

SAN FRANCISCO PLANNING COMMISSION

DRAFT – Meeting Minutes

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

Thursday, March 24, 2016
12:00 p.m.
Regular Meeting

COMMISSIONERS PRESENT: Fong, Richards, Antonini, Hillis, Johnson, Moore, Wu

THE MEETING WAS CALLED TO ORDER BY PRESIDENT FONG AT 12:12 P.M.

STAFF IN ATTENDANCE: John Rahaim – Planning Director, Diego Sanchez, Tina Chang, Doug Vu, Elizabeth Gordon-Jonckheer, and 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. 2014-1041DNX (D. VU: (415) 575-9120)
390 1ST STREET - northwest corner of 1st and Harrison Streets; Lot 058 in Assessor's Block 3749 (District 9) - Request for **Downtown Project Authorization** pursuant to Planning Code Sections 309.1 and 827 to demolish an automotive service station and construct an approximately 212,429 square feet, fourteen-story and 138-feet 6-inches tall residential building consisting of up to 180 dwelling units, approximately 365 square feet of ground floor commercial space, and up to 95 underground parking spaces. The project is also

requesting exceptions to the permitted obstructions and dwelling unit exposure requirements pursuant to Planning Code Sections 136 and 140, respectively. The subject property is located within the Rincon Hill Downtown Residential (RH-DTR) District and 45/65-R and 65/400-R Height and Bulk Districts. This notice also meets Section 312 requirements for public notification. 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: Pending

(Proposed for Continuance to April 7, 2016)

SPEAKERS: None

ACTION: Continued to April 7, 2016

AYES: Fong, Richards, Antonini, Hillis, Johnson, Moore

- 1b. 2014.1041CUA (D. VU: (415) 575-9120)
 390 1st STREET - northwest corner of 1st and Harrison Streets; Lot 058 in Assessor's Block 3749 (District 9) - Request for **Conditional Use Authorization** pursuant to Planning Code Sections 202.5 and 303 for the conversion of an automobile service station to allow the demolition of all existing structures and construction of a new approximately 212,429 square feet, fourteen-story and 138-foot 6-inches tall residential building consisting of up to 180 dwelling units, approximately 365 square feet of ground floor commercial space, and up to 95 underground parking spaces. The subject property is located within the Rincon Hill Downtown Residential (RH-DTR) District, and 45/65-R and 65/400-R Height and Bulk Districts. This notice also meets Section 312 requirements for public notification.

Preliminary Recommendation: Pending

(Proposed for Continuance to April 7, 2016)

SPEAKERS: None

ACTION: Continued to April 7, 2016

AYES: Fong, Richards, Antonini, Hillis, Johnson, Moore

2. 2015-012722PCA (D. SANCHEZ: (415) 575-9082)
INCLUSIONARY AFFORDABLE HOUSING PROGRAM {BOARD FILE NO. 150911} – **Planning Code Amendment**, introduced by Mayor Lee and Supervisors Farrell and Tang to provide revised geographic, timing, pricing and other requirements for the off-site alternative to the Inclusionary Affordable Housing Fee; create a new option for off-site projects that qualify as Nonprofit Provider Partner Projects; create a new alternative for project sponsors of smaller market-rate projects to direct the Affordable Housing fee to small sites projects; create an option for project sponsors of on- and off-site housing to provide higher amounts of affordable housing at higher levels of affordability termed “dialing up”; revise certain definitions and operating procedures related to the Inclusionary Housing Program and make conforming changes; affirming the Planning Department’s determination under the California Environmental Quality Act; and making findings of consistency with the General Plan, Planning Code Section 302 and the eight priority policies of Planning Code Section 101.1.

(Continued from Regular Meeting of January 21, 2016)

Preliminary Recommendation: Pending

(Proposed for Continuance to July 14, 2016)

SPEAKERS: None
ACTION: Continued to July 14, 2016
AYES: Fong, Richards, Antonini, Hillis, Johnson, Moore

B. COMMISSION MATTERS

- 3 Consideration of Adoption:
- [Draft Minutes for March 10, 2016](#)

SPEAKERS: None
ACTION: Adopted
AYES: Fong, Richards, Antonini, Hillis, Johnson, Moore

4. Commission Comments/Questions
- Inquiries/Announcements. Without discussion, at this time Commissioners may make announcements or inquiries of staff regarding various matters of interest to the Commissioner(s).
 - Future Meetings/Agendas. At this time, the Commission may discuss and take action to set the date of a Special Meeting and/or determine those items that could be placed on the agenda of the next meeting and other future meetings of the Planning Commission.

