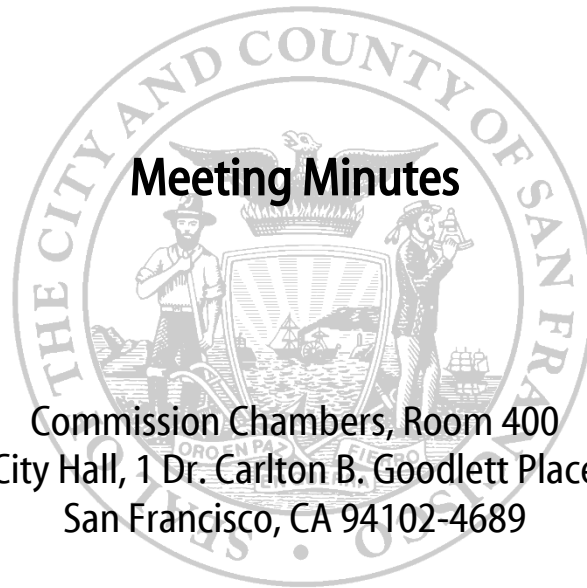


SAN FRANCISCO PLANNING COMMISSION



Meeting Minutes

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

Thursday, June 23, 2022
1:00 p.m.
Regular Meeting

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

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

STAFF IN ATTENDANCE: Aaron Starr, Joshua Switzky, Devyani Jain, Marcelle Boudreaux, Frances McMillen, Maggie Smith, Melanie Bishop, Elena Moore, Alessandro Hall, Mat Snyder, Liz Watty – Director of Current Planning, Tina Tam – Deputy 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.

1. 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 nine dwelling units totaling approximately 11,123 square feet above approximately 632 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.
(Proposed for Continuance to July 14, 2022)

SPEAKERS: None
ACTION: Continued to July 14, 2022
AYES: Ruiz, Diamond, Fung, Imperial, Koppel, Tanner
ABSENT: Moore

2. 2021-001219DRM (D. WINSLOW: (628) 652-7335)
1228 FUNSTON AVENUE – east side between Irving Street and Lincoln Way; Lot 039 in Assessor’s Block 1738 (District 5) – **Mandatory Discretionary Review** of Building Permit No. 2021.0113.2631 to legalize a three-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
(Continued from Regular hearing on February 17, 2022)
(Proposed for Indefinite Continuance)

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

3. 2021-009580DRP (D. WINSLOW: (628) 652-7335)
2836 PIERCE STREET – east side between Union and Green Streets; Lot 042 in Assessor’s Block 0538 (District 2) – Request for **Discretionary Review** of Building Permit No. 2021.0916.8546 to construct a fourth-story vertical addition to an existing three-story, 2-family residence 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: Take Discretionary Review and Approve with Modifications
WITHDRAWN

SPEAKERS: None
ACTION: Withdrawn

13. [2021-003635DRP](#) (D. WINSLOW: (628) 652-7335)
 470 08TH AVENUE – east side between Anza Street and Geary Blvd; Lot 027 in Assessor’s Block 1527 (District 1) – Request for **Discretionary Review** of Building Permit No. 2021.0119.2895 to construct a rear horizontal and fourth-story vertical addition and addition of a dwelling unit to an existing three-story, three-family residence 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: Do Not Take Discretionary Review and Approve
WITHDRAWN

SPEAKERS: None
 ACTION: Withdrawn

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

- 4a. [2021-002971CUA](#) (G. PANTOJA: (628) 652-7380)
 4176 CESAR CHAVEZ STREET – north side between Noe and Castro Streets; Lot 053 in Assessor’s Block 6563 (District 8) – Request for **Conditional Use Authorization** pursuant to Planning Code Sections 303 and 317 for the demolition and reconstruction of an existing detached two-story, dwelling unit located towards the rear of the subject property within a RH-2 (Residential-House, Two Family) Zoning District and 40-X Height and Bulk District. The proposal will also demolish and reconstruct exterior decks and stairs. 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, Tanner
 ABSENT: Moore
 MOTION: [21131](#)

