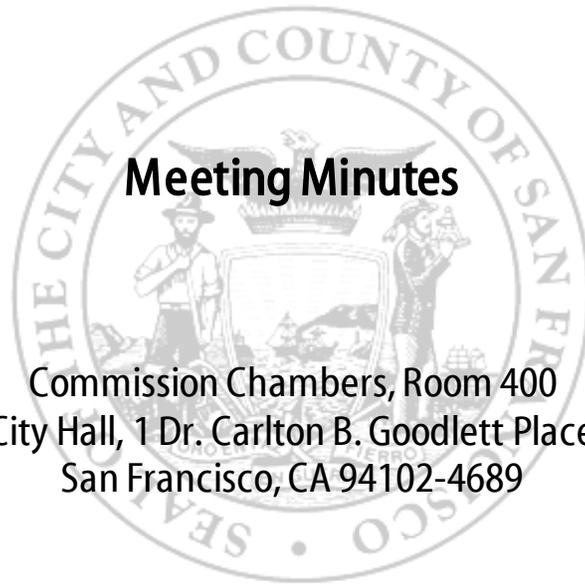


# SAN FRANCISCO PLANNING COMMISSION



## Meeting Minutes

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

**Thursday, June 16, 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 1:01 PM**

**STAFF IN ATTENDANCE:** Lisa Gibson, Aaron Starr, Claire Feeney, Ella Samonsky, Xinyu Liang, Rich Sucre, 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. 2009.0159ENV-03 (N. FOSTER: (628) 652-7330)  
1500-1540 MARKET STREET (ONE OAK) – north side between Oak Street and Van Ness Avenue; Lots 001, 002, 003, 004 and 005 in Assessor's Block 0836 (District 5) – Adoption of **Findings and Statement of Overriding Considerations** under the California Environmental

Quality Act (CEQA). The proposed project ("Project") would demolish two, non-residential buildings and surface parking lot and construct a new 40-story building reaching a roof height up to 400 feet tall (approximately 416 feet tall inclusive of mechanical equipment, or 437 feet tall inclusive of elevator overrun and rooftop screening). The Project includes approximately 455,000 gross square feet of residential uses, and approximately 2,500 gross square feet of ground floor retail, with a total of 460 dwelling units comprised of 100 studio units, 159 one-bedroom units, and 201 two-bedroom units. The Project includes 112 off-street accessory parking spaces, three car share spaces, one off-street freight loading space, two off-street service loading vehicle spaces, and 190 Class 1 and 25 Class 2 bicycle parking spaces. To further activate the ground floor experience, the Project would construct a public plaza and shared public right-of-way within a portion of the Oak Street (Oak Plaza). At a later date, the Project Sponsor will seek approval of an In-Kind Fee Waiver Agreement in order to provide additional public realm improvements within Oak Plaza. These additional public realm improvements will be subject to the Planning Commission's separate and future approval of the Project Sponsor's In-Kind Fee Waiver Agreement. The subject property is located within a C-3-G (Downtown General) Zoning District, Van Ness & Market Downtown Residential SUD (Special Use District), and 120/400-R-2 and 120-R-2 Height and Bulk Districts.

*Preliminary Recommendation: Adopt Findings*  
**(Proposed for Continuance to June 30, 2022)**

SPEAKERS: None  
 ACTION: Continued to June 30, 2022  
 AYES: Ruiz, Diamond, Fung, Imperial, Koppel, Moore, Tanner

- 1b. 2021-007611SHD (N. FOSTER: (628) 652-7330)  
1500-1540 MARKET STREET (ONE OAK) – north side between Oak Street and Van Ness Avenue; Lots 001, 002, 003, 004 and 005 in Assessor's Block 0836 (District 5) – Adoption of **Shadow Findings** pursuant to Section 295 that net new shadows attributable to the Project would not adversely affect the use of either Patricia's Green, or Page & Laguna Mini-Park, two properties under the jurisdiction of the Recreation and Park Commission (Section 295). The proposed project ("Project") would demolish two, non-residential buildings and surface parking lot and construct a new 40-story building reaching a roof height up to 400 feet tall (approximately 416 feet tall inclusive of mechanical equipment, or 437 feet tall inclusive of elevator overrun and rooftop screening). The Project includes approximately 455,000 gross square feet of residential uses, and approximately 2,500 gross square feet of ground floor retail, with a total of 460 dwelling units comprised of 100 studio units, 159 one-bedroom units, and 201 two-bedroom units. The Project includes 112 off-street accessory parking spaces, three car share spaces, one off-street freight loading space, two off-street service loading vehicle spaces, and 190 Class 1 and 25 Class 2 bicycle parking spaces. To further activate the ground floor experience, the Project would construct a public plaza and shared public right-of-way within a portion of the Oak Street (Oak Plaza). At a later date, the Project Sponsor will seek approval of an In-Kind Fee Waiver Agreement in order to provide additional public realm improvements within Oak Plaza. These additional public realm improvements will be subject to the Planning Commission's separate and future approval of the Project Sponsor's In-Kind Fee Waiver Agreement. The subject property is located within a C-3-G (Downtown General) Zoning District, Van Ness & Market Downtown Residential SUD (Special Use District), and 120/400-R-2 and 120-R-2 Height and Bulk Districts.

