

SAN FRANCISCO PLANNING COMMISSION

Meeting Minutes

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

Thursday, May 25, 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 1:00 PM

STAFF IN ATTENDANCE: Aaron Starr, Vincent Page, Gretel Gunther, Jeff Horn, Allison Vanderslice, Dan Sider, Liz Watty – Director of Current Planning, Rich Hillis – Planning Director, Jonas P. Ionin – Commission Secretary

SPEAKER KEY:

- + indicates a speaker in support of an item;
- indicates a speaker in opposition to an item; and
- = indicates a neutral speaker or a speaker who did not indicate support or opposition.

A. CONSIDERATION 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. 2023-000413PCAMAP (V. FLORES: (628) 652-7525)
FAMILY HOUSING OPPORTUNITY SPECIAL USE DISTRICT; DESIGN CONTROLS AND REVIEW PROCEDURES [BF 230026] – **Planning Code and Zoning Map Amendments** – An ordinance, sponsored by Supervisor Melgar, to amend 1) the Planning Code to create the Family Housing Opportunity Special Use District; 2) the Planning Code to authorize up to four

units on individual lots, up to twelve units on merged lots in RH-1 districts, and Group Housing in RH-1 districts for eligible projects in the Special Use District; 3) the Planning Code to exempt eligible projects in the Special Use District from certain height, open space, dwelling unit exposure, and rear-yard setback requirements, conditional use authorizations, and neighborhood notification requirements; 4) the Subdivision Code to authorize eligible projects in the Special Use District to qualify for condominium conversion or a condominium map that includes the existing dwelling units and the new dwelling units that constitute the project; 5) the Administrative Code to require new dwelling or group housing units constructed pursuant to the density limit exception to be subject to the rent increase limitations of the Rent Ordinance; 6) the Zoning Map to show the Family Housing Opportunity Special Use District (SUD); and 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 with Modifications
(Proposed for Continuance to June 1, 2023)

SPEAKERS: None
 ACTION: Continued to June 1, 2023
 AYES: Braun, Diamond, Imperial, Koppel, Moore, Tanner
 ABSENT : Ruiz

2. 2022-003304CUA (J. HORN: (628) 652-7366)
326 27TH STREET – north side between Sanchez and Church Streets; Lot 011 in Assessor's Block 6579 (District 8) – Request for **Conditional Use Authorization** pursuant to Planning Code Sections 209.1, 249.92, 303 and 317, to demolish an existing one-story, 490 square foot single-family residence and construct a new three-story-over-garage, 5,353 square foot two-family residence 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 July 27, 2023)

SPEAKERS: None
 ACTION: Continued to July 27, 2023
 AYES: Braun, Diamond, Imperial, Koppel, Moore, Tanner
 ABSENT : Ruiz

B. COMMISSION MATTERS

3. Land Acknowledgement

President Tanner:

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 23, 2023](#)
- [Draft Minutes for April 27, 2023](#)
- [Draft Minutes for May 4, 2023](#)
- [Draft Minutes for May 11, 2023 – Joint with Health Commission](#)
- [Draft Minutes for May 11, 2023 – Joint with Building Inspection Commission](#)

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

5. Commission Comments/Questions

Commissioner Imperial:

Thank you, I would like to bring up, as I think we're all aware, that as of now AnMarie Rodgers have left the Planning Department. I'm wondering about the hiring process for the next Citywide Director and as you know, I do consider the Citywide Department as a very important integral part of the Planning. And as we are also looking into the Racial and Social Equity, in terms of also in the leadership position of the Planning Department as well. I do think that we do need to have someone who is a person of color in this, but of course this is going to be a hiring process that I think I'll be interested to be part of, if there is such. So, so I just would like to bring that and also for other Commissioners, any opinions on this.

President Tanner:

Great, thank you. Director Hillis, do you have any comments or insight into the hiring process or what you could share with us now.

Rich Hillis, Planning Director:

Sure. So, what I also wanted to let you know, I invited AnMarie to come to a future meeting next week or the following week, just so we can properly thank her for her work with the Department, which, you know, I've said to others, like AnMarie was kind of the soul of the Planning Department and she's done great work both leading our Legislative team and then over the last few years, leading the Citywide team and you've obviously had experience with her here. She took a new job with the City at Treasure Island as the Deputy Director. So, certainly want to congratulate her on that promotion and role. But totally agree with Commissioner Imperial. It's a huge position that we need to be thoughtful in filling. I certainly want your input, staff's input, especially the staff that work in the Citywide division, in the hiring process. So more to come on that. We're working with our DHR team, our HR team and AnMarie in kind of developing the job description, and we'll

put that out for review. But agree that it's a critical decision and would love to have a subset of you all kind of reviewing and talking to applicants.

