

SAN FRANCISCO PLANNING COMMISSION

Meeting Minutes

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

Thursday, September 19, 2024
12:00 p.m.
Regular Meeting

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

THE MEETING WAS CALLED TO ORDER BY VICE PRESIDENT MOORE AT 12:05 PM

STAFF IN ATTENDANCE: Aaron Starr, Veronica Flores, Rebecca Salgado, John Dacey, Joseph Sacchi, Edgar Oropeza, Corey Teague - Zoning Administrator, 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. 2024-006438CUA (E. MAU: (628) 652-7583)
135 KISSLING STREET – south side between 11th and 12th Streets; Lots 068 in Assessor's Block 3516 (District 6)
– Request for **Conditional Use Authorization** pursuant to Planning Code Sections 303 and 835 to convert an approximately 12,500 square foot existing warehouse to a Vehicle Storage Garage and Automotive Repair Use with an accessory Vehicle Storage Lot within a RED-MX (Residential Enclave-Mixed) Zoning District, Western SoMa SUD (Special Use District), Priority Equity Geographies 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\(h\)](#).

(Proposed for Continuance to October 10, 2024)

SPEAKERS: None
 ACTION: Continued to October 10, 2024
 AYES: Campbell, McGarry, So, Williams, Braun, Imperial, Moore
 NAYS: None

- 2a. 2023-003652CUA (M. MATHUR: (628) 652-7355)
3901 NORIEGA STREET – southwest corner of 46th Avenue; Lot 001 in Assessor's Block 2083 (District 4) – Request for **Conditional Use Authorization**, pursuant to Planning Code Sections 303 and 710, to allow expansion of the existing restaurant use (d.b.a. The Pizza Place on Noriega) into the adjacent storefronts and beyond the permitted use size of 2,999 square feet within an existing one-story commercial building in a NC-1 (Neighborhood Commercial) 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 August 1, 2024)
(Proposed for Indefinite Continuance)

SPEAKERS: None
 ACTION: Continued Indefinitely
 AYES: Campbell, McGarry, So, Williams, Braun, Imperial, Moore
 NAYS: None

- 2b. 2023-003652VAR (M. MATHUR: (628) 652-7355)
3901 NORIEGA STREET – southwest corner of 46th Avenue; Lot 001 in Assessor's Block 2083 (District 4) – Request for **Variance** from rear yard requirements of Planning Code Section 134 to legalize four accessory structures in the required rear yard within an existing one-story commercial building in a NC-1 (Neighborhood Commercial) Zoning District and 40-X Height and Bulk District.
 (Continued from Regular hearing on August 1, 2024)
(Proposed for Indefinite Continuance)

SPEAKERS: None
 ACTION: ZA Continued Indefinitely

B. CONSENT CALENDAR

All matters listed hereunder constitute a Consent Calendar, are considered to be routine by the Planning Commission, and may be acted upon by a single roll call vote. There will be no separate discussion of these items unless a member of the Commission, the public, or staff so requests, in which event the matter shall be removed from the Consent Calendar and considered as a separate item at this or a future hearing.

3. [2015-000332CUA-02](#) (E. MAU: (628) 652-7583)
1531-1581 HOWARD STREET – south side between 11th and 12th Streets; Lots 056 and 064 in Assessor's Block 3516 (District 6) – Request for **Conditional Use Authorization** pursuant to Planning Code Section 303(e) to modify conditions of approval to extend the validity, expiration and renewal period by three years for a previously-approved project ("Project") approved by the Planning Commission on March 10, 2016, through Motion No. 19588. The Project consists of the construction of approximately 31-foot tall vehicle storage stackers for 124 vehicles (Vehicle Storage Lot use) with a new 16-foot sound wall and a new approximately 33-foot tall screen wall for an offsite Automotive Repair Use (DBA "Royal Automotive Group"), within the WMUG (Western

SoMa Mixed Use - General) Zoning District, Western SoMa SUD (Special Use District), Priority Equity Geographies SUD (Special Use District), and 55-X Height and Bulk District.

