

# SAN FRANCISCO PLANNING COMMISSION



## Meeting Minutes Remote Hearing via video and teleconferencing

**Thursday, June 17, 2021  
1:00 p.m.  
Regular Meeting**

**COMMISSIONERS PRESENT:** Tanner, Diamond, Fung, Imperial, Moore  
**COMMISSIONERS ABSENT:** Chan, Koppel

**THE MEETING WAS CALLED TO ORDER BY VICE PRESIDENT MOORE AT 1:02 PM**

**STAFF IN ATTENDANCE:** Liz Watty, Xinyu Liang, Matt Dito, 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. 2019-017481APL (A. CALLAGY: (628) 652-7540)  
530 SANSOME STREET – east side between Washington and Merchant Streets; Lots 013, 014, and 017 in Assessor's Block 0206 (District 3) – **Appeal of Preliminary Negative Declaration** for the proposed demolition of three existing buildings, at 425 Washington, 439–445 Washington, and 530 Sansome streets and construction of a four-story replacement fire station for San Francisco Fire Department Station 13 and an approximately 218-foot-tall

(236 feet total, including rooftop mechanical equipment) building with three below-grade levels under the Project Site. The 530 Sansome Street project would convert the western portion of Merchant Street adjacent to the project site into a shared street/living alley. The project would result in one loading space and two vehicle service spaces. The 218-foot-tall building would contain either: A) approximately 200 hotel rooms, and retail/restaurant space, office space and fitness center space; or B) approximately 256 residential units. The project would result in either 48 vehicle parking spaces, 22 class 1 bicycle parking spaces, and 26 class 2 bicycle parking spaces or 82 vehicle parking spaces 143 class 1 bicycle parking spaces, and 19 class 2 bicycle parking spaces for the hotel or residential options, respectively. The Project Site is located within the Downtown Plan Area, a C-3-O (Downtown Office) Zoning District and 200-S Special Height and Bulk District.

*Preliminary Recommendation: Uphold*

**(Proposed for Continuance to June 24, 2021)**

SPEAKERS: Ryan Patterson – Represents appellant, requesting a longer continuance  
Benedict Roosevelt – Agrees to a 3-week continuance

ACTION: Continued to July 8, 2021

AYES: Tanner, Imperial, Moore

NAYS: Diamond, Fung

ABSENT: Chan, Koppel

- 2a. 2019-020611CUA (D. WEISSGLASS: (628) 652-7307)  
5114-5116 3<sup>RD</sup> STREET – west side between Bay View Street and Shafter Avenue, Lot 004 in Assessor's Block 5358 (District 10) – Request for **Conditional Use Authorization** pursuant to Planning Code Sections 303 and 317, to retroactively allow the demolition of a dwelling unit located within a legal nonconforming auxiliary structure at the rear of the subject property within the Bayview NCD (Neighborhood Commercial District) Zoning District, Bayview Hunters Point Area Plan, 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*

**(Proposed for Continuance to July 8, 2021)**

SPEAKERS: None

ACTION: Continued to July 8, 2021

AYES: Tanner, Diamond, Fung, Imperial, Moore

NAYS: None

ABSENT: Chan, Koppel

- 2b. 2019-020611VAR (D. WEISSGLASS: (628) 652-7307)  
5114-5116 3<sup>RD</sup> STREET – west side between Bay View Street and Shafter Avenue, Lot 004 in Assessor's Block 5358 (District 10) – Request for **Variance** from the rear yard requirement of Planning Code Sections 134. The subject property is located within the Bayview NCD (Neighborhood Commercial District) Zoning District, Bayview Hunters Point Area Plan, and 40-X Height and Bulk District.

**(Proposed for Continuance to July 8, 2021)**

SPEAKERS: None

ACTION: Continued to July 8, 2021

- 3a. 2019-013412DRP (D. WINSLOW: (628) 652-7335)  
146 JORDAN AVENUE – between Euclid Avenue and Geary Boulevard; Lot 037 in Assessor's Block 1063 (District 1) – Request for **Discretionary Review** of Building Permit Application no. 2019.1127.8326 for the construction of a detached garage structure (approximately 10 feet wide by 20 feet deep by 11 feet high) within the required rear yard. The new detached garage structure will replace the original garage structure that was demolished at the southeast corner of the lot without the benefit of permit. The proposal will also replace the existing deck and stairs (less than three feet in height), replace and increase the height of the side and rear fences, install a gate at the side yard, and modify a portion of the grade in the rear yard of an existing three-story, single family dwelling home within a RH-1(D) (Residential House, One-Family-Detached) 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*  
**(Proposed for Continuance to July 8, 2021)**

