

SAN FRANCISCO PLANNING COMMISSION



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

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

THE MEETING WAS CALLED TO ORDER BY PRESIDENT KOPPEL AT 1:03 PM

STAFF IN ATTENDANCE: Aaron Starr, Bridget Hicks, Matt Dito, Kate Conner, Laura Ajello, 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. 2021-001219DRM (D. WINSLOW: (628) 652-7335)
1228 FUNSTON STREET – between Irving Street and Lincoln Way; Lot 039 in Assessor's Block 1738 (District 5) – Mandatory Discretionary Review of Building Permit 2021.0113.2631 to legalize a 3-story horizontal addition to the rear and façade alterations performed without benefit of a permit and to add a second dwelling unit at the ground

level behind the garage 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 with Modifications
(Proposed for Continuance to December 16, 2021)

SPEAKERS: None
 ACTION: Continued to December 16, 2021
 AYES: Tanner, Chan, Diamond, Fung, Imperial, Moore, Koppel

2. 2020-007481CUA (G. PANTOJA: (628) 652-7380)
5367 DIAMOND HEIGHTS BOULEVARD (1900 DIAMOND STREET) – east side between Gold Mine Drive and Diamond Street; Lot 018 in Assessor's Block 7535 (District 8) – Request for **Conditional Use Authorization** for a Planned Unit Development (PUD) pursuant to Planning Code Sections 209.2, 303, and 304 for the subdivision of an existing approximately 34,714 square foot lot into six new lots and the construction of a detached parking garage and 14 residential buildings (10 duplexes and four single-family residences) for a total of 24 residential dwelling units, 36 off-street parking spaces, and 48 Class 1 bicycle-parking spaces within a RM-1 (Residential-Mixed, Low Density) Zoning District and 40-X Height and Bulk District. The dwelling units will range in size from 1,789 to 3,954 square feet in area and contain three to four bedrooms. Under the Planned Unit Development, the proposal is seeking exceptions from the lot area (Planning Code Section 121), front setback (Planning Code Section 132), and rear yard (Planning Code Section 134) requirements. The proposal is also seeking a Conditional Use Authorization required per interim controls Board File No. 201370 (Resolution No. 10-21) for the construction of a residential development that does not maximize the principally permitted residential density of the subject lot. This action constitutes the Approval Action for the project for the purposes of CEQA, pursuant to San Francisco Administrative Code Section [31.04\(h\)](#).
 (Continued from Regular hearing on November 4, 2021)
(Proposed for Continuance to January 20, 2022)

SPEAKERS: None
 ACTION: Continued to January 20, 2022
 AYES: Tanner, Chan, Diamond, Fung, Imperial, Moore, Koppel

3. 2016-005365CUA (S. YOUNG: (628) 652-7349)
230 ANZA STREET – north side between Collin Street and Wood Street; Lot 013 in Assessor's Block 1091 (District 1) – Request for **Conditional Use Authorization** pursuant to Planning Code Sections 209.1, 303 and 317 to allow the tantamount to demolition of an existing 2,094 square-foot two-unit, two-story residential building and to construct a 4,359 square-foot three-unit, three-story residential building (with mezzanine level and decks) 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: Approve with Conditions
 (Continued from Regular hearing on October 21, 2021)
(Proposed for Continuance to February 24, 2022)

SPEAKERS: None

ACTION: Continued to February 24, 2022
 AYES: Tanner, Chan, Diamond, Fung, Imperial, Moore, Koppel

11. [2020-008133CUA](#) (J. HORN: (628) 652-7366)
228 VICKSBURG STREET – west side between Elizabeth and 24th Streets; Lot 011 of Assessor's Block 3652 (District 8) – Request for **Conditional Use Authorization**, pursuant to Planning Code Sections 209.1, 303 and 317, to demolish an existing 1,270 square-foot, one-story one-family dwelling and to construct a new 6,325 gross-square-foot, four-story three-family dwelling which includes a 2,262 square-foot, two-bedroom dwelling unit, a 1,499-square-foot two-bedroom dwelling unit, a 1,235-square-foot two-bedroom dwelling unit, and a 789-square-foot garage providing two vehicle parking space and three Class 1 bicycle parking spaces. The project site is located 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: Approve with Conditions

