

# SAN FRANCISCO PLANNING COMMISSION



## Meeting Minutes Remote Hearing via video and teleconferencing

**Thursday, February 4, 2021  
1:00 p.m.  
Regular Meeting**

**COMMISSIONERS PRESENT:** Tanner, Chan, Diamond, Fung, Imperial, Moore, Koppel  
**COMMISSIONERS ABSENT:** None

**THE MEETING WAS CALLED TO ORDER BY PRESIDENT KOPPEL AT 1:00 PM**

**STAFF IN ATTENDANCE:** Katie Wilborn, Deborah Landis, Andrew Perry, Matt Dito, Kevin Guy, David Winslow, 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. 2020-003223CUA (A. WESTHOFF: (628) 652-7314)  
249 TEXAS STREET – east side of Texas Street between 18<sup>th</sup> and Mariposa Streets: Lot 17A in Assessors Block 4001 (District 10) – Request for a **Conditional Use Authorization**, pursuant to Planning Code 303 and 317 to demolish an existing three-story single-family dwelling and construct a new three-story building containing two-dwelling units with a RH-2

(Residential-House, Two Family) Zoning District and 40-X Height and Bulk District. The new development would measure approximately 4,361 square feet. This action constitutes the Approval Action for the project for the purposes of CEQA, pursuant to San Francisco Administrative Code Section [31.04\(h\)](#).

**(Proposed for Continuance to March 4, 2021)**

SPEAKERS: None  
 ACTION: Continued to March 4, 2021  
 AYES: Tanner, Chan, Diamond, Fung, Imperial, Moore, Koppel

2. 2019-021010CUA (N. FOSTER: (628) 652-7330)  
717 CALIFORNIA STREET – south side of California Street between Grant Avenue and Stockton Street; Lot 001 in Assessor’s Block 0257 (District 3) – Request for **Conditional Use Authorization** pursuant to Planning Code Sections 121.4, 303, and 810 to establish a Non-Retail Professional Services Use at a use size in excess of 5,000 gross square feet within an existing commercial tenant space located on floors 2-4 of the subject building. The subject tenant space totals approximately 19,700 gross square feet within the three upper floors of the building and has operated as a Non-Retail Professional Service Use continuously since 2000 without benefit of Conditional Use Authorization. The Project only involves the legal establishment of use and does not propose any interior or exterior alterations. The Project site is located within the CCB (Chinatown Community Business) Zoning District, Chinatown Plan Area, and 50-N Height and Bulk District. This action constitutes the Approval Action for the project for the purposes of CEQA, pursuant to San Francisco Administrative Code Section [31.04\(h\)](#).

**WITHDRAWN**

SPEAKERS: None  
 ACTION: Withdrawn

10. [2013.1535CUA-02](#) (M. BOUDREAUX: (628) 652-7375)  
450-474 O’FARRELL STREET AND 532 JONES STREET – on the block bounded by Geary Street to the north, O’Farrell Street to the south, Taylor Street to the east, and Jones Street to the west (Assessor’s block/lot 0317/007, 0317/009, and 0317/011) (District 6) – Request to amend **Conditions of Approval** of Planning Commission Motion No. 20281, adopted September 13, 2018. A revised project scope still includes demolition of the three buildings, construction of a 13-story mixed-use building with similar massing, ground floor commercial and a new church, but now proposes up to 302 group housing rooms instead of up to 176 residential units and no longer proposes residential off-street parking. At minimum, Conditions of Approval Nos. 24, 25, 26, 32, pursuant to Planning Code Sections 303, 304, 415, 166, and 155, are to be amended to reflect the project revision and status, for a project located in a RC-4 (Residential- Commercial, High Density) Zoning District, North of Market Residential Special Use District and 80-130-T Height and Bulk District. This project has undergone environmental review pursuant to the California Environmental Quality Act and Chapter 31 of the San Francisco Administrative Code. The Planning Commission certified the Final Environmental Impact Report (EIR) for the project on September 13, 2018 (Motion No. 20279). On December 21, 2020, the Planning Department published an addendum to Final EIR for the Project.

