

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, November 3, 2016
12:00 p.m.
Regular Meeting

COMMISSIONERS PRESENT: Fong, Richards, Hillis, Johnson, Koppel, Melgar, Moore

THE MEETING WAS CALLED TO ORDER BY PRESIDENT FONG AT 1:11 P.M.

STAFF IN ATTENDANCE: John Rahaim - Planning Director , Sharon Young, Ashley Woods, Adam Varat, Chris Townes, Christopher May, Claudine Asbagh, Erica Jackson, 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. [2013.1049E](#) (M. HUE: (415) 575-9041)
950-974 MARKET STREET - north side of Market Street between Mason and Taylor Streets;
Block 0342, Lots 001, 002, 004, and 014 (District 6) - **Appeal of Preliminary Mitigated**

Negative Declaration for proposal that would demolish four existing structures and associated surface parking lot and construct a 120-foot tall, 12-story-over-basement, approximately 408,342 gross-square-foot building containing 242 dwelling units, 232 hotel rooms, and 16,600 square feet of ground floor retail. Off-street parking for 82 vehicles (including two car share vehicles) and 277 Class 1 bicycle parking spaces is provided at the basement level and accessed from Taylor Street. The project site is located in the Downtown General Commercial (C-3-G) Zoning District and 120-X Height and Bulk District.

Preliminary Recommendation: Uphold Preliminary Mitigated Negative Declaration

(Continued from Regular Meeting of October 13, 2016)

(Proposed for Continuance to November 17, 2016)

SPEAKERS: None

ACTION: Continued to November 17, 2016

AYES: Fong, Richards, Hillis, Johnson, Koppel, Melgar, Moore

2. 2016-03758CUA (V. FLORES: (415) 575-9173)
2300 MARKET STREET - at the intersection of 16th and Noe Streets, Lot 001 in Assessor's Block 3562 (District 8) - Request for **Conditional Use Authorization** pursuant to Planning Code Sections [303](#) and [733.44](#) to allow a change of use from a check cashing store to a restaurant d.b.a Super Duper Burgers, on the ground floor of the existing four-story building within the Upper Market NCT (Neighborhood Commercial Transit) Zoning District and 50-X Height and Bulk District. The proposal involves expanding the existing Super Duper location adjacent to the project site to operate out of two commercial spaces. 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 January 12, 2017)

SPEAKERS: None

ACTION: Continued to January 12, 2017

AYES: Fong, Richards, Hillis, Johnson, Koppel, Melgar, Moore

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. [2016-004805DRM](#) (A. WOODS: (415) 575-9178)
1 LA AVANZADA STREET - Sutro Tower, Lot 003 in Assessor's Block 2724 - **Mandatory Discretionary Review**, pursuant to Planning Code Section 306.9, of Building Permit Application No. 2016.02.16.9635 and 2016.02.16.9652, proposing the installation of an 8-foot screen wall parapet extension; the removal of five (5) existing antennas on the roof; the relocation of twenty-one (21) existing antennas to new locations on the roof of its transmission building behind proposed screen wall parapet extension, and the installation of new landscaping as part of overall site improvements; within a RH-1 (D) (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 San Francisco Administrative Code Section 31.04(h).

Staff Analysis: Full Discretionary Review

Preliminary Recommendation: Do Not Take Discretionary Review and Approve

SPEAKERS: = Ashley Woods – Staff Report
 + Kristen Hall-Peters – Project presentation
 = Steven Lee – Additional landscaping, RF
 = Christine Linnenbach – Landscape screening
 ACTION: After being pulled off of Consent; Did Not Take DR and Approved as Proposed
 AYES: Fong, Richards, Johnson, Koppel, Melgar, Moore
 ABSENT: Hillis
 DRA No: 0491

4. [2015-006653CUA](#) (S. YOUNG: (415) 558-6346)
950 CLEMENT STREET - northeast corner of Clement Street and 11th Avenue, Lot 022 in Assessor's Block 1423 (District 1) - Request for **Conditional Use Authorization** pursuant to Planning Code Sections 303 and 716.53 to allow a Business or Professional Office Use on the second floor of a two-story commercial building within the Inner Clement Street Neighborhood Commercial Zoning District and 40-X Height and Bulk District. The proposal is to convert a vacant second floor commercial space with approximately 1,900 square feet of floor area (previously occupied by "Olympia Institute", which provided tutoring instructional services) into a Business or Professional Office Use for a future tenant. 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: Continued to November 17, 2016
 AYES: Fong, Richards, Hillis, Johnson, Koppel, Melgar, Moore
 MOTION: 19769