Preliminary Recommendation: Approve with Conditions

SPEAKERS: None
 ACTION: Approved with Conditions
 AYES: Campbell, McGarry, So, Williams, Braun, Imperial, Moore
 NAYS: None
 MOTION : [21609](#)

4. [2016-012474CUA-02](#) (E. MAU: (628) 652-7583)
118-134 KISSLING STREET – north side between 11th and 12th Streets; Lots 039-042 in Assessor's Block 3516 (District 6) – Request for **Conditional Use Authorization** pursuant to Planning Code Section 303(e) to modify conditions of approval to extend the validity, expiration and renewal period by three years for a previously-approved project ("Project") approved by the Planning Commission on October 25, 2018, through Motion No. 20329. The Project consists of the construction of approximately 31-foot-tall vehicle storage stackers for 90 vehicles (Vehicle Storage Lot use) with a new approximately 33-foot-tall screen wall for an offsite Automotive Repair Use (DBA "Royal Automotive Group"), a RED-MX (Residential Enclave-Mixed) Zoning District, Western SoMa SUD (Special Use District), Priority Equity Geographies SUD (Special Use District), and 40-X Height and Bulk District.

Preliminary Recommendation: Approve with Conditions

SPEAKERS: None
 ACTION: Approved with Conditions
 AYES: Campbell, McGarry, So, Williams, Braun, Imperial, Moore
 NAYS: None
 MOTION : [21610](#)

5. [2024-002215CUA](#) (L. AJELLO: (628) 652-7353)
565 SOUTH VAN NESS AVENUE – east side between 16th and 17th Streets; Lot 015 in Assessor's Block 3571 (District 9) – Request for **Conditional Use Authorization** pursuant to Planning Code Sections 303, and 303.1, and 838, to allow a change of operator from an existing Formula Retail use paint store (d.b.a. Kelly-Moore Paints) to another Formula Retail use paint store (d.b.a. Sherwin-Williams) within an existing 14,000 single-story commercial building within a UMU (Urban Mixed Use) Zoning District and 58-X Height and Bulk District. The project is a change in operator only and does not include any tenant improvements beyond a change of the existing signage, to be processed under a separate sign permit.

Preliminary Recommendation: Approve with Conditions

SPEAKERS: None
 ACTION: Approved with Conditions
 AYES: Campbell, McGarry, So, Williams, Braun, Imperial, Moore
 NAYS: None
 MOTION : [21611](#)

C. COMMISSION MATTERS

7. LAND ACKNOWLEDGEMENT

Commissioner Williams:

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.

8. ELECTION OF OFFICERS

SPEAKERS: Bruce Bowen – Commissioner Moore for president
 Jan Chong – Commissioner So for president
 Doug Chan – Commissioner So for president
 Carol Ito – Commissioner So for president
 Joseph Smooke – Commissioner Moore for president
 Katherine Petrin – Effective governance
 Sue Hestor – Do not vote today, discuss rules first
 Austin Yang, Deputy City Attorney – Response to comments and questions

ACTION: President – Lydia So

AYES: Campbell, McGarry, So, Braun

NAYS: Williams, Imperial, Moore

ACTION: Vice-President – Kathryn Moore

AYES: Campbell, McGarry, So, Williams, Braun, Imperial, Moore

NAYS: None

9. COMMISSION COMMENTS/QUESTIONS

None.

D. DEPARTMENT MATTERS

10. DIRECTOR'S ANNOUNCEMENTS

Rich Hillis, Planning Director:

Congratulations, Commissioner So. I'll just let the Commission know how we work with officers too because some of you may not know is every two weeks, generally we'll have an officer's meeting, that I think have been successful and productive and those will continue but it's with the both the president and vice president. So, we look forward to continuing those to talk about what's on the agenda and how we tackle some of the major issues we have. So, looking forward to continuing that with Vice President Moore and with the President So.

Commissioner Moore:

So, just to support Director Hillis said the officers meetings are indeed attended by both the Vice President and the President. And in the end, it doesn't really matter. It is not about position, it is about participating. So I see the support that both officers have given in the past will continue to be equally effective. And I do appreciate Director Hillis' explanation to that. So we will charge forward and do what we all need to do. Thank you.

11. 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.

This week the land use committee considered Supervisor Mandelman's ordinance that would expand the Central Neighborhoods Large Home SUD and delete the Corona Heights SUD the area of which would be added to the Central Neighborhoods SUD.