*Preliminary Recommendation: Approve Amendments*  
 (Continued from Regular hearing on January 21, 2021)

SPEAKERS: Ella Strong – Request continuance  
 ACTION: Continued to March 11, 2021  
 AYES: Tanner, Chan, Diamond, Fung, Imperial, Moore, Koppel

11. [2018-014795ENX](#) (M. CHRISTENSEN: (628) 652-7567)  
1560 FOLSOM STREET – irregular lot bounded by Folsom, 11<sup>th</sup>, and Kissling Streets; Lots 009, 066-068 in Assessor’s Block 3516 (District 6) – Request for **Large Project Authorization**, pursuant to Planning Code Sections 329, 813, 823, and 844 for a Project which proposes to demolish five existing Industrial buildings at the project site, merge four existing lots into two new lots, vacate a portion of Burns Place (a public alleyway), and construct two new buildings at the site. The first building, fronting Kissling Street, is proposed as a seven-story, 83.5’, 65,575 sq ft residential building containing 56 dwelling units and 36 off-street auto parking spaces. The second building, fronting Folsom and 11<sup>th</sup> Streets, is proposed as an eight-story, 85’ tall, 200,049 sq ft mixed-use building containing 188 dwelling units and 47 off-street auto parking spaces. The subject property is within the WMUG (Western SoMa Mixed-Use General) and RED (Residential Enclave) Zoning Districts, Western SoMa Special Use District, and 40-X and 55-X Height and Bulk Districts. The proposed Project would utilize the State Density Bonus Law (California Government Code Sections 65915-65918) and proposes waivers for: the Height Limit (PC 260), Rear Yard (PC 134), Dwelling Unit Exposure (PC 140), Narrow Streets Height Limit (PC 261.1), and Horizontal Mass Reduction (PC 270.1) requirements of the Planning Code. This action constitutes the Approval Action for the project for the purposes of CEQA, pursuant to San Francisco Administrative Code Section [31.04\(h\)](#).

*Preliminary Recommendation: Approve with Conditions*  
 (Continued from Regular hearing on January 21, 2021)

SPEAKERS: None  
 ACTION: Continued to February 18, 2021  
 AYES: Tanner, Chan, Diamond, Fung, Imperial, Moore, Koppel

## 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

3. [2020-007346CUA](#) (K. WILBORN: (628) 652-7355)  
2284-2286 UNION STREET – the north side of Union Street between Steiner and Fillmore Streets, Lot 0534 of Assessor’s Block 020 (District 2) – Request for a **Conditional Use Authorization** pursuant to Planning Code Sections 725 and 303 to establish a Massage Establishment Use and allow a 2,910 square foot Use Size within the Union Street NCD (Neighborhood Commercial District) Zoning District and 40-X Height and Bulk District. This 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 Condition  
 AYES: Tanner, Chan, Diamond, Fung, Imperial, Moore, Koppel  
 MOTION: [20850](#)

### C. COMMISSION MATTERS

4. Consideration of Adoption:
- [Draft Minutes for January 21, 2021](#)

SPEAKERS: None  
 ACTION: Adopted  
 AYES: Tanner, Chan, Diamond, Fung, Imperial, Moore, Koppel

5. Commission Comments/Questions

None

### D. DEPARTMENT MATTERS

6. Director's Announcements

None

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. At this week's Land Use hearing, there were no Planning Department items. However, at the Full Board this week, the Board voted to approve the landmark designation initiation resolution for the Eagle Bar which is sponsored by Supervisor Haney. Also at the Full Board this week, Supervisor Mandelman introduced an ordinance titled Review of Large Residence Development and issued a draft union request to the City Attorneys to draft an ordinance that would allow for four units in RH districts on corner lots and lots within half a mile of gated transit stations. As the 4-Unit Ordinance has not been drafted, I don't have any specifics on that one. However, the Large Home Ordinance would require conditional use authorization on any projects in RH Districts that created a dwelling unit with more than 2,500 gross sq ft. For dwelling unit smaller than 2,500 sq ft, it would require conditional use authorization increasing the dwelling unit size by more than 50% or up to 2,500 sq ft. The Ordinance does provide an exception to the 50% rule so long as the project also increases density. No resulting units over 2,500 gross sq ft, no proposed dwelling unit is less than a third the size of the largest unit and the subject building is not Historic Resource. The Ordinance also allows for a modest 10% increase for buildings 2,500 gross sq ft or more.

