

SAN FRANCISCO PLANNING COMMISSION

Meeting Minutes

This Meeting will be held in
Commission Chambers, Room 400
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Thursday, February 22, 2024
12:00 p.m.
Regular Meeting

COMMISSIONERS PRESENT: DIAMOND, MOORE, BRAUN, IMPERIAL, KOPPEL
COMMISSIONERS ABSENT: RUIZ

THE MEETING WAS CALLED TO ORDER BY PRESIDENT DIAMOND AT 12:02 PM

STAFF IN ATTENDANCE: Rebecca Salgado, Veronica Flores, Aaron Starr, Alex Westhoff, Dakota Spycher, Michelle Taylor, David Winslow, Corey Teague – Zoning Administrator, Richard Sucre – Deputy Director of Current Planning, Jonas P. Ionin – Commission Secretary

SPEAKER KEY:

- + INDICATES A SPEAKER IN SUPPORT OF AN ITEM;
- INDICATES A SPEAKER IN OPPOSITION TO AN ITEM; AND
- = INDICATES A NEUTRAL SPEAKER OR A SPEAKER WHO DID NOT INDICATE SUPPORT OR OPPOSITION.

A. CONSIDERATION ITEMS PROPOSED FOR CONTINUANCE

The Commission will consider a request for continuance to a later date. The Commission may choose to continue the item to the date proposed below, to continue the item to another date, or to hear the item on this calendar.

None.

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.

1. [2022-010415CUA](#)

(D. SPYCHER: (628) 652-7588)

2130 LEAVENWORTH STREET #6 – east side between Greenwich and Filbert Streets; Lot 035 in Assessor's Block 0093 (District 3) – Request for **Conditional Use Authorization** pursuant to Planning Code Sections 202.10, 209.2, and 303 to classify the subject property as an Intermediate Length Occupancy (ILO) unit. Classification as an ILO unit allows a dwelling unit to be offered for occupancy for an initial stay with a duration of greater than 30 days but less than one year (365 days). ILO units are a use characteristic. The unit proposed for ILO classification will remain a dwelling unit. The subject property is located within a RM-1 (Residential- Mixed, Low Density) Zoning District and 40-X Height and Bulk District.

Preliminary Recommendation: Approve with Conditions

SPEAKERS: None
ACTION: Approved with Conditions
AYES: Braun, Imperial, Koppel, Moore, Diamond
ABSENT: Ruiz
MOTION : [21516](#)

2. [2022-007099CUA](#) (D. SPYCHER: (628) 652-7588)

725 PINE STREET #205 – south side between Stockton and Dashiell Hammett Streets; Lot 054 in Assessor's Block 0272 (District 3) – Request for **Conditional Use Authorization** pursuant to Planning Code Sections 202.10, 209.2, and 303 to classify the subject property as an Intermediate Length Occupancy (ILO) unit. Classification as an ILO unit allows a dwelling unit to be offered for occupancy for an initial stay with a duration of greater than 30 days but less than one year (365 days). ILO units are a use characteristic. The unit proposed for ILO classification will remain a dwelling unit. The subject property is located within a RM-4 (Residential- Mixed, High Density) Zoning District and 65-A Height and Bulk District.

Preliminary Recommendation: Approve with Conditions

SPEAKERS: None
ACTION: Approved with Conditions
AYES: Braun, Imperial, Koppel, Moore, Diamond
ABSENT: Ruiz
MOTION : [21517](#)

4. [2023-005943CUA](#) (G. PANTOJA: (628) 652-7380)

1401, 1499 ILLINOIS AND 700 25TH STREETS – bounded by 24th Street to the north, Michigan Street to the east, Illinois Street to the west, and 25th Street to the south; Lots 002-004 in Assessor's Block 4244 (District 10) - Request for **Conditional Use Authorization** pursuant to Planning Code Sections 121.9 and 303 to merge three existing lots and re-subdivide them into three new lots over 10,000 square feet in size within a PDR-1-G (Production, Distribution, and Repair, General) Zoning District and 40-X Height and Bulk District. The proposed new lots will measure approximately 36,500, 23,500, and 20,000 square feet in size and no interior or exterior alterations are proposed to existing buildings located at the subject properties. The Planning Department found that the Project is exempt from the California Environmental Quality Act (CEQA). The Commission's action constitutes the Approval Action for the project for the purposes of CEQA, pursuant to San Francisco Administrative Code Section [31.04](#) (h).

Preliminary Recommendation: Approve with Conditions

SPEAKERS: None
ACTION: Approved with Conditions
AYES: Braun, Imperial, Koppel, Moore, Diamond
ABSENT: Ruiz
MOTION : [21518](#)

C. COMMISSION MATTERS

5. 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.

