

SAN FRANCISCO PLANNING COMMISSION

Meeting Minutes

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

Thursday, March 14, 2024
12:00 p.m.
Regular Meeting

COMMISSIONERS PRESENT: DIAMOND, MOORE, BRAUN, IMPERIAL, KOPPEL, WILLIAMS
COMMISSIONERS ABSENT: NONE

THE MEETING WAS CALLED TO ORDER BY PRESIDENT DIAMOND AT 12:01 PM

STAFF IN ATTENDANCE: Veronica Flores, Danielle Ngo, David Winslow, Corey Teague – Zoning Administrator, 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. 2022-009383CUA (M. TAYLOR: (628) 652-7352)
4000 21ST STREET – northwest corner of Collingwood Street; Lot 006H in Assessor's Block 2751 (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-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: Approve with Conditions

(Continued from Regular hearing on February 22, 2024)

Note: On February 22, 2024, after hearing and closing public comment, continued to March 14, 2024 with direction from the Commissioners by a vote of +5 -0 (Ruiz absent).

(Proposed for Continuance to April 11, 2024)

SPEAKERS: None
 ACTION: Continued to April 11, 2024
 AYES: Williams, Braun, Imperial, Koppel, Moore, Diamond
 ABSENT: None

2. 2022-000438DRP (D. WINSLOW: (628) 652-7335)
320 FREDERICK STREET – north side between Clayton and Belvedere Streets; Lot 026 in Assessor's Block 1253 (District 8) – Request for **Discretionary Review** of Building Permit No. 2021.1208.3935 to construct a four-story horizontal rear addition and add accessory dwelling unit to a three-unit residential building within a RM-3 (Residential Mixed – High Density) 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 February 15, 2024)

(Proposed for Continuance to April 11, 2024)

SPEAKERS: None
 ACTION: Continued to April 11, 2024
 AYES: Williams, Braun, Imperial, Koppel, Moore, Diamond
 ABSENT: None

3. 2023-006927CUA (T. ATOYEI: (628) 652-7363)
58 BUENA VISTA TERRACE – west side between Roosevelt Way and Buena Vista Avenue East; Lot 010 in Assessor's Block 2608 (District 8) – Request for **Conditional Use Authorization** pursuant to Planning Code Sections 249.92 and 303 to construct a two-story, vertical and horizontal addition to an existing two-story, 2,038 square foot single-family dwelling unit resulting in a dwelling unit with a gross floor area of 3,858 square feet 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). 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 April 11, 2024)

SPEAKERS: None
 ACTION: Continued to May 2, 2024
 AYES: Williams, Braun, Imperial, Koppel, Moore, Diamond
 ABSENT: None

4. 2023-002390DRP (D. WINSLOW: (628) 652-7335)
426 FILLMORE STREET, UNIT C – east side between Oak and Page Streets; Lot 056 in Assessor's Block 0842 (District 5) – Request for **Discretionary Review** of Building Permit No. 2023.0310.3504 to legalize a third-floor roof deck within the existing footprint to a three-unit building within a RM-1 (Residential Mixed – Low Density) 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 January 11, 2024)

(Proposed for Continuance to May 2, 2024)

SPEAKERS: None
 ACTION: Continued to May 2, 2024
 AYES: Williams, Braun, Imperial, Koppel, Moore, Diamond
 ABSENT: None

5. 2023-009433PCAMAP (A. MERLONE: (628) 652-7534)
900 KEARNY STREET SPECIAL USE DISTRICT – Planning Code Amendment – Ordinance, introduced by Supervisor Peskin, amending the Planning Code and Zoning Map to create the 900 Kearny Street Special 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 101.1, and making findings of public necessity, convenience, and welfare pursuant to Planning Code, Section 302.
Note: Board File 231006 was originally heard by the Planning Commission on November 30, 2023. The Board File has since been amended by the sponsor and re-referred to the Planning Commission because certain new amendments were not considered by the Planning Commission on November 30, 2023.
(Proposed for Indefinite Continuance)

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

B. COMMISSION MATTERS

6. LAND ACKNOWLEDGEMENT

Vice President Moore:

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.

7. CONSIDERATION OF ADOPTION:

- [Draft Minutes for February 29, 2024](#)

SPEAKERS: Georgia Schuttish – Amendments to her general public comment
 ACTION: Adopted as Amended
 AYES: Williams, Braun, Imperial, Koppel, Moore, Diamond
 ABSENT: None

8. COMMISSION COMMENTS/QUESTIONS

President Diamond:

I want to start by welcoming our new Commissioner. We look forward to you joining us in our deliberations and hearing your perspective and being part of our decision-making process.

Commissioner Moore:

Welcome, Commissioner Williams.

Commissioner Williams:

Thank you, Commissioner.

