

SAN FRANCISCO PLANNING COMMISSION



Thursday, September 2, 2021
1:00 p.m.
Regular Meeting

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

THE MEETING WAS CALLED TO ORDER BY PRESIDENT KOPPEL AT 1:02 PM

STAFF IN ATTENDANCE: Veronica Flores, Natalia Kwiatkowska, Alex Westhoff, Kalyani Agnihotri, Chris May, Linda Ajello-Hoagland, Jeff Horn, Jeffrey Speirs, Jonathan Vimr, Corey Teague – Zoning Administrator, 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.

- 1a. 2019-013808CUA (J. HORN: (628) 652-7366)
4300 17TH STREET – northwest corner of Ord Street; Lot 014A in Assessor's Block 2626 (District 8) – Request for **Conditional Use Authorization** pursuant to Planning Code Sections 249.77 and 303, to construct a 3,128 square-foot, three-story two-family dwelling on a new

lot created through a subdivision of the existing 3,916- square-foot (36' x 81') corner lot. An existing three-story two-family dwelling (4300 17th Street) is located on the remaining 1,458 square feet of the original lot and the project proposes to add an Accessory Dwelling Unit at the ground floor. The project is within a RH-2 (Residential House, Two-Family) Zoning District, Corona Heights Large Residence SUD (Special Use District) (PC Section 249.77), 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 October 14, 2021)

SPEAKERS: None
 ACTION: Continued to October 14, 2021
 AYES: Tanner, Diamond, Fung, Imperial, Moore, Koppel
 ABSENT: Chan

- 1b. 2019-013808VAR (J. HORN: (628) 652-7366)
4300 17TH STREET – northwest corner of Ord Street; Lot 014A in Assessor's Block 2626 (District 8) – Request for **Variance** from the Planning Code Sections 121 (lot size) and 134 (rear yard). The subject property is located within a RH-2 (Residential – House, Two Family) Zoning District, Corona Heights Large Residence SUD (Special Use District) and 40-X Height and Bulk District.
(Proposed for Continuance to October 14, 2021)

SPEAKERS: None
 ACTION: Per ZA Continued to October 14, 2021

2. 2021-001579CUA (C. CAMPBELL: (628) 652-7387)
2715 JUDAH STREET – south side between 32nd and 33rd Avenues; Lot 037 in Assessor's Block 1821 (District 15) – Request for **Conditional Use Authorization**, pursuant to Planning Code Sections 202.1, 303, and 734, to establish a 2,100 square foot Cannabis Retail use within the Judah 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
(Proposed for Continuance to October 14, 2021)

SPEAKERS: None
 ACTION: Continued to October 14, 2021
 AYES: Tanner, Diamond, Fung, Imperial, Moore, Koppel
 ABSENT: Chan

B. COMMISSION MATTERS

3. Consideration of Adoption:
 • [Draft Minutes for July 22, 2021](#)

SPEAKERS: Jonas P. Ionin – Response to questions
 Kate Stacy – Response to questions
 ACTION: Continued to September 9, 2021

AYES: Tanner, Diamond, Fung, Imperial, Moore, Koppel
ABSENT: Chan

4. Commission Comments/Questions

None.

C. DEPARTMENT MATTERS

5. Director's Announcements

None.

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

Corey Teague, Zoning Administrator:

Yes. Good afternoon, Commissioners. Corey Teague. The Board of Appeals did meet last August 18th during your break and considered the appeals of both the variance and the building permit granted for the property at 265 Oak Street. Both of which allow the construction of a new 2-unit building at the rear of the double frontage lot that has a secondary frontage lot on Lily Street. And the permit came before the Planning Commission in February of last year for consideration of a request for Discretionary Review and the Zoning Administrator heard the Variance at the same hearing. The Commission voted 5-1 to not take DR and approve the project and the ZA granted the rear yard Variance that time. The DR Requester was also the appellant at the Board of Appeals, and she's an occupant of an adjacent building. And while the Board of Appeals had empathy for the potential construction impacts the projects would have on the adjacent buildings, they determined that the variance was justified and the building permits have been properly issued, and they unanimously denied both appeals.

The Board also met last night but didn't make any decisions related to Planning Commission decisions. However, I do want to note that the Board recently have a new Commissioner seated. His name is Jose Lopez and he is an attorney who was appointed by Mayor Breed on July 27th of this year. So, his term will run through July of 2024. Thank you.

Jonas P. Ionin, Commission Secretary:

Commissioners, the Board of Supervisors are on recess, I've been informed. The Historic Preservation Commission did meet yesterday briefly and considered just a couple of items. Most importantly, the state mandated Accessory Dwelling Unit Controls, which is on your agenda today, and they forwarded a recommendation for approval with staff's modification. So, you'll hear more about that shortly.