6. CONSIDERATION OF ADOPTION:

- [Draft Minutes for February 8, 2024](#)

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

7. COMMISSION COMMENTS/QUESTIONS

None.

D. DEPARTMENT MATTERS

8. DIRECTOR'S ANNOUNCEMENTS

Rich Sucre, Deputy Director of Current Planning:

Good afternoon, Commissioners. Rich Sucre, Department staff. The only announcement, and I'll probably steal a little bit of Jonas' thunder here, is to announce that the Historic Preservation Commission yesterday adopted the African American Historic Context Statement. So, this is our first kind of background document recognizing the important contributions of African American people to the City and County of San Francisco. So, this was an 11-year long effort. And so, the HPC unanimously adopted this document. And that concludes our report. Thank you.

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

Corey Teague, Zoning Administrator:

Good afternoon, President Diamond, Commissioners. Corey Teague, Zoning Administrator. The Board of Appeals did meet last night, and they considered several items, but only one that would be of interest to the Planning Commission. Last year, you saw a Discretionary Review case in March, for a building permit at 681 12th Avenue. It's a little bit unusual. The proposal was to build a separate, detached, one story structure behind the primary structure, but still within the buildable area for a ceramic studio for the homeowner. But just a one-story structure. The Planning Commission heard that DR but voted +6 -0 to not take DR and approve as proposed. It was appealed, the Planning Department didn't notice that the final permit had changed the material of the roof from a solid material to a glass roof. And so, the Planning Department did recommend the Board of Appeals to grant the appeal, only to acquire the roof to be changed back to solid materials for issues related to reflection and privacy and other issues. And so, the board took the Planning Department's recommendation, and they voted 4 to 0 to grant the appeal, but still approved the project and require the roof be reverted back to a solid material. Thank you.

Jonas P. Ionin, Commission Secretary:

The Historic Preservation Commission did meet yesterday and it's just like Mr. Sucre to steal my thunder. But they did adopt the African American Citywide Historic Context Statement. They also considered several Legacy Business Registry applications and adopted a recommendation for approval for all of them, specifically San Francisco Camerawork at the Fort Mason building, Greens Restaurant, also at the Fort Mason building, Everlasting Tattoo on Divisadero Street, Jewelry Collection on Sutter Street, Liguria Bakery on Stockton Street, On The Bridge on Webster Street, Progress Cleaners on Fillmore Street, R&G Lounge on Kearny Street. And that was all the Legacy Business Registry applications that were considered yesterday. And finally, they heard the Expanding Housing Choice Informational Presentation that was made earlier today with a focus on Preservation.

President Diamond:

I believe Commissioner Moore would like to --

Commissioner Moore:

Yeah. I would like to ask Mr. Teague, please. I am curious in the ceramic studio, was the glass roof discovered after it was being built, after it has been built, or how did that become to people's knowledge?

Corey Teague, Zoning Administrator:

The project was not under construction because the permit was still in the permit process. It was issued and then appealed. I believe that it was a revision that happened during the permitting process that had not been noticed, after the fact. And it was discovered through the appeal process, and then corrected by the Board of Appeals. But no construction had started because the building permit technically, was under appeal.

Commissioner Moore:

I'm glad to hear that somebody is watching the store and that this was not discovered after it was built. Thank you so much.

Corey Teague, Zoning Administrator:

Sure.

E. GENERAL PUBLIC COMMENT

- SPEAKERS:** Georgia Schuttish – in their original configuration and location. Greater scrutiny re: Calcs is possible now that Planning, not DBI doing intake and also due to the fact that apparently the Addenda can be submitted simultaneously. Calcs should be required information on plans at the very beginning for all projects that have a scope involving the exterior of a structure other than just adding a deck. Demo Calcs should be adjusted because they are not stringent enough as we have all seen for the last decade. What could be more objective than using math to define and determine when an Alteration becomes a Demolition?
- Christopher Seaver – Labor Standards language in construction, lack of health care
- Brandon Phillips – Labor Standards to guide developers

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.

3. [2012.0877DNX-03](#) (R. SALGADO: (628) 652-7332)
1546-1564 MARKET STREET – north side between Franklin Street and Van Ness Avenue; Lots 006 and 007 in Assessor's Block 0836 (District 6) – Request for **Downtown Project Authorization** to amend Planning Commission Motion No. 19398 to reflect a change of tenure of the dwelling units from ownership to rental units within the existing 12-story building containing 109 dwelling units (including 13 affordable units) that was previously

approved under Planning Commission Motion Nos. 19397-19399. Any proposed change from an Ownership Project to a Rental Project requires Planning Commission approval to amend the conditions of approval, pursuant to Planning Code Section 415.5(g)(3). No other changes to the newly constructed building are sought under the proposed Project, located within a C-3-G (Downtown – General) Zoning District and 120-R-2 Height and Bulk District.