C. COMMISSION MATTERS

5. Consideration of Adoption:
- [Draft Minutes for October 20, 2016](#)
- SPEAKERS: None
 ACTION: Adopted
 AYES: Fong, Richards, Hillis, Johnson, Koppel, Melgar, Moore
6. 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 Moore:

I'd like to report to the Commission that I visited 1321 Mission Street yesterday, our first housing project built - student housing project which I considered to be a roaring success, giving the high quality of the units, given the exceptional way how the two institutions were both occupying the building, the students that occupy this building have managed to put an institutional overlay on it, which really makes this project work. I'm impressed by the high quality of design, I'm impressed by the high quality of execution, by the high quality of student amenities, from the downstairs lounge and retail store, which is occupied and it is non-formula, to the roof deck and every little piece in between, it is high tech building, it manages itself in unusual ways, for things, that most of us are still unfamiliar with, secure delivery of packages, highly managed bicycle storage and on and on. In the course of that, I was also able to see the micropad affordable dwelling. The prototype is on Mission Street in front of 1321 Mission Street, and I'm impressed about that project as a possible answer to those problems, which seem to be very difficult to solve. I'm speaking from the design and execution point of view, it is extremely well done, I believe, at the right place, in the right number with the right amenities around it. This will be a great prototype and I hope we'll find a way to identify sites on which this can be realized in larger numbers to create a delivery of currently homeless shelters - units, that I think meet a level of quality and livability that is quite exemplary. So, I'm quite impressed and encourage everybody to use the next week to see the unit and catch a glimpse of what is possible.

Commissioner Richards:

I too piggyback of Commissioner Moore, did go down to 1321 Mission Street as well, and I saw the micropad and was impressed as well, with the quality design with the potential could be in housing, currently homeless and marginally housed people in the future. I know there are some political issues that need to be considered around where they're constructed and how they're constructed here, but potentially that can be worked through with - actually overall much more additional work being given out to the local community having many of these projects rather than having nothing at all. So, it is a really interesting comment - concept I'd hope everyone can look at that. One other quick one, I talk sometimes when I see articles about complete cities, there was an article in yesterday's Chronicle by J.K. Dineen about the mortuary business and how it is changing here in the City and what is doing for funeral homes that are no longer finding their business model working with such a large track of land with funeral homes, the parking lots sitting on it. It talks about funeral homes going out of business, at a pretty quick clip, and I think I mentioned in the past on complete cities, complete cities do have gas stations where people still drive fossil fuel cars, and I hope it should go away at some point, people still need their cars repaired, whether it is an electric car or not, you have to go somewhere and get that done, and people still die, so you have to take the body somewhere and you have to dispose of the remains, etcetera. I get to this point where at some point in the future with no more funeral homes left, what are we going to do? We have no more gas stations left, what will we do? We don't have any car repair places, what are we going to do? Or just a few? So, it is something to think about in a complete city I had the unfortunate encounter month ago, with having to deal with a funeral home, and it was so nice that it was at hand and I didn't have to travel to Daly City or somewhere far away to have

everything taken care of, it wasn't in California it was in another state, but there is a benefit to having the businesses in the city and hopefully the model will evolve they can use less space and they sit actually you have higher result as a funeral home, rather than, let's say a housing development, I'm not sure of that.

7. [2017 Hearing Schedule](#) – Review and Adoption
(Continued from Regular Meeting of October 27, 2016)

SPEAKERS: None
ACTION: Adopted as Amended
AYES: Fong, Richards, Hillis, Johnson, Koppel, Melgar, Moore

D. DEPARTMENT MATTERS

8. [Director's Announcements](#)

Director Rahaim:

Good afternoon, Commissioners, I just wanted to call one item to your attention on the written Director's Report, which is the community workshop on the Urban Design Guidelines, it is taking place in two weeks, on Wednesday, November 16th at the Planning Department from 6:00 to 8:00 P.M. This is the workshop on the guidelines that you have been discussing and had several hearings about. I know there is a lot of public interest in. So, I just want to make sure everyone knew we are having the next workshop, again in November 16th at 6:00 to 8:00 P.M. at the Planning Department. Thank you.