Commissioner Antonini:

I spoke with Secretary Ionin, and apparently we are now beginning to schedule items to come before us in the month of July, which is a long ways off and you know, we are going to continue to have instances, as we had today, where large items are continued for one reason or another thereby pushing other items further and further forward, so I am just going to propose to the Commission, see how they feel about opening up June 30th as a possible date because I've heard from a lot project sponsors and the general public, about how long it's taking to get on the calendar and it might help to have an additional day available at the end of June to start calendaring some items.

Commissioner President Fong:

I don't hear any interest on that initially, but I'd say as things starts -- I understand your concern and things start to get continue slide that way as he get closer to the June 30th day we can always reopen at that time.

Commissioner Antonini:

I think it's within 30 days or whatever we have to do.

Commissioner President Fong:

Two weeks before we can do that?

Jonas Ionin – Commission Secretary:

As long as we get an agenda in advance, we can reinstate that meeting.

Commissioner Antonini:

Ok, thank you.

Commissioner Moore:

I'd then also ask we balance that discussion with the Director. He's in charge of the rest of the Department, because there has to be a balance between all of those, and I would very much appreciate for that question to be very succinctly asked directly from the Director.

Director Rahaim:

Did you want me? -- I mean, I think that is -- thank you for asking - I mean, I will check with the staff on that, if it is three months in advance does gives us some time to plan for it. I will say that staff does plans including myself I'll not be here next week, because originally we weren't going to have a meeting next week, but the staff does plan travel around, and vacation around the 5th Thursdays sometimes, but if three months in advance does gives us time to consider that although I'll ask that we not wait until two or three weeks before to try to make that decision, five or six week before if we can, to know if there is going to be a meeting.

Commissioner Richards:

Interesting to note, in yesterday's New York Times it caught my attention Counsel passes housing rules championed by Mayor and New York, I guess was going through some discussions on a density bonus for developers if they provide some level on-site affordable housing. Interestingly enough they're planning, it looks like it will go through it passes all the various local councils, to set aside 20 to 30 percent for all new units for the density bonus or for any type of rezoning base on greater height or density and the target population for those 20 to 30 percent are people make between 40 and 80 percent medium income. So it's just an item to note. It happened in New York yesterday, two days ago.

C. DEPARTMENT MATTERS**5. Director's Announcements****Director Rahaim:**

Commissioners, I want to briefly update you on the Mission 2020 Strategy. We've been having very intensive, robust meeting on all aspects of that strategy. You are schedule to have an informational update on May 5th, where we'll be talking about the strategy, we are having our first large public meeting in a while on April 6, which is two weeks from yesterday, we'll get you an announcement on the specifics of that. The strategy has a lot of different facets, only some of which relate to land use control and planning code changes, a lot of them have to do with other aspects of retaining the Mission District population, tenant controls, eviction controls, that sort of thing. We've also started for the first time a series of meetings, that include both members of the community as well as of members of developers who are active in the neighborhood and other interested members, so that we're having a dialogue frankly on both sides of the table, across the table and parties that might not often agree on these issues. That has been productive as well and I have committed to hosting a series of those discussions in a next few months, so we can have more open communication between parties of different points of view on these issues, so we are planning on getting to you on May 5th, but before that there will be a public meeting on April 6th, and the primary goal of that public meeting will be to set priorities of this very long list of strategies that we've developed out of that program. There are probably three or four dozen different strategies that we are exploring, and we currently

can't do them all at once, so the idea is to try to prioritize which of those strategies we'll move forward in the next couple of years. We'll send the announcement on the public meeting on 6th and look forward to being here on the 5th. That concludes my presentation. Thank you.

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

LAND USE COMMITTEE:

- **151164 Planning Code - Landmark Designation - 171 San Marcos Avenue (aka Cowell House).** Sponsor: Yee. Staff: Ferguson/Frye.