Preliminary Recommendation: Approve with Conditions

SPEAKERS: = Rebecca Salgado – Staff report
 + Speaker – Project sponsor presentation
 + Georgia Schuttish – More rental units
 = Rich Sucre – Response to comments and questions
 - Sue Hestor – Questions deserves to be answered in writing, continue item

ACTION: Approved with Conditions

AYES: Braun, Imperial, Koppel, Moore, Diamond

ABSENT: Ruiz

MOTION : [21519](#)

10. [2023-011077PCA](#) (V. FLORES: (628) 652-7525)

CITYWIDE EXPANSION OF ALLOWABLE COMMERCIAL, RESTAURANT, AND RETAIL USES [BF 231221] – Planning Code Amendments – Ordinance, sponsored by Mayor Breed, to amend the Planning Code to 1) permit additional commercial, retail, and restaurant uses on the ground floor in certain neighborhood commercial districts (NCDs) and residential districts; 2) principally permit Flexible Retail on the ground floor in certain NCDs and Chinatown mixed use districts; 3) principally permit Retail Professional Services uses on all floors and conditionally permit Non-Retail Professional Services on the ground floor in specified NCDs; 4) create regulations for music entertainment venues and non-profit theaters distinct from regulations for Bars; 5) allow Limited Corner Commercial Uses that are not Formula Retail in certain residential districts; 6) amend Section 311 to remove neighborhood notice requirements for changes of use in the Eastern Neighborhoods mixed use districts and to require neighborhood notice for changes of use in certain residential districts; 7) expand business types that qualify for the Planning Department priority review program and establish that the program will not apply in the North Beach NCD and North Beach Special Use District (SUD); 8) clarify that multiple allowable uses may co-locate on one site; 9) clarify and modify various other use regulations and processes; 10) permit additional retail and non-retail uses in specified NCDs; 11) eliminate the Mission Street Formula Retail Restaurant Subdistrict; 12) modify requirements for limited commercial uses within one-quarter mile of the North Beach SUD; and 13) exempt eligible projects proposing a change in use from all development impact fees, with the exception of inclusionary housing fees, for a five-year period; 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.

Preliminary Recommendation: Approve

(Continued from Regular hearing on February 15, 2024)

SPEAKERS: = Veronica Flores – Staff report
 + Katy Tang, Office of Small Business – Introduction to the ordinance
 + Nate Horrell, Legislative aide to Sup. Peskin – Suggested amendments
 = Aaron Starr – Additional staff report

ACTION: Approved

AYES: Braun, Imperial, Koppel, Moore, Diamond

ABSENT: Ruiz

RESOLUTION : [21520](#)

11. [2019-015384CUA](#) (A. WESTHOFF: (628) 652-7314)

731 TREAT AVENUE – east side between 20th and 21st Streets; Lot 066 in Assessor’s Block 3612 (District 9) – Request for **Conditional Use Authorization**, pursuant to Planning Code Sections 303 and 317 to demolish an

existing one-story over garage, fire-damaged building containing one residential unit and one unauthorized dwelling unit, and construct a new 5,600 square foot, four-story building containing three residential units and one accessory dwelling unit (ADU) within a RH-3 (Residential-House, Three Family) Zoning District and 40-X Height and Bulk District. The Planning Department found that the project is exempt from the California Environmental Quality Act (CEQA). The Commission's action constitutes the Approval Action for the project for the purposes of CEQA, pursuant to San Francisco Administrative Code Section [31.04](#) (h).

Preliminary Recommendation: Approve with Conditions

SPEAKERS: = Alex Westhoff – Staff report
 + Chris Erchick – Project sponsor presentation
 - Speaker – No parking included, not colonial revival design
 ACTION: Approved with Conditions
 AYES: Braun, Imperial, Koppel, Moore, Diamond
 ABSENT: Ruiz
 MOTION : [21521](#)

12. [2023-000022CUA](#) (D. SPYCHER: (628) 652-7588)
790 LOMBARD STREET – northeast corner at Taylor Street; Lot 015A in Assessor's Block 0065 (District 3) – Request for **Conditional Use Authorization** pursuant to Planning Code Sections 303, 722 and 780.3 to legalize a new non-residential use (d.b.a. Fiddle Fig Café) proposed where the immediate prior Commercial Use was a Legacy Business (d.b.a. Caffè Sapore) within an existing, approximately 800 square-feet, ground floor tenant space within the North Beach NCD (Neighborhood Commercial District) Zoning District, North Beach SUD (Special Use District), and 40-X Height and Bulk District. No interior or exterior improvements are proposed. No change of use is proposed as the prior Legacy Business was also a Restaurant use.