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

LAND USE COMMITTEE:

- **161024 Extending Interim Zoning Controls - New Ground Floor Office Uses Facing 2nd Street-King and Folsom Streets. Sponsor: Kim. Staff: Starr.** At this week's Land Use Committee hearing, the Committee considered a resolution extending for an additional six months interim zoning controls that require conditional use authorization for new office uses facing 2nd Street, from King to Folsom Streets. These controls have already been in place for the past 18 months. At the hearing, several speakers spoke in favor of the interim controls, no one spoke in opposition. The Committee then voted to recommend the item to the Full Board.
- **161078 Hearing-Status of SoMa Pilipinas Strategic Plan. Sponsor: Kim. Staff: Caltagirone.**
Also at this week's land use committee was a hearing on the status of the SoMa Pilipinas Strategic Plan. The Planning Commission and the HPC also received informational presentations on this effort in October. At the Land Use hearing, Planning staff and two representatives from the working group presented the report. During public comment, eight people spoke in support of the effort, and there was no opposition. Both Supervisors Kim and Cohen spoke in support of the report and the district. Supervisor Cohen also mentioned possibly pursuing a cultural heritage district in the Bayview. There will be a City agency briefing hosted by Supervisor Kim's office on November 10th to kick off the next phase of strategy.

development. As this was not an action item, the Committee filed the item at the end of the hearing.

- **161079 Hearing - Cannabis State Legalization Task Force Update. Sponsor: Wiener. Staff: Sider.** Last on the agenda was a hearing on the status of the Cannabis State Legalization Task Force. As you probably remember Supervisor Wiener sponsored a resolution creating the Task Force to investigate measures the city should take in anticipation of the voters legalizing cannabis for adult use in California. The presentation was done by Mavis Asideo-Frimpong from DPH, which is the lead agency on this effort, and Terrance Allen, who is the Chair of the Task Force. There were some minor back-and-forth, particularly between Sup. Cohen and Mr. Allen. There was only one public commenter, whose comments weren't entirely clear. There was no other public or staff comment.

FULL BOARD:

- **160424 Planning Code, Zoning Code-Sign Regulations.** Sponsor: Peskin; Cohen. Staff: D. Sanchez. PASSED Second Read
- **160553 Planning Code -Signs-Exemptions and General Advertising Sign Penalties.** Sponsor: Peskin; Mar. PASSED Second Read
- **160965 Planning, Green Building Codes-Better Roof Requirements, Including Living Roofs.** Sponsors: Wiener; Cohen and Mar. PASSED Second Read
- **160820 Planning Code-Landmark Designation-1345 Ocean Avenue (aka Ingleside Presbyterian Church and the Great Cloud of Witnesses).** Sponsor: Yee. Passed First Read
- **160821 Planning Code-Amending Landmark Designation-140 Maiden Lane (aka V.C. Morris Gift Shop).** Sponsor: Peskin. Passed First Read

INTRODUCTIONS:

- No introductions

BOARD OF APPEALS:

No Report

HISTORIC PRESERVATION COMMISSION:

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: Allison Heath – UCSF expansion
Sue Hestor – AAU

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.

10. (A. VARAT: (415) 558-6405)

[CITYWIDE PLANNING DIVISION FIVE-YEAR WORK PROGRAM](#) - The Citywide Planning Division will provide an **Informational Presentation** regarding its Five-Year Work Program for 2014-2019, including planning priorities, key initiatives, and key deliverables. The Five-Year Work Program was initially presented to the Planning Commission in October 2014. Today's presentation concerns a mid-point update and refinement.

