

# SAN FRANCISCO PLANNING COMMISSION

## Meeting Minutes

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

**Thursday, April 20, 2023**  
**1:00 p.m.**  
**Regular Meeting**

COMMISSIONERS PRESENT: Tanner, Moore, Braun, Diamond, Imperial, Koppel  
COMMISSIONERS ABSENT: Ruiz

THE MEETING WAS CALLED TO ORDER BY PRESIDENT TANNER AT 1:03 PM

STAFF IN ATTENDANCE: Aaron Starr, Mat Snyder, Lily Langlois, Christopher May, Lisa Gibson, Jeff Horn, Nick Foster, Trent Greenan, Liz Watty – Director of Current Planning, Rich Hillis – Planning Director, Laura Lynch – Acting 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 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.

1. 2019-000499DRM (J. HORN: (628) 652-7366)  
1 LA AVANZADA STREET – Sutro Tower, Lot 003 in Assessor's Block 2724 (District 7) – **Mandatory Discretionary Review**, pursuant to Planning Code Section 306.9, of Building Permit Application No. 2019.0108.9873, proposing the permanent removal of the exterior

cladding on the vertical elements of Sutro Tower. The subject property is located within a RH-1 (D) (Residential - House, One Family) Zoning District and 40-X Height and Bulk Districts.

*Preliminary Recommendation: Take Discretionary Review and Approve with Conditions*  
**(Proposed for Continuance to May 25, 2023)**

SPEAKERS: Rich Hillis – Response to comments and questions regarding the continuance  
 Taylor Jordan – Response to comments and questions regarding the continuance  
 ACTION: Continued to May 25, 2023  
 AYES: Braun, Diamond, Imperial, Koppel, Moore, Tanner  
 ABSENT : Ruiz

## 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 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.

2. [2023-001585PCA](#) (V. FLORES: (628) 652-7525)  
NON-CONFORMING PUBLIC PARKING LOTS IN THE MISSION STREET NCT DISTRICT [BF 230164] – **Planning Code Amendments** – An ordinance, sponsored by Supervisor Ronen, to amend the Planning Code to allow continued use of existing shared spaces in specified public parking lots in the Mission Street Neighborhood Commercial Transit (NCT) District without triggering abandonment of the underlying vehicular parking use; 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*

SPEAKERS: None  
 ACTION: Approved  
 AYES: Braun, Diamond, Imperial, Koppel, Moore, Tanner  
 ABSENT : Ruiz  
 RESOLUTION: [21302](#)

## C. COMMISSION MATTERS

3. Land Acknowledgement

### Commissioner Braun:

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.

4. Consideration of Adoption:

- [Draft Minutes for March 30, 2023](#)

SPEAKERS: None

ACTION: Adopted

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

ABSENT : Ruiz

5. Commission Comments/Questions

**President Tanner:**

Great, thank you. I just want to share Commissioners, I was able to talk with Commissioner Ruiz a little bit over the weekend and saw a picture of her new daughter, Violet. Mom and baby are both doing very well. So, if she happens to be watching, we're wishing you the best and we do miss you, but I hope you are having a good time as a new mom. And then, of course tonight is the Warriors' game so we want to send some good wishes for a win. First win of this playoff for them here at home. So, looking forward to that.

**Commissioner Moore:**

Well, I'll chime in go Warriors. But I actually wanted to ask Director Hillis for some wisdom here. Wisdom. I am reading with increased frequency about projects becoming more and more questionable. The latest I've heard was the disagreement between partners at Treasure Island. And in light of everything what we're doing, I am very disturbed about that. That is obviously the closing of One Oak as we know it and the list goes on. And I'm kind of wondering where that leaves us. Is there anybody who is carefully assessing that this is happening and in what kind of predicament it puts us in? Because these are significant numbers in our Housing Element and they seriously tracked on our ability to meet our goals since we have diligently, and you and I know that best, worked on this project for almost over a decade. What do we do? Who's listening to us and gives us a break?

**Rich Hillis, Planning Director:**

It's a great question and we are working on it with other agencies including OEWD, the board, the Controllers Office. I was going to mention in my Director's report that the TAC, which is the Technical Advisory Committee, which is not the greatest sounding name of a committee, but they've got an important role to look at project feasibility and look at the inclusionary rates and other fees we charge to see why projects may not be moving forward as, you know, construction costs, can fees play a role, do we provide additional time on entitlements? And so, they've made a recommendation to the Board of Supervisors which will ultimately become legislation and come to you all. But I think we are grappling with them and other agencies on just this question. So, you will have a chance to weigh in on that as well as, you know, the Mayor put forward changes to our

processes to make it easier to entitle projects. I know this doesn't help projects that are already entitled but the TAC changes do because they are looking to make changes to existing entitled projects. On DA projects, again, the mayor put forward a legislation that allows project sponsors that have significant infrastructure requirements to tap in to tax increment financing to be able to meet those obligations which could help some of these larger DA projects. So, it's a huge issue and definitely on our radars with other agencies in the city to try to get those projects moving. One Oak for example, their entitlement stay, right, I mean just because the project sponsor were, is not the one who's necessarily executing that project. Those entitlements still exist. The bank who took over that project will look for another entity to carry forward on those entitlements. And hopefully some of these changes that the TAC is recommending will see them subsume through an ordinance and make changes that will help those projects.

