

SAN FRANCISCO PLANNING COMMISSION

Meeting Minutes

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

Thursday, May 19, 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 1:00 PM

STAFF IN ATTENDANCE: Gabriela Pantoja, David Winslow, Rich Hillis – Planning Director, Rich Sucre – Acting 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. 2021-004987DRP (D. WINSLOW: (628) 652-7335)
2760 DIVISADERO STREET – northeast corner of Green Street; Lot 020 in Assessor's Block 0953 (District 2) – Request for **Discretionary Review** of Building Permit No. 2021.0223.5187 construct an extension of a fourth level rear deck over (e) flat roof including new railings. No added square footage. No changes to building envelope to a four-story one-family

residential building within a RH-1 (Residential House, One-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
(Proposed for Continuance to July 28, 2022)

SPEAKERS: None
 ACTION: Continued to July 28, 2022
 AYES: Ruiz, Diamond, Fung, Imperial, Koppel, Moore, Tanner

2. 2019-022830AHB (C. MAY: (628) 652-7359)
3055 CLEMENT STREET – southeast corner of 32nd 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 April 21, 2022)
(Proposed for Indefinite Continuance)

SPEAKERS: None
 ACTION: Continued Indefinitely
 AYES: Ruiz, Diamond, Fung, Imperial, Koppel, Moore, 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.

3. [2021-002045CUA](#) (E. WU: (628) 652-7415)
170 SOUTH VAN NESS AVENUE – west side Plum Street and 13th Street; Lot 039 in Assessor's Block 3514 (District 6) – Request for **Conditional Use Authorization** pursuant to Planning Code Sections 303, 303.1, and 752 to establish an approximately 21,247 square-foot General Grocery Formula Retail Use (doing business as US Foods Chef Store). Signage changes will be made to the building's front façade under a separate permit. The Project Site is located within a NCT-3 (Moderate Scale Neighborhood Commercial Transit District) Zoning District and 85-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 Conditions

AYES: Ruiz, Diamond, Fung, Imperial, Koppel, Moore, Tanner
 MOTION: [21118](#)

4. [2021-013003CUA](#) (G. PANTOJA: (628) 652-7380)
 3931 ALEMANY BOULEVARD – south side St. Charles and Worcester Avenues; Lot 012 in Assessor’s Block 7126A (District 7) – Request for a **Conditional Use Authorization** pursuant to Planning Code Sections 303, 303.1, and 713 for the establishment of a Formula Retail Limited Restaurant Use (D.B.A. 7 Leaves Café) at an approximately 1,780 square foot tenant space at the ground floor of an existing mixed-use building within the NC-S (Neighborhood Commercial, Shopping Center) Zoning District and 40-X Height and Bulk District. The proposal includes the merger of two existing tenant spaces and interior renovations. 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: + Michael Cross – Support
 ACTION: Approved with Conditions
 AYES: Ruiz, Diamond, Fung, Imperial, Koppel, Moore, Tanner
 MOTION: [21119](#)

C. COMMISSION MATTERS

5. Commission Comments/Questions

Commissioner Diamond:

There was a distressing article on the front page of the Chronicle today about POPOS remaining closed and I was wondering if Director Hillis might want to respond to that. There are obviously of some concern to the Commission and the Department I would assume.

Rich Hillis, Planning Director:

Yes, happy to. And we know, I mean through the pandemic, open space has been critical to residents of the city and visitors and workers and that continues to be. So, our take is that if the buildings are open the POPOS should also be open, so we will look at that. Perhaps we can send a notice to all buildings that do have POPOS and let them know of the rules and if they do not open, we can start enforcement actions. But we will look into that because again our take is if the building is open the POPOS should be open as well.

Commissioner Diamond:

Thank you.

Commissioner Imperial:

I have a follow-up question on that, Director Hillis. Is there more of an active oversight in terms of looking into the POPOS, checking it, or it's more based on complaints?

Rich Hillis, Planning Director:

Like most of our enforcement work it tends to be complaint based.

Commissioner Imperial:

Okay.

Commissioner Moore:

I wanted to ask Director Hillis a question regarding Transamerica permit. We understand there is a major change in ownership and ideas of refurbishing the building and other activities surrounding the site. However, none of that has come in front of us. And as we are speaking about POPOS at least for three or four weeks now, the entire block that is Montgomery, Clay turning onto Sansome are boarded off and that includes the Redwood Park that is one of the first POPOS in the series of San Francisco downtown parks. It's completely closed off. That particular park for decades has served as an open space for the SROs in Chinatown. Given that there is relatively a high degree of people not having open space, and in addition to Portsmouth Square using this particular open space for community relief. Can we get an update of what the plans are - why this particular park already closed off, and that particular project has not come in front of us?

Rich Hillis, Planning Director:

Right. We will look into that. I think what's already been approved is some renovations to the ground floor of the tower itself. I think the notion was to add some additional or to repurpose some of the lobby space to retail. I think that's approved but to me that wouldn't necessarily necessitate closure of the park so we will look into that. There is a --

Commissioner Moore:

[inaudible] of the block and the building, the tall building at the corner of Clay and Sansome. It's all completely closed off with a construction barricade.

Rich Hillis, Planning Director:

Yeah. Right. There's an application in for the office building on the northwest corner of Sansome which will have to come to the Commission because I believe it's a Prop M allocation. But we will give you an update on the timing of all that as well as question why the entire block is closed, that the park is closed.