Preliminary Recommendation: None – Informational

SPEAKERS: = Adam Varat – Staff Report
= Tom Radoulovich – Land use element of the G.P.
= Sue Hestor – MUNI hills

ACTION: None – Informational

11. (C. TOWNES: (415) 575-9195)

[2014.1279ENX](#) - [249 PENNSYLVANIA AVENUE](#) - located on the east side of Pennsylvania Avenue between 18th and Mariposa Streets; Lots 010, 013, and 014 in Assessor's Block 3990 (District 10) - Request for a **Large Project Authorization (LPA)**, pursuant to Planning Code Section 329, to demolish two existing one-story warehouses (collectively measuring 19,125 square feet) and construct a new four-story, 40-foot tall, mixed-use building (measuring 76,070 gross square feet) with 59 dwelling units and 3,426 square feet of ground floor Production, Distribution and Repair (PDR) space. The project [includes](#) 44 below-grade off-street parking spaces, 2 car share parking spaces, and 80 bicycle parking spaces. Under the LPA, the project is seeking exceptions to certain Planning Code requirements, including: 1) rear yard (Planning Code Section 134); 2) dwelling unit exposure (Planning Code Section 140); and 3) horizontal mass reduction (Planning Code Section 270.1). The subject property is located within the UMU (Urban Mixed Use) 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: Approve with Conditions

(Continued from Regular Meeting of September 15, 2016)

SPEAKERS: = Chris Townes – Staff Report
+ Steve Vettel – Revised conditions, community liaison
+ Mark Damanto – Design presentation
= Gary Brickley – Tenant issues
+ Zack Spencer – Sponsor response to question
ACTION: Approved with Conditions with amendments submitted by Staff
AYES: Richards, Hillis, Johnson, Koppel, Melgar, Moore
NAYES: Fong
MOTION: 19770

12a. (N. FOSTER: 415-575-9167)

[2013.0882DNX](#)

524 HOWARD STREET - north side of Howard Street, between 1st and 2nd Streets; lot 013 of Assessor's Block 3721 (District 6) - Request for Planning Commission consideration of **Downtown Project Authorization** per Planning Code Section 309, including requests for exceptions including, but not limited to, Planning Code requirements for "Streetwall Base" (Section 132.1(c)(1)); "Tower Separation" (Section 132.1(d)(1)); "Rear Yard" (Section 134(d)); "Ground-level wind currents in C-3 Districts" (Section 148); "Upper Tower Extensions" (Section 263.9); and "Bulk Controls" (Sections 270, 272). The proposed project includes the construction of a new 48-story building reaching a height of 495 feet (515 feet to the top of mechanical equipment) on an existing surface parking lot. The new structure would contain a total of 334 dwelling units, and approximately 7,600 square feet of retail located on the ground floor and seventh floor. The seventh floor would connect to the new Transbay Park via a pedestrian bridge. 151 off-street vehicular parking spaces, 16 car-share spaces, and 334 Class I and 27 Class II bicycle parking spaces would also be provided. The proposed project is located within the C-3-O (SD) (Downtown-Office, Special Development) Zoning District, 450-S Height and Bulk District, and Transbay C-3 Special Use District, as well as within the Downtown, Transbay, and Transit Center District Plan Areas.

Preliminary Recommendation: Approve with Conditions

SPEAKERS: = Nick Foster – Staff Report
 + Sponsor – Project presentation
 + Glen Rescalvo – Design presentation
 + Sonja Transs -
 ACTION: Approved with Conditions
 AYES: Fong, Richards, Hillis, Johnson, Koppel, Melgar, Moore
 MOTION: 19771

- 12b. [2013.0882VAR](#) (N. FOSTER: 415-575-9167)
524 HOWARD STREET - north side of Howard Street, between 1st and 2nd Streets; lot 013 of Assessor's Block 3721 (District 6) - Request for **Variance** from the Zoning Administrator for "Dwelling Unit Exposure" (Section 140). Code Section 140 requires at least one room in each dwelling unit to face directly onto a public street, alley, or side yard at least 25 feet in width, or a rear yard meeting the requirements of the Code. The Project proposes new construction on the subject property, with 188 of the 334 dwelling units meeting the requirements of Section 140. However, 146 dwelling units on floors 2-48 do not comply with this requirement; therefore a variance is required. The proposed project includes the construction of a new 48-story building reaching a height of 495 feet (515 feet to the top of mechanical equipment) on an existing surface parking lot. The new structure would contain a total of 334 dwelling units, and approximately 7,600 square feet of retail located on the ground floor and seventh floor. The seventh floor would connect to the new Transbay Park via a pedestrian bridge. 151 off-street vehicular parking spaces, 16 car-share spaces, and 334 Class I and 27 Class II bicycle parking spaces would also be provided. The proposed project is located within the C-3-O (SD) (Downtown-Office, Special Development) Zoning District, 450-S Height and Bulk District, and Transbay C-3 Special Use District, as well as within the Downtown, Transbay, and Transit Center District Plan Areas.