Commissioner Moore:

This will be a short day but you'll get a very good feel of how things are done. I'd like to ask my fellow Commissioners to remember Commissioner Ruiz and her attempt to support the resolution that she had drafted regarding Affordable Housing Programs and a note to the Governor of the State of California. We had had drafts of that and what happened is our own deliberations that we had planned was somewhat short cut because of the Board of Supervisors adapting, adopting Resolution 5924 in early February, a resolution that in content very much resembles of what Commissioner Ruiz had suggested to us. I like to ask that we support this particular resolution urging the State of California to withdraw proposed cuts to Affordable Housing Programs and that the Commission agrees to support this resolution. I'd like to count your comments and ask for your support.

President Diamond:

So, I'll start by saying I absolutely support the resolution. I thought it was extremely well drafted and I'm very happy as Commission President to weigh in and say it has my full support.

Commissioner Braun:

Sure. I want to start by also welcoming Commissioner Williams to the Planning Commission. It is great to seeing more people up here on the dais again and I'm really looking forward to hearing your perspective and everything that you have to share, and so, welcome. And then as far as supporting the resolution, absolutely. You know, we recently had an informational item and heard about the significant challenges that exists for funding affordable housing, how funding is the number one need in order to ensure that we're producing affordable housing and absolutely yes, I support the resolution.

Commissioner Imperial:

Welcome, Commissioner Williams, in the Planning Commission. And just like other Commissioners, also would like to hear your many comments that you will provide in the Commission and welcome. In terms of the resolution by the Board of Supervisors, I read the resolution itself and it seems like it's very well drafted and really looked into the, you know, the findings of why we need the affordable housing here in San Francisco. So, I solely also strongly support the resolution drafted by the Board of Supervisors.

President Diamond:

Thank you.

Commissioner Koppel:

Also welcome, Commissioner Williams. I think we're getting our way back to a full seven up here which I think is very important. And I'm also in full support of Commissioner Moore's idea. Thank you.

Commissioner Moore:

I would like to ask Secretary Ionin what would be the best form for us to acknowledge? I don't think it requires a motion. How is this best done? By the City Attorney?

Jonas P. Ionin, Commission Secretary:

I think, I mean, we could agendize it on the next week's agenda and then you could simply take a vote to endorse the resolution.

Commissioner Moore:

Acceptable [inaudible]

President Diamond:

Yeah. I'm happy to do that. Would that add additional weight to the comments that were just done right now?

Jonas P. Ionin, Commission Secretary:

Well, I would imagine so. It would be recorded in the minutes that way you could take a vote.

President Diamond:

And this conversation is not recorded in the minutes?

Jonas P. Ionin, Commission Secretary:

It is actually. The Commission Comments and Questions, we do actually transcribe your comments.

President Diamond:

Yeah. So, I mean, I'm fine agendizing it for an endorsement if you all would like to do that. I don't know that it's required but if it's, let me see.

Commissioner Williams:

Thank you, Commissioner. I just want to lend my voice. I know this is my first day but I am absolutely in favor of this resolution here. Given that the shortage of affordable housing that we're facing as a city, this is devastating and for us. And so, yeah, definitely in favor of this.

President Diamond:

Okay. Thank you.

Rich Hillis, Planning Director:

I just want to give you, I mean, I think it's fine too. It's already the City's, because I mean, because the Board vote on it, it is the City's policy. But I don't think it hurts to take it up as well. I just want to, I mean, we all know Prop A passed, which is great. And part of what we have talked about in the report you heard was in, I think, Commissioner Williams, you brought this up in your, your nomination hearing. Like, we need more resources to fund affordable housing. So, good news that Prop A passed. Obviously, the state cuts, you know, as a city, we're urging them to restore those. But just so you know too, the regional bond is being considered by ABAG in MTC to put on the ballot for November. I sit on ABAG as well as some of the, a couple of the members of the Board of Supervisors. So, that's coming up as well. And I think it, you know, hopefully it will get on the ballot and pass. But that's a, I think \$1.9 billion that would be voted on by the, by the or it's more than that. I think that the City gets about \$1.2 million is estimated. So, that's a significant funding source too that's underway but none of these get us to the numbers we need to get to build the 40,000 units of affordable housing.

President Diamond:

So, Mr. Ionin, I think it would be helpful if we agendized an item that called for endorsement of the Board of Supervisors' resolution. Okay.

Jonas P. Ionin, Commission Secretary:

Certainly.

C. DEPARTMENT MATTERS

9. DIRECTOR'S ANNOUNCEMENTS

Rich Hillis, Planning Director:

Just welcome, Commissioner Williams. I don't -- he didn't mention but we had the pleasure as a staff of working with you I think a decade ago or maybe a little more on the Excelsior Strategies which I was on the Commission when we heard them. I think, Commissioner Moore, you were here. But it was a great collaborative community process. So, thank you for your work there and we're looking forward to working with you in the future here on the Commission. So, welcome.