*Preliminary Recommendation: Adopt Findings*  
**(Proposed for Continuance to June 30, 2022)**

SPEAKERS: Same as item 1a.  
 ACTION: Continued to June 30, 2022  
 AYES: Ruiz, Diamond, Fung, Imperial, Koppel, Moore, Tanner

- 1c. 2021-007611DNX (N. FOSTER: (628) 652-7330)  
1500-1540 MARKET STREET (ONE OAK) – north side between Oak Street and Van Ness Avenue; Lots 001, 002, 003, 004 and 005 in Assessor’s Block 0836 (District 5) – Request for **Downtown Project Authorization** pursuant to Planning Code Sections 210.2 and 309 to allow a project greater than 50,000 square feet of floor area within a C-3 Zoning District with exceptions for useable open space (Section 135); permitted obstructions (decorative architectural features) over sidewalks (Section 136); exposure (Section 140); reduction of ground-level wind currents (Section 148); lot coverage (Section 249.33); volumetric limitations for roof enclosures and screens (Section 260); and bulk (Section 270). The proposed project (“Project”) would demolish two, non-residential buildings and surface parking lot and construct a new 40-story building reaching a roof height up to 400 feet tall (approximately 416 feet tall inclusive of mechanical equipment, or 437 feet tall inclusive of elevator overrun and rooftop screening). The Project includes approximately 455,000 gross square feet of residential uses, and approximately 2,500 gross square feet of ground floor retail, with a total of 460 dwelling units comprised of 100 studio units, 159 one-bedroom units, and 201 two-bedroom units. The Project includes 112 off-street accessory parking spaces, three car share spaces, one off-street freight loading space, two off-street service loading vehicle spaces, and 190 Class 1 and 25 Class 2 bicycle parking spaces. To further activate the ground floor experience, the Project would construct a public plaza and shared public right-of-way within a portion of the Oak Street (Oak Plaza). At a later date, the Project Sponsor will seek approval of an In-Kind Fee Waiver Agreement in order to provide additional public realm improvements within Oak Plaza. These additional public realm improvements will be subject to the Planning Commission’s separate and future approval of the Project Sponsor’s In-Kind Fee Waiver Agreement. The subject property is located within a C-3-G (Downtown General) Zoning District, Van Ness & Market Downtown Residential SUD (Special Use District), and 120/400-R-2 and 120-R-2 Height and Bulk Districts.

*Preliminary Recommendation: Approve with Conditions*  
**(Proposed for Continuance to June 30, 2022)**

SPEAKERS: Same as item 1a.  
 ACTION: Continued to June 30, 2022  
 AYES: Ruiz, Diamond, Fung, Imperial, Koppel, Moore, Tanner

- 1d. 2021-007611VAR (N. FOSTER: (628) 652-7330)  
1500-1540 MARKET STREET (ONE OAK) – north side between Oak Street and Van Ness Avenue; Lots 001, 002, 003, 004 and 005 in Assessor’s Block 0836 (District 5) – Request for **Variance** pursuant to Section 305 to permit relief from the strict requirements of the Planning Code related to above-grade parking setback requirements (Section 145.1(c)(1)), and Request for **Height Exemption** pursuant to Section 305 to permit relief from the strict limits of the Planning Code for the height of the elevator penthouse to accommodate the elevator overrun (Section 260(b)(1)(B)). The proposed project (“Project”) would demolish

two, non-residential buildings and surface parking lot and construct a new 40-story building reaching a roof height up to 400 feet tall (approximately 416 feet tall inclusive of mechanical equipment, or 437 feet tall inclusive of elevator overrun and rooftop screening). The Project includes approximately 455,000 gross square feet of residential uses, and approximately 2,500 gross square feet of ground floor retail, with a total of 460 dwelling units comprised of 100 studio units, 159 one-bedroom units, and 201 two-bedroom units. The Project includes 112 off-street accessory parking spaces, three car share spaces, one off-street freight loading space, two off-street service loading vehicle spaces, and 190 Class 1 and 25 Class 2 bicycle parking spaces. To further activate the ground floor experience, the Project would construct a public plaza and shared public right-of-way within a portion of the Oak Street (Oak Plaza). At a later date, the Project Sponsor will seek approval of an In-Kind Fee Waiver Agreement in order to provide additional public realm improvements within Oak Plaza. These additional public realm improvements will be subject to the Planning Commission's separate and future approval of the Project Sponsor's In-Kind Fee Waiver Agreement. The subject property is located within a C-3-G (Downtown General) Zoning District, Van Ness & Market Downtown Residential SUD (Special Use District), and 120/400-R-2 and 120-R-2 Height and Bulk Districts.

