

SAN FRANCISCO PLANNING COMMISSION

Meeting Minutes

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

Thursday, November 16, 2023

10:00 a.m.

Regular Meeting

COMMISSIONERS PRESENT: TANNER, MOORE, BRAUN, DIAMOND, IMPERIAL, KOPPEL, RUIZ
COMMISSIONERS ABSENT: NONE

THE MEETING WAS CALLED TO ORDER BY COMMISSIONER MOORE AT 10:00 AM

STAFF IN ATTENDANCE: Aaron Starr, Jenny Delumo, Kimberly Durandet, Gabriela Pantoja, Corey Teague – Zoning Administrator, Rich Hillis – Planning Director, Elizabeth 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 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. [2020-007806CUA](#) (M. DITO: (628) 652-7358)
1314 PAGE STREET – north side between Central Avenue and Lyon Street; Lot 013 in Assessor's Block 1221 (District 5) - Request for **Conditional Use Authorization** pursuant to Planning Code Sections 209.1, 303, and 317 to legalize the merger of two dwelling units on the second and third floors into a single dwelling unit. The project includes the legalization of an unauthorized dwelling unit on the ground floor. The subject property is located within a RH-3 (Residential, House – Three-Family) Zoning District and 40-X Height and Bulk District.
Preliminary Recommendation: Disapproval
(Continued from Regular Hearing on September 14, 2023)

(Proposed for Continuance to January 4, 2024)

SPEAKERS: Speaker – Request to Continue on February 1, 2024
 ACTION: Continued to February 1, 2024
 AYES: Braun, Ruiz, Diamond, Imperial, Koppel, Moore, Tanner
 ABSENT: None

2. 2022-001394CUA (C. ENCHILL: (628) 652-7551)
1526 POWELL STREET – east side Vallejo Street and Green Street; Lot 025 in Assessor's Block 0130 (District 3) – Request for **Conditional Use Authorization**, pursuant to Planning Code Section 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 7 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 and four Waivers including: Rear Yard (Section 134), Dwelling Unit Exposure (Section 140), Building Height (Section 260) and Secretary of the Interior's Standards for the Treatment of Historic Properties (Section 780.3), 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 would effectively demolish 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. The Planning Department found that the project qualifies for a Housing Element General Plan evaluation pursuant to 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 January 4, 2024)

SPEAKERS: None
 ACTION: Continued to January 4, 2024
 AYES: Braun, Ruiz, Diamond, Imperial, Koppel, Moore, Tanner
 ABSENT: None

3. 2023-002996CUA (M. LAUSH: (628) 652-7339)
807-809 VERMONT STREET – east side between 20th and 22nd Streets; Lot 064 in Assessor's Block 4093 (District 10) – Request for **Conditional Use Authorization** pursuant to Planning Code Sections 209.1, 303, and 317, to allow the removal of an unauthorized dwelling unit at the ground floor of an existing three-story, two-unit residential building within a RH-2 (Residential-House, Two Family) Zoning District and 40-X Height and Bulk District. 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 January 25, 2024)

SPEAKERS: None
 ACTION: Continued to January 25, 2024
 AYES: Braun, Ruiz, Diamond, Imperial, Koppel, Moore, Tanner
 ABSENT: None

8. [2023-004973CUA](#) (T. ATOYEBI: (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

SPEAKERS: None
 ACTION: Continued to January 18, 2024
 AYES: Braun, Ruiz, Diamond, Imperial, Koppel, Moore, Tanner
 ABSENT: None

B. CONSENT CALENDAR

All matters listed hereunder constitute a Consent Calendar, are considered to be routine by the 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.