Commissioner Williams:
Thank you.

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

Veronica Flores:

Good afternoon, commissioners, Veronica Flores filling in for Aaron Starr manager of Legislative Affairs

Land Use Committee

[230310](#) Various Codes - State-Mandated Accessory Dwelling Unit Controls. Sponsor: Mayor. Staff: V. Flores.
The first item of the land use committee agenda was the amendments to the state mandated ADU controls. As reported last week, this item was amended and continued for one week since the amendments were substantive. This week, there was no public comment and no questions or comments from the committee members. The committee voted to forward the item as a committee report to the Full Board with a positive recommendation.

[240070](#) Planning Code - Exceptions and Extensions for Existing Uses. Sponsor: Planning Commission. Staff: Merlone.

Next the committee considered the Planning Commission sponsored ordinance entitled Exceptions and Extensions for Existing Uses, also known at the planning department as the oops ordinance. This ordinance would amend the Planning Code to modify offset requirement for heights in the Bernal Heights Special Use District; permit large movie theater signage in the Japantown Neighborhood Commercial District; allow Medical Cannabis Dispensaries to continue operating as Temporary Cannabis Retail Uses until December 31, 2024; and clarify eligibility for reduction in Inclusionary Housing requirements. These amendments are intended to either legalize previously permitted work by the planning department or correct errors in the code.

During the committee hearing there was no public comment and no comments from the committee members. The item was then forwarded to the Full Board with a positive recommendation.

Thus, ending the Land Use Committee hearing after about 8 minutes.

Full Board

[231258](#) Planning Code - Housing Production. Sponsors: Mayor; Melgar. Staff: Starr. PASSED Second Read

[240169](#) Planning Code - Parcel Delivery Service. Sponsors: Chan. Staff: V. Flores. PASSED Second Read

[230808](#) Planning, Subdivision, and Administrative Codes and Zoning Map - Family and Senior Housing Opportunity Special Use District. Sponsors: Melgar; Engardio. Staff: V. Flores. PASSED Second Read

[231256](#) Planning Code, Zoning Map - Potrero Yard Special Use District. Sponsors: Ronen; Walton. Staff: Snyder. PASSED Second Read

[240047](#) General Plan - Potrero Bus Yard Project. Sponsor: Planning Commission. Staff: Snyder. PASSED Second Read

[231045](#) Planning Code - Landmark Designation - Sacred Heart Parish Complex. Sponsor: HPC. Staff: LaValley. Passed First Read

[231185](#) Planning, Administrative Codes - Conditional Use Authorization for Removal of Unauthorized Unit. Sponsor: Melgar. Staff: V. Flores. Passed First Read

[230310](#) Various Codes - State-Mandated Accessory Dwelling Unit Controls. Sponsor: Mayor. Staff: V. Flores. Passed First Read

[240171](#) Presidential Appointment, Planning Commission - Gilbert Williams. Sponsor: Peskin. Staff: Ionin. Adopted

Corey Teague, Zoning Administrator:

Good afternoon, President Diamond, Commissioners. Corey Teague, Zoning Administrator. Welcome, Commissioner Williams. The Board of Appeals did meet last night and they took action on one item of interest to the Planning Commission. Again, this is the Great Highway Pilot Program, the closure on Fridays and weekends. Planning Commission approved the coastal permit for that pilot project back in November. That was appealed. Three separate appellants to the Board of Appeals and that was heard in February. Ultimately, the Board voted to deny those appeals of that coastal permit. However, the same three appellants also filed rehearing requests to the Board of Appeals, which is a process through the Board where if kind of new information that could have changed the outcome is presented or if there's the possibility of kind of manifest injustice, the Board can choose to hold a new hearing on the appeal. All of the arguments from the appellants for the rehearing say for one were dismissed. The one issue that was kind of considered by many of the Commissioners was information within the San Francisco Estuary Institute's report and kind of best management practices for the beach area and the dune system. Even though that report was out and available at the time of the appeal hearing and was referenced, a couple of the Commissioners had concerns with the way it had been discussed and the lack of information that had been provided. To grant a rehearing request, it requires four of the five Commissioners to vote for that and ultimately upon a motion to grant the rehearing request that only received three votes. And so, that vote failed and the rehearing requests were all denied. So, that matter is completely settled at the Board of Appeals and that coastal permit for the pilot program is officially approved. Thank you.