SPEAKERS: None
 ACTION: Continued to February 10, 2022
 AYES: Tanner, Chan, Diamond, Fung, Imperial, Moore, Koppel

13. [2017-015678CUA](#) (C. ASBAGH: (628) 652-7329)
425 BROADWAY – south side between Montgomery and Kearny Streets; Lot 002 in Assessor's Block 0163 (District 3) – Request for **Conditional Use Authorization** pursuant to Planning Code Sections 121.1, 121.2, 253.1, 303 and 714, to develop on a large lot, exceed use size limits, and construct two buildings greater than 40 feet in height. The project would demolish the existing parking structure and construct two mixed-use buildings reaching heights of five-stories (56 feet) on Broadway and seven-stories (64 feet) on Montgomery Street with approximately 51,625 gross square feet of residential use, 4,940 gross square feet of retail use, and 17,995 gross square feet of design professional office use. The proposed project includes a total of 42 dwelling units, with a mix of 16 one-bedroom units, 21 two-bedroom units, and five three-bedroom units with six dwelling units provided as on-site affordable units. The Project would provide 17 off-street vehicle parking spaces, 47 Class 1 and seven Class 2 bicycle parking spaces, and one freight loading. The Project is utilizing the Individually Requested State Density Bonus Program to achieve a 20% density bonus thereby maximizing residential density on the Site pursuant to California Government Code Sections 65915-95918. The Project requests three (3) waivers from: Bulk (Section 270), Rear Yard (Section 134), and Dwelling Unit Exposure (Section 140). The Project Site is located within the Broadway NCD (Neighborhood Commercial District) Zoning District and 65-A-1 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 November 4, 2021)

SPEAKERS: None
 ACTION: Continued to December 16, 2021
 AYES: Tanner, Chan, Diamond, Fung, Imperial, Moore, Koppel

B. COMMISSION MATTERS

4. Consideration of Adoption:

- [Draft Minutes for November 18, 2021](#)

SPEAKERS: Georgia Schuttish – Email requesting corrections to speaker’s name on items 10 and 11

ACTION: Adopted

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

5. Commission Comments/Questions

Commissioner Tanner:

This is totally unrelated I supposed to our course of business but I just want to welcome everybody back from the holidays. Good to see you all and hopefully sometime in the new year we will be together in person. But I also wanted to congratulate the Michigan Wolverines on their victory over Ohio State this past weekend. So, Go Blue. I wouldn’t be a good wolverine if I didn’t mention that. Hope you guys had a happy holiday.

6. [2021-009977CRV](#) – Remote Hearings – Consideration of action to allow teleconferenced meetings and adopting findings under California government code section 54953(e) to allow remote meetings during the COVID-19 emergency; continue remote meetings for the next 30 days; direct the Commission Secretary to schedule a similar resolution [motion] at a commission meeting within 30 days.

SPEAKERS: Sue Hestor - Schedule an agenda item to discuss how we can return safely to live hearings

Georgia Schuttish – Standard time for people to speak

ACTION: Adopted

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

RESOLUTION: [21040](#)

C. DEPARTMENT MATTERS

7. Director’s Announcements

Rich Hillis, Planning Director:

Good afternoon, Commissioners. No announcements today. Hope you all had a good break and a good holiday.

8. 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

- 210381 Planning Code - Massage Establishment Zoning Controls. Sponsors: Ronen; Mandelman. Staff: V. Flores

At land use this week, the Committee considered Supervisor Ronen's ordinance that would amend the Planning Code to include sole practitioner massage within the definition of Health Services and to regulate Massage Establishments consistent with Health Services controls.