President Tanner:

Great. And especially maybe when we get the posting, we can share with our networks as well to help get the pool to be as deep as we can, and as diverse as we can. And certainly if Ms. Rodgers can come back whether it's next week or the following week. And if not, we can just, you know, have an informational on Treasure Island. We'll have her come back at a new capacity and tell us what's going on over there. And then if we can, Jonas, make sure we have a proclamation. I don't know if we did that for her or if the Department already, but if we could do something on behalf of the Commission, that'd be great when we know she's coming.

Rich Hillis, Planning Director:

Exactly. Yeah.

D. DEPARTMENT MATTERS

6. Director's Announcements

Rich Hillis, Planning Director:

I also wanted to mention Claudia Flores is leaving as well. She took a promotion with the Office of Racial Equity, citywide. You know, taking kind of what she does for us and expanding it to the entire city. So, I've also invited her to come back if, if it's okay with the Commission, so we can thank her for her role. And we'll be working to fill that position as well. So, you know, congratulations to her. I think that HRC recognized the critical work she did for us and what she, how she can expand that citywide and recruited her for that position. So that's great for her, but it's certainly a loss for us. But we'll have the opportunity to thank both of them personally here in, next week or the future week. I also wanted to mention some of you participated in some of the interviews and tours that ULI is doing, the Urban Land Institute. They've got a technical services panel, which is, they bring in experts from other cities and it was primarily Planning Directors and Economic Development Directors and community leaders in ULI working with this (inaudible) to kind of think about some of the issues we have downtown - filling vacant office space, potential conversions to residential, how we can activate ground floor commercial spaces, how we can attract new users, both commercial and residential, to our existing buildings. So, they've had tours. I think they interviewed over 50 stakeholders. I think some of you did participate in that, and they're going to present a report to the City. I think they're going to give initial findings to the Mayor's Office and some departments this afternoon. They'll follow up that with a formal report that we'll have here at the Commission, so you can, you can comment and opine on it. So, we're looking forward to that.

President Tanner:

Certainly congratulations to Claudia. It will definitely be a loss for the department, but glad she's staying with the City. So, certainly being able to still help San Francisco overall and still work with our department, you know, just from a different angle. Thank you, Director Hillis.

7. Review of Past Events at the Board of Supervisors, Board of Appeals and Historic Preservation Commission

**Aaron Starr, Manager of Legislative Affairs:
Land Use Committee**

230297 Initiating Landmark Designation - Westwood Park Entrance Gates and Pillars. Sponsor: Melgar. Staff: TBD. Recommended

230212 Planning, Building, Fire Codes - Small Business Month Fee Waivers Including for Awning Installation. Sponsor: Engardio. Staff: V. Flores. Recommended

Over the last few week the land use committee recommended to the Full Board the initiation of the landmark designation for the Westwood Park Entrance Gates and Pillars, and the Small Business Month Fee Waiver ordinance sponsored by Supervisor Edgardio.

230164 Planning Code - Non-Conforming Public Parking Lots in the Mission Street NCT District. Sponsor: Ronen. Staff: Starr. Item 1

This week the land use committee considered the ordinance that would allow the continued use of existing shared spaces in the Mission Street NCT District without triggering abandonment of the underlying parking lot use. Commissioners, you heard this item on April 20 as a consent item and recommended approval. The ordinance is intended to allow Casement's bar to legalize their pandemic era outdoor activity area, while still maintaining the underling use should that outdoor activity area ever be removed. There were no comments from the Supervisors, but one of the owners of the Casements bar spoke in favor of the ordinance during public comment. The committee then voted to recommend this item to the Full Board.

Full Board

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

221105 Planning Code - HOME-SF. Sponsor: Peskin. Staff: V. Flores. PASSED Second Read

230212 Planning, Building, Fire Codes - Small Business Month Fee Waivers Including for Awning Installation. Sponsor: Engardio. Staff: V. Flores. PASSED Second Read

230297 Initiating Landmark Designation - Westwood Park Entrance Gates and Pillars. Sponsor: Melgar. Staff: TBD. Adopted

230192 Planning Code - Landmark Designation Amendment - 429-431 Castro Street (the Castro Theatre). Sponsor: Mandelman. Staff: Westhoff. Continued to June 6, 2023

230435 Hearing - Appeal of Conditional Use Authorization Approval - 301 Toland Street. Staff: Samonsky.

**230439 Hearing - Appeal of Conditional Use Authorization Approval - 1160 Mission Street.
Staff: Foster.**

Finally, this week the Board heard two CU appeals. The first was an appeal of the Conditional Use authorization at 310 Toland that included a change of use from Wholesale Storage to a Private Parking Garage. The other was for the Conditional Use authorization at 1160 Mission Street that included a change of use from Public Parking Garage to Fleet Charging. This Commission heard these on March 16 and March 30 respectively and voted to recommend approval for both.