D. GENERAL PUBLIC COMMENT

SPEAKERS: Georgia Schuttish – Project had permit issued October 2017. CFC issued March 2021. Revision needed September 2019 to correct Demo Calcs which did not account for removal of roof. Calcs originally approved without removal of roof for two story vertical expansion. Removal of roof was 100% raising Horizontal Calc to 81% from 50.4%. Vertical listed at 20%. Photos show transformation. Dramatic escalation in price from 2015 which was peak year in the original sales price of these speculative projects that turned into extreme Alterations and made Noe Valley the “epicenter of de facto Demolition” per the Staff. Sold several months after CFC for \$7.6 million in September 2021. Returned to market at \$9 million recently. Listing since removed. Similar high end, extreme Alterations for sale/sold recently or removed from market. Instability/speculation in housing: Issue for PEGs. Demo Calcs should be adjusted to protect/preserve housing in this SUD per Housing Element.

Sue Hestor – Presentation regarding amendments to the Planning Code voted by the Commission, Board of Supervisors and State.

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.

11. [2019-004879CWP](#)

(D. NGO: (628) 652-7591)

WATERFRONT RESILIENCE PROGRAM – Staff will provide an **Informational Presentation** to the Commission on the San Francisco Waterfront Coastal Flood Study (Flood Study). The U.S. Army Corps of Engineers (USACE), in collaboration with the City and County of San Francisco, has reached an important milestone in the Flood Study—the release of the Draft Plan on January 26, 2024. The Draft Plan is a major step forward in securing federal funds to address the waterfront's flood and earthquake risks for the 7.5 miles of waterfront within the Port of San Francisco's jurisdiction, from Aquatic Park to Heron's Head. It indicates approximately where to build coastal flood defenses and how much sea level rise future coastal flood defenses will manage before they need to be adapted to higher water levels. If approved by Congress, the federal government will pay up to 65% of the funding to implement the plan—leading to potentially billions in federal funding to reduce coastal flood risk from sea level rise and make related seismic, stormwater flooding, and waterfront improvements. San Francisco

will need to identify multiple sources of local and State funding to match this federal funding. The Draft Plan and alternatives are evaluated in a National Environmental Policy Act (NEPA) Environmental Impact Statement (EIS). USACE and the City are seeking public comment on the Draft Plan and Environmental Review through March 29, 2024.

Preliminary Recommendation: None – Informational

SPEAKERS: = Danielle Ngo – Staff report
 + Adam Varat – Port of SF presentation
 = Georgia Schuttish – Article regarding water contamination in Hunter’s Point, amount needed for affordable housing
 + Sue Hestor – Rezoning, request presentation on the western part of the city, what is the sea level rise on the oceanside
 ACTION: Reviewed and Commented

F. DISCRETIONARY REVIEW CALENDAR

The Commission Discretionary Review Hearing Procedures provide for presentations by staff; followed by the DR requestor team; followed by the project sponsor team; followed by public comment. 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.

12a. 2023-004909DRP (D. WINSLOW: (628) 652-7335)

1336 SHOTWELL STREET – west side between Cesar Chavez Street and Precita Avenue; Lot 074 in Assessor’s Block 5501 (District 9) – Request for **Discretionary Review** of Building Permit No. 2023.0911.6345 to construct a vertical and horizontal extension to the front and rear of the existing two-story, single-family 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

(Continued from Regular hearing on March 7, 2024)

NOTE: On March 7, 2024, after hearing and closing Public Comment, continued to March 14, 2024 with direction from the Commission by a vote of +4 -1 (Diamond against).

SPEAKERS: = David Winslow – Staff report
 - Speaker – DR presentation
 + Mason Kirby – Project sponsor presentation
 - Georgia Schuttish – What will trigger Section 317 to the checklist
 = Corey Teague – Response to comments and questions
 ACTION: Took DR and Approved the project as amended and submitted, dated March 11, 2024
 AYES: Williams, Braun, Imperial, Koppel, Moore, Diamond
 ABSENT: None
 DRA: [853](#)

12b. 2023-004909VAR (D. WINSLOW: (628) 652-7335)

1336 SHOTWELL STREET – west side between Cesar Chavez Street and Precita Avenue; Lot 074 in Assessor’s Block 5501 (District 9) – Request for **Variance** of Building Permit No. 2023.0911.6345 to construct a vertical and horizontal extension to the front and rear of the existing two-story, single-family building within a RH-2 (Residential House – Two Family) Zoning District and 40-X Height and Bulk District. Planning Code Section 242 requires the subject property to maintain a rear yard of approximately 22 feet measured from the rear property line. The proposed rear addition will encroach approximately seven feet into the required rear yard. Planning Code Section 174 requires projects to meet the conditions of approval. A prior variance was granted for the

subject lot that, as a condition of approval, required future additions to obtain a variance. Therefore, the project requires a variance.

(Continued from Regular hearing on March 7, 2024)

NOTE: On March 7, 2024, after hearing and closing Public Comment, Zoning Administrator continued to March 14, 2024.

SPEAKERS: Same as item 12a.

ACTION: ZA Closed the PH and indicated an intent to Grant

ADJOURNMENT 2:02 PM

ADOPTED APRIL 25, 2024