SPEAKERS: None  
 ACTION: Continued to July 8, 2021  
 AYES: Tanner, Diamond, Fung, Imperial, Moore  
 NAYS: None  
 ABSENT: Chan, Koppel

- 3b. 2019-013412VAR (D. WINSLOW: (628) 652-7335)  
146 JORDAN AVENUE – between Euclid Avenue and Geary Boulevard; Lot 037 in Assessor's Block 1063 (District 2) – Request for **Variance** pursuant to Planning Code Section 134 for the construction of a detached garage structure (approximately 10 feet wide by 20 feet deep by 11 feet high) within the required rear yard of the three-story, single family dwelling located within a RH-1 (D) (Residential-House, One Family - Detached) Zoning District and 40-X Height and Bulk District. The new detached garage structure will replace the original garage structure that was demolished at the southeast corner of the lot without the benefit of permit. The proposal will also replace the existing deck and stairs (less than three feet in height), replace and increase the height of the side and rear fences, install a gate at the side yard, and modify a portion of the grade in the rear yard. Planning Code Section 134 requires the property to maintain a rear yard of 36 feet. The new detached garage structure will be constructed entirely within the required rear yard  
**(Proposed for Continuance to July 8, 2021)**

SPEAKERS: None  
 ACTION: Continued to July 8, 2021  
 AYES: Tanner, Diamond, Fung, Imperial, Moore  
 NAYS: None  
 ABSENT: Chan, Koppel

4. 2021-001791PCA (A. MERLONE: (628) 652-7534)  
REVIEW OF LARGE RESIDENCE DEVELOPMENTS – **Planning Code Amendment** to require Conditional Use Authorization for certain large residence developments in RH (Residential, House) Zoning Districts; 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 convenience, necessity, and welfare under Planning Code, Section 302.

*Preliminary Recommendation: Approve with Modifications*

**(Proposed for Continuance to July 22, 2021)**

SPEAKERS: None  
 ACTION: Continued to July 22, 2021  
 AYES: Tanner, Diamond, Fung, Imperial, Moore  
 NAYS: None  
 ABSENT: Chan, Koppel

5. 2015-009955CUA (C. ASBAGH: (628) 652- 7329)  
1525 PINE STREET – south side between Van Ness Avenue and Polk Street, Lot 020 in Assessor’s Block 0667 (District 3) – Request for **Conditional Use Authorization** pursuant to Planning Code Section 303 and other applicable Sections as follows: Development on a Large Lot (Section 121.1), Non-Residential Use Size (Section 121.2), Dwelling Unit Mix (Section 207.6), and Operating Hours (Section 723). Request for State Density Bonus pursuant to Planning Code Section 206.6 to achieve an additional six units over the base density of 15 units, for a total of 21 units, with one Concession or Incentive for Permitted Obstructions (Section 136), and Waivers requested from the minimum requirements for Rear Yard (Section 134), Common Useable Open Space (Section 135), Dwelling Unit Exposure (Section 140), Ground-Floor Ceiling Height (Section 145.1(c)(4), Transparency (Section 145.1(c)(6), Height (Section 260), Setbacks on Narrow Streets (Section 261.1), and Bulk (Section 270). The project would demolish an existing 1,661 square foot one-story commercial restaurant (dba “Grubstake”) and construct a new 83-foot tall eight-story mixed-use building with a 2,856 square foot restaurant and 21 dwelling units within the Polk Street NCD (Neighborhood Commercial District) Zoning District, Lower Polk Street Alcohol Restricted Use Special Use District, and 65-A 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 May 6, 2021)  
**Note: On May 6, 2021, after hearing and closing public comment, continued to June 17, 2021 with direction from Commissioners by a vote of +5 -2 (Imperial and Moore against).**  
**(Proposed for Continuance to July 22, 2021)**

SPEAKERS: Linda Chapman – Incorrect height limit maps  
 ACTION: Continued to July 22, 2021  
 AYES: Tanner, Diamond, Fung, Imperial, Moore  
 NAYS: None  
 ABSENT: Chan, Koppel

