing on June 8, 2023)

**(Planning Commission Action Only)**

SPEAKERS: Same as item 2a.  
ACTION: Approved with Staff modifications  
AYES: Braun, Diamond, Koppel, Tanner  
NAYS: Imperial, Moore  
ABSENT: Ruiz  
RESOLUTION : [21333](#)

- 3b. [2022-005675CUA](#) (A. WESTHOFF: (628) 652-7314)  
429 CASTRO STREET – east side between 17<sup>th</sup> and 18<sup>th</sup> Streets; Assessor's Block 3582, Lot 085 (District 8) – Request for **Conditional Use Authorization** pursuant to Planning Code Sections 182(b), 303, and 715, to establish Nighttime Entertainment and a Bar Use on the first and second stories, alongside the existing Movie Theater Use within the existing multi-story Article 10 Landmark theater building. This Conditional Use Authorization requires a legislative amendment to the Planning Code to require a Conditional Use Authorization to establish a Nighttime Entertainment use on the second floor within the Castro Street NCD Zoning District (Board of Supervisors File Nos. 220709, 220862, and 221151). The subject property falls within the Castro NCD (Neighborhood Commercial District) Zoning District, Castro LGBTQ Cultural District, and 65-B 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 Canceled Joint hearing on June 8, 2023)

**(Planning Commission Action Only)**

SPEAKERS: Same as item 2a.  
ACTION: Approved with Conditions as Modified and read into the record. Adding a Finding referencing the Community Benefits Package as of June 15, 2023.  
AYES: Braun, Diamond, Koppel, Tanner  
NAYS : Imperial, Moore  
ABSENT: Ruiz  
MOTION : [21334](#)

## C. 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.

4. 2022-011807CUA (A. STARR: (628) 652-7533)  
CONSTRAINTS REDUCTION AKA HOUSING PRODUCTION ORDINANCE [BF 230446] – **Planning Code and Zoning Map Amendments** – A proposed Ordinance, introduced by Mayor Breed, amending the Planning Code to encourage housing production, by 1) streamlining construction of housing citywide, but outside of Priority Equity Geographies, as defined; 2) streamlining development of housing on large lots 3) allowing construction of buildings to the allowable height limit; 4) streamlining review of State Density Bonus projects; 5) streamlining construction of additional units in lower density zoning districts; 6) streamlining process for senior housing; 7) exempting certain affordable housing projects from development fees; 8) amending rear yard, front setback, lot frontage and minimum lot size requirements; 9) amending residential open space requirements; 10) allowing additional uses on the ground floor in residential buildings; 11) allowing homeless shelters and group housing in residential districts; 12) expanding the eligibility for the Housing Opportunities Mean Equity - San Francisco (HOME - SF) program and density exceptions in residential districts; and 13) allowing administrative review of reasonable accommodations; amending the Zoning Map to create the Priority Equity Geographies Special Use District; affirming the Planning Department's determination under the California Environmental Quality Act; and making public necessity, convenience, and welfare findings under Planning Code, Section 302, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.  
**(Proposed for Continuance to June 29, 2023)**

SPEAKERS: None  
ACTION: Continued to June 29, 2023  
AYES: Braun, Diamond, Imperial, Koppel, Moore, Tanner  
ABSENT: Ruiz

5. 2022-011807CUA (M. DITO: (628) 652-7358)  
51 PROSPER STREET – east side between 16<sup>th</sup> and 17<sup>th</sup> Streets; Lot 031 in Assessor's Block 3564 (District 8) – Request for **Conditional Use Authorization** pursuant to Planning Code Sections 209.1, 303, and 317 to merge units #2 and #5 at the subject property. The merger would result in the elimination of unit #2. The subject property is located within a RH-2 (Residential, House – Two-Family) Zoning District, Central Neighborhoods Large Residence Special Use District, and 40-X Height and Bulk District.  
*Preliminary Recommendation: Disapprove*  
**(Proposed for Continuance to June 29, 2023)**

SPEAKERS: None  
ACTION: Continued to June 29, 2023  
AYES: Braun, Diamond, Imperial, Koppel, Moore, Tanner  
ABSENT: Ruiz