4. [2023-009168PCA](#) (A. MERLONE: (628) 652-7534)
EXCEPTIONS AND EXTENSIONS FOR EXISTING USES – Planning Code Amendment to: modify offset requirement for heights exceeding 30 feet in the Bernal Heights Special Use District; permit large movie theater signage in the Japantown Special Use District (SUD); allow Medical Cannabis Dispensaries to continue operating as Temporary Cannabis Retail Uses until December 31, 2024; clarify eligibility for reduction in Inclusionary Housing requirements; and correct an error in the Zoning Control Table for the Urban Mixed Use District; 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 Planning Code, Section 101; and making findings of public necessity, convenience, and welfare pursuant to Planning Code, Section 302.
Preliminary Recommendation: Initiate and schedule for adoption on or after December 6, 2023

SPEAKERS: None
 ACTION: Initiated and Scheduled for Adoption on or after December 6, 2023
 AYES: Braun, Ruiz, Diamond, Imperial, Koppel, Moore, Tanner
 ABSENT: None
 RESOLUTION: [21442](#)

5. [2022-006580CUA](#) (M. DONG: (628) 652-7426)
1155 PINE STREET, #1 – south side between Leavenworth and Jones Streets; Lot 094 in Assessor's Block 0276 (District 3) – Request for **Conditional Use Authorization** pursuant to Planning Code Sections 202.10, 209.1, and 303 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 RM-4 (Residential -Mixed, High Density) Zoning District and 65-A Height & Bulk District.
Preliminary Recommendation: Approve with Conditions

SPEAKERS: None
 ACTION: Approved with Conditions
 AYES: Braun, Ruiz, Diamond, Imperial, Koppel, Moore, Tanner
 ABSENT: None
 MOTION: [21443](#)

6. [2022-005955CUA](#) (M. DONG: (628) 652-7426)
201 SANSOME STREET, #1005 – west side between California and Pine Streets; Lot 062 in Assessor's Block 0260 (District 3) – Request for **Conditional Use Authorization** pursuant to Planning Code Sections 202.10, 210.2, and 303 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 C-3-O District (Downtown Office) Zoning District and 150-S Height & Bulk District.

Preliminary Recommendation: Approve with Conditions

SPEAKERS: None
 ACTION: Approved with Conditions
 AYES: Braun, Ruiz, Diamond, Imperial, Koppel, Moore, Tanner
 ABSENT: None
 MOTION: [21444](#)

7. [2019-019901CUA](#) (C. ENCHILL: (628) 652-7551)
 1068 FLORIDA STREET – west side between 22nd and 23rd Streets; Lot 011 in Assessor's Block 4149 (District 9) – Request for **Conditional Use Authorization**, pursuant to Planning Code Section 178 and 303 to modify the approval of Motion No. 20996 and allow for horizontal enlargement pursuant to Section 207(c)(8) density exception, resulting in four main dwelling units. The project is located within a RH-2 (Residential-House, Two-Family) Zoning District, Calle 24 SUD (Special Use District), Mission Alcoholic SUD (Special Use District), Fringe Financial Service RUD (Restricted 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, Ruiz, Diamond, Imperial, Koppel, Moore, Tanner
 ABSENT: None
 MOTION: [21445](#)

C. COMMISSION MATTERS

9. LAND ACKNOWLEDGEMENT

Commissioner Ruiz:

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.

10. COMMISSION COMMENTS/QUESTIONS

Commissioner Imperial:

I just want to mention that last night I attended the, I think it is the fourth open house of the Housing Element in the--is it officially called Housing Element--but it is an open house. I think everyone of us were invited. And it was good for me to see the attendance of the residents around the area and also the staff itself answering the questions from the public. It was a good event I thought, and I would just like to applaud the team that coordinated that and for the staff being there and really engaging with the residents and the public.

President Tanner:

Great, thank you. That reminds me I did attend the open house last week, the third one, and again, great event. Really great effort by staff and just really thoughtful input from the public so, looking forward to hearing more about that in future hearings.