Preliminary Recommendation: Approve with Conditions

SPEAKERS: = Dakota Spycher – Staff report
 + Jae Ng – Project sponsor presentation
 - Sunny Angulo – Protection to legacy businesses at risk of being evicted, pushed out and displaced (Caffè Sapore).
 - Gloria Rogan – Unfair to Caffè Sapore
 + Marcella – Indispensable addition to the community
 + Tiffany Campbell – Energy and ambiance, family feel
 - Georgia Schuttish – Caffè Sapore is a real place
 + Speaker – Opportunity to sell their products
 + Speaker – Amazing, safe and welcoming space
 = Corey Teague – Response to comments and questions
 = Rich Sucre – Response to comments and questions
 ACTION: Approved with Conditions
 AYES: Braun, Imperial, Koppel, Moore, Diamond
 ABSENT: Ruiz
 MOTION : [21522](#)

13. [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

SPEAKERS: = Michelle Taylor – Staff report
 + Ryan Knock – Project sponsor presentation
 - Steve Bane – Impact to their tenants and building, potential health issues
 - AJ Gard – Significant reduction of light to the apartments
 - Georgia Schuttish – Five different sets of plans, changes in the vertical
 - Jeremy Paul – Project exceeds guidelines
 = Austin Yang, Deputy City Attorney – Response to comments and questions
 = Rich Sucre – Response to comments and questions
 = Jonas P. Ionin – Response to comments and questions
 + Speaker (Owner) – Response to comments and questions

ACTION: After hearing and closing PC; Continued to March 14, 2024 with direction from the CPC.

AYES: Braun, Imperial, Koppel, Moore, Diamond

ABSENT: Ruiz

G. 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.

- 14a. [2014-003219DRP](#) (D. WINSLOW: (628) 652-7335)
369 VALLEY STREET – south side between Noe and Sanchez Streets; Lot 033 in Assessor's Block 6620 (District 8)
 – Request for **Discretionary Review** of Building Permit No. 2017.1026.2309 to raise and relocate the existing one-story single-family residence and construct a two-story rear horizontal addition 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

SPEAKERS: = David Winslow – Staff report
 - Marc Norton – DR presentation
 + Fabian Lanoye – Project sponsor presentation
 - Georgia Schuttish – Support the Request for Discretionary Review. There should be a preservation plan as proposed by the Requestor and his consultant. The EQ Cottage is an important historical resource for the City and County of San Francisco. The EQ Cottage should not be subject to such a major relocation and lifting on the lot. This is the most important issue and the crux of the Request for Discretionary Review. There are issues to be resolved regarding the Demo Calcs and Clarification #1 in the Section 317 Code Implementation Document (CID) and with the 1938 Aerial photos specifically for this project and generally as well in how Clarification #1 is applied during review of projects and how the 1938 Aerial photos are applied during review of projects.
 - Katherin Petrin – Earthquake shack, significant and unique
 - Megan Smith, Victorian Alliance – 1906 cottages are rare, should be preserved
 - Andrew Kearny – Huge difference to their light
 - Tiffany Kearny – Preserving light to their home
 - Bradley Whitmeyer – Landmark earthquake cottage
 - Mike Garavaglia – DR rebuttal
 = Rich Sucre – Response to comments and questions

ACTION: No DR

AYES: Braun, Imperial, Koppel, Moore, Diamond

ABSENT: Ruiz
DRA : [850](#)

- 14b. [2014-003219VAR](#) (D. WINSLOW: (628) 652-7335)
[369 VALLEY STREET](#) – south side between Noe and Sanchez Streets; Lot 033 in Assessor’s Block 6620 (District 8)
– Request for **Variance** from Planning Code Section 134 (rear yard) to construct a two-story rear horizontal addition. The Project will also raise and relocate the existing one-story single-family residence located within a RH-2 (Residential House – Two Family) Zoning District and 40-X Height and Bulk District.

SPEAKERS: Same as item 14a.
ACTION: ZA Closed the PH, and indicated an intent to Grant

ADJOURNMENT 3:29 PM

ADOPTED MARCH 7, 2024