D. GENERAL PUBLIC COMMENT

SPEAKERS: Linda Chapman – Changes to height limits
Georgia Schuttish – This extreme Alteration creates a basement unit with poor exposure, questionable egress, underneath the garage. Very bad template to densify existing housing. Could have been done faster using

existing house, with horizontal expansion only. Instead it veers into a Demolition, using too many resources to construct the subterranean unit, also causing the loss of a natural rear yard. This is environmentally questionable. The Commission does not deal with excavations...that is the domain of DBI....However a design needing a major excavation, with an extreme Alteration in the RH neighborhoods... and a rear yard turning into a cement patio means: Commission/Staff should consider this issue for future projects. For comparison when this project was under review the plans said the excavation was 36 cubic yards....the final approved structural plans said it was 1200 cubic yards...130 Townsend will remove 1500 and 1700 cubic yards each per their plans.

Speaker – Response to Linda Chapman

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.

7. [2021-006260PCA](#) (V. FLORES: (628) 652-7525)
STATE-MANDATED ACCESSORY DWELLING UNIT CONTROLS [BF 210585] – Planning Code Amendments – Ordinance amending the Planning Code to clarify the ministerial approval process for certain Accessory Dwelling Units meeting certain requirements in single-family and multi-family buildings; 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 adopting findings of public necessity, convenience, and welfare under Planning Code, Section 302.
Preliminary Recommendation: Approve

SPEAKERS: = Veronica Flores – Staff presentation
 - Brett Gladstone – Legal or policy reason for restrictions
 - Corey Smith – Carve outs
 +Linda Chapman – Advocate for ADUs
 - Bruce Bowen – See rapid development, public access to data
 - Anastasia Yovanopoulos – Rent control, affordability
 - Georgia Schuttish – Adding ADUs to new high-end projects may not be producing the outcome desired by the policy. On September 7, 2017 the Commission approved DRA-0551 for a new project after a Demolition of a sound home, but the Commission wanted the developer to create space for an ADU. It was to be 1200 square feet in size. Originally an Alteration, the project morphed into a Demo w/ major excavation after two appraisals reached former RH-1 exemption value. The home was last occupied prior to the sale in 2015. It was completed in 2021 and went on the market for \$6.195 million. There was no mention of the ADU in the web ads. It was reduced to \$5.795 million. And then removed from the market. ADUs in high end projects may just make projects more unaffordable. This is one project....
 - Lorraine Petty – Affordability

= Natalia Kwiatkowska – Response to comments and questions
= Rich Hillis – Response to comments and questions
= Peter Miljanich – Deputy City attorney

ACTION: Adopted a Resolution Approving with Staff modification
AYES: Tanner, Diamond, Fung, Imperial, Moore, Koppel
ABSENT: Chan
RESOLUTION: [20971](#)

- 8a. [2019-023623ENX](#) (A. WESTHOFF: (628) 652-7314)
130 TOWNSEND STREET – northwest corner of Stanford Street; Lot 008 in Assessor's Block 3788 (District 6) – Request for **Large Project Authorization** (LPA) pursuant to Planning Code Section 329 to permit a four-story vertical addition to the existing one-story historic building resulting in a five-story, 65-foot mixed-use building with approximately 34,737 square feet of office space and 1,759 feet of retail space, and new construction of a separate and completely autonomous, five-story, 65-foot mixed-use building with approximately 46,464 square feet of office space and 711 square feet of PDR space within the CMUO (Central SoMa Mixed-Use Office) Zoning District, Central SoMa SUD (Special Use District), and 65-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: = Alex Westhoff – Staff report
+ John Kevlin – Project sponsor
+ Lada Kocherovsky – Design presentation
= Corey Teague – Response to questions and comments
ACTION: Approved with Conditions
AYES: Tanner, Diamond, Fung, Imperial, Moore, Koppel
ABSENT: Chan
MOTION: [20972](#)

- 8b. [2019-023623OFA](#) (A. WESTHOFF: (628) 652-7314)
130 TOWNSEND STREET – northwest corner of Stanford Street; Lot 008 in Assessor's Block 3788 (District 6) – Request for **Office Development Authorization** pursuant to Planning Code Sections 321 and 322 to authorize up to 34,737 square feet from the Office Development Annual Limit for the project including a four-story vertical addition to an existing one-story historic building. The project site is located within the CMUO (Central SoMa Mixed-Use Office) Zoning District, Central SoMa SUD (Special Use District), and 65-X Height and Bulk District.
Preliminary Recommendation: Approve with Conditions

SPEAKERS: Same as item 8a.
ACTION: Approved with Conditions
AYES: Tanner, Diamond, Fung, Imperial, Moore, Koppel
ABSENT: Chan
MOTION: [20973](#)