**Commissioner Moore:**

So, all very large number projects and that's why they are really just staking out.

**Rich Hillis, Planning Director:**

Yup.

**Commissioner Moore:**

And these are south sites, not to mention [inaudible] which is even around longer --

**Rich Hillis, Planning Director:**

Park Merced.

**Commissioner Moore:**

And we are basically holding the bag which promises which have been made and can't be delivered. Thank you.

**Commissioner Imperial:**

Actually that was also something that I want to bring up is about the news about One Oak that, you know, it came before us and we also asked, scrutinized, in a way asked the feasibility of the development. But I guess my way to look into it as well as part of the Housing Element because part of the policy goals that we put in of course is prioritizing the affordable housing. And whether, you know, this site or other sites that may not be feasible by the private market perhaps that can be identified for land banking or affordable housing. Again, it calls for funding as well. So, that is something also to think about for us, or for the city as these projects are becoming infeasible. So, that would be my comment on that. Thank you.

**President Tanner:**

Yeah. Thank you for that, Commissioner Imperial. Certainly I think there is the group that the mayor put together that is looking how to meet our affordable housing goals and maybe that can be, I know it's part of our Housing Element so certainly a strategy to think about how to possibly acquire those, those sites.

**Commissioner Diamond:**

Thank you. Just to follow on to Commissioner Moore's question. So we are completely reliant on the private market to produce the housing and as a Commission, we approve tens of thousands of units and it doesn't do much good. They just sit on paper. And we're told these projects are infeasible. But I'm wondering if it might be helpful to have --

**Laura Lynch, Acting Commission Secretary:**

I hate to interrupt. I just want to make sure that we're not having a discussion about something that's not on today's agenda so,

**Commissioner Diamond:**

We're not.

**Laura Lynch, Acting Commission Secretary:**

I just want to advise you all of that.

**President Tanner:**

Thank you.

**Commissioner Diamond:**

I'm wondering if it might be possible to put together an information session with the, a number of the private housing providers in count. Not about their particular projects but the factors that go into their proformas. Obviously, our fees are one element of that but the construction costs, both supplies and labor, and the trend on rents and sales prices so that we're all on a level playing field about how the providers of our housing regard feasibility. You know there -- most of these developers, you know, were not the financiers of their projects. They rely on pension funds or private equity money. I just think it might be helpful to all of us to understand the factors that go into their decision making instead of just having to live with the result which we do. I feel like we could make more informed decision making if we were sensitive to how they look at these issues. So anyways, it's a suggestion and I wonder Director Hillis if you would --

**Rich Hillis, Planning Director:**

Sure. In the TAC, to have information, I mean, they were looking at kind of generic projects but I mean your point about hearing from developers who are actually in the midst of trying to get projects financed and looking up where rents are going and our construction costs and fees are a good one. So, yeah.

**President Tanner:**

When is the TAC's report going to come to us when that legislation. Is it still a while...

**Rich Hillis, Planning Director:**

The legislation, I mean we can have a hearing on recommendations if you want it in advance of the ordinance.

**President Tanner:**

Yeah.

**Rich Hillis, Planning Director:**

The recommendations, I mean the TAC had their final meeting yesterday and so they have made their recommendations.

**President Tanner:**

Yeah. I think that will be a good opportunity to have this discussion. Certainly bring that forward and have this discussion there.

**Rich Hillis, Planning Director:**

Sure.

**President Tanner:**

The last thing I want to make Commissioners if, were you done, Commissioner Diamond? Is around Director Hillis and I attended – was it just last week, the Reparations Task Force? So, you may report on that. But one of the outcomes of that I would like to see is us host. I would like to talk about having discussion here of their draft recommendation on which I believe they were working to finalize this by June of this year, is when there're, they are set to finalized. So, whether it's before or after or around when they finalized, to have a discussion here at this Commission about the recommendations and kind of integrating that into our efforts to pursue racial and social equity and taking a look at that. And of course we know that we've left kind of a trail of breadcrumbs in our Housing Element towards their recommendations and so I think it's good to bring it back here when they actually have made their final recommendations.

**Laura Lynch, Acting Commission Secretary:**

Thank you. I did want to bring to everyone's attention that we received a request to adjourn today's hearing in memoriam of Marvis Philips who passed away recently. Marvis was an active community member and specifically within District 6.

**D. DEPARTMENT MATTERS****6. Director's Announcements****Rich Hillis, Planning Director:**

I think we've covered everything. Just the one other point which is Housing Element implementation related as we had a meeting last night about the site permit process. It was a public meeting to get input from customers, users, of our permitting process. We hosted it with DBI. Ms. Watty and Mr. Christiansen kind of led the charge in answering questions and talking about potential reforms to our site permit process. So well received. We got good feedback and you're going to hear the [inaudible] in our joint meeting with DBI. If I can also add, if we can also adjourn today's meeting in honor of Eleanor Johns who passed away recently too. She was Mayor Brown's Chief of Staff for decades, both in Sacramento and here at City Hall, and also was the wife of Richard Johns who is a Commissioner on the Historic Preservation Commission.

**Commissioner Diamond:**

And also chair at the Airport Land Use Commission.