**(Proposed for Continuance to June 30, 2022)**

SPEAKERS: Same as item 1a.  
ACTION: ZA Continued to June 30, 2022

2. 2020-007806CUA (C. MAY: (628) 652-7359)  
1314 PAGE STREET – north side between Central Avenue and Lyon Street; Lot 013 in Assessor's Block 1221 (District 5) – Request for **Conditional Use Authorization** pursuant to Planning Code Sections 209.1, 303 and 317 to legalize a dwelling unit merger of two residential flats within a RH-3 (Residential-House, Three-Family) Zoning District and 40-X Height and Bulk District.  
*Preliminary Recommendation: Disapprove*  
(Continued from Regular hearing on April 7, 2022)  
**(Proposed for Indefinite Continuance)**

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

## B. COMMISSION MATTERS

3. Commission Comments/Questions

### President Tanner:

Commissioners, I am sorry that I am not with you all in person today. I unfortunately have Covid. It finally caught me someplace in San Francisco. And so, I am taking advantage of our Hybrid schedule and or setup and participating remotely today. I do still want to start off with our land acknowledgment that we have and then make a few comments and open up to my fellow Commissioners. So I just want to thank you again for your indulgence in this new format. I do believe, maybe just one note before the land acknowledgement that for those of you who are in the chamber, that the secretary will type to me if you've raised

your hand, but if there is an awkward pause or you wanted to say something and I maybe missed you, please just maybe speak into the microphone and I'll hear you. So, we are kind of getting used to something new even though we have been doing this remote hybrid thing for a bit. New experiences. So I will just begin right now with our land acknowledgment.

"The Planning Commission acknowledges that we are on the unceded ancestral homeland of the Ramaytush Ohlone, who are the original inhabitants of the San Francisco Peninsula. As the indigenous stewards of this land and in accordance with their traditions, the Ramaytush Ohlone have never ceded, lost, nor forgotten their responsibilities as the caretakers of this place, as well as for all peoples who reside in their traditional territory. As guests, we recognize that we benefit from living and working on their traditional homeland. We wish to pay our respects by acknowledging the Ancestors, Elders, and Relatives of the Ramaytush Ohlone community and by affirming their sovereign rights as First Peoples."

And before I pass the mic to Commissioner Moore, I just want to recognize this weekend is Juneteenth. Last year it was made a federal holiday that will be celebrated on Monday recognizing the true end to slavery for those folks who were enslaved in Texas who didn't understand and know that the civil war had ended until two years after. So, we hope that you will enjoy some festivities this weekend and mark this new National Holiday that many in the Black community have been celebrating for many, many, many years.

**Commissioner Moore:**

I only want to express my heartfelt best wishes to you with Covid and hope that you will recover as quickly as possible. I am so sorry to hear that.

**President Tanner:**

Thank you. I really appreciate that.

**Commissioner Diamond:**

Thank you. I ask the Commissioners to indulge me a little bit here because I have a number of comments I want to make. I have been thinking almost nonstop about our draft EIR hearing last week and I want to share some thoughts on that with all of you. Given the dramatic impact that the post action in the Housing Element update has on the west side, I was astonished that none of the west side neighborhood group showed up to participate in last week's hearing and that few, if any, have submitted comments on the draft EIR. That is particularly surprising to me and maybe to many of you given that we hear from west side neighbors almost on a weekly basis about their concerns in rate and increase in height of even one story on an adjacent property, let alone the 4-6 stories addressed by the proposed action in the draft EIR. So, after asking around after the hearing, I learned that some, maybe most of these groups, had no idea that the draft EIR was proposing height increases up to 85 feet on numerous residential side streets that are already built out with houses that are primarily 2-3 stories at most. I asked staff for a copy of the notice that went to the groups regarding the availability of the draft EIR to see if it was clear to the average reader what the draft EIR is proposing. It states and I quote "SF Planning assumes that adoption of the Housing Element update would lead to future actions such as Planning Code amendments to increase height limits along transit corridors and to modify density controls in low density areas that are primarily located on the west and north sides of the