6. 2021-004066DRP (D. WINSLOW: (628) 652-7335)  
372 DOLORES STREET – west side between Chula Lane and 17<sup>th</sup> Street; Lot 008 in Assessor's Block 3566 (District 8) – Request for **Discretionary Review** of Building Permit No. 2021.0820.6824 to convert existing first floor storage and basement of four-story multi-family residential building to one ADU using the Local ADU Program 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: Do Not Take Discretionary Review and Approve*

(Continued from Regular hearing on March 16, 2023)

**(Proposed for Continuance to June 29, 2023)**

SPEAKERS: None

ACTION: Continued to June 29, 2023

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

ABSENT: Ruiz

7. 2022-008877DRP (T. GREENAN: (628) 652-7324)  
50 28<sup>TH</sup> STREET – north side between Guerrero and Dolores Streets; Lot 009A in Assessor's Block 6599 (District 8) – Request for **Discretionary Review** of Building Permit No. 2022.0802.9754 to construct a horizontal and vertical addition to convert a single-family dwelling to a two-family residential building 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*  
**(Proposed for Continuance to July 13, 2023)**

SPEAKERS: None

ACTION: Continued to July 13, 2023

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

ABSENT: Ruiz

8. 2021-002481DRP-02 (T. GREENAN: (628) 652-7324)  
900 CHENERY STREET – north side between Lippard Avenue and Surrey Street; Lot 022 in Assessor's Block 6732 (District 8) – Request for **Discretionary Review** of Building Permit No. 2021.0107.2240 to construct a horizontal rear addition at the first and second floors of a single-family dwelling 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*  
**(Proposed for Continuance to July 13, 2023)**

SPEAKERS: None

ACTION: Continued to July 13, 2023

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

ABSENT: Ruiz

9. 2022-010646CUA (J. SACCHI: (628) 652-7308)  
1970 OCEAN AVENUE – north side between Lakewood Avenue and Fairfield Way; Lot 018 in Assessor's Block 3280 (District 7) – Request for **Conditional Use Authorization** pursuant



to Planning Code Sections 303 and 755 to install a new AT&T Mobility Macro Wireless Telecommunications Services (WTS) Facility, consisting of sixteen (16) new antennas within four (4) new FRP enclosures designed to replicate an original feature of the building's tower, and ancillary equipment installed within the building. The Project site is located within the Ocean Avenue NCT (Neighborhood Commercial Transit) Zoning District and 45-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 July 20, 2023)**

SPEAKERS: None

ACTION: Continued to July 20, 2023

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

ABSENT: Ruiz

10. 2018-009733CUA (A. WESTHOFF: (628) 652-7314)  
290 SAN BRUNO AVENUE – west side between 15<sup>th</sup> and 16<sup>th</sup> Streets; Lot 001 in Assessor's Block 3933 (District 6) – Request for **Conditional Use Authorization**, pursuant to Planning Code Section 210.3 and 303 to establish parcel delivery services on the subject property. The project includes the demolition of the smaller building on the lot's southeast corner, parking lot improvements, seasonal use of the parking lot for parcel delivery services during November and December months, and establishment of parcel delivery services use at the larger building at the northern portion of the lot within a PDR-1-D (Production, Distribution & Repair – 1 - Design) 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 Francisco Administrative Code Section [31.04\(h\)](#).

*Preliminary Recommendation: Approve with Conditions*

(Continued from Regular Hearing on June 1, 2023)

**(Proposed for Continuance to July 20, 2023)**

SPEAKERS: None

ACTION: Continued to July 20, 2023

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

ABSENT: Ruiz

11. 2022-010007CUA (R. SALGADO: (628) 652-7332)  
345 SPEAR STREET – east side between Harrison and Folsom Streets; Lot 002 in Assessor's Block 3744 (District 6) – Request to modify the Child Care Condition of Approval (under Condition "C") for an existing **Conditional Use Authorization** approved by the Planning Commission on November 14, 1985, under Motion No. 10505, related to the Project's required on-site childcare center. The Project authorized under Motion No. 10501 included the adaptive reuse of the historic Hills Bros. building to office use and the construction of a new mixed-use building with office, residential, and retail space on the subject property. No physical modifications to the existing on-site childcare center are being sought in connection with this Conditional Use Authorization. The Project Site is within the RH DTR

(Rincon Hill Downtown Residential) Zoning District and 105-X/84-X/85/200-R Height and Bulk Districts.