- 8c. [2019-023623OFA-02](#) (A. WESTHOFF: (628) 652-7314)
130 TOWNSEND STREET – northwest corner of Stanford Street; Lot 008 in Assessor's Block 3788 (District 6) – Request for **Office Development Authorization** pursuant to Planning Code

Sections 321 and 322 to authorize up to 46,464 square feet from the Office Development Annual Limit for the project including new construction of a five-story 65-foot mixed-use building. The project site is located within the CMUO (Central SoMa Mixed-Use Office) Zoning District, Central SoMa SUD (Special Use District), and 65-X Height and Bulk District.
Preliminary Recommendation: Approve with Conditions

SPEAKERS: Same as item 8a.
 ACTION: Approved with Conditions
 AYES: Tanner, Diamond, Fung, Imperial, Moore, Koppel
 ABSENT: Chan
 MOTION: [20974](#)

- 8d. [2019-023623VAR](#) (A. WESTHOFF: (628) 652-7314)
130 TOWNSEND STREET – northwest corner of Stanford Street; Lot 008 in Assessor's Block 3788 (District 6) – Request for **Variance** from the Zoning Administrator to address the Planning Code requirements for ground floor active use and streetwall requirements (Planning Code Sections 145.1 and 132.4(d)(1) respectively). In the Central SoMa Special Use District, office use is not considered an active use on the ground floor pursuant to Planning Code 249.78(c)(1)(B); therefore, the project requires a variance from the active use requirements of the Planning Code. Additionally, this project includes an entry niche on Stanford Street that does not comply with the streetwall requirements of the Planning Code, which require buildings to be built up to street- or alley-facing property line up to 65 feet in height in the Central SoMa SUD (Special Use District); therefore, the project requires a variance from the streetwall requirements of the Planning Code.

SPEAKERS: Same as item 8a.
 ACTION: ZA closed the PH, indicated an intent to Grant

9. [2020-009813CUA](#) (K. AGNIHOTRI: (628) 652-7454)
18 PALM AVENUE – east side between California Street and Euclid Avenue; Lot 038 in Assessor's Block 1039 (District 2) – Request for **Conditional Use Authorization** pursuant to Planning Code Sections 209.2, 303, and Interim Zoning Controls – Large Residential Projects in RC, RM, and RTO Districts (2021-000694PCA) to allow the expansion of the existing first and third floors (approximately 927 square feet) of an existing two-story over basement single-family dwelling. The project also includes interior remodeling of the existing second floor. The proposed alteration would result in the expansion of the dwelling, without maximizing the principally permitted residential density. The project is located within a RM-1 (Residential-Mixed, Low Density) 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: = Kaylani Agnihotri – Staff report
 + Tuija Catalano – Project sponsor
 + Steve Walker – Design presentation
 - Matthew Weiner – Request continuance
 + Joshua Baker – Support
 + Lynn Powell – Support
 - Elizabeth – Concerns, request continuance

ACTION: Approved with Conditions
 AYES: Tanner, Diamond, Fung, Imperial, Moore, Koppel
 ABSENT: Chan
 MOTION: [20975](#)

10. [2016-013012CUA](#) (C. MAY: (628) 652-7359)
478-484 HAIGHT STREET – north side between Fillmore and Webster Streets; Lot 019 in Assessor's Block 0849 (District 6) – Request for **Conditional Use Authorization**, pursuant to Planning Code Sections 121.2, 303, 317 and 743 to permit the demolition of the existing two-story building containing one dwelling unit above ground floor retail space, and the construction of a new four-story building containing nine principally-permitted dwelling units and nine Accessory Dwelling Units above two floors of child care (Community Institutional) uses totaling approximately 9,942 square feet within the Lower Haight 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
 (Continued from Regular hearing on June 24, 2021)

SPEAKERS: = Chris May – Staff report
 + Jeremy Schaub – Project sponsor
 - Carolyn Constantino – Opposed
 + Ralph Maldonado – Support
 + Scott – Cat
 + Robert Fruchtman – Support
 ACTION: Approved with Conditions including those circulated by Staff, and for all units to have full kitchens.
 AYES: Tanner, Diamond, Fung, Imperial, Koppel
 NAYS: Moore
 ABSENT: Chan
 MOTION: [20976](#)

11. [2021-001698CUA](#) (L. HOAGLAND: (628) 652-7320)
340 FELL STREET – north side between Octavia Boulevard and Gough Street; Lot 011 in Assessor's Block 0817 (District 5) – Request for **Conditional Use Authorization**, pursuant to Planning Code Sections 303 and 761 to authorize a merger of three existing tenant spaces, totaling 19,457 square feet, used for automotive repair to create a single non-residential use (automotive repair) greater than 2,999 square feet in the Hayes-Gough NCT (Neighborhood Commercial Transit) 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 May 27, 2021)

SPEAKERS: = Linda Ajello-Hoagland – Staff report
 + John Kevlin – Project sponsor
 - Lloyd Silverstein – Concerns
 + Sarah Bucher – Support
 + Dan - Support