city". I personally don't believe that the average reader would interpret the phrase "increased height limits along transit corridors" to mean an increase in height limits to 55, 65, 85, in some cases 240 feet. Not only on the commercial streets where transit is located but on the quiet residential side streets between the commercial streets where transit is located. And there's nothing in the language in the notice that would lead the average reader to understand either 1) what is being proposed is a very significant height increase relative to the current urban fabric on these side streets or that this density and height increase is not really equitably distributed across the west side but is concentrated in certain areas. In fact, unless you spend time reading the entire 600 webpage DEIR, you wouldn't discover that the proposed action in the draft EIR shows only one possible distribution of this height and that is figure 2.7 on page 2-25. I believe that in order for CEQA to do its job as a disclosure process that informs our decision making, not only does the Draft EIR need to thoroughly examine the impacts but we also need to make sure that the project description in the DEIR notice sufficiently alerts the public as to the aspects of the proposed action that we know will be of the most concern to them. We can't bury the lead. As a result, I believe that Planning should reach out to all these neighborhood groups on the west side right now and make sure they are aware of the proposed height increases, not only on commercial streets with transit but also on the residential side streets, and that we should extend comment period on the Draft EIR another 3 weeks so that these groups have time to absorb the implications in the document, go through their own internal processes of decision making for neighborhood groups which can be quite complex and then submit comments if in fact they have any. I have a couple more comments on the draft EIR but maybe I'll stop there because I am interested in staff's reaction to that suggestion, and of course any of the Commissioner's thoughts on that.

**President Tanner:**

Thank you, Commissioner Diamond. I want to just certainly echo the need for making sure that folks understand what is going on because we certainly want to have a robust discussion and make sure that that happens through the EIR and through the other Planning processes from the Housing Element. I wonder if Director Hillis or other staff want to respond to the questions raised and also the idea of an extension of time.

**Rich Hillis, Planning Director:**

Sure, let me take a first crack, and I think Lisa Gibson is here too, who can talk about potentially extending the comment period for the draft EIR. One, I too wanted to talk broadly about our outreach because I think it's been actually extremely thorough. Have we gone to every neighborhood group? No, I can't say we have but we certainly notified every neighborhood group that is on our list of the EIR as well as the fact that the Housing Element is being prepared. We have talked to every supervisor I think numerous times about this and what is in the document and offered to attend neighborhood meetings that they may want us to attend. I am optimistic that one of the reasons we are not hearing a lot from the neighborhood groups on the west side is they are becoming more and more open to the idea and the need for housing on the west side. But we will see as this process rolls out and I certainly want to make sure we are giving community groups and residents the opportunity to [inaudible]. I think too, we have to be careful about what is being studied in the EIR is not necessarily a zoning proposal. A zoning proposal is not before you nor is it as part of the Housing Element. That would all come after the Housing Element is adopted. But it certainly points us in a direction and in studying impacts to potential zoning actions that you and the Board of Supervisors may take in the future to implement

the Housing Element. So, with that said I'll, Ms. Gibson are you here to talk about potential extension of the comment period?

**Lisa Gibson:**

Yes, I am, Director Hillis. This is Lisa Gibson, Environmental Review officer. Thank you, Commissioner Diamond for your comments. I do concur with Director Hillis that the project description for the EIR does reflect that the Housing Element update would modify the policies of the general plans of the Housing Element but would not implement specific changes to existing land use controls. Any changes to the controls would require legislative processes including review and public hearings before the Planning Commission and Board of Supervisors. Approval of the housing development or infrastructure would require development applications and approval. So again, the project description in the EIR in our notices is clear that the element update itself is not re-zoning. That said, I understand your desire to ensure that the public has the opportunity to comment on the EIR, that they understand the document and the analysis. So, your request for an extension of three weeks is one that we can accommodate. This is a project that is one of a city-wide scope. There is a great deal of interest and we want to receive people's comments on the EIR. Our team is working diligently already on the comments that we have received and we are under a very tight schedule to do so and to meet our state deadline, so we do hope that the three weeks will be sufficient for your purposes.

**Commissioner Diamond:**

I really appreciate that. How do you notify groups and everybody else that wishes to partake in this additional three week period that the extension has been granted?

**Lisa Gibson:**

I am going to need to confer with my staff to address that. I don't know. I am happy to get back to you and inform the Commissioners of once we have a chance to explore how best to do so.

**Commissioner Diamond:**

Okay. I really do appreciate that and I understand that you are working under tight deadlines. But I also believe that it is in our interest to make sure that given the enormity of this project and its implications that we really have made sure the groups on the west side understand what this document is and what it isn't but what it could lead to. And to that extent I have a couple other comments on the draft EIR that I just want to put out there. The first is that I really believe that the FEIR must include more than one possible future distribution of the height and density in order to better equip ourselves to use this EIR to cover other distributions that may ultimately be adopted as part of the Planning Code amendments. By including only one possible solution, the DEIR perhaps unintentionally appears to be guiding decision-makers towards a specific outcome on the distribution for the potential eventual Planning Code amendments without their having any public hearings yet on what that use might ultimately be. For me at at least at a minimum, I think that the DEIR should include at least one other distribution with a more equitable allocation of height increase across all of the west side so that everybody on the west side bears their fair share of a height increase without the imposition, as I've said last week, of the 85 feet or even 65 feet on just certain particular residential side streets. Lastly, I and am sure along with many of you read with distress the many announcements of companies leaving some or all of their office space in our downtown and mid-market