*Preliminary Recommendation: Approve with Conditions*

(Continued from Regular Hearing on May 4, 2023)

**(Proposed for Continuance to July 20, 2023)**

SPEAKERS: None  
ACTION: Continued to July 20, 2023  
AYES: Braun, Diamond, Imperial, Koppel, Moore, Tanner  
ABSENT: Ruiz

12. 2021-010176CUA (C. MAY: (628) 652-7359)  
2261 FILLMORE STREET –west side between Sacramento and Clay Streets; Lots 001 and 002 in Assessor's Block 0630 (District 2) – Request for **Conditional Use Authorization** pursuant to Planning Code Sections 202.4 and 303 to permit a change of use from a Movie Theater use to Retail Sales and Service use on the subject property within the Upper Fillmore 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*

**(Proposed for Continuance to July 27, 2023)**

SPEAKERS: None  
ACTION: Continued to July 27, 2023  
AYES: Braun, Diamond, Imperial, Koppel, Moore, Tanner  
ABSENT: Ruiz

#### D. 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.

14. [2023-002918CUA](#) (D. SPYCHER: (628) 652-7588)  
1615 POLK STREET – northwest corner of Sacramento Street; Lot 004 in Assessor's Block 0622 (District 3) – Request for **Conditional Use Authorization** pursuant to Planning Code Sections 303 and 723 to permit a Sole Practitioner Massage Establishment (d.b.a. Massage by Tida), a Health Services use, in an approximately 250 square foot vacant commercial space on the second floor previously occupied by an Institutional use (d.b.a. Polarity Therapy Institute). No interior or exterior tenant improvements are proposed. There will be no expansion of the existing envelope. New business signage for the commercial space will be filed under a separate permit. The subject property is located within the Polk Street NCD (Neighborhood Commercial District) 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*

(Continued from Canceled Joint Hearing on June 8, 2023)

SPEAKERS: None  
ACTION: Approved with Conditions  
AYES: Braun, Diamond, Imperial, Koppel, Moore, Tanner  
ABSENT: Ruiz  
MOTION : [21335](#)

15. [2022-005819CUA](#) (J. SACCHI: (628) 652-7308)  
[555 FULTON STREET, #307](#) – south side between Laguna and Octavia Streets; Lot 105 in Assessor's Block 0794 (District 5) – Request for **Conditional Use Authorization** pursuant to Planning Code Sections 202.10, 209.4, 303, and 761 to classify the subject property as an Intermediate Length Occupancy (ILO) unit. Classification as an ILO unit allows a dwelling unit to be offered for occupancy for an initial stay with a duration of greater than 30 days but less than one year (365 days). ILO units are a use characteristic. The unit proposed for ILO classification will remain a dwelling unit. The subject property is located within a RTO (Residential Transit Oriented District), Hayes-Gough NCT (Neighborhood Commercial Transit) Zoning Districts, Fulton Street Grocery Store SUD (Special Use District), and 40-X / 50-X Height and Bulk District.

*Preliminary Recommendation: Approve with Conditions*

SPEAKERS: None  
ACTION: Approved with Conditions  
AYES: Braun, Diamond, Imperial, Koppel, Moore, Tanner  
ABSENT: Ruiz  
MOTION : [21336](#)

16. [2022-009960CUA](#) (J. SACCHI: (628) 652-7308)  
[555 FULTON STREET, #405](#) – south side between Laguna and Octavia Streets; Lot 138 in Assessor's Block 0794 (District 5) – Request for **Conditional Use Authorization** pursuant to Planning Code Sections 202.10, 209.4, 303, and 761 to classify the subject property as an Intermediate Length Occupancy (ILO) unit. Classification as an ILO unit allows a dwelling unit to be offered for occupancy for an initial stay with a duration of greater than 30 days but less than one year (365 days). ILO units are a use characteristic. The unit proposed for ILO classification will remain a dwelling unit. The subject property is located within a RTO (Residential Transit Oriented District), Hayes-Gough NCT (Neighborhood Commercial Transit) Zoning Districts, Fulton Street Grocery Store Special Use District 40-X / 50-X Height and Bulk District.