ACTION: Approved with Conditions
AYES: Tanner, Diamond, Fung, Imperial, Moore, Koppel
ABSENT: Chan
MOTION: [20977](#)

12. [2020-008959CUA](#) (J. HORN: (628) 652-7366)
376 HILL STREET – north side between Sanchez and Church Streets; Lot 089 in Assessor's Block 3620 (District 8) – Request for **Conditional Use Authorization**, pursuant to Planning Code Sections 209.1, 303, and 317, to demolish an existing three-story, 2,317 gross-square-foot, one-family dwelling and a detached one-story 449 gross-square-foot one-family dwelling and to construct a new three-story-over-basement, 7,986 gross-square-foot, two-family dwelling, which includes a 5,458-square-foot, four-bedroom main dwelling unit, a 1,127-square-foot one-bedroom second dwelling unit, and a 1,401-square-foot garage providing storage for both units and two vehicle parking spaces. The project is located within a RH-1 (Residential-House, One-Family) Zoning District, Dolores Heights SUD (Special Use District) (PC Section 241), 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: = Jeff Horn – Staff report
+ Tom Tunny – Project sponsor
+ Ron Redlinger – Design presentation
+ Speaker – Support
- Robert Fruchtman – Oppose, unaffordable
- Kirsten McLeod – Against making 2nd unit larger, privacy

ACTION: Approved with Conditions
AYES: Tanner, Diamond, Fung, Imperial, Koppel
NAYS: Moore
ABSENT: Chan
MOTION: [20978](#)

13. [2020-006404CUA](#) (J. SPEIRS: (628) 652-7357)
3757 21ST STREET – south side between Noe and Sanchez Streets; Lot 075 in Assessor's Block 3621 (District 8) – Request for **Conditional Use Authorization**, pursuant to Planning Code Sections 303, and 317, to demolish an existing two-story, 1,585 gross-square-foot, one-family dwelling and to construct a new four-story-over-basement, 4,393 gross-square-foot, one-family dwelling, which includes a 360-square-foot Accessory Dwelling Unit. The project is located within a RH-1 (Residential-House, One-Family) Zoning District, Dolores Heights SUD (Special Use District) (PC Section 241), 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: = Jeffrey Speirs – Staff report
+ Lucas Eastwood – Project sponsor
- Bruce Bowen – Trees preservation
- Mark -Trees

- Georgia Schuttish – Good that per the project sponsor: “This is not a spec project”. But most of the Noe Valley extreme Alteration projects since 2009 with questionable or no Demolition Calculations per Section 317 were/are spec projects including two on this very block...both sold/selling entitlements. If Calcs had been adjusted per Section 317 (b) (2) (D) would genesis/outcome of this project been different? Currently this is: A sound, livable house. Relatively Affordable. Was: Extreme Alteration Will be: Demolition, Large SFH. Staff said in March 2009 when Section 317 Code Implementation Document was approved that: “We intend to return in a couple of months with a report on the first year of operation of Sect.317, and may make recommendations for adjustments of some of the threshold that the Code empowers you to make, particularly about the thresholds for Alteration projects that are Tantamount to Demolitions.” Staff never returned.

- Robert Fruchtman – Oppose

+ Jonathan Randolph – Unit diversity, unit equity

- Debora Nelson – Effects of the massive excavation to Magnolia tree

ACTION: Approved with Conditions as amended to include the condition read into the record by Staff to address both side property line trees.

AYES: Tanner, Diamond, Fung, Imperial, Koppel

NAYS: Moore

ABSENT: Chan

MOTION: [20979](#)

14. [2019-015440CUA](#) (J. VIMR: (628) 652-7319)

472 GREENWICH STREET – north side between Grant Avenue and Child Street; Lot 022 in Assessor’s Block 0078 (District 3) – Request for **Conditional Use Authorization**, pursuant to Planning Code Sections 249.49 and 303, to allow the installation of a one-car garage at the base of the subject building as part of substantial alterations proposed overall. Additional work would include an exterior remodel, horizontal and one-story vertical additions, interior renovations, and new roof decks. The structure would remain a two-unit building. The project is located in a RH-3 (Residential – House, Three Family) Zoning District, Telegraph Hill-North Beach Residential SUD (Special Use 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: = Jonathan Vimr – Staff report

+ David Matsuo – Project sponsor

+ Dawn Ma – Design presentation

+ Speaker – Support

+ Mark Russian – Support

+ Maureen McGinley - Support

ACTION: Approved with Conditions

AYES: Tanner, Diamond, Fung, Koppel

NAYS: Imperial, Moore

ABSENT: Chan

MOTION: [20980](#)

ADJOURNMENT 5:04 PM
ADOPTED SEPTEMBER 23, 2021