11. [REMOTE PUBLIC COMMENT](#)

SPEAKERS: = Jonas P. Ionin – Instructions from the Mayor’s office
 = Georgia Schuttish – Importance of public participation, wait until Spring
 = Sue Hestor – Delay to allow public discussion
 = Lorraine Petty – Continue remote public comment, successful program
 = Kristen Jensen, Deputy City Attorney – Response to comments and questions

ACTION: Continued to December 7, 2024

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

D. DEPARTMENT MATTERS

12. DIRECTOR’S ANNOUNCEMENTS

Rich Hillis, Planning Director:

Good morning, Commissioners. Just a quick update which I mentioned last week during Director’s Comments, our response on the 30-day items to HCD, this is related to the Policy and Practices review, are due the day after the Thanksgiving break, so a week from Monday. We will be sending them a response next week and, on the items that have a 30-day timeline. As I’ve mentioned, most of those relate to the Constraints Ordinance that is at the Board of Supervisors and will be at Committee that Monday as well. So, we’ll send you a copy of that. We also then have a follow up with the hearing on December 7th where we’re talking about the entire suite of changes to State law that happened this last legislative session as well as a broader look at the Policy and Practice review and our response.

President Tanner:

I did get to speak with Director Hillis and then also with the Mayor’s Office about the just the directives from HCD. I felt very confident that they are on top of handling it and responding on behalf of the City with a unified voice, so I felt very comfortable waiting until later on to have our discussion but do know that it is being, the direction or the Policy and Practice is being responded to. And I thought that continuing to have a collegial relationship with HCD and a collaborative one so I felt very confident with that and thank you, Director Hillis and to Ms. Gluckstein of the Mayor’s Office as well.

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

Aaron Starr, Manager of Legislative Affairs:

Good morning commissioners, Aaron Starr Department staff.

Land Use Committee**[230924](#) Planning Code, Zoning Map - Non-Profit Arts Education Special Use District. Sponsor: Peskin**

This week the land use committee considered Non-Profit Arts Education Special Use District, which was introduced by Supervisor Peskin

The proposed Ordinance would create the Non-Profit Arts Education Special Use District at 800 Chestnut, the former site of the San Francisco Arts Institute. The SUD would allow a non-profit arts educational institutional use, which for the purposes of the SUD would be defined as a public or private institutional use operating as a post-secondary educational institution and is not required to be certified by the Western Association of Schools

and Colleges. All other provisions of the RH-3 District shall apply, except that a non-profit arts education institutional use in the SUD shall not be obligated to comply with the Institutional Master Plan requirements.

The Historic Preservation Commission and Planning Commission both heard this item last week, and both recommended approval.

At the hearing, there were no public comments or Committee discussion. The item was moved with positive recommendation as a committee report.

Full Board

[230924](#) **Planning Code, Zoning Map - Non-Profit Arts Education Special Use District. Sponsor: Peskin**

Then at the Full Board, the Board passed the Non-Profit Arts Education Special Use District on first read.

Corey Teague, Zoning Administrator:

Good morning, President Tanner, Commissioners. Corey Teague, Zoning Administrator. The Board of Appeals did meet last night but they did not take up any item that is of interest to the Commission. Thank you.

Jonas P. Ionin, Commission Secretary:

The Historic Preservation Commission met yesterday, and they adopted recommendations for approval for several legacy business registry applications. The first being Elixir, the second oldest watering hole in this town of holes, and Il Pollaio, a long-standing restaurant on Columbus Avenue, and Heroes Club on Clement Street, as well as Friends of Scrap on Toland Street which is a great little establishment. And as previously stated, they also continued their decision on remote public comment to gain more input.

E. GENERAL PUBLIC COMMENT

SPEAKERS: Georgia Schuttish – For the past few weeks, I have been requesting codifying the residential flat policy and creating objective design standards to preserve existing flats in their original configuration of rooms, defined by the hallway and in their original location within the structure. It is important to preserve flats, not only for tenants that may occupy them and could be removed even under the flat policy, but also for any future tenants/occupants seeking housing that satisfies the housing needs outlined in the flat policy findings in resolution 20024 approved on October 12, 2017. The flat policy recognized the importance of this typology of housing in San Francisco for middle income families. There are flats throughout the city in high resource and priority equity neighborhoods. Please codify the policy with objective standards that preserve this typology of housing as written in the emails as the city enacts the housing element.

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.