Commissioner Moore:

Thanks.

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

Rich Sucre, Deputy Director of Current Planning:

The HPC did not meet yesterday, they had canceled the hearing for May 18th.

Relative to the Board of Appeals, I was informed by the Deputy Zoning Administrator that the Board of Appeals did not hear any items of interest to the Planning Commission.

And then finally for the Board of Supervisors, Legislative Affairs Manager Aaron Starr provided to me that the Fourplex legislation was continued to the June 6th Land Use Committee and the Mission Cultural Center passed landmark nominations, passed its first read at the Board of Supervisors.

Rich Hillis, Planning Director:

If I can add on Fourplex legislation because we did get a question as to why it wouldn't come back. Currently the proposal that the Board is considering is to limit those, limited to only property owners who have owned their property for five or more years to take advantage of the density increase to go from two units to four. And although we didn't necessarily discuss that as a policy issue when it came to us, it's limiting and we think, kind of dramatically limiting the ability for lots to take advantage of this. So that's why it didn't come back to the Planning Commission, just because it limits the number. Yeah, it's more restrictive.

E. GENERAL PUBLIC COMMENT

SPEAKERS: Georgia Schuttish – May 17th email to Commissioners

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.

- 8a. [2017-001961SHD](#) (G. PANTOJA: (628) 652-7380)
350 OCEAN AVENUE – north side between San Jose and Delano Avenues; Lot 023 in Assessor's Block 3212 (District 11) – Request for adoption of **Shadow Findings** pursuant to Planning Code Section 295 that net new shadow from the project would not adversely affect the use of Balboa Park under the jurisdiction of the Recreation and Park Commission, within a NCT-1 (Neighborhood Commercial Transit Cluster) Zoning District and 45-X Height and Bulk District.

Preliminary Recommendation: Adopt Findings

(Continued from Regular hearing on April 14, 2022)

Note: On February 24, 2022, after hearing and closing public comment, continued to April 14, 2022, by a vote of +3 -2 (Fung and Tanner against; Diamond absent). On April 14, 2022, without hearing, continued to May 19, 2022 by vote of +7 -0.

SPEAKERS: = Gabriela Pantoja – Staff report
 + Tuija Catalano – Project sponsor presentation
 + Jeremy Schaub – Design presentation
 - Ernesto Fabela – Concerns
 - Colleen Fabela – Parking
 - Speaker – Delay the project
 + Scott - Support

ACTION: Adopted

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

MOTION: [21120](#)

- 8b. [2017-001961CUA](#) (G. PANTOJA: (628) 652-7380)
 350 OCEAN AVENUE – north side San Jose and Delano Avenues; Lot 023 in Assessor’s Block 3212 (District 11) – Request for **Conditional Use Authorization** pursuant to Planning Code Sections 121.1, 155(r), 303, 750 and for a Concession/Incentive and Waiver from Development Standards, pursuant to Planning Code Section 206.6 and California Government Code Section 65915 under State Density Bonus Law, to allow the demolition of two existing one-story, commercial buildings and the construction of a five-story over basement, 36 dwelling unit (19 two-bedrooms, 13 one bedroom, and four studios) residential building with 15 off-street parking spaces, 36 Class 1 bicycle parking spaces, two Class 2 bicycle parking spaces, 1,197 square feet of private usable open space, and 3,888 square feet of common usable open space within a NCT-1 (Neighborhood Commercial Transit Cluster) and 45-X Height and Bulk District. Under the **Individually-Requested State Density Bonus Program**, the Project seeks a Density Bonus, and Waivers from Rear Yard (Section 134), Usable Open Space (Section 135), Exposure (140), Active Use (Section 145), and Height (Section 260) requirements. 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 14, 2022)

Note: On February 24, 2022, after hearing and closing public comment, continued to April 14, 2022, by a vote of +3 -2 (Fung and Tanner against; Diamond absent). On April 14, 2022, without hearing, continued to May 19, 2022 by vote of +7 -0.

SPEAKERS: Same as item 8a.
 ACTION: Approved with Conditions
 AYES: Ruiz, Diamond, Fung, Imperial, Koppel, Moore, Tanner
 MOTION: [21121](#)

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.

9. [2021-004022DRP](#) (D. WINSLOW: (628) 652-7335)
 2230 WASHINGTON STREET – north side between Laguna and Buchanan Streets; Lot 003D in Assessor’s Block 0603 (District 2) – Request for **Discretionary Review** of Building Permit No. 2021.0329.7488 to construct a third-story horizontal rear addition with roof deck and façade alterations to an existing three-story, two-family residence 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

SPEAKERS: = David Winslow – Staff report
 + Speaker – DR approves modifications
 ACTION: Took DR and Approved with Modifications agreed upon by both parties.

AYES: Ruiz, Diamond, Fung, Imperial, Koppel, Tanner
NAYS: Moore
DRA: [785](#)

10. [2017-013615DRP](#) (D. WINSLOW: (628) 652-7335)
46 HOMESTEAD STREET – west side between 24th and 25th Streets; Lot 007 in Assessor’s Block 6503 (District 8) – Request for **Discretionary Review** of Building Permit No. 2017.1017.1386 construct a third-story horizontal addition at the front and a three-story rear horizontal addition to an existing three-story, one-family residence 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

SPEAKERS: None
ACTION: Withdrawn

ADJOURNMENT 1:45 PM
ADOPTED JUNE 9, 2022