*Preliminary Recommendation: Approve with Conditions*

SPEAKERS: None  
ACTION: Approved with Conditions  
AYES: Braun, Diamond, Imperial, Koppel, Moore, Tanner  
ABSENT: Ruiz  
MOTION : [21337](#)

17. [2015-002604ENX-03](#) (A. WESTHOFF: (628) 652-7314)  
667 FOLSOM STREET, 120 HAWTHORNE STREET, 126 HAWTHORNE STREET – south side of Folsom Street, between 3<sup>rd</sup> and Hawthorne Streets; Lots 078, 081 & 082 in Assessor's Block 3750 (District 6) – Request to modify conditions of approval for an existing **Large Project Authorization** approved by the Planning Commission on January 5, 2017 under Motion No. 19828, and amended on May 14, 2020 under Motion No. 20702, to extend the project's authorization by an additional three years to June 15, 2026. The project includes the demolition of the existing 17,727 sq. ft. office building at 667 Folsom Street and the existing 8,187 sq. ft. industrial building at 126 Hawthorne Street, merger with the parcel at 120 Hawthorne Street and construction of a 130-ft. tall, thirteen-story mixed-use building that would front on Folsom and Hawthorne Streets. The new development would include 185,710 sq. ft. of residential use for 230 dwelling units, 8,873 sq. ft. of ground floor commercial space, and 12,798 sq. ft. of common and public open space. The project is located within a MUR (Mixed Use-Residential) Zoning District and 130-G Height and Bulk District.

*Preliminary Recommendation: Approve with Conditions*

SPEAKERS: None  
ACTION: Approved with Conditions  
AYES: Braun, Diamond, Imperial, Koppel, Moore, Tanner  
ABSENT: Ruiz  
MOTION: [21338](#)

## E. COMMISSION MATTERS

18. Consideration of Adoption:
- [Draft Minutes for May 25, 2023](#)
  - [Draft Minutes for June 1, 2023](#)

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

19. Commission Comments/Questions

### President Tanner:

Thank you all for a great hearing. I know it's been long and I know we have a couple of long hearings coming up because of having to reshuffle but we will be working to try to make those as smooth and efficient as possible. So, thank you for your time. And also, I think there are some open houses coming up that you're going to talk about soon.

### Rich Hillis, Planning Director:

There are. And just before Alex leaves right there. Alex, I just wanted to thank you for the tremendous amount of work he's done on the Castro Theatre. It wasn't just today's hearing, it's the landmark amendment that's before HPC, the Board hearings, and this

hearing. And he's passionate about the theatre and the work he does with our Preservation Team. So, thank you.

**President Tanner:**

Thank you very much, Alex.

**Rich Hillis, Planning Director:**

Yes, and we have two open houses coming up about, regarding the Housing Element implementation and the rezoning work. They are next –

**President Tanner:**

It's the 22<sup>nd</sup> and the 11<sup>th</sup> of July.

**Rich Hillis, Planning Director:**

Right. June 22<sup>nd</sup> and then the 11<sup>th</sup> of July. We will send you more details. They are on our website as well. The one on the 22<sup>nd</sup> is at the LGBTQ Center and the one on July 11<sup>th</sup> is in Golden Gate Park. We'll send details to you but again, on our website. Please feel free to join us and they start at 5:30.

**President Tanner:**

Thank you.

**Commissioner Moore:**

The project that was in front of us just a few minutes on Consent, 667 Folsom Street, is again one of the projects approved originally in 2017. It is 230 units that are being pushed out by another 4 years. And my question to the Commission is with the Housing Element hanging over our head to deliver units and get them built, I'm trying to figure out why we are continuing to extend entitlements. And this is actually a very good project but we are falling behind at an extremely rapid rate. And that is where my question came in the take it off Consent; however, this project is only one example for many others. And I think we're shooting ourselves on the foot with particular as project exceeds 5 years having been entitled and not delivering because these are large important sites and we've got to capture these sites for some form of delivery. So, I'm looking for the Department to report on us what has been approved, what, how many units there are, because we need some way along a pro bono extension in the Housing Element not to have to deliver at the rate as we do. Because these projects were approved, they went to the proper reviews and approvals and we can't deliver them. Not this group. We can approve them quickly but we can't deliver them. And I don't want to be having double penalty spending as much time as we do on approval and trying to make things happen and abracadabra they don't happen.

