

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, July 13, 2017

1:00 p.m.

Regular Meeting

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

THE MEETING WAS CALLED TO ORDER BY PRESIDENT HILLIS AT 1:12 P.M.

STAFF IN ATTENDANCE: John Rahaim – Planning Director, Andrew Perry, Diego Sanchez, David Weissglass, Ella Samonsky, Natalia Kwiatkowska, Sylvia Jimenez, 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. 2017-005179PCA (D. SANCHEZ: (415) 575-9082)
COMMERCIAL USES IN NORTH BEACH; TECHNICAL AND OTHER AMENDMENTS [BOARD FILE 170419] - **Planning Code Amendment** to 1) preserve Legacy Businesses and historic

buildings, and prohibit certain uses in the North Beach SUD; 2) reduce the lot size limit in the North Beach SUD; 3) clarify and modify the requirements for approval of parking garages in the Telegraph Hill-North Beach SUD; 4) protect historic buildings in the Broadway NCD; and 5) update and clarify Formula Retail controls; and 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: Pending

(Proposed for Continuance to July 20, 2017)

SPEAKERS: None
 ACTION: Continued to July 20, 2017
 AYES: Hillis, Johnson, Koppel, Melgar, Moore
 ABSENT: Fong, Richards

- 2a. 2017-003134CUA (N. FOSTER: (415) 575-9167)
72 ELLIS STREET - north side of Ellis Street, between Stockton and Powell Streets, Lot 011 in Assessor's Block 0327 (District 3) - Request for **Performance Period Extension** for an additional three years for a previously-approved project (Conditional Use Authorization). The amendment proposes minor changes to the overall design of the building with an increase in guest room count from the original proposal (from 156 rooms to 192 rooms). The Project proposes to demolish an existing surface parking lot and construct an approximately 130-foot-tall (up to maximum height of 146 feet, inclusive of mechanical equipment and elevator over-run), 11-story-over-basement, approximately 76,500 gross square foot (gsf) building. The proposed building would contain a Hotel Use (a Retail Sales and Service Use), providing one hundred and ninety two (192) tourist guest rooms, and would also contain approximately 8,500 square feet of retail use. The Project would provide eight (8) Class I bicycle parking spaces in the basement and eleven (11) Class II bicycle parking spaces on Ellis Street. No off-street parking is proposed; the Project would include a passenger loading zone directly in front of the subject property (subject to SFMTA approval). The subject property is located within the C-3-R (Downtown Retail) Zoning District, 80-130-F Height and Bulk District, and Kearny-Market-Mason-Sutter (KMMS) Conservation District. The project also required action by the Historic Preservation Commission on a Permit to Alter for demolition and new construction within the KMMS Conservation District (Case No. 2017-003134PTA). On June 7, 2017, the Historic Preservation Commission approved the Permit to Alter, with recommendations as amended, by a vote of +4/-0, (Motion No. 0305).

Preliminary Recommendation: Approve Two-Year Extension of Performance Period

(Proposed for Continuance to August 31, 2017)

SPEAKERS: None
 ACTION: Continued August 31, 2017
 AYES: Hillis, Johnson, Koppel, Melgar, Moore
 ABSENT: Fong, Richards

- 2b. 2017-003134DNX (N. FOSTER: (415) 575-9167)
72 ELLIS STREET - north side of Ellis Street, between Stockton and Powell Streets, Lot 011 in Assessor's Block 0327 (District 3) - Request for **Performance Period Extension** for an