SPEAKERS: Same as Item 12a.
 ACTION: ZA indicated an intent to Grant

13. [2015-018150CUA](#) (C. MAY: (415) 575-9087)

137 CLAYTON STREET - west side of Clayton Street, between Grove and Hayes Streets, Lot 006 in Assessor's Block 1194 (District 5) - Request for **Conditional Use Authorization** pursuant to Planning Code Sections 303 and 317 to demolish an existing two-story, single-family dwelling and construct a new four-story, 3-unit residential building 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: Approve with Conditions

SPEAKERS: = Chris May – Staff Report
 + Speaker – Project presentation
 - Speaker – Master tenant, eviction
 = Speaker – Appropriate procedure
 ACTION: After hearing and closing public comment; Adopted a Motion of Intent to Disapproved and Continued to December 1, 2016
 AYES: Fong, Richards, Hillis, Johnson, Koppel, Melgar, Moore

14. [2015-009997CUA](#) (C. ASBAGH: 415/575-9165)
222 SUTTER STREET, 3RD FLOOR - north side of Sutter Street, between Kearney Street and Grant Avenue; lot 009 of Assessor's Block 0287 (District 3) - Request for a **Conditional Use Authorization**, pursuant to Planning Code Section 303 and 210.2 to allow the use of 11,958 square feet at the third floor from retail to general office use within the C-3-R (Downtown Retail) Zoning District and 80-130-F Height and Bulk District.

Preliminary Recommendation: Disapprove

SPEAKERS: = Claudine Asbagh – Staff Report
 + Jim Reuben – Project presentation
 - Harrison Leu – Opposition
 - Sue Hestor - Opposition
 ACTION: Continued to March 9, 2017
 AYES: Hillis, Johnson, Koppel, Moore
 NAYES: Fong, Melgar, Richards

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.

15. [2015-006856DRP-02](#) (E. JACKSON: (415) 558-6363)
4320 24TH STREET - located on the north side of 24th Street, between Hoffman Avenue and Douglass Street; Lot 30 in Assessor's Block 2829 (District 8) - Request for **Discretionary Review** of Building Permit Application No. 2015.05.14.6375, proposing the construction of a new vertical third floor addition to the existing two-story single-family dwelling. The Project 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.

Staff Analysis: Abbreviated Discretionary Review

Preliminary Recommendation: Do Not Take Discretionary Review and Approve

(Continued from Regular Meeting of September 22, 2016)

- SPEAKERS:**
- Larry Kane – DR presentation
 - Anastasia Yovanapalous
I'm a 24th resident, and lived steps from Noe Court Park, a beautiful recreational green space, well used toddler playground, free tennis and basketball courts, all San Francisco enjoys.
The massive third floor addition proposed for 4320 24th Street violates General Plan's Urban Design Element and our Residential Design Guidelines, p.18: Project major public views from public spaces- city views as seen from parks..., by adjusting massing of proposed development to reduce or eliminate adverse impacts on public view sheds.
Project forever cast afternoon shadows onto courts, playground, and new picnic tables, seating areas featured in renovations underway. City funds invested for improvements will go for naught. Our community devoted years, and worked hard against grant money to improve the park.
Commissioners, uphold the guideline. Protect our view. Deny this project sponsors' massive addition
 - Speaker – Neighborhood character
 - + Jeremy Paul – Project presentation
- ACTION:** Take DR and Approved without the front deck and condition to mitigate the negative impact of the blind wall with lighter colors.
- AYES:** Richards, Hillis, Johnson, Koppel, Moore
- ABSENT:** Fong, Melgar
- DRA No:** 0492

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))

ADJOURNMENT – 6:15 P.M