areas. Not only is the loss of the economic engine worrisome but it also means the [inaudible] loss of many of the smaller retailers who are so dependent on office space users. I think we need to acknowledge that the decline in the use of downtown office space is no longer simply a short term pandemic phenomenon but has resulted in a wholesale change in the attitude about remote and hybrid work. So, my thoughts are how can we make lemonade out of lemons. I believe we should be studying right now what it would realistically take to convert some of the underutilized downtown office space into other uses such as housing, so that we are creating a vibrant mixed-use district that supports retail, office, housing and tourism. Our Housing Element update that we're talking about right now for which you prepared the draft EIR was started before this phenomena. And, at the time it seemed appropriately focused on the west side as the place where the bulk of the new housing should be built but as we have seen in the draft EIR there is insufficient transit and wastewater capacity on the west side, and we are disrupting many of the neighborhoods to try to fit in more housing on the west side. While I firmly believe that the bulk of the new housing should go to the west side, I think that we should include in this Housing Element, right now, an exploration about what it would take to incentivize downtown office building owners. And I assume it is most likely the older buildings that have windows that open with floorplates that are a little smaller to convert their underutilized, older buildings, to residential use. I have more to say on that when we get to the Harrison Street project. I referenced this last week and I really don't think it is speculative at this point and I do believe that it is worth exploring in the Housing Element whether or not these existing buildings might be a very good resource for us as a potential source of housing in a transit rich neighborhood. But thank you.

**President Tanner:**

Thanks, Commissioner Diamond. Director Hillis, I know we have discussed, I believe next week, having a discussion around the state of the economy and some things on that matter so I don't know if you want to address that. And I see Ms. Gibson, if you want to respond as well.

**Rich Hillis, Planning Director:**

Just on the broader question. I mean, certainly we can. It's on top of our mind to what the future of downtown and the impact of the pandemic will have on the demand for office space. I could say to date although there has been a lot of talk of converting office to housing, we haven't seen a ton of interest in that from owners or project sponsors but I totally agree with Commissioner Diamond that that may change as leases run up and we could see more vacancy in our downtown core. So, we can certainly look at that. I don't know if we can count on, and I want to avoid having a big discussion about this today too because I think we are bordering on the territory that we've got an agenda item that is on the calendar that we did not agendaize. But certainly we can look at that in next week's hearing about the state of permit activity and development project that is more focused on housing and why, what projects are moving forward and where they are in entitlement phase, and why they may not be moving forward. I think we know why office projects aren't necessarily moving forward at this point although we have a few, one today. But we can add that and come back on a future agenda item and talk about that in this notion or possibility of converting office space to housing.

**President Tanner:**

Thank you for that Director Hillis. Ms. Gibson, did you want to respond as well?

**Lisa Gibson:**

Yes. I wanted to please remind the Commissioners and members of the public that we welcome your comments on the draft EIR and that those comments should be submitted to us in writing. So, we know Commissioner Diamond that you are intending to do so and we welcomed your comments today and we hope that you will include them in written comments. We are calculating three week extension which would be from our current as of today, we had the comment period on the draft EIR with ending June 21st. So, with the three week extension the comment period will end on Tuesday, July 12<sup>th</sup>, at 5:00 PM. Members of the public can and the Commissioners can submit their comments in writing to us at the email address that is on our website for these comments. It is CPC.HousingElementUpdate [EIR@sfgov.org](mailto:EIR@sfgov.org) .Thank you.

**Commissioner Diamond:**

Thank you, everyone.

**D. DEPARTMENT MATTERS**

## 4. Director's Announcements

None.

## 5. 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

- 220262 Planning, Administrative Codes - Affordable Housing Code Enforcement. Sponsor: Mayor. Staff: Merlone.

This week, the land use committee heard three of Mayor Breeds proposed ordinances. The first was the Planning Code amendment to allow MOHCD and Planning to share enforcement duties for inclusionary housing program and allow MOHCD to accept fines from their enforcement efforts.

Commissioners, you heard this item on May 26, 2022, and recommended approval. At this week's hearing, the Committee had a few questions for staff about how the enforcement sharing activities would work. Overall, the Supervisors were supportive of the concept, but did have concerns about staffing levels at MOHCD. Public comment included about a half dozen speakers mostly in support or expressing concerns about the affordable housing program. The Committee then forwarded the item to the Full Board with a positive recommendation.

- 220036 Planning Code - Electric Vehicle Charging Locations. Sponsors: Mayor; Mandelman, Stefani, Melgar, Mar and Dorsey. Staff: Starr.