**Rich Hillis, Planning Director:**  
Yeah.

**President Tanner:**

Certainly, thank you. And maybe lastly, I don't know if you have any comments Director on the Mayor's legislation that was introduced also earlier this week or if Mr. Starr may be addressing that in his comments.

**Rich Hillis, Planning Director:**

Yeah. And so again it feeds off the Housing Element. Many of the recommendations we had are the requirements in the Housing Element, were put in the legislation that the Mayor has to improve the process, it reduces hearings and CUs and other things we'll get into when the legislation is before us. We'll also hear a little bit about it next week. We've got more of a broader overview on Housing Element implementation so we'll touch on it then but we'll also talk more about it and get your recommendations in a month or so.

**President Tanner:**

Great. Thank you.

7. 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.

It's been a minute. I hope you enjoyed your break, and happy 420 to all who celebrate. It's actually been an auspicious week; this past Saturday was 415 Day or the day SF was incorporated in 1850. Tuesday was the anniversary of the 1906 earthquake and fire, and yesterday was Bicycle Day. For those that don't know, Bicycle Day commemorates the first recorded LSD "trip" by Swiss scientist Albert Hofmann in 1943. Apparently, Hoffman rode his bike home after ingesting 1/4 mg of LSD, hence Bicycle Day. Yesterday was also my husband's 70<sup>th</sup> birthday. A self-described old hippie who unfortunately likes the Grateful Dead, it's fitting he shares a birthday with first LSD trip. So, a shout out to my wonderful husband, Bill Weber, happy birthday. Moving on...

#### Land Use Committee

**221105** Planning Code - HOME-SF. Sponsor: Peskin. Staff: V. Flores.

**221021** Planning, Administrative Codes - HOME-SF. Sponsors: Dorsey; Peskin. Staff: V. Flores.

Both HOME SF ordinances were continued for one week.

**220340** Planning Code - Neighborhood Commercial and Mixed-Use Zoning Districts. Sponsor: Dorsey. Staff: Starr.

Also, this week, the Committee considered the long-stalled Article 8 Reorganization ordinance, also known as Neighborhood Commercial and Mixed-Use Zoning Districts ordinance, sponsored by Supervisor Dorsey. The Commission may recall this ordinance has been continued several times. This commission heard the ordinance on November 17<sup>th</sup> of 2022, and voted to recommend approval with modifications. Those modifications included:

1. Exempt Childcare Facilities and Residential Care Facilities from FAR limits in the South Park, RED and RED-MX zoning districts.
2. Remove the language referencing adequate lighting and the Planning Department's lighting guidelines from the definition of Walk-Up Facility.
3. Principally permit Nighttime Entertainment on properties fronting Folsom Street between 7th Street and Division Street and properties fronting 11th Street between Howard Street and Division Street. and
4. Encourage the Entertainment Commission to evaluate how best to mitigate impacts in RED and RED-MX districts from noise and other quality of life impacts related to Nighttime Entertainment uses.

Supervisor Dorsey did add those amendments at a previous committee hearing. Supervisor Peskin also made some minor amendments intended to maintain existing controls for adult businesses at a past hearing.

This week, with only a short presentation from Supervisor Dorsey's aide Madison Tam, the Committee voted unanimously to move the item forward with a positive recommendation.

**220971 Planning Code - Gates, Railings, and Grillwork Exceptions for Cannabis Retail Uses and Existing Non-Residential Uses. Sponsor: Safai. Staff: Merlone. Item 5**

Next on the docket was Supervisor Safai's ordinance that would exempt certain existing gates, railings, and grillwork from transparency requirements; create an amnesty program for existing non-conforming gates; and exempt Cannabis Retail uses from transparency requirements for gates. Commissioners, you heard this item on December 8<sup>th</sup> of last year and voted to approve the ordinance with modifications. The Commission's proposed modifications were:

1. Require artwork on all solid security gates.
2. Allow 3 years for businesses with a non-compliant security gate to apply for a permit to legalize the gate. Businesses that failed to legalize would then be subject to the existing security gate requirements.
3. Clarify that the amnesty program does not exempt historic buildings from other required review procedures; and
4. Instruct the Commission to adopt objective design standards for gate mechanisms.

At the Land Use Committee hearing two weeks ago, Supervisor Safai introduced a host of amendments, including:

1. Change the transparency requirement for ALL security gates in the City from 75% open, to at least 20% open;
2. Require all new gates to have a "viewing window" at least 10 inches in height for fire safety;
3. Require Cannabis businesses who propose to install a new gate that is less than 20% open to also install a mural on that gate;



4. Require businesses with existing, non-conforming gates to file a building permit within 3 years to legalize the gate. Those that do not meet that deadline would be subject to fines; however, the business owner could still legalize their non-conforming gate, and;
5. Remove the provision requiring gate mechanisms to be laid flush with or receded behind storefronts but require both the mechanisms and gates to comply with any adopted objective design standards.

After some brief discussion the Committee voted unanimously to adopt Sup. Safai's amendments before continuing the item for two weeks. This week the item was passed out of committee with little to no discussion.

**230192 Planning Code - Landmark Designation Amendment - 429-431 Castro Street (the Castro Theatre). Sponsor: Mandelman. Staff: Westhoff.**

Also a few weeks ago, the Land Use Committee considered amendments to the Castro Theatre's Landmark designation. While the Castro theater is already landmark, this new ordinance would revise the landmark designation to include portions of the interior. The HPC heard this item on February 1<sup>st</sup>, 2023 and voted to approve the amendments as proposed by staff.