additional three years for a previously-approved project (Downtown Project Authorization). The amendment proposes minor changes to the overall design of the building with an increase in guest room count from the original proposal (from 156 rooms to 192 rooms). The Project proposes to demolish an existing surface parking lot and construct an approximately 130-foot-tall (up to maximum height of 146 feet, inclusive of mechanical equipment and elevator over-run), 11-story-over-basement, approximately 76,500 gross square foot (gsf) building. The proposed building would contain a Hotel Use (a Retail Sales and Service Use), providing one hundred and ninety two (192) tourist guest rooms, and would also contain approximately 8,500 square feet of retail use. The Project would provide eight (8) Class I bicycle parking spaces in the basement and eleven (11) Class II bicycle parking spaces on Ellis Street. No off-street parking is proposed; the Project would include a passenger loading zone directly in front of the subject property (subject to SFMTA approval). The subject property is located within a C-3-R (Downtown Retail) Zoning District, 80-130-F Height and Bulk District, and Kearny-Market-Mason-Sutter (KMMS) Conservation District. The project also required action by the Historic Preservation Commission on a Permit to Alter for demolition and new construction within the KMMS Conservation District (Case No. 2017-003134PTA). On June 7, 2017, the Historic Preservation Commission approved the Permit to Alter, with recommendations as amended, by a vote of +4/-0, (Motion No. 0305).

Preliminary Recommendation: Approve Two-Year Extension of Performance Period
(Proposed for Continuance to August 31, 2017)

SPEAKERS: None
 ACTION: Continued to August 31, 2017
 AYES: Hillis, Johnson, Koppel, Melgar, Moore
 ABSENT: Fong, Richards

- 3a. 2014-002181MAPPCA (C. MAY: (415)575-9087)
2670 GEARY BOULEVARD - northwest corner of Geary Boulevard and Masonic Avenue; Lot 003 in Assessor's Block 1071 (District 2) - Establishment of the Geary-Masonic Special Use District [Board File 161109] - **Planning Code** and **Zoning Map Amendments**, adding Section 249.20 and amending Sheet SU03 of the of the City and County of San Francisco to establish the Geary-Masonic Special Use District in the area generally bounded by Geary Boulevard to the south, Masonic Avenue to the east, and Assessor's Block 1071 Lots 001 and 004 to the north and east, respectively; and affirming the Planning Department's determination under the California Environmental Quality Act; making findings of consistency with the General Plan and the eight priority policies of Planning Code Section 101.1; and adopting findings of public convenience, necessity, and welfare under Planning Code Section 302. The application of the Geary-Masonic SUD development controls would preclude the application of the HOME-SF provisions pursuant to Planning Code Section 206.3.

Preliminary Recommendation: Pending
 (Continued from Regular Meeting of June 15, 2017)
(Proposed for Continuance to September 7, 2017)

SPEAKERS: None
 ACTION: Continued to September 7, 2017
 AYES: Hillis, Johnson, Koppel, Melgar, Moore
 ABSENT: Fong, Richards

- 3b. 2014-002181CUA (C. MAY: (415) 575-9087)
2670 GEARY BOULEVARD - northwest corner of Geary Boulevard and Masonic Avenue; Lot 003 in Assessor's Block 1071 (District 2) - Request for **Conditional Use Authorization**, pursuant to Planning Code Sections 121.1, 121.2, 271, and 303 to permit the development of an 8-story mixed-use building containing 99 residential dwelling units above 36 stacked parking spaces and 3,294 square feet of ground floor retail space within the NC-3 (Moderate-Scale Neighborhood Commercial) District and an 80-D Height and Bulk District. This project is seeking development incentives in the form of increased dwelling unit density in exchange for providing a higher level of affordable housing than would otherwise be required pursuant to Planning Code 415 (the Inclusionary Affordable Housing Program) by one of two means: either the application of draft legislation which would amend the Planning Code and Zoning Map of the City and County of San Francisco to establish the Geary-Masonic Special Use District (Board File 161109) or the application of the provisions of the HOME-SF Program. In order to facilitate the project under the HOME-SF Program, Conditional Use Authorization pursuant to Planning Code Section 206.3 is required. The project is also requesting a modification to the rear yard requirements pursuant to Planning Code Section 134, and variances to the usable open space and dwelling unit exposure requirements pursuant to Planning Code Sections 135 and 140 which can be granted as zoning modifications by the Planning Commission pursuant to Planning Code Section 206. Alternatively, these may be granted by the Zoning Administrator pursuant to Planning Code Section 305. 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

(Continued from Regular Meeting of June 15, 2017)

(Proposed for Continuance to September 7, 2017)

SPEAKERS: None
 ACTION: Continued to September 7, 2017
 AYES: Hillis, Johnson, Koppel, Melgar, Moore
 ABSENT: Fong, Richards

- 4a. 2014.1302CUA (R. SUCRE: 415/575-9108)
2906 FOLSOM STREET - located at the southwest corner of 25th and Folsom Streets, Lot 001 in Assessor's Block 6525 (District 8) - Request for **Conditional Use Authorization**, pursuant to Planning Code Sections 303 and 317, 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 San Francisco Administrative Code Section [31.04\(h\)](#).