12. [2020-009481CUA](#) (J. HORN: (628) 652-7366)  
4034 20<sup>TH</sup> STREET – north side between Noe and Sanchez Streets; Lot 016 in Assessor's Block 3601 (District 8)) – Request for **Conditional Use Authorization** pursuant to Planning Code Sections 303 and 317, to demolish an existing two-story, 2,840 gross-square-foot, three-family dwelling and to construct two new three-story-over-basement one-family dwellings, each to be located on a new lot created through the subdivision of the existing 5,700 square foot (50' x 114') lot. A total of two Accessory Dwelling Units are proposed, one to be located

in each of the new single-family dwellings. The project is located within a RH-1 (Residential-House, One-Family) Zoning District, 40-X Height and Bulk District, and Dolores Heights Special Use District (PC Section 241). 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 May 27, 2021)

SPEAKERS: Ozzie Rohm – SB330 project, may only be continued five times  
Liz Watty – Response to questions  
ACTION: Continued to August 26, 2021  
AYES: Tanner, Diamond, Fung, Imperial, Moore  
NAYS: None  
ABSENT: Chan, Koppel

13. [2019-014071DRP](#) (D. WINSLOW: (628) 652-7335)  
[2269 FRANCISCO STREET](#) – south side between Scott and Divisadero Streets; Lot 057 in Assessor’s Block 0929 (District 2) – Request for **Discretionary Review** of Building Permit Application no. 2019.0702.4960 for the construction of an eight-foot aluminum pergola atop a one foot tall, approximately 400 square foot roof deck platform, flanked at the front and rear by wind screens. The pergola is set back 10 feet from the front of the building. The project also includes a new stucco-clad stair penthouse for roof deck access and a three and half foot solid guard rail capped by a two and half foot louvered wood fence along the western portion of the deck on an existing three-story two-family home within a RH-3 (Residential House, Three-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: None  
ACTION: Withdrawn

## B. COMMISSION MATTERS

6. Consideration of Adoption:  
  - [Draft Minutes for June 3, 2021](#)

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

7. Commission Comments/Questions

### Commissioner Tanner:

My only comment is I'm happy to see things re-opening in San Francisco. It's coincided with a very strong heat wave so maybe even more cause to get outside. And just hope everyone is enjoying a little bit of more fun and hopefully a fun summer to come.

**C. DEPARTMENT MATTERS**

## 8. Director's Announcements

None.

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

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

There is no report from the Board of Supervisors or the Board of Appeals. And so, I'm a little caught off guard here. I did not have the results. I did not have the results from yesterday's Historic Preservation Commission hearing open. So, if you would bear with me for one second. Let me open that document. I know it's only been a day but I have already forgotten what we have discussed yesterday. 400 California Street was approved with their second option for the entry way solution for that Certificate of Appropriateness. That project will actually be coming to you, the Planning Commission. And the Historic Preservation Commission actually indicated a strong recommendation for an on-site interpretive program and they were going to make it a condition of their approval. But staff appropriately suggested that, that might be better added to a condition of your approval when that matter comes to you. So, when it does, please remember that the Historic Preservation Commission strongly recommended an on-site interpretive program to be installed as part of that project. They also took or considered the preservation alternatives for the Portsmouth Square improvement project, and then they approved a Certificate of Appropriateness at 940 Battery Street.

**Commissioner Moore:**

Jonas, would you be so kind to briefly tell us what 400 California Street is. I cannot look at any map right now. I have walked down California Street a lot, but I do not know which building that is.

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

It's a historic significant building and they're redoing the entry. I don't recall too many more specifics related to it but it's a beautiful building.

**Commissioner Moore:**

Thanks.

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

Again, it will be coming to you so you'll see it.

**D. GENERAL PUBLIC COMMENT**

**SPEAKERS:** Teresa O'Neil – Application takes 12 weeks to be assigned a planner  
Georgia Schuttish - Three projects shown in email sent June 15, 2021 to the Commission were all Speculative projects with an average increase in sales price for the flip of \$4.43 million. Two of the three projects did not have published Demo Calcs. The project with the published Demo Calcs don't seem correct. These projects are extreme Alterations, not reasonable

Alterations. These are the type of projects that Section 317 TTD was devised to prevent. Approved as Alterations, veering into Demolitions, avoiding the DBI Demolition definition, because Section 317 Thresholds are not stringent enough. This is a loophole. This has led to an acceleration in housing prices. RH District speculation is rampant past 10+ years. Preservation of housing is important because existing housing has been found to be more “financially accessible” (relatively affordable) per Section 317 Planning Code Findings. Please adjust Demo Calcs per Section 317 (b) (2) (D) to comply with Findings.