Commissioners, you heard this item on August 1, 2024, recommendation for approval with modifications.

1. Do not include accessory garage space in the calculation of Gross Floor Area (GFA). This was originally included to encourage people to use existing garage space to expand their homes; however, it has been used by some applicants as a loophole to obtain more space.; and
2. Specify that for the purposes of calculating a unit's Gross Square Footage (GSF) in multi-unit buildings, shared spaces shall not be included.

During the hearing, supervisor Mandelman asked the committee to add the two recommended planning commission amendments, which the committee did. There was only one public commentor, Georgia Schuttish, and no significant comments or questions from the committee members.

Supervisor Mandelman then proposed continuing the item to the call of the chair so that this ordinance could be paired with an upzoning. While he did not believe this was a downzoning, he proposed the continuance out of caution. As a result, it's not clear when this ordinance will go into effect, but it won't be until at least 2025.

Jonas P. Ionin, Commission Secretary:

Thank you, Mr. Starr. I don't have a report from the Board of Appeals. I don't know if the Zoning Administrator is here but the Historic Preservation Commission did meet yesterday and among other items considered several Legacy Business Registry applications and adopted recommendations of approval for all of them. The first being, Fabrix on Clement Street, Treasure Island Museum on Treasure Island, the Ten-Ichi Japanese Restaurant and Sushi Bar on Fillmore Street, the New India Bazar on Polk Street, and Sabella and La Torre on Taylor Street.

Commissioner Moore:

I have a question if Mr. Starr could quickly answer that. In the case that a piece of legislation gets basically continued to be potentially adjusted, which legislation is in effect in the interim?

Aaron Starr, Manager of Legislative Affairs:

Whatever is in the code currently. So, the Constraints Reduction Ordinance added a sunset provision for the Central Neighborhood SUD and the Corona Heights SUD to get rid of the CU and place the 3,000 square foot cap in those districts. So, that's going to happen on January 1st but the expansion of it won't happen until upzoning comes along.

Commissioner Moore:

Okay, thank you just for explaining that [inaudible]. Appreciate it.

E. GENERAL PUBLIC COMMENT

SPEAKER: Sue Hestor – Discussion of Rules and Regulations/send links

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.

6. [2024-007906GPA](#) (A. MERLONE: (628) 652-7534)
CENTRAL SOMA AREA PLAN AND TRANSIT CENTER DISTRICT SUB AREA PLAN – Initiation of General Plan Amendments – Ordinance amending the General Plan to amend the Central SoMa Area Plan and the Transit Center District Sub Area Plan; 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.

Preliminary Recommendation: Initiate and Consider Adoption on or after October 9, 2024

SPEAKERS: = Aaron Starr – Staff report

= Rich Hillis – Response to comments and questions

ACTION: After being pulled off of Consent; Initiated and scheduled a hearing on or after October 9, 2024.

AYES: Campbell, McGarry, Williams, Braun, Imperial, Moore, So
 NAYS: None
 RESOLUTION : [21612](#)

12. [2024-006177PCAMAP](#) (V. FLORES: (628) 652-7525)
758 AND 772 PACIFIC AVENUE – NEW ASIA SENIOR HOUSING SPECIAL USE DISTRICT [BF 240727] – Planning Code and Zoning Map Amendments – An ordinance, sponsored by Supervisor Peskin, to amend the Planning Code and Zoning Map to create the New Asia Senior Housing Special Use District located at 758 and 772 Pacific Avenue, Assessor's Parcel Block No. 0161, Lot Nos. 14 and 15; affirming the Planning Department'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: Adopt a Recommendation for Approval Preliminary

SPEAKERS: = Veronica Flores – Staff report
 + Alan Low – Important project to Chinatown
 + Bo Han – Will house underserved seniors
 + Shao Ling Chang – Senior living, banquet hall
 + Shao Ying Chang – Affordable senior housing in Chinatown
 + Sharon Lai – Desperately needed affordable housing, banquet hall
 ACTION: Adopted a Recommendation for Approval, including the amendment to the title
 AYES: Campbell, McGarry, Williams, Braun, Imperial, Moore, So
 NAYS: None
 RESOLUTION : [21613](#)