**Rich Hillis, Planning Director:**

It's obviously an extremely tough economic environment to get housing built, and so, you face the same frustration I think we all face. You have a choice between whether you terminate the entitlement, which would mean they would have to come back and go through the entire process to get re-entitled, or we extend it. I don't think just by virtue of us saying we're not going to extend the entitlement; you are going to get the housing built. But I think just the economic conditions of today, and that's at least what we hear from project sponsors as well as our own consultants on this is not necessarily feasible to

build these given the financing markets and given the costs of construction and where kind of market rental rates are or (inaudible). So, we have to reface that, I mean, we're all frustrated by that.

**Commissioner Moore:**

Do we have a lobbyist in Sacramento rather than feeling like somebody is putting a gun against our head? Because (inaudible) –

**Rich Hillis, Planning Director:**

Well, we certainly, the Housing Element time period is 8 years. Right? So, we're extending these still within that 8-year RHNA cycle that our Housing Element covers. So, if it's built within the time frame that we've extended it, we will still get credit under our RHNA goals for those projects.

**Commissioner Moore:**

Do we have a lobbyist to keep Sacramento updated that indeed all communities including ours in particular is rapidly falling behind—

**Rich Hillis, Planning Director:**

Sure. I mean --

**Commissioner Moore:**

Because we have created approval, we have created thorough guidance –

**Rich Hillis, Planning Director:**

Yeah, yeah.

**Commissioner Moore:**

Thoughtful guidance to many, many projects and they are in the thousands of units. And we're not getting them.

**Rich Hillis, Planning Director:**

Yeah. And generally, we don't need a lobbyist in Sacramento. We tell them. We report on our (inaudible) numbers. They know we're kind of, I mean, we're not unique in the state as to where we are with housing production.

**President Tanner:**

Yup. So, since we have another item, if we don't have any other Commissioner Comments or Questions, Commissioner Diamond, did you want to share something?

**Commissioner Diamond:**

Yeah. Well it's 8 years. I thought we put something into the Housing Element that there was that half --

**Rich Hillis, Planning Director:**

Right. We would go and look at, kind of a mid-year review, but we would certainly make the argument, you know, that we're not producing units because of where we are economically not because of our efforts. You know, our lack of efforts to make changes to our processes or to rezone. You know those are happening, you know, both before the Commission, what we've heard, what's coming up. The tax recommendations. So, we're

making the right moves, but I think we, you know, we're faced with, with kind of broader economic challenges and housing gets built cyclically.

13. [2023-003461PCA](#) (V. FLORES: (628) 652-7525)  
POLK STREET AND HAIGHT STREET NEIGHBORHOOD COMMERCIAL DISTRICTS [BF 230410] – Planning Code Amendments – An ordinance, sponsored by Supervisor Peskin, to amend the Planning Code to permit Health Services uses on the ground floor for specified areas of the Polk Street Neighborhood Commercial District (NCD), to clarify that in the Polk Street NCD and within a quarter-mile of its boundaries Tobacco Paraphernalia Establishments where any Tobacco Paraphernalia is sold, delivered, distributed, furnished, or marketed are not permitted, to clarify that in the Haight Street NCD such Tobacco Paraphernalia Establishments require conditional use authorization, and to clarify that Tobacco Paraphernalia Establishments do not include medicinal and adult-use cannabis retail uses; and affirming the Planning Department's determination under the California Environmental Quality Act, making findings of consistency with the General Plan, and the eight priority policies of the Planning Code, Section 101.1, and making findings of public necessity, convenience, and welfare pursuant to the Planning Code, Section 302.  
*Preliminary Recommendation: Approve with Modifications*

SPEAKERS: = Veronica Flores – Staff report  
ACTION: After being pulled off of Consent; Approved without Staff modifications  
AYES: Braun, Imperial, Koppel, Moore, Tanner  
NAYS : Diamond  
ABSENT: Ruiz  
RESOLUTION : [21339](#)

ADJOURNMENT 6:43 PM  
ADOPTED JUNE 29, 2023