On a related note, members of the Berkeley City Council announced today that they are also introducing a resolution calling for an end to exclusionary Zoning Laws. This in addition to the work at Sacramento and Portland are doing seems to be a positive trend in the housing policy on the west coast. That is all I have for you today and I am happy to take any questions.

**Commissioner Tanner:**

Thank you. Mr. Starr, just one question. The regulation or the proposed legislation so that no house is over 2,500 square feet unless it increases in density. You said that the house -- the property could add another unit, and that is still no unit could be over 2,500 square feet? So, I was confused as to how that really would relieve anybody of the limit of the size.

**Aaron Starr, Manager of Legislative Affairs:**

It only helps, if say, you have a 1,200 square foot home and you want to increase it more than 50%. So, you want to increase it 800 sq ft rather than 600. So, you are still below the 25 but you are above the 50%. That is the only exception in that case.

**Commissioner Tanner:**

Okay. Thank you.

**Aaron Starr, Manager of Legislative Affairs:**

You're welcome.

**Jonas P. Ionin, Commission Secretary:**

The Historic Preservation Commission did meet yesterday. They considered the Department's 2021 Budget and they adopted a recommendation for your approval today. They also considered two Legacy Business Registry applications. One for AJC Auto Body and the second for G. Mazzei & Son Hardware. And I think the only important thing here is that both of these Legacy Business Registry applicants are in District 10. Finally, they considered the preservation alternatives for a proposed development project at 1101-1123 Sutter Street.

**E. GENERAL PUBLIC COMMENT**

**SPEAKERS:** Georgia Schuttish - At March 26, 2009 hearing on SFGOVTV, item No. 9, Staff presented first Section 317 Code Implementation Document. Staff note indicates they planned to: "...return in a couple of months on the first year of operation of Section 317 and may make recommendations for adjustments of some of the thresholds that the code empowers you to make, particularly the thresholds for alteration projects that are tantamount to demolitions." This handwritten note (copy) was submitted with February 3, 2021 email to the Commission. On January 23, 2020 after public comment on the 2020 budget regarding Housing Affordability, the President of the Planning Commission inquired about the Demo Calcs, asking the former Planning Director, "Is there some way we can take a look at it"? In a 2015 sample, 40% of the five Noe Valley projects analyzed should have been reviewed as TTD per Staff review using the original 2009 unadjusted Demo Calcs.

**F. REGULAR CALENDAR**

The Commission Hearing Procedures provide for presentations by staff; followed by the project sponsor team; followed by public comment for and against the proposal. Please be advised that the

project sponsor team includes: the sponsor(s) or their designee, lawyers, architects, engineers, expeditors, and/or other advisors.

8. [2020-010430CRV](#) (D. LANDIS: (628) 652-7526)  
FY 2021-2023 PROPOSED DEPARTMENT BUDGET – Final review of the Department's **Revenue and Expenditure Budget** in FY 2021-2022 and FY 2022-2023, including grants, proposed staffing, and proposed dates where budget items will be discussed during the budget process.

*Preliminary Recommendation: Approve*

SPEAKERS: = Rich Hillis – Staff Presentation  
 = Deborah Landis – Staff Presentation  
 ACTION: Approved  
 AYES: Tanner, Chan, Diamond, Fung, Imperial, Moore, Koppel  
 RESOLUTION: [20851](#)

9. [2017-015181CUA](#) (A. PERRY: (628) 652-7430)  
412 BROADWAY – north side of Broadway between Kearny and Montgomery Streets; Lot 033 in Assessor's Block 0144 (District 3) – **Informational Hearing**, as required by Planning Commission Motion No. 20330, Condition of Approval No. 10, to provide a Written Performance Update on extended business hours of operation until 4 a.m. This authorization was granted for an existing Restaurant and Nighttime Entertainment use (d.b.a. "Penthouse Club and Restaurant") located within the Broadway NCD (Neighborhood Commercial District) Zoning District and 65-A-1 Height and Bulk District. On December 31, 2019, the business changed its name to "Vixen Cabaret".

