

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, April 14, 2016
12:00 p.m.
Regular Meeting

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

THE MEETING WAS CALLED TO ORDER BY PRESIDENT FONG AT 12:16 P.M.

STAFF IN ATTENDANCE: John Rahaim – Planning Director, Aaron Starr, Rich Sucre, Wayne Farrens, Carly Grob, Audrey Harris, Jeffrey Horn, David Winslow, Veronica Flores, Andrew Perry, 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.

1. 2015-004434DRP (N. TRAN: (415) 575-9174)
3790-3792 21ST STREET - northeast corner of 21st and Noe Streets; Lot 026A in Assessor's Block 3604 (District 8) - Request for **Discretionary Review** of Building Permit Application No. 2015.04.10.3305, proposing a third story addition with roof deck, lightwell infill, basement excavation and exterior changes on the existing two-family dwelling which is

located 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 purposes of CEQA, pursuant to Section 31.04(h) of the San Francisco Administrative Code.

Staff Analysis: Abbreviated Discretionary Review

Preliminary Recommendation: Do Not Take Discretionary Review and Approve

(Continued from Regular Hearing of January 14, 2016)

(Proposed continuance to April 28, 2016)

SPEAKERS: None

ACTION: Continued to April 28, 2016

AYES: Richards, Antonini, Hillis, Johnson

ABSENT: Fong, Moore, Wu

2. 2014-002288DRP (N. TRAN: (415) 575-9174)
438 29TH STREET - north side between Noe and Sanchez Streets; Lot 013 in Assessor's Block 6620 (District 8) - Request for **Discretionary Review** of Building Permit Application No. 2014.11.17.1729, proposing to construct a vertical and rear horizontal addition to the existing single family dwelling. Work includes interior remodeling and several changes to the exterior which include a stair penthouse addition, window and door replacements on the 29th St. façade as well as the addition of a roof deck with glass guardrail. The project is within the 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 purposes of CEQA, pursuant to Section 31.04(h) of the San Francisco Administrative Code.
 Staff Analysis: Abbreviated Discretionary Review
Preliminary Recommendation: Do Not Take Discretionary Review and Approve
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

3. [2015-005379CUA](#) (W. FARRENS: (415) 575-9172)
2261 FILLMORE STREET - west side between Clay and Sacramento Streets; Lot 002 in Assessor's Block 0630 (District 2) - Request for **Conditional Use Authorization**, pursuant to Planning Code Sections 303 and 718.44, to establish a Restaurant use in addition to the existing Movie Theater use (dba "The Clay Theater") within the Upper Fillmore Neighborhood Commercial District and 40-X Height and Bulk District. This project has been reviewed under the Community Business Priority Processing Program (CB3P). 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

SPEAKERS: None

ACTION: Approved with Conditions

AYES: Richards, Antonini, Hillis, Johnson

ABSENT: Fong, Moore, Wu
MOTION: 19615

4. [2015-005989CUA](#) (C. GROB: (415) 575-9138)
493 BROADWAY - southeast corner of the intersection of Broadway and Kearny Street, Lot 022 in Assessor's Block 0163 (District 3) - Request for **Conditional Use Authorization** pursuant to Planning Code Sections 303.1, 714.21, and 714.44 to allow a change of use from a bar use and an adult entertainment use to a restaurant (d.b.a. Prohibition), and to permit a use size exceeding 2,999 square feet within the Broadway Neighborhood Commercial District (NCD) and 65-A-1 Height and Bulk District. The project includes the change of use to a 3,009 square foot restaurant, as well as 200 square feet of other entertainment use. The project does not include any expansion of the building envelope. 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

SPEAKERS: None
ACTION: Approved with Conditions
AYES: Richards, Antonini, Hillis, Johnson
ABSENT: Fong, Moore, Wu
MOTION: 19616

C. COMMISSION MATTERS

5. 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:

First of all, congratulations to the Warriors on setting the NBA record last night. The other thing I'd like to ask the staff is about we had a hearing last week on PDR and there's a series of e-mails back and forth and have been going through the entire Eastern Neighborhoods process, I think it would be really helpful, if we have a brief presentation from staff showing maps that delineate the square footage that is reserved for only PDR and where it is on the map, and also the square footage delineated from PDR2, which is not the core PDR but less intense PDR, which generally surrounds the area where the core PDR is and also realizing that before that was 1 M and now has a different zone that protects it, and then basically talk a little bit about the where the UMU where anticipated loss of PDR would take place, and how much square footage has been taken out of PDR, and how much is anticipated, and how much could possibly happen, and is it still within the limits that we have assigned, because we have a total amount that we anticipate to be converted from PDR to other uses. So, it would be good if we have this thing kind of established ahead of time, and it might make it a little easier when we have discussions on particular projects, because we already have some delineation as to what areas are

anticipated for conversion to housing or office or other uses where PDR would be allowed and not allowed and be a little easier for the Commission I think. Thank you.