- 4b. [2021-002971VAR](#) (G. PANTOJA: (628) 652-7380)
 4176 CESAR CHAVEZ STREET – north side between Noe and Castro Streets; Lot 053 in Assessor’s Block 6563 (District 8) – Request for **Variance** pursuant to Planning Code Sections 132(g), 132(h), and 134 for the demolition and reconstruction of an existing detached two-story, dwelling unit located towards the rear of the subject property within a RH-2 (Residential-House, Two Family) Zoning District and 40-X Height and Bulk District. The proposal will not provide the amount of landscaping or permeable surfaces required within the front setback of the subject property pursuant to Planning Code Sections 132(g) and 132(h) and will reconstruct a detached dwelling unit that will encroach approximately 21 feet 6 inches into the required rear yard pursuant to Planning Code Section 134.

SPEAKERS: None
 ACTION: Acting ZA closed the PH and indicated an intent to Grant

- 5a. [2022-000030CUA](#) (G. PANTOJA: (628) 652-7380)
243-255 WEST PORTAL AVENUE – south side between 14th Avenue and Vicente Street; Lot 021 in Assessor’s Block 2989B (District 7) – Request for **Conditional Use Authorization** pursuant to Planning Code Sections 121.2, 303, and 729 for the establishment of a Restaurant Use (D.B.A. “Elena’s Restaurant”) greater than 2,500 square feet in size within a tenant space located on the ground floor and a Non-Retail Professional Use at the second floor of an existing commercial building within the West Portal Avenue NCD (Neighborhood Commercial District) Zoning District and 26-X Height and Bulk District. The proposal will merge and subdivide two existing tenant spaces and establish a Non-Retail Professional Use at the second tenant space, and construct a new detached storage shed for utilization by the Restaurant Use. 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, Tanner
 ABSENT: Moore
 MOTION: [21132](#)

- 5b. [2022-000030VAR](#) (G. PANTOJA: (628) 652-7380)
243-255 WEST PORTAL AVENUE – south side between 14th Avenue and Vicente Street; Lot 021 in Assessor’s Block 2989B (District 7) – Request for **Variance** pursuant to Planning Code Section 134 for the establishment of a Restaurant Use (D.B.A. “Elena’s Restaurant”) greater than 2,500 square feet in size within a tenant space located on the ground floor and a Non-Retail Professional Use at the second floor of an existing commercial building and construction of a new detached storage shed within the subject property’s required rear yard for utilization by the Restaurant Use within the West Portal Avenue NCD (Neighborhood Commercial District) Zoning District and 26-X Height and Bulk District.

SPEAKERS: None
 ACTION: Acting ZA closed the PH and indicated an intent to Grant

C. COMMISSION MATTERS

6. Consideration of Adoption:
 • [Draft Minutes for June 9, 2022](#)

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

7. Commission Comments/Questions

President Tanner:

Thank you. Commissioners, I will begin with our land acknowledgement today.

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.

Thank you for joining me in that acknowledgment and very excited the Warriors won, and hopefully you all got to go to the parade on Monday which was very hot but very fun, and it was really great to be out there. So, thank you for bringing home that trophy Warriors, and thanks to all the staff who helped clean up after the parade throughout the City. We appreciate you picking up of all those tons of trash and confetti from the streets.

Commissioner Imperial:

Thank you and yes, congratulations to the Warriors. We've been getting emails in terms of the 228 Vicksburg around the motion or the Minutes and the language around the motion. And looking back in the motion that was taken in April 21st, it was taken accurately. The motion was to, deed restrict up to, at 80% AMI in reference to the Planning Codes or the General Government Code 66300. There were emails that were saying that I believe my understanding is to refer it to the Planning Director Bulletin number 7. Planning Bulletin number 7 is in reference to the Government Code 66300. The motion that I did was in a way already covered in the Government Code 66300 and just placing it out only amplified that. So, the Minutes that were taken April 21st were taken accurately and that means there was nothing wrong with the Minutes. So I just want to clarify that because we were getting other emails from Supervisor Myrna Melgar's legislative aide and all of the motions or the language in it is already covered. So it doesn't need to be referenced to Planning Director Bulletin number 7.

