

# SAN FRANCISCO PLANNING COMMISSION



## Meeting Minutes

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

**Thursday, April 21, 2022**  
**1:00 p.m.**  
**Regular Meeting**

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

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

**STAFF IN ATTENDANCE:** Aaron Starr, Robin Abad, Kimberley Durandet, Jeff Horn, Kalyani Agnihotri, Laura Ajello, David Winslow, Corey Teague – Zoning Administrator, 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. 2019-022830AHB (C. MAY: (628) 652-7359)  
3055 CLEMENT STREET – southeast corner of 32<sup>nd</sup> Avenue; Lot 043 of Assessor's Block 1463  
(District 1) – Request for **HOME-SF Project Authorization**, pursuant to Planning Code

Sections 206.3, 328, and 710, to allow the construction of a six-story, 62-foot tall residential building containing seven dwelling units totaling approximately 10,562 square feet above approximately 614 square feet of ground floor commercial space within a NC-1 (Neighborhood Commercial, Cluster) 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 March 24, 2022)

**(Proposed for Continuance to May 19, 2022)**

SPEAKERS: None  
 ACTION: Continued to May 19, 2022  
 AYES: Ruiz, Diamond, Fung, Imperial, Koppel, Moore  
 ABSENT: Tanner

## 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

2. [2022-000233CUA](#) (K. WILBORN: (628) 652-7355)  
2122 FILLMORE STREET – east side between California and Sacramento Streets; Lot 022 in Assessor's Block 0636 (District 2) – Request for **Conditional Use Authorization** to operate a Formula Retail Establishment, d.b.a. Diptyque, within an existing, vacant, 1,155 square-foot ground floor commercial storefront in the two-story, mixed-use structure within the Upper Fillmore 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\(h\)](#).

*Recommendation: Approve with Conditions*

SPEAKERS: None  
 ACTION: Approved with Conditions  
 AYES: Ruiz, Diamond, Fung, Imperial, Koppel, Moore, Tanner  
 MOTION: 21102

## C. COMMISSION MATTERS

3. Consideration of Adoption:  
 • [Draft Minutes for April 7, 2022](#)

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

4. Commission Comments/Questions

**President Tanner:**

I don't have any comments or questions today other than just to say I miss being in the Chamber with you all. But, as you may have heard, I am just a little under the weather and don't want to risk anything, but glad to be joining via Zoom and hope everyone is doing really well today.

D. DEPARTMENT MATTERS

5. Director's Announcements

**Rich Hillis, Planning Director:**

Good afternoon, Commissioners. Just one announcement, I wanted to let you know that the draft EIR for the Housing Element was issued yesterday. I was just looking at our website and couldn't find it there so I'll make sure it is more prominent on our website, both on the front page and the Housing Element page. There is a 60-day comment period. We will also have it before you for comment by you as well as the public within that 60 days. I just wanted to let you know.

6. 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. This week's Land Use Committee was a quickie with only one item on the agenda, Adult Sex Venues. As I'm sure you recall the ordinance creates a new definition of the code adult sex venues and permits them in neighborhoods where they are most prevalent prior to the AIDS crisis. Commissioners, you heard this item on April 7<sup>th</sup> and recommended approval with modifications. Those included to, 1) expand the area in which adults sex venues are principally permitted within the RC Zoning District to include the Compton's Transgender Cultural District, 2) clarify the definition of adult sex venues to ensure that most common types of ASVs can operate without seeking additional use permits, and 3) correct the error in table A10 to change that all business from "permitted" to "non-permitted", and finally, some other clerical fixes. There were about three public speakers during the hearing, all in support. After public speakers, the committee then made a motion to amend the ordinance to include all of the Planning Commission's recommended modifications and then continue to one week because there were amendments that were deemed substantive.

At the Full Board this week, the landmark designation for the Clay Theatre passed its first read. And that's all I have for you today.

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

There is no report from the Board of Appeals. However, the Historic Preservation Commission did meet yesterday and they actually received an Informational Presentation on the Housing Element 2022 Update, as well as, an informational presentation from staff related to the San Francisco Survey and Community Engagement Framework. And finally, extended the Certificate of Appropriateness for the Bandshell use of the stage for outdoor lighting and sound system.

**E. GENERAL PUBLIC COMMENT**

SPEAKERS: Jerry Dratler – Developers received preferential treatment  
 Patricia Boyd – SFMTA, parking and parklets, retail  
 Georgia Schuttish – 144 Laidley  
 Sue Hestor – 3 minutes for comments

**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.

7. (R. ABAD: (628) 652-7456)

**SHARED SPACES PROGRAM – Informational Presentation** – On March 22, 2022, the Board unanimously passed an ordinance revising provisions for both the Pandemic version and permanent codified version of the Shared Spaces Program. Key changes include a nine-month extension to the sunset of the Pandemic Shared Spaces Program; from June 30, 2022 to March 30, 2023. The effective date for most design and operating regulations, along with associated fees and fines, are likewise delayed until March 2023. However, the Board did specify that enforcement for several issues, especially access for persons with disabilities and for emergency responders, commence immediately; and that Departments may fine for those. The Program is making equity grant opportunities to available to offset impact of capital changes to Shared Spaces through the remainder of the pandemic. The extension gives both operators and City departments more time to fine-tune curb management and circulation concerns across the City's commercial corridors.