Both CU appeal petitions were signed by all 11 Board members. The issues stated for both were that the approval of the CU Authorization was just a cover for approval of a Parcel Delivery Service. Staff response was that the approval was for the uses identified in the approval Motion and nothing else. If the applicant does operate a Parcel Delivery Service on the premises, then they are in violation of their CU approval.

For 301 Toland, there was a robust conversation. Several members of the Board believe that the true use would be parcel delivery use given that the operator was Waymo. Supervisor Walton wanted a guarantee from Planning that parcel delivery use would not occur at the site, which obviously we could not give. Concerns were also expressed over how the parking garage use supports or upholds the City's Transit First Policy. There were also concerns expressed over the conversion of PDR to a non-PDR use.

During public comment there were over 25 speakers, primarily union representatives all in favor of the appeal. In the end the BOS voted unanimously to overturn the Planning Commission's approval and disapprove CUA.

For 1160 Mission Street, the appellant and project sponsor reached a settlement agreement prior to the hearing, adding an additional condition of approval; therefore, there were only brief remarks from the appellant and project sponsor with no staff presentation requested by the BOS. There were two remote speakers in support of the project with the proposed amendments. The Board then voted to amend the CU approval with a conditions that just reiterated that the approval was to operate Fleet Charging and does not permit the operation of a Parcel Delivery Service.

The Board then voted unanimously to approve the amended CUA.

E. GENERAL PUBLIC COMMENT

SPEAKERS: Georgia Schuttish – Chester Hartman, demo calcs
David Osgood – Streamlining planning process
Andrea – Caltrans, traffic safety, Go Safely California
Eileen Boken – Housing element, west and east side

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.

8. [2018-011802CUA](#) (V. PAGE: (628) 652-7396)
19 HERON STREET – south side between 8th Street and Berwick Place; Lot 041 in Assessor's Block 3755 (District 6) – Request for **Conditional Use Authorization** pursuant to Planning Code Sections 303 and 317 to remove an unauthorized dwelling unit from the second floor of an industrial building located at 19 Heron Street within a WMUG (Western SoMa Mixed Use General) Zoning District, Western SoMa SUD (Special Use District), and 55-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: = Vincent Page – Staff report
 + Speaker – Project sponsor presentation
 ACTION: Approved with Conditions as amended by Staff.
 AYES: Braun, Diamond, Imperial, Koppel, Moore, Tanner
 ABSENT: Ruiz
 MOTION: [21324](#)

9. [2020-007604CUA](#) (G. GUNTHER: (628) 652-7607)
32 BYXBEE STREET – east side between Randolph and Sargent Streets; Lot 029 in Assessor's Block 7084 (District 11) – Request for **Conditional Use Authorization**, pursuant to Planning Code Sections 209.1, 303, and 317 to subdivide the existing 5,000 square foot lot into two new 2,500 square foot lots, demolish an existing one-story single-family dwelling, and construct two new single-family dwellings each with an Accessory Dwelling Unit, within a RH-1 (Residential-House, One Family) Zoning District, Oceanview Large Residence SUD (Special Use District), and 40-X Height and Bulk District. The Planning Department found that the project is exempt from the California Environmental Quality Act (CEQA). The Commission's action constitutes the Approval Action for the project for the purposes of CEQA, pursuant to San Francisco Administrative Code section [31.04](#)(h).

Preliminary Recommendation: Approve with Conditions

SPEAKERS: = GG Gunther – Staff presentation
 + Mark Bucciarelli – Project sponsor presentation
 ACTION: Approved with Conditions
 AYES: Braun, Diamond, Imperial, Koppel, Tanner
 ABSENT: Ruiz, Moore
 MOTION: [21325](#)

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.

10. [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.
(Continued from Regular hearing on April 20, 2023)
Preliminary Recommendation: Take Discretionary Review and Approve with Conditions

SPEAKERS: = Jeff Horn – Staff report
+ Kristen Thall Peters – Project sponsor presentation
= Sue Ling Chen – Open house requirement
+ Michael Fen, Legislative aide to Sup. Melgar – Support
= Walter Kaplan – Lead paint on the panels, open house not necessary
= George Wooding – Limitations to repaving of La Avanzada
= Allison Vanderslice – Response to comments and questions
= Dan Sider – Response to comments and questions

ACTION: Took DR and Approved with Conditions as amended and submitted by Staff, and amended by the CPC to:

1. Delete the last sentence of the first paragraph of the first Preservation Condition of Approval;
2. Delete the second Preservation Condition of Approval in its entirety;
3. Delete the last paragraph of the fourth Preservation Condition of Approval; and
4. Include Condition 1b (submitted by the Sponsor) related to Student Engagement with updated references.

AYES: Braun, Diamond, Imperial, Koppel, Moore, Tanner
ABSENT: Ruiz
DRA: [827](#)

ADJOURNMENT 2:15 PM
ADOPTED JUNE 15, 2023