Next on the docket was the mayor's ordinance that would create land use definitions and regulations for EV Charging Locations and Fleet Charging. Commissioners, you heard this

item on April 14, 2022, and recommended approval with modifications. Those modifications included:

1. Require CU in all C-3 Districts for EV Charging Locations and change the code to make Gas Stations a CU in the two C-3 districts where they are currently principally permitted (C-3-G and C-3-S).
2. Exempt the conversion of existing automotive uses to EV Charging from Section 142 Screening requirements.
3. Prohibit Fleet Charging in RC Districts.
4. Add a new section to the Code explicitly allowing for the conversion of Automotive Uses to EV Charging Locations regardless of the underlying zoning district.
5. Allow Fleet Charging with Conditional Use authorization in all NC Districts except NC-1 and NCT-1

The mayor's office did include all your recommended modifications, except the one that proposed prohibiting Fleet Charging in RC Districts. It remains conditionally permitted.

During the hearing, the committee members were generally supportive of the ordinance but did take exception to allowing Fleet Charging as an accessory use with EV Charging Locations. Much of the discussion was on that particular provision, which the committee ultimately voted to remove from the ordinance.

Another amendment proposed by Supervisor Peskin and passed by the committee was to amend the definition of EV Charging locations to require more than one charging location for EV Charging Locations. It isn't clear to staff why this amendment was necessary as having one EV Charger isn't likely financially feasible, nor does it appear to have negative land use implications.

Because the City Attorney's office needed time to draft the amendments, the item was continued to the July 11 land use hearing, which due to the budget and various holidays is the next committee hearing date.

- 211092 Planning Code - Automotive Uses; Housing Density. Sponsor: Mayor. Staff: V. Flores.

Finally, the committee took up the Mayor's Automotive Uses; Housing Density ordinance, also known as Cars to Casas. This ordinance would decontrol for density on sites with an existing auto-oriented use. Commissioners, The Planning Commission heard this on December 9, 2021 and recommended approval with modifications. Those amendments include:

1. Eliminate the RH zoning districts site eligibility provision.

2. Allow parcels where the last legal use was an Automotive Use to also be eligible for this program.
3. Reduce the Legacy Business eligibility criterion from the past ten years to four years.
4. Clarify that this program can be combined with the State Density Bonus Program.
5. Require a monitoring component to understand how many units have used the program and where they are located.
6. Perform community outreach before and after adoption.
7. Consider a different shorthand title.
8. Amend the Legacy Business eligibility to also consider Legacy Business applications that have been submitted but not yet reviewed/approved.

The mayor included all of Commission's recommendations in the ordinance except for removing the RH provision, the additional community outreach and considering a different shorthand title.

The Committee previously heard this item on February 28th where there was discussion about the lack of heightened affordability requirements and concern regarding the loss of blue-collar jobs.

During this week' hearing, there were a handful of public comments, both in favor and in opposition to the Ordinance. Supporters noted the need for housing and the positives of seeing parking lots change into housing. Callers in opposition shared concerns regarding the need for increased affordability and the need to retain PDR spaces and blue-collar jobs.

Supervisor Peskin proposed a new amendment that would remove RM and RC Districts from the program because of concerns over how it would impact his interim controls on maximizing density in those districts. The Committee accepted his amendments. It is also staff's understanding that the mayor's office was also amendable to these amendments.

Supervisor Preston again raised questions about including higher affordability rates in exchange for the increased density. He also raised concerns that there was no information on a feasibility study or the update on one. Unfortunately, Preston's did not feel that his questions were adequately answered by Planning Staff, and there was no representative from the Mayor's office in attendance. The other committee members agreed with him and moved to continue the item to the July 11th hearing.

#### Full Board

- 220342 Planning Code - Fire-Damaged Liquor Stores in North Beach Neighborhood Commercial District. Sponsor: Peskin. Staff: Starr. PASSED Second Read

- 220446 Planning, Administrative, Subdivision Codes; Zoning Map - Density Exception in Residential Districts. Sponsor: Mandelman. Staff: Merlone.

Supervisor Mandelman's 4-plex legislation was also on the Board calendar, but before this item could be voted on, Supervisor Melgar noticed an error in the ordinance at the last minute having to do with the rent control provision added at committee. So, this item was continued to June 28 hearing.

- 211300 Planning Code, Zoning Map - Group Housing Special Use District. Sponsor: Peskin. Staff: V. Flores. Continued to June 28

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

There is no report from the Board of Appeals. The Historic Preservation Commission did meet yesterday and considered one item where they adopted recommendation for approval to landmark the Mother's Building in the San Francisco Zoo.