D. DEPARTMENT MATTERS

6. Director's Announcements

Director Rahaim:

Actually, my announcement was related to Commissioner Antonini's comments, we would be happy to do the report, we actually have in your advance calendar on June 23rd there is the Eastern Neighborhoods Monitoring Report that staff is working on now, so we would be happy to make that part of that report as well, and also I wanted to reference to some recent e-mails, I also want reiterate my comment and I made this comment to some of the folks in the Mission District that we're working with, that I would be happy to have a discussion about the potential changes to UMU zoning, it has come up several times. If we need to look up tweaking UMU zoning with respect to PDR uses, I think it is time to do that. I am happy to have that discussion. I am happy to talk about what those changes need to be with respect to PDR uses within the UMU zone. Thank you, that concludes my remarks.

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

LAND USE COMMITTEE:

• **160188 General Plan Amendment - Downtown Area Plan Map 5 - Portions of Transbay Redevelopment Plan Blocks 1 and 2. Sponsor: Planning Commission. Staff: Switzky/Haddadan.**

At Land Use this week, the Committee heard a clean-up ordinance that would amend the Downtown Plan height map to add reference to the Transbay Redevelopment Plan. The Planning Commission heard this item on February 25 of this year and recommended approval.

You may recall from last week that this item was continued one week due to concerns Supervisor Peskin had about the transmittal of an unrelated ordinance, the General Plan Amendment for the Affordable Housing Bonus Program. Both items were heard on Feb 25. To address the Supervisor's concerns, the Planning Department did transmit the AHBP General Plan amendment last Friday.

At this week's hearing, there was no comment from the Committee and the item was forwarded to the Full Board with a positive recommendation.

FULL BOARD:

• **150732 Building, Administrative Codes - Mandatory Disability Access Improvements; Building Owner's Notice to Tenant; Administrative Fee. Sponsor: Tang. Staff: Not Staffed.**

PASSED Second Read

• **151164 Planning Code - Landmark Designation - 171 San Marcos Avenue (aka Cowell House). Sponsors: Yee, Peskin. Staff: Ferguson.**

PASSED Second Read **Summary of Board Activities April 11-15, 2016** Planning Commission Report: April 14, 2016

- **151085 Various Codes - Code Enforcement Procedures.** Sponsor: Wiener. Staff: D. Sanchez.

Passed First Read

- **151109 Establishing the SoMa Pilipinas - Filipino Cultural Heritage District in San Francisco.** Sponsor: Kim, Mar, Avalos, Campos, Peskin, and Cohen. Staff: Frye.

Adopted

- **160215 Hearing - Redevelopment Plan Amendment - Transbay Redevelopment Project Area - Zone One. Hearing, Item 20**
- **160150 Redevelopment Plan Amendment - Transbay Redevelopment Project Area - Zone One. Sponsor: Mayor, Kim. First Read, Item 21**

Also this week, the Full Board sat as a committee of the whole to hear a proposed Ordinance that would approve an amendment to the Redevelopment Plan for the Transbay Redevelopment Project Area. The amendment would increase the maximum height limit from 300 feet to 400 feet on Block 1 within Zone One of the Transbay Redevelopment Project Area. As I'm sure the Commission is aware, this proposal relates to the Studio Gang-designed corkscrewing high-rise at 160 Folsom Street, which is seeking a map amendment so that it can build ten stories higher than the permitted zoning, which will accommodate more affordable housing. It's also related to the General Plan Amendment that was heard at Land Use this week.

At the hearing, Supervisor Kim provided opening remarks related to the project and representatives from OCII provided an overview of the project and responded to questions raised throughout the discussion. During public comment, approximate 26 people representing various neighborhood groups and labor unions spoke in favor of the proposed ordinance, while approximately 6 people, primarily representing the organization Save Rincon Park, spoke in opposition. After the hearing was closed, Supervisor Kim, seconded by Supervisor Campos, moved that this Ordinance be continued one week so that OCII could respond in writing to the concerns raised by those opposed to the project during the hearing.