*Preliminary Recommendation: None – Informational*

SPEAKERS: = Robin Abad – Staff Presentation  
 + Monica Munowitch – SFMTA Presentation  
 - Patricia Boyd – Complaints from merchants ignored, homeless

ACTION: Reviewed and Commented

8. (K. DURANDET: (628) 652-7315)

**2019-020031CUAVAR** – east side between Woolsey and Wayland Streets; Lots 037 and 022 in Assessor's Block 5457 (District 9) – Planning Department staff and other City agencies will provide an **Informational Presentation** on the proposed project (Project) at 2861-2899 San Bruno Avenue. The Project includes legalization of work completed without benefit of a permit, including an increase in the number of approved dwelling units approved as this site, design modifications and a change in the compliance with the inclusionary affordable housing requirements specified in Planning Code Section (PC) 415. The Project will require a Conditional Use Authorization (CUA) from the Planning Commission under PC 303 and 415 to amend Conditions of Approval granted by the Planning Commission on January 17, 2013, under Motion No. 18782 to change the compliance with the inclusionary affordable housing program of PC 415 from providing on-site affordable housing to payment of the Affordable Housing Fee. In addition, the Project will request a CUA per PC 207.7, 303, and 741 to waive the dwelling unit mix requirements, approve a change to the Project's approved dwelling unit density (from 10 to 27 dwelling

units; 15 are Accessory Dwelling Units) and legalize design modifications completed without benefit of a permit. Finally, the Project is seeking to legalize the demolition of two dwelling units, which occurred as part of BPA No. 201312305201, per PC 303 and 317. No Commission action will be taken at this time on the proposed project.

*Preliminary Recommendation: None – Informational*

SPEAKERS: = Kimberly Durandet – Staff Presentation  
 - Jerry Dratler – No DBI inspections  
 - Ozzy Rohm - Balance decision, make units affordable  
 - Speaker – Travesty, make units affordable  
 - Alex – Does not support design  
 - Maggie Weis – Hold DBI responsible  
 - Sue Hestor – Affordable units  
 - Zack Wiesenberger – Hold developer accountable  
 = Corey Teague – Response to comments and questions  
 + Laura Strazzo, Project sponsor – Response to comments and questions  
 = Rich Hillis – Response to comments and questions  
 = Austin Yang, City Attorney – Response to comments and questions  
 = Ken Coflin, SF Fire Marshall – Response to comments and questions  
 = Joseph Duffy, DBI – Response to comments and questions  
 = Joseph Koomas, Rent Board – Response to comments and question

ACTION: Reviewed and Commented

9. [2020-008133CUA](#) (J. HORN: (628) 652-7366)  
228 VICKSBURG STREET – west side between Elizabeth and 24<sup>th</sup> 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 with an unauthorized dwelling unit 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. 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 March 31, 2022)

SPEAKERS: = Jeff Horn – Staff Report  
 + Earle Weiss - Project Sponsor Presentation  
 + Denise Leadbetter – Project Sponsor Presentation  
 - Ozzy Rohm – Correct single family to a duplex  
 - Anastasia Yovanopoulos – Tenants  
 - Julia Souza – Light and shadow impact  
 - Jim Harvey - Oppose  
 - Georgia Schuttish - Email  
 - Layla Stanley – Impact to quality of life

ACTION: Approved with Conditions as amended to include a reference to Gov. Code Section 66300 for units 2 & 3, in the event they are sold, to be deed restricted at 80% AMI.

AYES: Ruiz, Diamond, Fung, Imperial, Koppel, Tanner  
 NAYS: Moore  
 MOTION: [21103](#)

- 10a. [2021-011722CUA](#) (K. AGNIHOTRI: (628) 652-7454)  
3251-3253 STEINER STREET – southwest corner of Lombard Street; Lot 001 in Assessor's Block 0511 (District 2) – Request for **Conditional Use Authorization** pursuant to Planning Code Sections 303, 317 and 712 to convert two dwelling units to Non-Retail Professional Service uses on the second and third floors of the subject building. The project is located within a NC-3 (Neighborhood Commercial – Moderate Scale) Zoning District and 40-X Height and Bulk District. Please note, there is an additional proposal on the subject property for a Conditional Use Authorization to establish a cannabis retail use in the commercial space at 2205 Lombard Street, which is located on the ground floor of the subject property (Case No. 2021-007323CUA). The applicant requests to convert the existing residential two-car garage to commercial loading for the Cannabis Retail Use.  
*Preliminary Recommendation: Disapprove*  
 (Continued from Regular hearing on April 7, 2022)