*Preliminary Recommendation: None – Informational*

SPEAKERS: = Andrew Perry – Staff Presentation  
 + Jeremy Paul – Project Sponsor Presentation  
 + Terrence Allen – Use as a template for other venues  
 ACTION: Reviewed and Commented

14. [2020-001229DRP](#) (D. WINSLOW: (628) 652-7335)  
73 FOUNTAIN STREET – between 25<sup>th</sup> and 24<sup>th</sup> Streets; Lot 012 in Assessor's Block 6502 (District 8) – Request for **Discretionary Review** of Building Permit No. 2020.0113.1721 for the construction of a three-story rear horizontal addition, third-story vertical expansion, and façade alterations to an existing three-story, one-family house within a RH-2 (Residential-House, Two Family) Zoning District and 40-X Height and Bulk District. This 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: Take Discretionary Review and Approve as Modified*

SPEAKERS: None  
 ACTION: Took DR and Approved with Modifications  
 AYES: Tanner, Chan, Diamond, Fung, Imperial, Moore, Koppel  
 DRA: [735](#)

12. [2020-001286CUA](#) (M. DITO: (628) 652-7358)

576 27<sup>TH</sup> AVENUE – east side of 27<sup>th</sup> Avenue between Geary Boulevard and Anza Street, Lot 017 of Assessor's Block 1518 (District 1) – Request for a **Conditional Use Authorization** pursuant to Planning Code Sections 303 and 317 to demolish an existing single-family dwelling unit, constructed circa 1912, and construct a new two-family dwelling, within a RH-2 (Residential, House – Two-Family) Zoning District and 40-X Height and Bulk District. This action constitutes the Approval Action for the project for the purposes of CEQA, pursuant to San Francisco Administrative Code Section [31.04\(h\)](#).

*Preliminary Recommendation: Approve with Conditions*

(Continued from Regular hearing on January 7, 2021)

SPEAKERS: = Matt Dito – Staff Report  
+ Amy Lee – Project Sponsor Presentation  
ACTION: Approved with Conditions as amended by Staff  
AYES: Tanner, Chan, Diamond, Fung, Imperial, Moore, Koppel  
MOTION: [20852](#)

13. [2019-020049CUA](#) (K. GUY: (628) 652-7325)  
1131 POLK STREET – east side of Polk Street between Sutter and Post Streets: Lot 001 in Assessor's Block 0691 (District 3) – Request for **Conditional Use Authorization**, pursuant to Planning Code Sections 121.2, 303, and 723 to establish bar, restaurant, and nighttime entertainment uses on the basement and first floor of the subject property within the Polk Street NCD (Neighborhood Commercial District) Zoning District, Lower Polk Alcohol Restricted Use Subdistrict, and 80-T-120-T Height and Bulk District. The bar/restaurant would measure approximately 3,570 square feet. This action constitutes the Approval Action for the project for the purposes of CEQA, pursuant to San Francisco Administrative Code Section [31.04\(h\)](#).

*Preliminary Recommendation: Approve with Conditions*

(Continued from Regular hearing on January 14, 2021)

SPEAKERS: = Kevin Guy – Staff Report  
+ Alexis Pelosi – Project Sponsor Presentation  
- David Villalobos – Opposition, request continuance  
= Speaker – Question  
ACTION: Approved with Conditions as amended, omitting references to “locally owned businesses.”  
AYES: Tanner, Chan, Diamond, Fung, Imperial, Moore, Koppel  
MOTION: [20853](#)

## 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.

15. [2018-011022DRP](#) (D. WINSLOW: (628) 652-7335)  
2651-2653 OCTAVIA STREET – Between Green and Vallejo Streets; 002 in Assessor's Block 0554 (District 2) – Request for **Discretionary Review** of Building Permit 2018.0803.6504 for

the construction of a fourth floor vertical and a horizontal rear addition that incorporates decks at the step backs to an existing three-story, two-family home within a RH-2 (Residential-House, Two Family) Zoning District and 40-X Height and Bulk District. This 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  
                      - Maureen Holt – DR Presentation  
                      + Jane Cote-Cook – Project Sponsor  
                      - Bridget Maley – Light  
                      - Speaker – Importance of library  
                      - Leticia – Concerns with light

ACTION:           No DR

AYES:             Tanner, Chan, Diamond, Fung, Koppel

NAYS:             Imperial, Moore

DRA:              [736](#)

ADJOURNMENT 2:42 PM  
ADOPTED FEBRUARY 18, 2021