- **General Plan Amendment - Downtown Area Plan Map 5 - Portions of Transbay Redevelopment Plan Blocks 1 and 2. Sponsor: Planning Commission. Staff: Switzky/Haddadan.**

And lastly, the Board passed on first read the related General Plan Amendment that was heard at Land Use this week.

INTRODUCTIONS:

- **160321 Planning Code - Housing Balance Report.** Sponsor: Kim. Staff: TBD. Ordinance amending the Planning Code to require inclusion in the Housing Balance Report data about the withdrawal of housing units from the rental market by all means, including owner move-ins

BOARD OF APPEALS:

No Report

HISTORIC PRESERVATION COMMISISON:

No Report

E. 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: Ozzie Rehm – Scale, limits on height and depth, code update
 Keppler – MUNI stops outer Sunset
 Sue Hestor – Packets, minutes on the website

F. 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.

8. [2010.1180CWP](#) (A. HARRIS: (415) 575-9136)
MARKET OCTAVIA PLAN MONITORING REPORT - Informational Presentation - San Francisco Planning Code Section 341.3 requires a five year time series monitoring report on the Market and Octavia Plan. This Market and Octavia Plan Monitoring Report (2010-2014) is the second in the series and describes residential development trends, commercial development activities and employment, and transportation trends and infrastructure improvements as mandated. The Report also discusses implementation of proposed programming including fees collected, community improvements, and historic preservation.

Preliminary Recommendation: None – Informational

SPEAKERS: = Audrey Harris – Staff presentation
 = Sue Hestor – Central Freeway, Gentrification
 ACTION: None – Informational

9. [2015-015784CUA](#) (W. FARRENS: (415) 575-9172)
1905 FILLMORE STREET - west side between Wilmot and Bush Streets; Lot 005 in Assessor's Block 0659 (District 5) - Request for **Conditional Use Authorization** pursuant to Planning Code Sections 303, 303.1, 703.3, and 703.4 to establish a Formula Retail use (dba "45RPM"), within the Upper Fillmore Neighborhood Commercial District and the 40-X Height and Bulk District. 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

SPEAKERS: None
 ACTION: Approved with Conditions
 AYES: Richards, Antonini, Hillis, Johnson
 ABSENT: Fong, Moore, Wu
 MOTION: 19617

10. [2015-016137CUA](#) (J. HORN: (415) 575-6925)
16 WEST PORTAL AVENUE - southwest corner of the intersection of West Portal Avenue and Ulloa Street; Lot 002 in Assessor's Block 2931 (District 7) - Request for **Conditional Use Authorization** pursuant to Planning Code Sections 303, 303.1, 703.3, and 703.4 to establish a formula retail restaurant (d.b.a. Lemonade Cafe) in an existing 2,855 square-foot tenant space previously occupied by a formula retail restaurant (d.b.a. La Boulange de West Portal). There will be no exterior building expansion; all work will involve interior tenant improvements and façade changes. The change of use is associated with Building Permit Application 2015.12.08.4476. The project is located within the West Portal Avenue Neighborhood Commercial District (NCD) and a 26-X Height and Bulk District. 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

SPEAKERS: = Jeff Horn – Staff presentation
+ Alan Jackson – Project presentation
+ (M) Speaker – Project presentation, Cont'd
+ Taylor Jordan – Community outreach
+ Deadra Von Rock – Support
ACTION: Approved with Conditions
AYES: Richards, Antonini, Hillis, Johnson
ABSENT: Fong, Moore, Wu
MOTION: 19618

11. [2008.08500FA-02](#) (D. WINSLOW: (415) 575-9159)
1515 & 1455 THIRD STREET (UBER Mission Bay) - east side of Third Street between South Street and Mission Bay Blvd South; Lots 033 and 021 in Assessor's 8721 - aka Mission Bay South Blocks 33 & 29 (District 6) - Request for **Design Approval of Office Space Allocation** pursuant to Planning Code Sections 321 and 322 (the Annual Office Development Limitation Program), and Planning Commission Resolution No. 17709. The project proposes to construct two new buildings, 6- and 11-stories, containing 422,980 square feet of office uses, approximately 5,300 square feet of retail space, and 6,000 sf. of childcare space. The project site has an existing allocation for 422,980 feet of office space subject to Planning Commission review of the quality of the design, and the contribution to and consistency with the objectives and policies of the Master Plan. The Commission will also adopt findings under CEQA. The project site is located within the Commercial – Industrial (MISSION BAY SOUTH) Zoning District and HZ-5 Height and Bulk District.