The Planning Commission heard this item on June 3rd and recommend approval with modifications. Those modifications were:

- Allowing Massage accessory to Personal Services on any floor, like the exception proposed for Hotels.
- Maintain the more permissive controls for Massage Establishments even if the Health Services controls are more restrictive in that district; and
- Some other clerical amendments

During land use, there were three public comments:

- Two in support of the Ordinance; and
- Linda Chapman in opposition

During discussions, Supervisor Peskin had some questions about specific terminology in the Code, and Supervisor Preston requested to be added as a co-sponsor.

The Committee then made a Motion to accept the amendments proposed by the Planning Commission, this motion was approved unanimously.

The committee continued the item one week because the accepted amendments were substantive. This motion was also approved unanimously.

Full Board

- 210807 Planning Code - Repealing Article 12 Regarding Oil and Gas Facilities. Sponsor: Chan. Staff: Starr. PASSED Second Read
- 210452 Planning Code - Exemption from Neighborhood Notification and Review Requirements for Grandfathered Medical Cannabis Dispensaries Converting to Cannabis Retail. Sponsor: Mayor Staff: Christensen. Passed First Read
- 210810 Planning Code - Business Signs on Awnings and Marquees. Sponsors: Stefani; Chan. Staff: Merlone. Passed First Read

Jonas P. Ionin, Commission Secretary:

As stated, I do not have a report from the Board of Appeals but the Historic Preservation Commission did meet yesterday and considered several legacy business applications. The first at 300 19th Avenue, a personal favorite of mine, Tia Margarita, the Performing Arts Workshop Inc. on San Jose Avenue, Tu Lan Vietnamese Restaurant, another favorite of mine on 6th Street, Dark Garden Unique Corsetry Inc. on Linden Street, as well as the Hyde Street Studios on Hyde Street. Finally, they adopted or forwarded a recommendation for approval for Landmark Designation of the Golden Gate Valley Carnegie Library on Green Street.

D. GENERAL PUBLIC COMMENT

SPEAKERS: Georgia Schuttish - The October 21st Executive Summary from Staff analyzing SB-9 said on page 10 the Department was working on a Financial Analysis of viability of SB-9 development scenarios. And it would be done in late October. This would be good information for the Supervisors to have from the Department's housing experts. On page 12 of the October 21st Executive Summary was a list of neighborhoods. Most of these are in the southern part of the City which are fundamentally all RH-1. One of my concerns when raising the issue of the Demo Calcs was the housing in these neighborhoods, particularly the Excelsior, becoming a Noe Valley with extreme Alterations that had the same outcome as Demolitions....loss of existing relatively affordable housing with high-end housing. Whether it's predatory actions that lead to cashing out or evictions from single family homes, measures are needed.....quickly.....to prevent this.

Tes Welborn – Remote hearings

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.

9. [2019-022510CRV](#) (B. HICKS: (628) 652-7528)
240-250 CHURCH STREET – west side between Market Street and 15th Street; Lot 003 of Assessor's Block 3543 (District 8) – Request for **Adoption of Findings** Related to State Density Bonus pursuant to Planning Code Section 206.6 to allow the demolition of a one-story limited restaurant (dba Thoroughbread Bakery) and construction of a seven-story, 74 feet 11 inches tall mixed-use building (measuring 28,974 gross square feet) with 24 dwelling units and a ground floor commercial space (dba Thoroughbread Bakery) with rear outdoor activity area within the Upper Market NCT (Neighborhood Commercial Transit) Zoning District and 40-X Height and Bulk District. The Project seeks a waiver from the height limit (Section 250) pursuant to the State Density Bonus Law. 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: Adopt Findings
 (Continued from Regular hearing on November 18, 2021)

SPEAKERS: = Bridget Hicks – Staff report
 + Jeremy Schaub – Project sponsor
 - Steven – In the LGBTQ cultural district, none of the units will be rent controlled
 - Sue Hestor – 2135 Market Street, show the 2 buildings in relationship to each other
 + Speaker – Project sponsor response to questions and comments

ACTION: Adopted Findings as amended to include the Sponsor meet with Cultural District community members to consider appropriate art installation(s) and community meeting space.