President Tanner:

Thank you, Commissioner Imperial and I hope that we can make sure those communications get back to the email recipients as well and to the Supervisor's office because I think it was a little confusing. So, thank you for really reading the Minutes and following up on that. I don't know if Ms. Watty or Mr. Hillis have anything you want to add to that comment.

Rich Hillis, Planning Director:

I think that's perfectly accurate. I mean, all our authority to do what we did all emanates from that state law. The Director's Bulletin is actually kind of just our, boiling down what state law says and explaining it. So, that's exactly correct, thank you.

President Tanner:

Great thank you.

Rich Hillis, Planning Director:

I would just say too, I mean substantively I think there's no disagreement. Like we're all in the same place. It was more what the motion says.

President Tanner:

Yeah.

Commissioner Imperial:

The language was being questioned which I think was taken accurately.

Rich Hillis, Planning Director:

Yeah.

Commissioner Diamond:

Thank you. I wanted to give a shout out to the article in today's Chronicle's Bay Area section by John King. I'm pulling it up here but I don't know if that comes through on the camera entitled Private Locations Worthy of Ovations. It's a wonderful article highlighting 11 of the POPOS which was a reminder to me that POPOS really are incredible and we should take just a moment to thank prior Planning Department staff and Commission and the board for their collaboration and coming up with the concept of POPOS because seeing them fully realized is such an incredibly important contribution to the public realm. And I hope everybody takes advantage of this article as an opportunity to go visit some of the POPOS which some are a little hard to find and the article gives great directions on how to get there. Along the same lines Director Hillis, a few weeks ago we had asked whether or not all of the building owners were aware that their POPOS needed to be open and I wonder what the follow-up from that was.

Rich Hillis, Planning Director:

Yes. So we, I think your requested or the Commissioners here identifying this is an issue. We've sent out a notice to all POPO's owners that the spaces should be open if their building is open. And you know, it's our understanding that all buildings or most buildings are open. So, yes. I don't know if we've received a response but those notices have gone out. And I agree with your sentiments about the value of these spaces.

Commissioner Diamond:

Great. Thank you.

D. DEPARTMENT MATTERS**8. Director's Announcements****Rich Hillis, Planning Director:**

Just quickly, the Board of Supervisors is in the midst of reviewing the City's budget and having Departments come to the Budget Committee. So, I think all seems fine with our budget. As I have mentioned or might have mentioned a couple of weeks ago, the Mayor's Office did add some positions and some funding in our budget to continue our work with, or really enhance our work, with the Tenderloin community now that kind of DEM is stepping back. So, there was \$4 million and a couple positions in our budget to help implement the Tenderloin's Community Action Plan so there were questions about that. I

think that is still being debated by the board as a policy matter but other than that I think our budget has fared well through this process.

President Tanner:

Do you know if the, I know we had requested an additional position to help with the Rent Board. Do you know if that has any legs or where that might be?

Rich Hillis, Planning Director:

I don't think that got into the Mayor's budget. So, I mean again we'll continue to do that work. There's not necessarily, although Kate Conner and her team kind of lead that effort. So, in essence we almost have that. But it wasn't an add into our budget.

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

None.

E. GENERAL PUBLIC COMMENT

SPEAKERS: Georgia Schuttish – Email sent 6/23 at 11 am points out troublesome phrase in Section 65850.02 (a) from AB 916 which is a “back door” to getting rid of both DR hearings and specific CUA hearings. “Adding space for additional bedrooms” is not the same as “reconfiguring existing space”, which is the supposed intent according to Staff in Sacramento. Elimination of DR hearings and CUA hearings for Demolition of single family homes should not be done by walking through a “back door”, but should be in noticed public hearings in San Francisco. As decision makers in San Francisco please resolve this “back door” issue with the folks in Sacramento. Please read my 6/23 email if more info is needed.

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.

10. (J. SWITZKY: (628) 652-7464)

DEVELOPMENT TRENDS AND PROJECTIONS – Informational Presentation regarding 2022's development activity to date. Broader observations and forecasts for San Francisco will be provided by the Office of Economic Analysis in the Controller's Office; Planning Department Staff will provide data and updates regarding permitting and construction.