At the hearing there were numerous members of the public many who urged the Committee to landmark the seat.

Supervisor Mandelman urged the Committee members to continue the item two weeks and in the meantime instruct the City Attorney to draft amendment language that would include fixed theatrical seating as part of the Landmark designation. It was the Supervisor's hope that in the intervening two weeks the sponsor, APE, would work with the community to address their concerns regarding preserving the integrity of the space as a movie palace. If that happened, the amendment would no longer be necessary.

After hearing public comment, the Committee agreed to continue the item two weeks, and urged APE to work with the community in the interim.

This week the committee took the issue up again. During public comment, which took a few hours, both sides of the argument were well represented. After the public comment period, the committee voted to include fixed raked seating as a character defining feature and forwarded the item to the full board on a 2-1 vote. Supervisor Melgar voted against the motion.

**Full Board**

**220340 Planning Code - Neighborhood Commercial and Mixed Use Zoning Districts. Sponsor: Dorsey. Staff: Starr. Passed First Read**

**220971 Planning Code - Gates, Railings, and Grillwork Exceptions for Cannabis Retail Uses and Existing Non-Residential Uses. Sponsor: Safai. Staff: Merlone. Passed First Read**

**230285 Hearing - Appeal of Conditional Use Authorization Approval - 800 Taraval Street.  
Staff: Alexander.**

Also, this week, the Board considered the Conditional Use appeal for the Cannabis Retail use proposed at 800 Taraval St, doing business as The Green Mirror. The new use would occupy a mezzanine space above the Italian Restaurant named The Gold Mirror. This commission heard the item on February 2, 2023, and voted unanimously to approve the project.

The appellant had three reasons for filing the appeal. Those were 1) Misrepresentation and lack of notice of on-site consumption, 2) Misrepresentation of the restaurant as vacant storefront, and 3) Incompatibility with neighborhood/Failure to alter the neighborhood for the better.

Public comment in favor of the appeal was lengthy, and the issues brought up were like what this commission heard during its hearing on the matter. There were no commentators in support of the project.

After Staff's presentation, Supervisor Melgar asked staff questions about the approval, specifically why on-site consumption was called out as an accessory use for the business when the applicant had no intention of doing on-site consumption, and why the space was described as vacant when it had been used as a restaurant.

Staff response was that the accessory use is allowed by the Planning Code, but that calling it out in the Resolution wasn't necessary. Further, we would be reevaluating how we draft these approval motions in the future. Regarding the space, it was vacant when the application was submitted due to COVID, but also staff visited the space more recently and it was not being used by the restaurant at the time. Melgar also expressed sympathy for the speakers in favor of the appeal, noting that our process can be overly bureaucratic, and can make people feel as if they are not being heard.

Supervisor Stefani also spoke, stating her support for the appeal and concern that the Cannabis Retail use wasn't appropriate at this location given that several surrounding uses catered to children. Supervisor Edgardo also spoke in favor of the appellants, noting that the neighborhood was clearly against this cannabis retail location.

Supervisor Melgar then made a motion to overturn the Commission's action, and amend the approval to include additional conditions, which included:

Maintaining all of the Commission's conditions of approval, except hours of operation, which she amended to be from 9 am to 9 pm, instead of 10 pm; no onsite consumption of edibles or smoking and vaping; deliveries can only take place between 9 am and 4:30 pm; and additional good neighbor policies related to community engagement, parking and loitering.

When put to a vote the motion to overturn and amend the Commission's approval passed on a 9-2 vote, with Supervisors Stefani and Edgardo voting against the motion.

**Laura Lynch, Acting Commission Secretary:**

The Historic Preservation Commission did meet yesterday. The recommended approval of three legacy business applications. Pirro's Pizzeria at 2244 Taraval Street, Ng Hing Kee at 648 Jackson Street and Maitri Compassionate Care at 401 Duboce Avenue. They also Recommended Landmark Designation to the Board of Supervisors for The Church For The Fellowship Of All Peoples (2041 Larkin Street). Lastly, they Adopted a Recommendation for a legislative item - Commercial To Residential Adaptive Reuse And Downtown Economic Revitalization that you will be hearing in a couple of weeks. No report from the Board of Appeals

**E. GENERAL PUBLIC COMMENT**

At this time, members of the public may address the Commission on items of interest to the public that are within the subject matter jurisdiction of the Commission except agenda items. With respect to agenda items, your opportunity to address the Commission will be afforded when the item is reached in the meeting. Each member of the public may address the Commission for up to three minutes. When the number of speakers exceed the 15-minute limit, General Public Comment may be moved to the end of the Agenda.

**SPEAKERS:** Georgia Schuttish – April 15-16<sup>th</sup> WSJ article on housing supply (“How many Homes the U.S. Really Needs”) raises questions that should also be raised regarding RHNA numbers forced on San Francisco during implementation of Housing Element. Other important issue raised in article is affordability. The housing crisis in San Francisco is a crisis of affordable housing, particularly for people/families at the lower AMIs. Other issue raised in article is not only building new housing, but preserving existing housing. Unfortunately Section 317 TTD adjusting values to preserve housing never happened, despite Commission empowered with legislative authority per Section 317 (b) (2) (D). 2014 Housing Element never fully implemented. Existing housing is “cheaper” per article. This is common sense. Preserving housing: Codify the Residential Flat Policy preserving the existing configuration of Flats. Preserve UDUs. Additionally: SF Entitlements are for sale. Housing is unoccupied, tenant buy-outs, more housing commodification. See examples submitted with article.