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

RESOLUTION: [21041](#)

10. [2018-009812CUA](#) (M. DITO: (628) 652-7358)
1268 17TH AVENUE – east side between Judah and Irving Streets; Lot 023 in Assessor's Block 1734 (District 5) – Request for **Conditional Use Authorization** pursuant to Planning Code Sections 303 and 317, and Board File No. 201370 (Interim Zoning Controls – Large Residential Projects in RC, RM, and RTO Districts [2021-000694PCA]) to demolish a detached dwelling unit at the rear of the lot and construct two new dwelling units as part of a one-story vertical addition and a horizontal addition at the rear to the single-family dwelling at the front of the lot. The Project will result in a net increase of one dwelling unit on the property as part of a four-story, three-family dwelling. The Project requires Conditional Use Authorization pursuant to Board File No. 201370 because it does not provide the maximum residential density that is principally permitted and proposes to increase the size of a dwelling unit that is greater than 2,000 square feet. The subject property 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
 (Continued from Regular hearing on October 21, 2021)

SPEAKERS: = Matt Dito – Staff report
 - Paula Hernandez – Rent controlled and non-rent controlled units
 - Kamani Harris – Project works against the equity and affordability goals of the city
 - Joseph Galloway – Renovation not demolition
 - Sandra Dratler – Create upscale units, monitor closely
 - Don – Rent control restrictions, continued gentrification
 = Kate Conner – Response to questions and comments
 + Jack Yu – Property owner response to questions and comments

ACTION: Approved with Conditions

AYES: Tanner, Chan, Diamond, Fung, Koppel

NAYS: Imperial, Moore

MOTION: [21042](#)

12. [2018-015061CUA](#) (L. AJELLO: (628) 652-7353)
1016 PIERCE STREET – east side between Turk Street and Golden Gate Avenue; Lot 011 of Assessor's Block 0754 (District 5) – Request for **Conditional Use Authorization**, pursuant to Planning Code Sections 209.2, 303 and 317 to legalize the merger of two residential units into a single-family residence and add a new Accessory Dwelling Unit on the ground floor. There will be no expansion of the existing building envelope or exterior modifications to the existing, unpermitted property condition under the current proposal. The project site is located within a RM-3 (Residential Mixed, Medium Density) Zoning District and 40-X Height and Bulk District.
Preliminary Recommendation: Disapprove

SPEAKERS: = Laura Ajello – Staff report
 + Colin Schmidt – Project sponsor
 + Jennifer Schmidt – Project sponsor
 + Phil Ginsburg – Support
 + Jeremy Paul – Great example of Section 317
 + Jamaal – Great family
 + Bridgette Brown – Supportive neighbors
 + Speaker – Support and consider the merger
 + Steven Gomez – Support
 + Claudia Volpe – Support
 + Roberto – Support
 = Yonathan Randolph – Regulate the use
 = Austin Yang – City Attorney response to questions and comments
ACTION: After a motion to Continue failed +3 -4 (Chan, Imperial, Moore, Koppel against); Disapproved
AYES: Chan, Imperial, Moore, Koppel
NAYS: Tanner, Diamond, Fung
MOTION: [21043](#)

14. [2020-008417CWP](#) (J. PAPPAS: (628) 652-7470)
RECOVERY STRATEGIES – ECONOMIC RECOVERY UPDATE – Informational Presentation – Update on San Francisco’s economic recovery from the COVID-19 pandemic including context and information covering economic sectors, workers and jobs, and retail districts. The presentation includes discussion of efforts to support the recovery of the City Core, including Downtown Office and Union Square, and neighborhood retail and services. This update is part of ongoing recovery strategies by the Planning Department, the Office of Economic and Workforce Development (OEWD), Mayor's Office of Housing and Community Development (MOHCD), and other City agencies to support an equitable recovery.
Preliminary Recommendation: None – Informational

SPEAKERS: None
ACTION: Without hearing; Continued to December 9, 2021
AYES: Tanner, Chan, Diamond, Fung, Imperial, Moore, Koppel

ADJOURNMENT 3:28 PM
 ADOPTED DECEMBER 16, 2021