13. [2024-005931PCA](#) (A. STARR: (628) 652-7533)
2024 CODE CORRECTIONS ORDINANCE – Planning Code and Building Code Amendment – Ordinance amending the Building and Planning Codes to correct typographical errors, update outdated cross-references, make non-substantive revisions to clarify or simplify Code language, and make other minor, substantive updates to various Code provisions; directing the Clerk of the Board of Supervisors to forward this Ordinance to the California Department of Housing and Community Development upon final passage; 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 101.1; and adopting findings of public necessity, convenience, and general welfare under Planning Code, Section 302.
Preliminary Recommendation: Adopt a Recommendation for Approval with Modifications

SPEAKERS: = Aaron Starr – Staff report
 = John Kevlin – Grandfathering provision, consider amending
 = Austin Yang, Deputy City Attorney – Response to comments and questions
 ACTION: Adopted a Recommendation for Approval with Staff Modifications and consideration for proposed amendment from the member of the public
 AYES: Campbell, McGarry, Williams, Braun, Imperial, Moore, So
 NAYS: None
 RESOLUTION : [21614](#)

14. [2022-010007CUA](#) (R. SALGADO: (628) 652-7332)
345 SPEAR STREET/2 HARRISON STREET – east side between Harrison and Folsom Streets; Lots 002, 003, and 005 in Assessor's Block 3744 (District 6) – Request to rescind the "Child Care" Condition of Approval from **Conditional Use Authorization** Motion No. 10501 (Planning Department Record No. 84.41ECAZ) to remove a requirement for an existing on-site childcare facility that was provided as part of a Conditional Use Authorization for a mixed-use development located at 345 Spear Street (also known as Hills Plaza) within the RH DTR (Rincon Hill Downtown Residential) Zoning District and 105-X, 84-X, 85/200-R Height and Bulk District. The Hills Plaza mixed-use development was approved by the Planning Commission on November 14, 1985. The

required on-site childcare facility has operated continuously at 345 Spear Street/2 Harrison Street for more than 32 years. Pursuant to Planning Code Section 414.12, the Project Sponsor may apply to the Planning Department to eliminate the requirement for a childcare facility or to reduce the floor area of the childcare facility in any amount. Since the childcare facility has been provided for more than 5 years after the issuance of the first certificate of occupancy for the project, the Project is eligible to request the removal of the existing childcare facility requirement.

Preliminary Recommendation: Approve with Conditions

SPEAKERS: = Rebecca Salgado – Staff report
 + Tuija Catalano – Project sponsor presentation
 = Liz Watty – Response to comments and questions
 + Speaker – Response to comments and questions
 ACTION: Approved with Conditions
 AYES: Campbell, McGarry, Braun, Imperial, Moore, So
 NAYS: Williams
 MOTION : [21615](#)

15a. [2024-01470CUA](#) (J. DACEY: (628) 652-7415)

740 SANCHEZ STREET – west side between 20th and Liberty Streets; Lot 008A in Assessor's Block 3604 (District 8) – Request for **Conditional Use Authorization** pursuant to Planning Code Sections 249.92 and 303 for a vertical addition to an existing single-family dwelling that would result in the subject dwelling unit exceeding 3,000 square feet of Gross Floor Area within a RH-1 (Residential- House, One Family) Zoning District, Dolores Heights SUD (Special Use District), Central Neighborhoods Large Residence SUD (Special Use District), and 40-X Height and Bulk District. The Planning Department found that the project is exempt from the California Environmental Quality Act (CEQA). The Commission's action constitutes the Approval Action for the project for the purposes of CEQA, pursuant to San Francisco Administrative Code Section [31.04\(h\)](#).