**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.

- 8a. [2019-023037GPA](#) (M. SNYDER: (628) 652-7460)  
WATERFRONT PLAN RELATED GENERAL PLAN AMENDMENTS – An ordinance, initiated by the Planning Commission, to amend the Recreation and Open Space Element, the Northeastern Waterfront Area Plan and the Central Waterfront Area Plan. The Port of San Francisco's recently updated Waterfront Plan updates the 1997 Waterfront Land Use Plan, which sets long-term goals and policies to guide the use, management, and improvement of 7.5 miles of properties owned and managed by the Port of San Francisco. The General

Plan Amendments would update the two area plans and element to assure they are reflective of the same policy and developments now incorporated into the updated Waterfront Plan along with other City policy actions and developments that have occurred since they were last updated; 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 340.

*Preliminary Recommendation: Approve*

SPEAKERS: = Mat Snyder – Staff presentation  
ACTION: Approved  
AYES: Braun, Diamond, Imperial, Koppel, Moore, Tanner  
ABSENT : Ruiz  
RESOLUTION: [21303](#)

- 8b. [2019-023037PCA](#) (M. SNYDER: (628) 652-7460)  
WATERFRONT PLAN RELATED PLANNING CODE AMENDMENTS – An ordinance, initiated by the Planning Commission, to amend Planning Code Section 240, the Waterfront Special Use District, by (1) creating a new Special Use District (SUD), Waterfront Special Use District No. 4 for the properties owned and managed by the Port of San Francisco generally south of the Mission Rock Special Use District and subjecting development projects on such properties to the review procedures of the Waterfront Design Advisory Committee (WDAC); (2) making minor changes to the composition of the WDAC; (3) making minor administrative procedural changes to the WDAC; and (4) removing the conditional use requirement for uses not screened from view from adjacent streets or other public areas; 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*

SPEAKERS: Same as item 8a.  
ACTION: Approved  
AYES: Braun, Diamond, Imperial, Koppel, Moore, Tanner  
ABSENT : Ruiz  
RESOLUTION: [21304](#)

- 8c. [2019-023037MAP](#) (M. SNYDER: (628) 652-7460)  
WATERFRONT PLAN RELATED ZONING MAP AMENDMENTS – An ordinance, initiated by the Planning Commission, to amend (1) Zoning Map ZN-08 by rezoning Lot 031 in Assessor's Block 3941 from P (Public) to M-1 (Light Industrial); and (2) Zoning Maps SU-08 and SU-09 by rezoning the following parcel so that they are included in the newly created Waterfront Special Use District No. 4: Block 9900/ Lots 050, 050H, 052, 054, 064, 064H, 068, 070, and 098; Block 3941/ Lots 021, 028, 031, and 041; Block 4111/Lot 008, Block 4301/Lot 001, Block 4302/Lot 001, Block 4303/Lot 001, Block 4304/Lot 002, Block 4307/Lot 006, Block 4308/Lots 005 and 007, Block 4379/Lot 001, Block 4380/Lot 010, Block 4502A/Lot 002, Block 4827/Lots 001 and 002 and Block 4845/Lot 002; 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*

SPEAKERS: Same as item 8a.  
ACTION: Approved  
AYES: Braun, Diamond, Imperial, Koppel, Moore, Tanner  
ABSENT : Ruiz  
RESOLUTION: [21305](#)

9. (L. LANGLOIS: (628) 652-7472)

**UNION SQUARE ALLIANCE STRATEGIC PLAN – Informational Presentation** – On February 23, 2023, the Planning Department and Office of Economic and Workforce Development presented coordinated City efforts to address Downtown revitalization. The presentation included an overview of the [City's Roadmap to Downtown San Francisco's Future](#) and the Planning Department's [Future of Downtown](#) effort focused on four themes; Economic Diversification and The Future of Office, Expanding Downtown Housing, Public Life and Retail, and Union Square. At this hearing, The Union Square Alliance will present an overview of its new [Strategic Plan](#) and share their vision for Union Square and how it fits into the future of Downtown.

*Preliminary Recommendation: None - Informational*

SPEAKERS: = Lily Langlois – Staff report  
+ Marissa Rodriguez – Union Square Alliance presentation  
+ Ken Rich - Union Square Alliance presentation  
= Rich Hillis – Response to comments and questions  
ACTION: Reviewed and Commented

10. [2017-014833ENV](#) (J. DELUMO: (628) 652-7568)

**469 STEVENSON STREET PROJECT** – Certification of the **Final Environmental Impact Report** (EIR). The project site is located on the block bounded by Stevenson Street to the north, Jessie Street to the south, 6<sup>th</sup> Street to the west, and 5<sup>th</sup> Street to the east on lot 045 of Assessor's block 3704 (District 6). The proposed project would demolish the existing parking lot and construct a new 27-story mixed-use building approximately 274 feet tall with three below-grade parking levels providing approximately 178 parking spaces and freight/service loading spaces. The approximately 535,000-gross-square-foot building would consist of approximately 495 dwelling units, 4,000 square feet of commercial retail use on the ground floor, and 30,000 square feet of private and common open space. The proposed project would also provide approximately 200 Class 1 bicycle spaces, 27 Class 2 bicycle parking spaces, and passenger loading zones on Stevenson Street and Jessie Street. The proposed project would use the Individually Requested State Density Bonus Program and provide affordable housing units onsite. The Governor's Office of Planning and Research certified the project as an environmental leadership development project under the Jobs and Economic Improvement through Environmental Leadership Act of 2021. The Project Site is located within a C-3-G (Downtown General Commercial) Zoning District, Downtown Plan Area, and 160-F Height and Bulk District.