Preliminary Recommendation: Disapprove

(Continued from Regular Meeting of May 11, 2017)

(Proposed for Indefinite Continuance)

SPEAKERS: None
 ACTION: Continued Indefinitely
 AYES: Hillis, Johnson, Koppel, Melgar, Moore
 ABSENT: Fong, Richards

- 4b. 2014.1302VAR (R. SUCRE: 415/575-9108)
2906 FOLSOM STREET - located at the southwest corner of 25th and Folsom Streets, Lot 001 in Assessor's Block 6525 (District 8) - 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.

(Continued from Regular Meeting of May 11, 2017)

(Proposed for Indefinite Continuance)

SPEAKERS: None
 ACTION: Continued Indefinitely
 AYES: Hillis, Johnson, Koppel, Melgar, Moore
 ABSENT: Fong, Richards

5. 2015-000885DRP-02 (D. VU: (415) 575-9120)
2782-2786 FOLSOM STREET - located on the west side of Folsom Street between 23rd and 24th Streets, Lot 010C in Assessor's Block 3641 (District 9) - Request for **Discretionary Review** of Building Permit Application No. 2015.0520.6278 proposing to construct: 1) a 21-foot 6-inch rear addition at the first story; 2) 21-foot 5-inch rear addition at the second story; 3) 50-foot 7-inch rear addition at the third story; and 4) a new 50-foot 7-inch deep fourth story to the existing six-unit multi-family dwelling. The additions would expand units 2 & 3 at the second story, add new units 7 & 8 at the third story, and add new units 9 & 10 at the fourth story, for a total of ten dwelling units the 24th Street-Mission NCT (Neighborhood Commercial Transit) 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: Abbreviated Discretionary Review

Preliminary Recommendation: Do Not Take Discretionary Review

(Continued from Regular Meeting of May 11, 2017)

WITHDRAWN

SPEAKERS: None
 ACTION: Withdrawn
 AYES: Hillis, Johnson, Koppel, Melgar, Moore
 ABSENT: Fong, Richards

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

6. [2014-002504DRP](#) (A. PERRY: (415) 575-9017)
363 JERSEY STREET - south side of Jersey Street, between Castro Street and Noe Street, Lot 031 in Assessor's Block 6538 (District 8) - Request for **Discretionary Review** of Building Permit Application No. 2014.11.18.1848, proposing alteration and addition to the existing, 1.5-story over basement, single-family dwelling, to result in a 3-story over basement, two-family dwelling. The project scope includes a horizontal addition at the rear, insertion of a garage at the first floor and excavation for a new basement sub-garage with car elevator, the alteration of the existing gable roof to a new flat roof in order to gain additional habitable space at the third floor, new private roof deck above to be accessed through a rolling skylight hatch, and the development of the ground floor as a full, second legal unit. The property 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 San Francisco Administrative Code Section [31.04](#)(h).
 Staff Analysis: Abbreviated Discretionary Review
Preliminary Recommendation: Take Discretionary Review and Approve with Modifications

SPEAKERS: None
 ACTION: Took DR and Approved with Modification
 AYES: Hillis, Johnson, Koppel, Melgar, Moore
 ABSENT: Fong, Richards
 DRA No: 0541

C. COMMISSION MATTERS

7. 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 Johnson:

So, I just want to make note that the Examiner had an article out on Wednesday that Supervisor Peskin have asked the City Attorney to investigate a vacancy tax, to see potential legal avenues for instituting one. We'll see where that proposal goes if anywhere, but I think, it is enlighten, is great that the conversation is moving to the next level. I think that potentially it could be a good tool for San Francisco, and it is good to hear that again, if you say something over and over again for years on end, sometimes it goes someplace. So, now I have to come up with the next thing to talk about, and I'm you know open to ideas people. So, just I want to put that out there. Thanks again to all the Supervisors.