Preliminary Recommendation: None – Informational

SPEAKERS:

- = Joshua Switzky – Staff presentation
- = Ted Egan – Office of the Controller presentation
- Reza Khoshnevisan – Amount of opposition projects go through before it gets entitled
- Sean Keighran – Housing is not a priority, we are not important

- Sujata Srivastava – Audit city codes
- Brett Gladstone – Environmental review
- Sarah Berkeley – High costs
- Corey Smith - Financing, policy decision
- Christopher – Entitlement process
- Mark – Fees, requirements
- Sue Hestor – Build housing that people can afford
- Robert Fruchtman – Broken process
- Speaker – Include analysis in the Housing Element draft
- Eric Dahl – Create real economic incentives
- Speaker – Challenges
- Mark Bansen – City fees, timing of approvals
- Speaker – Process
- = Rich Hillis – Response to comments and questions
- = Liz Watty – Response to comments and questions
- = Devyani Jain – Response to comments and questions

ACTION: Reviewed and Commented

11. [2016-013156SRV](#) (M. BOUDREAUX: (628) 652-7375)
SAN FRANCISCO CITYWIDE CULTURAL RESOURCES SURVEY OVERVIEW (SF SURVEY) – Informational Presentation – The San Francisco Citywide Cultural Resources Survey (SF Survey) is a multi-year effort to identify and document places and resources of cultural, historical, and architectural importance to San Francisco’s diverse communities. The framework of SF Survey will be provided, including: background and methodology; phasing and schedule; community engagement strategy; data collection and management tools; citywide Historic Context Statement outline; and findings and the Cultural Resources Inventory.
Preliminary Recommendation: None – Informational
- SPEAKERS: = Rich Hillis – Introduction
 = Marcelle Boudreaux – Staff report
 = Frances McMillen – Staff report
 = Maggie Smith – Staff report
 = Melanie Bishop – Staff report
 = Elena Moore – Staff report
 = Alessandro Hall – Staff report
- ACTION: Reviewed and Commented

12. [2018-015785GPA](#) (M. SNYDER: (628) 652-7460)
TRANSBAY BLOCK 4 – 200 MAIN STREET – the block bound by Howard Street on the North, Main Street on the East, Beale Street on the West and the alignment of Tehama Street on the South; Lot 10 in Assessor’s Block 3739 – Initiation of **General Plan Amendments** to amend the Transit Center District Plan (a Sub-Area Plan of the Downtown Plan) Figure 1 – “Proposed Height Limits” by changing the height limit on Transbay Block 4 from 450-feet to 513-feet. This proposed legislation would also include two additional clean-up amendments to reflect prior implementation of the Redevelopment Plan, by revising: (1) Figure 1 by changing the height limit on Transbay Block 1 from 50/85/300-feet to 400-feet; and (2) Policy 4.36 regarding bicycle routing. The Transbay Block 4 Project would include a 47-story tower (513-feet exclusive of mechanical penthouse) with 6-story townhouse adjunct, a 16-

story mid-rise building and a single-story shared podium with shared underground facilities. The Project would include approximately 681 residential units, of which 306 (45%) would be affordable, approximately 8,389 square feet of commercial / retail space, 275 parking spaces, 556 Class 1 bicycle spaces, and 12,584 square feet of open space, of which 4,250 would be publicly accessible. The subject site is currently within the TB DTR (Transbay Downtown Residential) District, 50/85/450-TB Height District, and the Transbay Redevelopment Project Area – Zone 1.

Preliminary Recommendation: Initiate and schedule a public hearing on or after July 28, 2022

SPEAKERS: = Mat Snyder – Staff presentation
 = Kim Obstfeld – OCII presentation
 + Strachan Forgan – Design presentation
 + Wood Turner – Support
 + Matt Regan – Historic opportunity
 + Dan – Response to comments and questions
ACTION: Initiated and Scheduled a PH on or after July 28, 2022, as amended by Staff.
AYES: Ruiz, Diamond, Fung, Imperial, Koppel, Tanner
ABSENT: Moore
RESOLUTION: [21133](#)

ADJOURNMENT 4:19 PM
ADOPTED JULY 14, 2022