SPEAKERS: = Kalyani Agnihotri – Staff Presentation  
 = Laura Ajello – Staff Presentation  
 + John Kevlin – Project sponsor 3251-3253 Steiner Street  
 + Michelle Kim – Project sponsor 2205-2207 Lombard Street  
 - Christian Elbeck – Saturation rate of Cannabis group in the neighborhood  
 - Patricia Boyd – Support disapproval, overlapping applications  
 - Amy Louie – Cannabis store is not in keeping of the neighborhood character  
 + Jennie – Give owner the opportunity  
 - Laura Campbell – Oppose conversion  
 + Speaker – Allocation of commercial vs residential space  
 + Speaker – Supports cannabis application  
 + Margie – Owner of 3251-3253 Steiner Street  
 - Speaker – Concerns with health and safety, traffic and parking  
 + Shaun Green – Supports Rose Mary Jane  
 = Corey Teague – Response to comments and questions  
 + Speaker – Response to comments and questions

ACTION: After hearing and closing public comment; Adopted a Motion of Intent to Approve with Conditions and Continued to May 12, 2022.

AYES: Ruiz, Diamond, Fung, Koppel, Tanner  
 NAYS: Imperial, Moore

- 10b. [2021-011722VAR](#) (K. AGNIHOTRI: (628) 652-7454)  
3251-3253 STEINER STREET – southwest corner of Lombard Street; Lot 001 in Assessor's Block 0511 (District 2) – Request for **Variiances** from the requirements of the Planning Code pursuant to Section 305(d), to remove the condition of approval associated with Variance Case No. 86.019V that requires the two off-street parking spaces in the ground story garage be provided for the two dwelling units. The project is located within a NC-3 (Neighborhood Commercial – Moderate Scale) Zoning District and 40-X Height and Bulk District.  
 (Continued from Regular hearing on April 7, 2022)

SPEAKERS: Same as item 10a.  
 ACTION: ZA Closed the public hearing and Continued to May 12, 2022

- 10c. [2021-007323CUA](#) (L. AJELLO: (628) 652-7353)  
2205-2207 LOMBARD STREET – southwest corner of Steiner Street; Lot 001 of Assessor's Block 0511 (District 2) – Request for **Conditional Use Authorization**, pursuant to Planning Code Sections 202.2, 303, and 712, to establish an approximately 1,958 square-foot Cannabis Retail Use with no on-site smoking or vaporizing of cannabis products (d.b.a. Rose Mary Jane) by combining two ground floor commercial spaces within an existing three-story mixed-use building, with no on-site smoking or vaporizing of cannabis products. This case is related to a residential project within the same building, 2021-011722CUAVAR. The applicant requests transfer of the existing residential two-car garage to commercial use. The subject property is located within a NC-3 (Neighborhood Commercial) 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). Please note, there is an additional proposal on the subject property for a Conditional Use Authorization and Variance to convert the two dwelling units on the second and third floors of the subject building to Non-Retail Professional Service uses and to remove an existing condition of approval from a prior variance case that requires the two off-street parking spaces in the ground story garage be provided for the two dwelling units (2021-011722CUAVAR). The applicant requests to convert the existing residential two-car garage to commercial loading for the Cannabis Retail Use.  
*Preliminary Recommendation: Approve with Conditions*  
 (Continued from Regular hearing on April 7, 2022)

SPEAKERS: Same as item 10a.  
 ACTION: Approved with Conditions as amended to include that the Sponsor continue working with Staff on an appropriate design solution for the garage door after removal of the curb cut.  
 AYES: Ruiz, Diamond, Fung, Koppel, Tanner  
 NAYS: Imperial, Moore  
 MOTION: [21104](#)

## 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.

11. [2021-002528DRP](#) (D. WINSLOW: (628) 652-7335)  
110 EL CAMINO DEL MAR – north side near 25<sup>th</sup> Avenue; Lot 019 in Assessor's Block 1302 (District 2) – Request for **Discretionary Review** of Building Permit No. 2021.0217.4806 to construct a horizontal addition at the ground level and a roof deck including railings and a stair penthouse at the rear built into the existing hip roof of an existing two-story, one-family residence 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*  
(Continued from Regular hearing on March 31, 2022)

SPEAKERS: = David Winslow – Staff Report  
+ James Coy – Project Sponsor Presentation  
ACTION: No DR  
AYES: Ruiz, Diamond, Imperial, Koppel, Moore, Tanner  
ABSENT: Fung  
DRA: [781](#)

ADJOURNMENT 5:56 PM  
ADOPTED MAY 12, 2022