**Note: The public hearing on the partially recirculated draft EIR is closed. The public comment period for the partially recirculated draft EIR ended on December 19, 2022.**

**Public comment will be received when the item is called during the hearing. However, comments submitted will not be included in the Final EIR.**

*Preliminary Recommendation: Certify*

**SPEAKERS:**

- = Jenny Delumo – Staff presentation
- = Nick Foster – Staff presentation
- + Lou Vasquez – Project sponsor presentation
- + Strachan Forgan – Project sponsor presentation
- + Donna Horwitz – Advantages and benefits of having more housing
- + Brett Young – Allows the neighborhood to develop
- + Eric Kaplan – Housing crisis, we don't need a parking lot
- + Pat Steeler – Looking forward to construction
- Jerry Dratler – Is it a viable project?
- + Corey Smith – San Francisco can take a step forward
- + James Steichen – Supports the project
- + Richard Perino – It will provide a lot of affordable housing including to seniors
- + Ryan Patterson – Code compliant project
- + Jane Natoli – Continue to do the right thing
- + Joanna Gubman – Project doesn't harm the environment
- + Fujima Dasani – Help with the housing crisis in the city
- + Kent Rikani – People are hyper local
- + Dave Alexander – Transit oriented
- + Christopher Roach – In a transit oriented location
- + Jim Chappell – Pass entitlements today
- + Annette Billingsley – Will add vitality to the area
- + Nathan Williams – Embarrassing it is taking this long

**ACTION:** Certified EIR

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

**ABSENT :** Ruiz

**MOTION:** [21306](#)

- 11a. [2017-014833ENV](#) (N. FOSTER: (628) 652-7330)  
469 STEVENSON STREET – south side between 5<sup>th</sup> and 6<sup>th</sup> Streets; Lot 045 in Assessor's Block 3704 (District 6) – Request for **Adoption of Findings** and a Statement of Overriding Considerations pursuant to the California Environmental Quality Act (CEQA). The proposed project ("Project") includes construction of a new 27-story residential building reaching a finished roof height of 274-feet tall (290-feet including inclusive of rooftop mechanical equipment, or 296-feet inclusive of the elevator overrun), with a total Gross Floor Area of approximately 426,000 square feet devoted to residential uses, including approximately 4,000 square feet of ground-floor retail. The Project includes a total of 495 dwelling units, with a mix of 192 studio units, 149 one-bedroom units, 96 two-bedroom units, 50 three-bedroom units, and eight five-bedroom units totaling, with 73 dwelling units provided as on-site affordable dwelling units. The Project would provide 166 off-street vehicle parking spaces, up to 12 car-share spaces, 200 Class 1 and 27 Class 2 bicycle parking spaces, and three freight loading spaces within a below-grade garage. The Project is utilizing the Individually Requested State Density Bonus Program to achieve a 42.5% density bonus thereby maximizing residential density on the Site pursuant to California Government Code Sections 65915-95918, as revised under Assembly Bill No. 2345 (AB 2345). The Project



Site is located within a C-3-G Zoning District, Downtown Plan Area, and 160-F Height and Bulk District.

*Preliminary Recommendation: Adopt Findings*

SPEAKERS: Same as item 10.  
ACTION: Adopted CEQA Findings  
AYES: Braun, Diamond, Koppel, Tanner  
NAYS : Imperial, Moore  
ABSENT : Ruiz  
MOTION: [21307](#)

- 11b. [2017-014833DNX](#) (N. FOSTER: (628) 652-7330)  
469 STEVENSON STREET – south side between 5<sup>th</sup> and 6<sup>th</sup> Streets; Lot 045 in Assessor's Block 3704 (District 6) – Request for **Downtown Project Authorization** to permit a project greater than 50,000 square feet of floor area within a C-3 Zoning District (Sections 210.2 and 309). The proposed project ("Project") is utilizing the Individually Requested State Density Bonus Program pursuant to California Government Code Sections 65915-95918, as revised under Assembly Bill No. 2345 (AB 2345) to achieve a 42.5% density bonus. The Project requests six (6) waivers from: Maximum Floor Area Ratio (Section 123); Rear Yard (Section 134); Common Useable Open Space (Section 135); Dwelling Unit Exposure (Section 140); Ground-Level Wind Current (Section 148); Bulk (Section 270); and one (1) incentive from Height (Section 250). The Project includes construction of a new 27-story residential building reaching a finished roof height of 274-feet tall (290-feet including inclusive of rooftop mechanical equipment, or 296-feet inclusive of the elevator overrun), with a total Gross Floor Area of approximately 426,000 square feet devoted to residential uses, including approximately 4,000 square feet of ground-floor retail. The Project includes a total of 495 dwelling units, with a mix of 192 studio units, 149 one-bedroom units, 96 two-bedroom units, 50 three-bedroom units, and eight five-bedroom units totaling, with 73 dwelling units provided as on-site affordable dwelling units. The Project would provide 166 off-street vehicle parking spaces, up to 12 car-share spaces, 200 Class 1 and 27 Class 2 bicycle parking spaces, and three freight loading spaces within a below-grade garage. The Project Site is located within a C-3-G Zoning District, the Downtown Plan Area, and 160-F Height and Bulk District.