Katherine Howard – Rules and Regulations changes regarding General Public Comment.

Linda Chapman – Polk Gulch area

Liz Watty – Response to questions

## E. 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.

10. [2021-000947PRJ](#) (X. LIANG: (628) 652-7316)  
555-585 BRYANT STREET – through lots to Welsh Street between 4<sup>th</sup> and Zoe Streets; Lots 34, 38, 39, 40, 42, 43, and 44 in Assessor’s Block 3776 (District 6) – An **Informational Presentation** on the new construction of a 160-foot-tall mixed-use residential building with 500 dwelling units, 20,605 square feet of PDR use space, 125 accessory parking spaces, and 202 Class 1 and 27 Class 2 bicycle parking spaces. The Project is requesting approval through the ministerial review process provided under the Central SOMA Housing Sustainability District (Planning Code Section 343) and Concessions/Incentives and Waivers from Development Standards under the State Density Bonus Law (Planning Code Section 206.6 and California Government Code Section 65915). The site is located within a CMUO (Central Soma Mixed Use Office) Zoning District, Central SoMa Special Use District (SUD), and 130-CS Height and Bulk District.

*Preliminary Recommendation: None – Informational*

**SPEAKERS:** = Xinyu Liang – Staff report  
 + William Goodman – Project sponsor  
 - Sue Hestor - State Density Bonus Plan permits building to add more units + height for the life of the project. Number and level of affordability is part of Commission approval decision. When community-based nonprofit owns the building, both OWNER and BOARD are committed to maintaining affordability for life of building. FOR PROFIT DEVELOPERS want to make money. Often by selling the building.  
 It is crucial for PLANNING COMMISSION to impose conditions that guarantee for that project will be operated and provide affordable housing at least 55 years. Questions - WHO ensures initial tenant qualified? income? residency? WHAT regular check on eligibility? For GROUP HOUSING, where landlord provides services, how is THAT enforced? What notice required to be provided to NEW OWNER? If condo-ized? How enforced? Where does

Planning Department role transition? To DBI on permit? To Mayor or other office on ENFORCEMENT? What permanent conditions are imposed on building?

+ Mike Hale – Response to questions

ACTION: Reviewed and Commented

11. [2019-023105AHB](#) (M. DITO: (628) 652-7358)  
2800 GEARY BOULEVARD – northwest corner of Geary Boulevard and Wood Street, Lot 013 in Assessor's Block 1069 (District 2) – Request for **HOME-SF Authorization** pursuant to Planning Code Sections 206.3 and 328 to construct a 65-foot tall, six-story mixed-use project with 42 dwelling units and a ground floor commercial use within the Geary Boulevard NCD (Neighborhood Commercial District) Zoning District and 40-X Height and Bulk District. The HOME-SF program requires 30% of onsite dwelling units to be affordable units, with purchase prices ranging 80% of the Area Median Income (AMI) to 130% of AMI. The remaining 70% of dwelling units will not be subject to AMI restrictions. The HOME-SF program permits the project to exceed the prescribed height limit by up to 20 feet, which allows for the proposed fifth and sixth stories, and for form-based density. The project is also requesting modifications, pursuant to Planning Code Section 206.3(d)(4), of the rear yard and exposure requirements. The project is also subject to the Transportation Demand Management Program, pursuant to Planning Code Section 169. 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 April 29, 2021)

SPEAKERS: + Dominica Donovan, Legislative aide to Sup. Stefani - Support  
 = Matt Dito – Staff report  
 + Jonathan Pearlman – Project sponsor  
 + Ozzie Rohm – Onsite BMR units  
 + Richard Frisbie – Move garage back to Geary  
 + Jerry Dratler – Affordable housing, last minute meeting materials  
 + Chris Yu – Relocate driveway to Geary  
 + Matt Young – Narrow streets, put entrance on Geary  
 + Michael Coholan – Relocation of driveway  
 = Sarah Jones, SFMTA – Response to questions  
 = Daniel Sheeter, SFMTA – Response to questions

ACTION: Approved the Geary Blvd. driveway access variant, with no bulb-out, with Conditions as amended to include the Sponsor pursue appropriate traffic calming measures to mitigate any disruption to the Geary BRT and senior housing facility.

AYES: Tanner, Diamond, Fung, Imperial, Moore

NAYS: None

ABSENT: Chan, Koppel

MOTION: [20934](#)

ADJOURNMENT 3:42 PM

ADOPTED JULY 8, 2021