## E. GENERAL PUBLIC COMMENT

**SPEAKERS:** Georgia Schuttish - Page two of 4/23/20 Executive Summary, for Case #2020-003035PCA discusses the intention of "protecting relatively affordable housing" per the Findings of Section 317. The intention was abandoned and dismissed by the Department because according to Staff the "initial policy goals" of Section 317 were not achieved. What was not mentioned was that the tool to achieve these "initial policy goals" was never implemented. That tool would have been advising the Commission to adjust the Section 317 Thresholds enumerated in this Executive Summary and the in Planning Code as the Commission has the legislative authority to do per Section 317 (b) (2) (D). Section 317 (d) (2) (A) was adjusted five times. The Demo Calc's Thresholds.....NEVER. Average increase in sales price for projects submitted for this Public Comment: \$4.158M. Photos submitted document the failure of the Department to properly advise the Commission on implementation of Section 317.  
Eileen Boken - SB 9 and other state bills  
Ozzy Rohm - Public comments on the Housing Element

## 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.

6. [2021-010017AHB](#) (C. FEENEY: (628) 652-7313)  
5250 THIRD STREET – west side between Thornton and Williams Avenues; Lots 005, 006, 007, 008, 009, and 010 of Assessor's Block 5411 (District 10) – Request for **HOME-SF Project Authorization**, pursuant to Planning Code Sections 206.3, 328, and 737, to allow construction of a seven-story, 65-foot-tall building containing 100 dwelling units on a vacant lot. The project includes Zoning Modifications for inner courts as open space and Exceptions for the rear yard and dwelling unit exposure. The building will provide 3,330

square feet of common amenity space, 100 Class 1 and six Class 2 bicycle parking spaces, 5,875 square feet of common open space, and private decks for 90 of the proposed units, within the Bayview NCD (Neighborhood Commercial District) Zoning District, Third Street 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 Condition*

(Continued from Regular hearing on June 2, 2022)

SPEAKERS: = Claire Feeney – Staff report  
 + Joey Toboni – Project sponsor presentation  
 + Michael Leavitt – Design presentation  
 + Earl Schaddix – Support  
 - Leonard Basoco – Carpenters labor dispute  
 - Zack Weisenberger – Continue item to reevaluate the proposal, need more specific details to AMI breakdown  
 - Alex Lansberg – Oppose  
 + Joi Jackson-Morgan – Support to keep families here  
 - Dave Fahey – Hiring practice  
 + Tim Szarnicki – Project sponsor response to comments and questions  
 = Austin Yang – City attorney response to comments and questions  
 = David Winslow – Response to comments and questions

ACTION: Approved with Conditions as amended by Staff; and a condition for a green wall on the west retaining wall, and a finding recognizing 70% BMR units at 80%-140% AMI.

AYES: Ruiz, Diamond, Fung, Imperial, Moore, Tanner  
 NAYS: Koppel  
 MOTION: 21126

7. [2020-006544CUA](#) (E. SAMONSKY: (628) 652-7417)  
[1721 15<sup>TH</sup> STREET](#) – south side between Albion and Valencia Streets; Lot 057 in Assessor's Block 3555 (District 9) – Request for **Conditional Use Authorization** pursuant to Planning Code Sections Code Sections 121.1 and 303 to construct two residential buildings, including a six-story, 65-foot tall building containing 46 dwelling units and a three-story, 36-foot tall building containing four dwelling units (in total 21 two-bedroom, 21 one-bedroom, and eight studios) under the Individually Requested State Density Bonus Program pursuant to Planning Code Section 206.6 and California Government Code Section 65915. The project seeks waivers from development standards, including Dwelling Unit Open Space (Section 135), Exposure (Section 140), Active Frontage (Section 145.1), and Height (Section 250) requirements of the Planning Code, as well as a concession/incentive from the Rear Yard (Section 134) requirements pursuant to State Density Bonus Law. The Project is located within the Valencia NCT (Neighborhood Commercial Transit) Zoning District and 55-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: = Ella Samonsky – Staff report  
 + Sean Gibson – Project sponsor presentation

- Charles Bolton – Impact on parking, continuance
- Carla Wilson – Concerns
- + Sherry – Support
- + Corey Smith – Support
- + Sarah Ogilve – Support
- Joseph – Market rate units
- + Troy – Support
- + Charles – Support
- + Speaker – Project sponsor response to comments and questions

ACTION: Approved with Conditions  
 AYES: Ruiz, Diamond, Fung, Imperial, Moore, Tanner  
 NAYS: Koppel  
 MOTION: 21127