*Preliminary Recommendation: Approve with Conditions*

SPEAKERS: Same as item 10.  
ACTION: Approved with Conditions  
AYES: Braun, Diamond, Koppel, Tanner  
NAYS : Imperial, Moore  
ABSENT : Ruiz  
MOTION: [21308](#)

- 11c. [2017-014833CUA](#) (N. FOSTER: (628) 652-7330)  
469 STEVENSON STREET – south side between 5<sup>th</sup> and 6<sup>th</sup> Streets; Lot 045 in Assessor's Block 3704 (District 6) – Request for **Conditional Use Authorization** to permit additional square footage above that permitted by the base floor area ratio limits for the construction of on-site, affordable dwelling units (Sections 124(f) and 303). The proposed project ("Project") includes construction of a new 27-story residential building reaching a finished roof height of 274-feet tall (290-feet including inclusive of rooftop mechanical equipment,

or 296-feet inclusive of the elevator overrun), with a total Gross Floor Area of approximately 426,000 square feet devoted to residential uses, including approximately 4,000 square feet of ground-floor retail. The Project includes a total of 495 dwelling units, with a mix of 192 studio units, 149 one-bedroom units, 96 two-bedroom units, 50 three-bedroom units, and eight five-bedroom units totaling, with 73 dwelling units provided as on-site affordable dwelling units. The Project would provide 166 off-street vehicle parking spaces, up to 12 car-share spaces, 200 Class 1 and 27 Class 2 bicycle parking spaces, and three freight loading spaces within a below-grade garage. The Project is utilizing the Individually Requested State Density Bonus Program to achieve a 42.5% density bonus thereby maximizing residential density on the Site pursuant to California Government Code Sections 65915-95918, as revised under Assembly Bill No. 2345 (AB 2345). The Project Site is located within a C-3-G Zoning District, Downtown Plan Area, and 160-F Height and Bulk District.

*Preliminary Recommendation: Approve with Conditions*

SPEAKERS: Same as item 10.  
 ACTION: Approved with Conditions  
 AYES: Braun, Diamond, Koppel, Tanner  
 NAYS : Imperial, Moore  
 ABSENT : Ruiz  
 MOTION: [21309](#)

12. [2022-010833CUA](#) (C. MAY: (628) 652-7359)  
1151 WASHINGTON STREET – south side between Taylor and Mason Streets; Lot 025 in Assessor's Block 0213 (District 3) – Request for **Conditional Use Authorization** pursuant to Planning Code Sections 206.6, 209.2, 303 and 317 and Adoption of Findings related to State Density Bonus pursuant to Planning Code Section 206.6, to allow the demolition of a single-family dwelling on the subject property and the construction of a four-story, 40-foot tall building containing 10 dwelling units (one three-bedroom unit and nine two-bedroom units), one unbundled off-street parking space and 10 Class 1 bicycle parking spaces, within a RM-3 Zoning District and 65-A Height and Bulk District. The project seeks waivers from Development Standards including Front Setback (Section 132), Rear Yard (Section 134), Dwelling Unit Exposure (Section 140), and Bicycle Parking (Section 155), pursuant to State Density Bonus Law. 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: = Chris May – Staff report  
 + Mark Macy – Project sponsor presentation  
 - Richard Drury – Require CEQA review, toxic chemical in the site  
 + Richard Perino – Replacing one unit with 10 units is good policy, availability to seniors  
 + Jane Natoli – Meet the housing goals, creative ways to build homes  
 + Ira Kaplan – Creative thinking to get us out of the housing crisis  
 - Bob – Fundamental code flaws  
 - Scott Emblige – Respect the neighborhood's topography



- + Fujima Dasani – Densifying the neighborhood is good for the environment
- + Max – Abide by the regulations that we already have
- + Joanna Gubman – No housing available in the area, environmental benefit
- + Speaker – More shade is not a bad thing, fits in the neighborhood well
- Alex Balm – Design will cause harm to neighborhood
- Chu Fong – Shadow in the park will affect the people living around the neighborhood
- Jennifer – Significant negative impact to the playground
- Han Minh Lu – Social space, health issue
- + James Steichen – More space for people to live in
- Deborah Holley – Demolition findings, detracts rather than enhances the neighborhood character
- + Mike Chen – Near transit and jobs
- Ana Fung – Concerns with shadows, health of the elders
- Maggie Dong – Impact to the park will be detrimental to the community
- Speaker – Shadow study, affordable housing not market rate housing
- + Speaker – Creative design, will allow people to stay in San Francisco
- + Frank – Building close to transit
- + Yonathan Randolph – State laws, stay objective and approve
- Lisa – Shadows that will cast on the playground
- = Lisa Gibson – Response to comments and questions
- = Don Lewis – Response to comments and questions
- = Rich Hillis – Response to comments and questions
- = Austin Yang, Deputy City Attorney – Response to comments and questions
- = Liz Watty – Response to comments and questions

ACTION: Edit Conditional Use Findings found on page 8 of the draft motion to add “in the context of State Density Bonus Law” to the last paragraph. Approved with conditions including those read into the record by staff with regards to fire department review, zoning administrator review and require any increase in volume to return to the Planning Commissions. Staff to work with Architect on materiality of the façade.