Commissioner Moore:

After 10 years of mentioning, I'm very glad to see it happen myself, I want to ask another question, it is question to the Department, directed to the Director, is there a site where people can track where ADU's are being applied for? At this moment there is a lot of non-permitted construction activity in the City and sometimes you see something, and it kind of looks at least, at first -- a glimpse a little bit strange, so I tried to find out on myself on the website, there was not but no ability at all, zero, and I'm kind of curious as to whether or not it would be in everybody's interest to be able to see what has been approved, what is in progress and is permitted to move forward.

Director Rahaim:

Commissioners, I don't think we have a website specifically devoted to ADUs, you would have to go but address by address. I would say we've approved almost 300 and there another 500 or 600 in the pipeline there is quite a number that are coming through, but it is an interesting idea, I'll talk to staff whether we can pull that as a separate building type, and have something on web to show that.

Commissioner Moore:

Since this falls in dual responsibility between Planning and DBI, sort of speak on fast track that would be great to have that particular element of both bodies coordinated, so that people can really see that something is proceeding legally and since there is not requirement on any construction site to have permit posted, you walk by things and you say, what is really going on here? I think, it would be really hopeful for the public to have confidence that what is permitted is properly noticed, so people don't have to guess.

Commissioner Richards:

Just one question -- one thought on what you just said you need a job card posted, which has a building permit number on all construction.

D. DEPARTMENT MATTERS

8. Director's Announcements

None

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

LAND USE COMMITTEE:

- **170693 Planning Code - Child Care Facilities. Sponsors: Yee; Tang and Ronen. Staff: Nickolopoulos.**

At Monday's land use hearing, the Committee heard the Child Care ordinance. This ordinance would allow residential uses and Child Care Facility uses to share required open space; make Child Care Facilities principally permitted in most zoning districts; remove certain notice requirements for Child Care Facilities; and make other conforming changes. Commissioners, you heard this item on May 18, 2017 and voted unanimously to recommend approval.

Public comments at the Land Use Committee echoed public comments at the Planning Commission, which focused on the need for child care facilities and delays caused by the permitting process. Committee members did not have any questions about the Ordinance. Supervisor Tang moved that this ordinance be recommended, and this motion passed unanimously.

- **170760 Planning Code - Inclusionary Affordable Housing Fee and Dwelling Unit Mix Requirements. Sponsors: Kim; Peskin. Staff: Rodgers, Bintliff. Item 4**

This week, the Inclusionary Ordinance was back before both the Land Use Committee. The Planning Commission last considered the ordinance last week on July 6, 2017. At that time you made recommendations on an additional “new material modification”. The new requirement would be that inclusionary projects would have to have no more than 30% of the units as studio units. This maximum cap on studio units is in addition to the requirement that at least 25% of the total units shall be at least two-bedroom units, and at least 10% of the total units shall be at least three-bedroom units.

At your hearing, you recommended approval of the Inclusionary ordinance with no specific recommendation on a studio cap, until further study. The BOS did modify the ordinance after hearing your recommendation.

This week the Committee filed the Ordinance that contained the cap on studios and stated that further amendments would be made to the version pending before the Full BOS.

And at Tuesday’s BOS hearing, the Board amended the legislation to remove the cap, and to require that “For any affordable units available to households in the highest AMI tier, studio units shall have a minimum occupancy of two people.”