- 8a. [2005.0759ENX-02](#) (X. LIANG: (628) 652-7316)  
725-765 HARRISON STREET – south side between 3<sup>rd</sup> Street and 4<sup>th</sup> Street; Lots 148, 149, and 113 in Assessor’s Block 3762 (District 6) – Request for **Large Project Authorization** pursuant to Planning Code Sections 329 and 848, to modify the approved Large Project Authorization under Motion No. 20597 to incorporate Lot 113 at 759 Harrison Street into the overall development and revise two exceptions granted by the Planning Commission for Building Setbacks and Streetwall Articulation [PC 132.4] and Horizontal Mass Reduction [PC 270.1] for a new construction of a 14-story, 185-foot tall mixed-use building of approximately 981,000 gsf in total with 810,000 sf of office space, 3,900 sf of retail space, 29,300 sf of PDR spaces, 3,000 sf of child care use, 16,700 sf of interior and exterior POPOS, 116 off-street below-grade parking spaces, 5 off-street freight loading spaces plus 6 service vehicles, 300 bicycle parking spaces (266 Class I, 34 Class II), 22 showers, and 36 lockers within the CMUO (Central Soma Mixed-Use Office) Zoning District, Central SoMa SUD (Special Use District), and 85-X-160-CS, 130-X-160-CS, and 130-CS Height and Bulk Districts. The project site is identified as a “key site” in the Central SoMa Area Plan and will provide a qualified amenity, including a land dedication (measuring approximately 15,000 sf) to the Mayor’s Office of Housing and Community Development for affordable housing development. 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: = Xinyu Liang – Staff report  
 + Aaron Fenton – Project sponsor presentation  
 + Paul Woolford – Design presentation  
 + Steven – Carpenter union  
 + Benjamin Soler – Support  
 + Rudy Corpuz – Support  
 + Carla – Support

ACTION: Approved with Conditions  
 AYES: Ruiz, Diamond, Fung, Imperial, Koppel, Moore, Tanner  
 MOTION: 21128

- 8b. [2005.07590FA-02](#) (X. LIANG: (628) 652-7316)

725-765 HARRISON STREET – south side between 3<sup>rd</sup> Street and 4<sup>th</sup> Street; Lots 148, 149, and 113 in Assessor’s Block 3762 (District 6) – Request for **Office Development Authorization** under the Central SoMa Incentive Reserve Program pursuant to Planning Code Sections 321, 322, and 848 to authorize up to 305,000 gross square feet from the Office Development Annual Limit for the Phase II of the project for a total of 810,000 square feet of Office use, within the CMUO (Central Soma Mixed-Use Office) Zoning District, Central SoMa SUD (Special Use District), and 85-X-160-CS, 130-X-160-CS, and 130-CS Height and Bulk Districts.

*Preliminary Recommendation: Approve with Conditions*

SPEAKERS: Same as item 8a.  
 ACTION: Approved with Conditions  
 AYES: Ruiz, Diamond, Fung, Imperial, Koppel, Moore, Tanner  
 MOTION: 21129

- 8c. [2005.0759CUA-02](#) (X. LIANG: (628) 652-7316)  
725-765 HARRISON STREET – south side between 3<sup>rd</sup> Street and 4<sup>th</sup> Street; Lots 148, 149, and 113 in Assessor’s Block 3762 (District 6) – Request for **Conditional Use Authorization** pursuant to Planning Code Sections 317 and 848 to demolish three Unauthorized Dwelling Units at 759 Harrison Street, within the CMUO (Central Soma Mixed-Use Office) Zoning District, Central SoMa SUD (Special Use District), and 85-X-160-CS, 130-X-160-CS, and 130-CS Height and Bulk Districts.

*Preliminary Recommendation: Approve with Conditions*

SPEAKERS: Same as item 8a.  
 ACTION: Approved with Conditions  
 AYES: Ruiz, Diamond, Fung, Imperial, Koppel, Moore, Tanner  
 MOTION: 21130

- 8d. [2005.0759VAR-03](#) (X. LIANG: (628) 652-7316)  
725-765 HARRISON STREET – south side between 3<sup>rd</sup> Street and 4<sup>th</sup> Street; Lots 148, 149, and 113 in Assessor’s Block 3762 (District 6) – Request for **Variance** to address the Planning Code requirement for permitted obstructions pursuant to Planning Code Section 136, within the CMUO (Central Soma Mixed-Use Office) Zoning District, Central SoMa SUD (Special Use District), and 85-X-160-CS, 130-X-160-CS, and 130-CS Height and Bulk Districts.

SPEAKERS: Same as item 8a.  
 ACTION: Not Applicable

## 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. [2021-009914DRM](#) (X. LIANG: (628) 652-7316)

2823 18<sup>TH</sup> STREET – south side between Florida Street and Bryant Street; Lot 127, 128, 129, 130, 131, 134, 138, 139, and 140 in Assessor’s Block 4022 (District 8) – Request for **Staff-Initiated Discretionary Review** of Building Permit Application (BPA) No. 202109088007 to allow accessory residential uses that are integrated into the working space of artists, artisans, and other crafts persons, per Planning Code Section 204.4(b), within nine of the ground floor PDR units within the existing building located in a UMU (Urban Mix Use) Zoning District and 68-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 Conditions*

- SPEAKERS:       = Xinyu Liang – Staff report
- + Steve Vettel – Project sponsor
- = Rich Sucre – Response to comments and questions
- = Corey Teague – Response to comments and questions
- ACTION:         Took DR and Approved
- AYES:            Ruiz, Diamond, Fung, Imperial, Koppel, Moore, Tanner
- DRA:             788

ADJOURNMENT 4:02 PM – GO WARRIORS!  
ADOPTED JUNE 30, 2022