14. [2023-005549PCA](#) (A. MERLONE: (628) 652-7534)
ELIMINATING PUBLIC ART REQUIREMENT FOR 100% AFFORDABLE HOUSING PROJECTS – Ordinance, introduced by Supervisor Dorsey, **Planning Code Amendment** to eliminate the public art requirement for 100% affordable housing projects and provide for the relocation or removal of existing artwork at such projects subject to certain conditions; affirming the Planning Commission's determination under the California Environmental Quality Act; and making findings, including findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.
Preliminary Recommendation: Approve with Modifications
 (Continued from Regular Hearing on November 2, 2023)

SPEAKERS: + Madison Tam, Legislative aide to Sup. Dorsey – Introduction to the ordinance
 - Charlie Sciammas – Concerns, create additional community engagement
 - David Woo – Importance of equity and access to art by low-income community
 - Raquel Redondiez – SOMA Pilipinas Gateway as part of the civic arts collection
 = Rich Hillis – Response to comments and questions

ACTION: Approved with Modifications (1, 3, 4, 5); including a Finding that encourages further conversation between City Departments and stakeholders.

AYES: Braun, Diamond, Koppel, Moore, Tanner

NAYS: Imperial

RECUSED: Ruiz

RESOLUTION: [21446](#)

15. [2023-005567PCA](#) (J. DELUMO (628) 652-7568)

FLEET CHARGING LOCATIONS AND PARCEL DELIVERY SERVICE [BF 230704] – Planning Code Amendment – An ordinance, introduced and substituted by Supervisor Chan, amending the Planning Code to prohibit Parcel Delivery Service activities at Fleet Charging locations; 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.

Preliminary Recommendation: Approve

SPEAKERS: = Jenny Delumo – Staff report
 + Supervisor Chan – Introduction to ordinance
 + Mark Gleason – Teamsters, definition change is vital
 + Peter Ziblatt – Fleet charging locations is for fleet charging, make it very clear

ACTION: Approved with Staff recommendations

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

ABSENT: None

RESOLUTION: [21447](#)

16. [2022-008784CUA](#) (K. DURANDET: (628) 652-7315)

248 VALLEY STREET – north side of Valley Street between Sanchez and Church Streets; Lot 015 in Assessor’s Block 6614 (District 8) – Request for a **Conditional Use Authorization** pursuant to Planning Code Sections 209.1, 249.92, 303, and 317 for tantamount to demolition of the existing one-story over basement, 3,113 square foot single family dwelling and to construct two family dwelling units exceeding 3,000 square feet in a four-story, 7,980 square foot building within a RH-2 (Residential-House, Two Family) Zoning District, Central Neighborhoods Large Residence SUD (Special Use District), and 40-X Height and Bulk District. The Planning Department found that the project is exempt from the California Environmental Quality Act (CEQA). This 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: = Kimberly Durandet – Staff report
 + Ryan Knock – Project sponsor report
 - Georgia Schuttish – Out of character, does it meet the intent of large residents SUD
 - Gary – Out of scale
 - Michael Pollack – Size and impact on light and privacy in the neighborhood

ACTION: Approved with Conditions

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

ABSENT: None

MOTION: [21448](#)

17. [2022-006461CUA](#) (G. PANTOJA: (628) 652-7380)
56 CONRAD STREET – west side of Conrad Street between Arbor and Diamond Streets; Lot 007 in Assessor's Block 7552 (District 8) – Request for a **Conditional Use Authorization** pursuant to Planning Code Sections 209.1, 249.92, and 303 for a vertical and horizontal addition to an existing single-family residence that results in the subject dwelling unit exceeding a 1:1.2 Floor Area Ratio (FAR) within a RH-1 (Residential-House, One-Family) Zoning District, Central Neighborhoods Large Residence SUD (Special Use District), and 40-X Height and Bulk District. The Planning Department found that the project is exempt from the California Environmental Quality Act (CEQA). This 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: = Gabriela Pantoja – Staff report
+ Ryan Knock – Project sponsor presentation
= Georgia Schuttish – Warning letters, doesn't think it is a spec project
= Liz Watty – Response to comments and questions
ACTION: Approved with Conditions
AYES: Braun, Ruiz, Diamond, Imperial, Koppel, Moore, Tanner
ABSENT: None
MOTION: [21449](#)

ADJOURNMENT 12:07 PM

ADOPTED DECEMBER 7, 2023