Preliminary Recommendation: Approve with Conditions

SPEAKERS: = David Winslow – Staff presentation
+ Theresia Neuman – Project introduction
+ Omar Derevoka – Design presentation
+ Jonathan Massey – Support
ACTION: Approved with Conditions
AYES: Richards, Antonini, Hillis, Johnson
ABSENT: Fong, Moore, Wu
MOTION: 19619

- 12a. [2014.1302CUA](#) (R. SUCRE: (415) 575-9108)
2906 FOLSOM STREET - southwest corner of 25th and Folsom Streets, Lot 001 in Assessor's Block 6525 (District 9) - Request for **Conditional Use Authorization**, pursuant to Planning Code Sections 303 and 317 and Board of Supervisors File 150532, for a residential merger at 2906 Folsom Street. Currently, the subject property possesses four dwelling units. The proposed project would demolish the existing garages, subdivide the existing lot into two lots, reconfigure and retain two dwelling units in 2906 Folsom Street, and construct two new dwelling units at 2904 Folsom Street and 3203 25th Street. Overall, the project would maintain four dwelling units on the project site. The project site is located 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 Section 31.04(h) of the San Francisco Administrative Code.

Preliminary Recommendation: Deny

SPEAKERS: Tommi Avicelli Mecca – Tenant concerns
ACTION: Continued Indefinitely
AYES: Richards, Antonini, Hillis, Johnson
ABSENT: Fong, Moore, Wu

- 12b. [2014.1302VAR](#) (R. SUCRE: (415) 575-9108)
2906 FOLSOM STREET - southwest corner of 25th and Folsom Streets, Lot 001 in Assessor's Block 6525 (District 9) - Request for a **Variance** from the Zoning Administrator to address the requirements for minimum lot width and area (Planning Code Section 121) and rear yard (Planning Code Section 134). The proposed project would demolish the existing garages on the project site, subdivide the existing lot into two lots, reconfigure and retain two dwelling units in 2906 Folsom Street, and construct two new dwelling units at 2904 Folsom Street and 3203 25th Street. Overall, the project would maintain four dwelling units on the project site. The project would create two lots, which are narrower than 25-ft and less than 2,500 square feet, and would construct new dwelling units within the required rear yard. The project site is located within a RH-2 (Residential, House, Two-Family) Zoning District and 40-X Height and Bulk District.

SPEAKERS: Same as Item 12a.
ACTION: Acting ZA Continued Indefinitely

13. [2015-013332CUA](#) (V. FLORES: (415) 575-9173)
410 CASTRO STREET - southwest corner of the intersection of Castro and Market Streets; Lot 035 in Assessor's Block 2647 (District 8) - Request for **Conditional Use Authorization** pursuant to Planning Code Sections 303, 703.3, and 703.4 allow a change of use from a vacant formula retail space (formerly Sprint) to a formula retail personal service (d.b.a. Laser Away). There will be no exterior building expansion; all work will involve interior tenant improvements. The change of use is associated with Building Permit Application 2016.03.04.1262. The project is located within the Castro Street Neighborhood Commercial District (NCD) and 65-B Height and Bulk District. 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

SPEAKERS: = Veronica Flores – Staff presentation

+ (F) Speaker – Project presentation

ACTION: Continued indefinitely
 AYES: Richards, Antonini, Hillis, Johnson
 ABSENT: Fong, Moore, Wu
 MOTION: 19620

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.

14. [2015-009100DRP-02](#) (A. PERRY: (415) 575-9017)
161 HAMERTON AVENUE - east side between Mangels Ave. and Bosworth St.; Lot 019 in Assessor's Block 6759 (District 8) - Request for **Discretionary Review** of Building Permit Application No. 2015.06.23.9711, proposing construction of a horizontal and vertical addition to an existing two-story over basement, single-family dwelling, resulting in a three-story over basement dwelling. At the rear of the building a 9'-6" addition is proposed with a 5' setback along the southern side property line, and a two-level deck with stairs to grade. Alterations to the front façade materials and entry sequence are also proposed. The property is located within a RH-1 (Residential House, One-Family) Zoning District and 40-X Height and Bulk District. This action constitutes the Approval Action for the project for the purposes of CEQA, pursuant to Section 31.04(h) of the San Francisco Administrative Code.
 Staff Analysis: Abbreviated Discretionary Review
Preliminary Recommendation: Do Not Take Discretionary Review and Approve

SPEAKERS: None
 ACTION: Did Not Take DR and Approved as proposed
 AYES: Richards, Antonini, Hillis, Johnson
 ABSENT: Fong, Moore, Wu
 DRA No: 0456

H. 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))

None

ADJOURNMENT – 2:37 P.M.