AYES: Braun, Diamond, Koppel, Tanner

NAYS : Imperial, Moore

ABSENT : Ruiz

MOTION: [21310](#)

- 13a. [2020-001610SHD-02](#) (J. HORN: (628) 652-7366)  
3832 18<sup>TH</sup> STREET – north side between Church and Sanchez Streets; Lot 018 in Assessor’s Block 3580 (District 8) – Request for **Adoption of Shadow Findings** pursuant to Section 295 that net new shadow from the project would not adversely affect the use of Mission Dolores Park under the jurisdiction of the Recreation and Park Commission. The Project Site is located within a RM-1 (Residential-Mixed, Low Density) Zoning District and 40-X Height and Bulk District.

*Preliminary Recommendation: Adopt Findings*

SPEAKERS: = Jeff Horn – Staff Report

- + Bryan O'Neil – Project sponsor presentation
- Thanos Diacakis – Organized opposition
- Giacomo DiGrigoli – Organized opposition
- Cindy Wong – Organized opposition
- + Jane Natoli – Learning opportunity
- + Joanna Gubman – Near a park and transit
- David Sage – Not a family housing
- + Fujima Dasani – Diversity is suffering due to lack of housing
- + Max – Single adults
- + Mike Chen – Objective findings on health and safety
- Robin Lewis – Lack of light, community housing
- + Speaker – Follow state law
- + Kent Rekani – Housing for all
- Amy Silverstein – Not group housing units
- + James Steichen – Place of refuge
- + Speaker – Make space for more neighbors
- + Eric Kaplan – Comply with state law and approve
- + Speaker – We need lots of housing
- + Yonathan Randolph – More affordable condos

ACTION: Adopted Findings  
 AYES: Braun, Diamond, Koppel, Tanner  
 NAYS : Imperial, Moore  
 ABSENT : Ruiz  
 MOTION: [21311](#)

- 13b. [2020-001610CUA-02](#) (J. HORN: (628) 652-7366)  
3832 18<sup>TH</sup> STREET – north side between Church and Sanchez Streets; Lot 018 in Assessor's Block 3580 (District 8) – Request for **Conditional Use Authorization** pursuant to Planning Code Sections 209.2, 253, and 303, to allow the new construction of a six-story, 60-foot-tall, 19-unit Group Housing residential project, with a 390-square-foot communal space, 890 square feet of common usable open space, 314 square feet of private usable open space (for two units), and 19 Class 1 and two Class 2 bicycle parking spaces and making findings of eligibility for the individually requested State Density Bonus Project. The Project would invoke the State Density Bonus law (California Government Code Sections 65915-65918) to receive waivers for: Height (Section 260), Rear Yard (Section 134), and Dwelling Unit Exposure (Section 140). The Project Site is located within a RM-1 (Residential-Mixed, Low Density) Zoning District and 40-X Height and Bulk District.  
*Preliminary Recommendation: Approve with Conditions*

SPEAKERS: Same as item 13a.  
 ACTION: Approved with Conditions  
 AYES: Braun, Diamond, Koppel, Tanner  
 NAYS : Imperial, Moore  
 ABSENT : Ruiz  
 MOTION: [21312](#)

## G. DISCRETIONARY REVIEW CALENDAR

The Commission Discretionary Review Hearing Procedures provide for presentations by staff; followed by the DR requestor team; followed by public comment opposed to the project; followed by the project sponsor team; followed by public comment in support of the project. Please be advised that the DR requestor and project sponsor teams include: the DR requestor and sponsor or their designee, lawyers, architects, engineers, expeditors, and/or other advisors.

14. [2022-003158DRP](#) (T. GREENAN: (628) 652-7324)  
2207 31<sup>ST</sup> AVENUE – west side between Rivera and Santiago Streets; Lot 002 in Assessor's Block 2318 (District 4) – Request for **Discretionary Review** of Building Permit No. 2022.1114.6484 to comply with NOV#202174501, to legalize work constructed without a permit to a single story one family residence 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*

SPEAKERS: = Trent Greenan – Staff report  
- Lop Woo – DR presentation  
- Paul Horcher – DR Presentation  
+ Diane Neighbor – Project sponsor presentation  
+ Brett Gladstone – Project sponsor presentation  
+ David – Common pattern  
- Nora – Concerns, illegal stairway  
ACTION: No DR  
AYES: Braun, Diamond, Imperial, Koppel, Moore, Tanner  
ABSENT : Ruiz  
DRA: [824](#)

ADJOURNMENT 6:31 PM – IN MEMORY OF MARVIS PHILLIPS AND ELEANOR JOHNS  
ADOPTED MAY 4, 2023