Preliminary Recommendation: Approve with Conditions

SPEAKERS: = John Dacey – Staff report
 + Barbara Walkowski – Project sponsor presentation
 + Gregory Iboshi – Design presentation
 + Bruce Bowen – Respects the existing building and streetscapes
 = Corey Teague – Comments to the variance issue
 ACTION: Approved with Conditions
 AYES: Campbell, McGarry, Williams, Braun, Imperial, Moore, So
 NAYS: None
 MOTION : [21616](#)

15b. [2024-01470VAR](#) (J. DACEY: (628) 652-7415)

740 SANCHEZ STREET – west side between 20th and Liberty Streets; Lot 008A in Assessor's Block 3604 (District 8) – Request for **Variance** to construct a vertical addition to an existing single-family dwelling encroaching in the required rear yard per Section 241 within a RH-1 (Residential- House, One Family) Zoning District, Dolores Heights SUD (Special Use District), Central Neighborhoods Large Residence SUD (Special Use District), and 40-X Height and Bulk District.

SPEAKERS: Same as item 15a.
 ACTION: ZA indicated an intent to Grant

16. [2023-011105CUA](#) (J. SACCHI: (628) 652-7308)

1830 OCEAN AVENUE – north side between Keystone Way and Dorado Terrace; Lot 124 of Assessor's Block 3283 (District 7) – Request for **Conditional Use Authorization** pursuant to Planning Code Sections 303 and 755, to establish a Health Services use (d.b.a. Fresenius Kidney Care) with an opening time of 5:00 AM within the Ocean Avenue NCT (Neighborhood Commercial Transit) Zoning District and 45-X Height and Bulk District. The Health Services use is proposed to be located within a vacant, approximately 16,900 sf ground floor commercial tenant

space, which was most recently occupied by a Formula Retail General Retail Sales and Service use (d.b.a. Target) that closed in June 2021. The Project would relocate the operator's existing dialysis center currently operating at 1738 Ocean Avenue. 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: = Joseph Sacchi – Staff report
 + Justin Chan – Project sponsor presentation
 + Speaker – Importance to patients
 - Adrienne Lifer – Don't approve until the boiler noise is abated
 + Dr. Tom Blair – Importance to patients, help with the current squatting situation
 + Dr. Ramin Sam – Necessary upgrades
 + Dr. Harriet – Forefront of innovation
 + Speaker – Response to comments and questions

ACTION: Approved with Conditions

AYES: Campbell, McGarry, Williams, Braun, Imperial, Moore, So

NAYS: None

MOTION : [21617](#)

17. [2024-001579CUA](#) (E. OROPEZA: (628) 652- 7416)
200 CAPP STREET – southwest corner of 17th Street; Lot 044 in Assessor's Block 3575 (District 9) – Request for **Conditional Use Authorization** pursuant to Planning Code Sections 249.60, 303, and 754 , to allow a new Non-Residential use (d.b.a. Kiitos) proposed where the immediate prior Commercial Use was a Legacy Business (d.b.a. The Uptown) within an existing, approximately 1,300 square-feet, ground floor tenant space within the Mission Street NCT (Neighborhood Commercial Transit) Zoning District, Mission Alcoholic Beverage SUD (Special Use District), and 55-X Height and Bulk District.
Preliminary Recommendation: Approve with Conditions
 (Continued from Regular hearing on August 1, 2024)

SPEAKERS: = Edgar Oropeza – Staff report
 + Kaushik Dattani – Project sponsor presentation
 + Kevin Ortiz – Project sponsor presentation
 - Barbara Atard – Concerns
 - Justin Dolso – Worst landlord, evicted and sued tenants
 - Jessica Densley – The Uptown
 - Shay – The Uptown
 - Keagan – The Uptown
 + Elisse Dawson – Speaks for the owner
 + Ira Reyes – Employment opportunities, address commercial vacancies
 + Eyad – Will make the community much better
 + Speaker – Open the bar
 + Bartolome – Bartender
 + Luis – Help rekindle and revitalize night life, increase economic benefit
 - Chris Calloway – Horrible experience with landlord
 - Kenneth Cowen – The Uptown
 - Duncan McDonald – Issues
 + Hector – Small business
 + Keith Ryan – Supporting business is good for the city
 - Speaker – The Uptown
 - Deana McDougal – The Uptown
 + Michael Rupair – Add diversity to boost the nightlife and fill the vacancies

ACTION: = Rich Hillis – Response to comments and questions
Approved with Conditions
AYES: Campbell, McGarry, Braun, So
NAYS: Williams, Imperial, Moore
MOTION : [21618](#)

ADJOURNMENT 4:29 PM

ADOPTED OCTOBER 10, 2024