At this week's land use hearing, the committee heard the landmark designation for 171 San Marcos Avenue. At the hearing planning staff provided an overview of the landmark designation and responded to questions raised throughout the discussion. There was one speaker in favor of the designation. At the end of public comment, Supervisor Peskin moved that this Ordinance be RECOMMENDED and that motion carried unanimously.

FULL BOARD:

- **151257 Planning Code - Increasing Transportation Sustainability Fee for Non-residential Projects.** Sponsor: Avalos, Campos, Mar. Staff: Chen. Mayoral Veto

At the Full Board hearing, Supervisors considered Supervisor Avalos's proposed ordinance that would increase the TSF by approximately \$2.00 for large non-residential projects. The Board had passed this ordinance on second read a few weeks ago, and on March 11, 2016 the Mayor vetoed this ordinance. In order for the Board to override the Mayor's veto, they would need to pass the ordinance again with at least 8 votes; however, the motion only received 6 votes with Supervisors Breed, Cohen, Tang, and Wiener voting against the motion while Supervisor Farrell was absent.

INTRODUCTIONS:

- **160281 Planning Code - Dwelling Unit Mix Requirements.** Sponsor: Yee. Staff: TBD
- **160255 REINTRODUCTION Planning, Administrative Codes - Inclusionary Affordable Housing Fee and Requirements; Preparation of Economic Feasibility Report; Establishing Inclusionary Housing Technical Advisory Committee.** Sponsors: Kim, Peskin, Yee. Staff: Starr, Rodgers
- **151085 REINTRODUCTION Various Codes - Code Enforcement Procedures.** Sponsor: Wiener. Staff: D. Sanchez

BOARD OF APPEALS:

None

HISTORIC PRESERVATION COMMISSION:

None

D. GENERAL PUBLIC COMMENT – 15 MINUTES

At this time, members of the public may address the Commission on items of interest to the public that are within the subject matter jurisdiction of the Commission except agenda items. With respect to agenda items, your opportunity to address the Commission will be afforded when the

item is reached in the meeting. Each member of the public may address the Commission for up to three minutes.

SPEAKERS: James Haas – Civic Center
Ozzie Rohn – Noe Valley monster duplexes

E. REGULAR CALENDAR

The Commission Hearing Procedures provide for presentations by staff; followed by the project sponsor team; followed by public comment for and against the proposal. Please be advised that the project sponsor team includes: the sponsor(s) or their designee, lawyers, architects, engineers, expeditors, and/or other advisors.

7. [2015-017728PCA](#) (T. CHANG: (415) 575-9197)
PLANNING CODE SECTIONS 260, 270, 309, 329, 735, 743 AND 744 - Planning Code Amendment to allow for greater flexibility in the screening and enclosure of rooftop mechanical equipment, expand applicability of mid-block alleys to South of Market Street Neighborhood Commercial Transit (NCT), Folsom Street Neighborhood Commercial Transit, and Regional Commercial District (RCD) Zoning Districts, and make mid-block alley controls more consistently applied where required; affirming the Planning Department's determination under the California Environmental Quality Act; and making findings of consistency with the General Plan and the eight priority policies of Planning Code Section 101.1, and findings of public convenience, necessity, and welfare under Planning Code Section 302.

Preliminary Recommendation: Adopt a Recommendation for Approval

SPEAKERS: None
ACTION: Adopted a Recommendation for Approval as amended to include the removal of obsolete equipment.
AYES: Fong, Richards, Antonini, Hillis, Johnson, Moore
RESOLUTION: 19599

8. [2014-002961CUA](#) (D. VU: (415) 575-9120)
1699 MARKET STREET - south side between Valencia and Gough Streets; Lot 030 in Assessor's Block 3504 (District 8) - Request for **Conditional Use Authorization** of a Planned Unit Development pursuant to Planning Code Sections 121.1, 303 and 304 to demolish an existing 22,150 square foot commercial building and construct an approximately 199,562 square foot, nine-story 84-foot tall building consisting of up to 160 dwelling units, approximately 3,885 square feet of commercial space, and up to 82 off-street parking spaces in a basement level garage. The project is also requesting exceptions to the rear yard, open space and off-street loading requirements, pursuant to Planning Code Sections 134, 135 and 140, respectively. The subject property is located within a Neighborhood Commercial Transit, Moderate Scale (NCT-3) District and 85-X Height and Bulk District. This notice also meets Section 312 requirements for public notification. 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 Meeting of March 10, 2016)

