

1 [Adoption of Findings Related to Disapproval of Conditional Use Authorization - 301 Toland  
2 Street]

3 **Motion adopting findings in support of the Board of Supervisors' disapproval of the**  
4 **decision of the Planning Commission by its Motion No. 21278, approving a Conditional**  
5 **Use Authorization, identified as Planning Case No. 2022-011241CUA, for a proposed**  
6 **project at 301 Toland Street.**

7  
8 WHEREAS, On March 16, 2023, the Planning Commission approved a Conditional  
9 Use Authorization identified as Planning Case No. 2022-011241CUA, by its Motion No.  
10 21278, to convert a portion, approximately 21,200 square feet, of the existing 108,000 square-  
11 foot building at 301 Toland Street, Assessor's Parcel Block No. 5264, Lot No. 049, from  
12 Wholesale Storage (a Non-Retail Sales and Service Use) to Private Parking Garage (a Non-  
13 Retail Automotive Use) (the "proposed project"); and

14 WHEREAS, Under the proposed project, the garage would provide 44 parking spaces  
15 to be used as employee parking for Waymo's existing automotive maintenance site at 201  
16 Toland Street; the proposal included interior modifications to create an employee break room,  
17 security office, meeting room, and restrooms; exterior alterations were limited to the  
18 replacement of one roll-up door with a larger roll-up door that extends to grade; and

19 WHEREAS, The proposed project site consists of a single-story warehouse building  
20 within the Production, Distribution and Repair ("PDR")-2 Zoning District and 80-E Height and  
21 Bulk District, on a full-block lot with frontages along Toland Street to the west, Innes Avenue  
22 to the south, and Shelby Street to the east below the elevated Interstate 280 Highway, and  
23 Hudson Avenue to the north; and

24 WHEREAS, The area surrounding the proposed project site is industrial in character,  
25 with a mix of warehouses, automotive, and light industrial uses; the surrounding development

1 is predominately single-story, with enclosed and unenclosed vehicular use areas and loading  
2 directly from the street; and a Waymo fleet maintenance facility is located across Hudson  
3 Avenue, at 301 Toland Street; immediately to the south of the site is the San Francisco  
4 Produce Market, in the Bayview-Hunters Point neighborhood; and

5 WHEREAS, The Planning Department determined that the Project is exempt from  
6 environmental review; and

7 WHEREAS, On April 17, 2023, Mark Gleason (Appellant) filed a timely appeal  
8 protesting the approval of the Conditional Use Authorization by the Planning Commission; and

9 WHEREAS, On May 23, 2023, this Board held a duly noticed public hearing to consider  
10 the appeal; and

11 WHEREAS, In deciding the appeal, the Board considered the entire written record  
12 before the Board and all the presentations and public comments made in support of and in  
13 opposition to the appeals; and

14 WHEREAS, The written record and oral testimony in support of and opposed to the  
15 appeal and deliberation of the oral and written testimony at the public hearing before the  
16 Board of Supervisors by all parties and the public in support of and opposed to the appeal is  
17 in the Clerk of the Board of Supervisors' File No. 230435, and is incorporated in this motion as  
18 though set forth in its entirety; and

19 WHEREAS, Following the conclusion of the public hearing on May 23, 2023, the Board  
20 voted to disapprove the decision of the Planning Commission, as reflected in Board of  
21 Supervisors Motion No. M23-074; and now, therefore, be it

22 MOVED, That the Board finds that:

- 23 • The proposed project is inconsistent with the City's Transit First policy, adopted  
24 more than 50 years ago by the Board of Supervisors on March 19, 1973, by  
25 Resolution No. 189-73, and now enshrined in Charter, Section SEC. 8A.115.

- 1           • The Transit First policy sets forth a comprehensive set of policies and goals  
2           regarding the transportation system and the use of limited public right of way in  
3           the City. In relevant part, it mandates that “[d]ecisions regarding the use of  
4           limited public street and sidewalk space shall encourage the use of public rights  
5           of way by pedestrians, bicyclists, and public transit, and shall strive to reduce  
6           traffic and improve public health and safety;” and that “[p]arking policies for  
7           areas well served by public transit shall be designed to encourage travel by  
8           public transit and alternative transportation.”
- 9           • The area where proposed project is located is well served by public transit.  
10          Several Muni lines serve the project site. Muni routes 9/9R, 23, 24, 44 are  
11          within a 15 minute walk, and other routes such as the 15, 19, 54 and T are also  
12          nearby, but a bit further away. There are more than a dozen bus stops within a  
13          15 minute walk from the proposed project site.
- 14          • The Transit First policy supports the City’s Climate Action Plan, which finds that  
15          “a vigorous, renewed commitment to implementing the Transit First policy  
16          directly supports climate action,” and that “[t]ransit, walking and biking improve  
17          local air quality for everyone, especially people who suffer from respiratory  
18          illnesses like asthma. Similarly, low-carbon modes increase physical activity  
19          which can reduce the likelihood of health problems like diabetes and  
20          depression.”
- 21          • The Transit First policy also supports the City’s Vision Zero policy, adopted in  
22          2014. The Vision Zero policy commits resources to eliminate traffic fatalities, the  
23          vast majority of which occur due to interactions between large motorized  
24          vehicles and pedestrians and cyclists.
- 25

- 1 • Preservation of PDR spaces is also an important City policy. Under the  
2 Planning Code, the zoning district currently in effect in the proposed project site,  
3 PDR-2, is a “core” PDR district, and is intended to “encourage the introduction,  
4 intensification and protection of a wide range of light and contemporary industrial  
5 activities.” For those reasons, “new housing, large office developments, large-  
6 scale retail, and the heaviest of industrial uses, such as incinerators” are  
7 prohibited. Generally, all other uses are permitted, but “the conservation of  
8 existing flexible industrial buildings is also encouraged.”
- 9 • The proposed project would convert an existing PDR space into a private  
10 parking garage, in an area that is well served by public transit. The proposed  
11 project is not in alignment with the City’s PDR preservation policies, and the  
12 traffic and congestion that would result from the proposed project are not in  
13 alignment with the City’s Transit First and Vision Zero policies.
- 14 • Under these circumstances, the Board reverses the Planning Commission’s  
15 decision to grant a Conditional Use Authorization for the proposed project,  
16 finding that the proposed project does not meet the criteria for such entitlement  
17 under Section 303 of the Planning Code, because the proposed project is not  
18 “necessary or desirable for, and compatible with, the neighborhood or the  
19 community;” and may indeed be “detrimental to the health, safety, convenience  
20 or general welfare of persons residing or working in the vicinity.”

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City and County of San Francisco

Tails

Motion: M23-112

City Hall  
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San Francisco, CA 94102-4689

**File Number:** 230822

**Date Passed:** July 18, 2023


Motion adopting findings in support of the Board of Supervisors' disapproval of the decision of the Planning Commission by its Motion No. 21278, approving a Conditional Use Authorization, identified as Planning Case No. 2022-011241CUA, for a proposed project at 301 Toland Street.

July 18, 2023 Board of Supervisors - APPROVED

Ayes: 11 - Chan, Dorsey, Engardio, Mandelman, Melgar, Peskin, Preston, Ronen, Safai, Stefani and Walton

File No. 230822

I hereby certify that the foregoing Motion was APPROVED on 7/18/2023 by the Board of Supervisors of the City and County of San Francisco.

  
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Angela Calvillo  
Clerk of the Board