SPEAKERS: = Doug Vu – Staff presentation
 + (M) Speaker – Project presentation
 + (M) Speaker – Design presentation
 + Adrian Simi – Support
 - Tess Welbourn – 20% outside BMR
 - Keith Bailey – McCoppin Street façade
 + John Dittmer – Will improve the neighborhood
 + Danny Campbell – Support
 - Lynn Valenti – McCoppin garage entrance
 + Howard Flax – Support
 + Rob Poole – Support, ground floor retail
 + James Favor – Support

ACTION: Approved with Conditions as amended to include:
 1. Eliminate the McCoppin Street garage and maximize the entrance height, without eliminating housing;
 2. Activate the McCoppin Street frontage;
 3. Provide a stronger commercial frontage on Market Street;
 4. Improve the Market Street commercial and residential expressions;
 5. Enhance the west façade;
 6. Provide two additional carshare spaces; and
 Submit plans that demonstrate the ability to subdivide the ground floor commercial area into multiple retail spaces.

AYES: Fong, Richards, Antonini, Hillis, Johnson, Moore
 MOTION: 19600

- 9a. [2013.0431CV](#) (E. JONCKHEER: (415) 575-8728)
750-754 14TH STREET - northwest corner of 14th and Belcher Streets, Lot 025 in Assessor's Block 3537 (District 6) - Request for **Conditional Use Authorization** pursuant to Planning Code Sections 207.6, 209.4 and 303, to: (1) add seven dwelling units to an existing ten-unit building exceeding the principally permitted dwelling unit density, and (2) provide less than the required 40 percent two-bedroom or greater unit mix for the proposed new units, within the RTO (Residential, Transit Oriented Development) Zoning District and 40-X Height and Bulk District and within the Market and Octavia Area Plan. This action constitutes the Approval Action for the project for purposes of CEQA, pursuant to Section 31.04(h) of the San Francisco Administrative Code.
Preliminary Recommendation: Approve with Conditions
 (Continued from Regular Meeting of March 10, 2016)

SPEAKERS: = Elizabeth Gordon-Jonckheer – Staff presentation
 + Ted Mentor – Project presentation
 + Michael Bogan – Design presentation

ACTION: Approved with Conditions

AYES: Fong, Richards, Antonini, Hillis, Johnson

NAYES: Moore

RESOLUTION: 19601

- 9b. [2013.0431CV](#) (E. JONCKHEER: (415) 575-8728)
750-754 14TH STREET - northwest corner of 14th and Belcher Streets, Lot 025 in Assessor's Block 3537 (District 6) - Request for a **Variance** pursuant to Planning Code Sections: 134, to

allow for an exterior stairway in the required rear yard, 135, to provide for approximately 590 square feet of common usable open space where 931 square feet is required, and 140, for dwelling unit exposure for ground floor units #5 and #6 where the existing chapel stage overhang extends 5 feet above the dwelling unit windows into a required rear yard area less than 25 feet in depth. The project site is located within the RTO (Residential, Transit Oriented Development) Zoning District and 40-X Height and Bulk District and within the Market and Octavia Area Plan.

(Continued from Regular Meeting of March 10, 2016)

SPEAKERS: Same as Item 9a.

ACTION: After hearing and closing public comment, ZA indicated an intent to Grant the Variance(s)

F. PUBLIC COMMENT

At this time, members of the public may address the Commission on items of interest to the public that are within the subject matter jurisdiction of the Commission except agenda items. With respect to agenda items, your opportunity to address the Commission will be afforded when the item is reached in the meeting with one exception. When the agenda item has already been reviewed in a public hearing at which members of the public were allowed to testify and the Commission has closed the public hearing, your opportunity to address the Commission must be exercised during the Public Comment portion of the Calendar. Each member of the public may address the Commission for up to three minutes.

The Brown Act forbids a commission from taking action or discussing any item not appearing on the posted agenda, including those items raised at public comment. In response to public comment, the commission is limited to:

- (1) responding to statements made or questions posed by members of the public; or
- (2) requesting staff to report back on a matter at a subsequent meeting; or
- (3) directing staff to place the item on a future agenda. (Government Code Section 54954.2(a))

ADJOURNMENT – 2:39 P.M