FULL BOARD:

- **170269 Planning Code, Zoning Map - Corona Heights Large Residence Special Use District.** Sponsor: Sheehy. Staff: Butkus. PASSED Second Read
- **161351 Planning Code - Inclusionary Affordable Housing Fee Requirements.** Sponsors: Breed; Kim, Peskin, Safai and Tang. Staff: Rodgers, Bintliff. PASSED First Read with the amendments stated earlier.
- **170430 Planning Code - Landmark Designation - 1970 Ocean Avenue (aka El Rey Theater).** Sponsors: Yee; Peskin. Staff: Ferguson. Passed First Read
- **1704343 Planning Code - Construction of Accessory Dwelling Units.** Sponsor: Peskin. Staff: Haddadan. Passed First Read
- **170569 Extending Interim Zoning Controls - Signs in Transit Center District Plan Area and Between Folsom, Harrison, Essex and Second Streets.** Sponsor: Kim. Staff: Rodgers. Adopted

- **170718 Hearing - Appeal of Determination of Exemption From Environmental Review - Proposed SFMTA - Upper Market Street Safety Project.** Staff: Wietgreffe.

Last on the agenda was the environmental appeal of the Upper Market Street Safety Project. This project has been in the works for few years now and aims to increase safety and comfort for people using various modes of transportation along and across Market Street, from Castro Street to Octavia Boulevard. Upper Market Street is a high injury corridor, and this project is an outgrowth of the City's Vision Zero policy. Proposed improvements include new bulb outs, paint protected bike lanes (which don't really work), a car protected bike lane from Octavia to Buchanan (which do work), reworking loading zones, as well as other improvements.

The Concerns from the appellant included potential piecemealing of the project, cumulative impacts, and fire department aerial ladder access due to the presence of overhead wires. The department found that the SFMTA did not improperly piecemeal the project; no significant cumulative impacts would occur; and the presence of overhead wires is not an unusual circumstance. Therefore, a categorical exemption was the appropriate level of evaluation.

No one from the public spoke in favor of the appellant and approximately 10 members of the public spoke in favor of rejecting the appeal. While the supervisors instructed the city agencies to more effectively work together on addressing the concerns raised by the appellant, the supervisors ultimately rejected the appeal 11-0.

INTRODUCTIONS:

- This week the Mayor introduced an ordinance that would fix a clerical error in the Article 7 ordinance. At some point after the ordinance was transmitted to the clerk the entire zoning control table for the Valencia Street NCT was inadvertently removed from the ordinance. Fortunately, the piece that disappeared was something that was in the ordinance you voted on so the item will not come back to you unless I hear differently from this commission. We were also able to get the fix ordinance drafted, signed to form and introduced on Tuesday. The Board President has waived the 30-day hold, and the item is scheduled for Monday's land use hearing as a Committee report. If all goes to plan, it should be through the Board before they go on recess, and effective about 4 weeks after the Article 7 ordinance becomes effective. In the interim the ZA has made a determination that the last zoning control table for the District will be used in place of the new table.

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:** Andrew Yip – Destruction and distress
 Georgia Schuttish:
 On July 24, 2014 Commissioners concerned with granting DR allowing merger in Inner Richmond creating a RM-1, 1600 square foot SFD.
 Commissioner Antonini referenced Duncan Street approval which was on same Agenda, RH-2, SFD at 3,500 square feet.
 Within the year of approved merger... on same block as merger in Inner Richmond, a unit lost in a remodel: Absorbed by 3,000 square feet SFD sold for speculative profit...
 City can do two things to deal with the issue of density in the Residential Neighborhoods AND preserve *existing relatively affordable* housing.
1. Eliminate the loophole of Section 317 (b) (7)
 2. Joint meeting with BIC: Discuss serial permitting; OTC permits. Better coordination between Building and Planning Staff. Better oversight and use of the SFPIM. Common sense inspections before CFC issue. (*Only wine fridge in second kitchen; What are connections between units; Where are locks on doors between units, etc?*)
- Tom Radulovich – Transportation strategy

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. [2017-005182PCA](#) (D. SANCHEZ: (415) 575-9082)
COMMERCIAL USES IN POLK STREET AND PACIFIC AVENUE NEIGHBORHOOD COMMERCIAL DISTRICTS; TECHNICAL AND OTHER AMENDMENTS [BOARD FILE NO. 170418] - **Planning Code Amendment** to 1) limit lot sizes in the Pacific Avenue Neighborhood Commercial District (“Pacific NCD”) and the Polk Street Neighborhood Commercial District (“Polk NCD”); 2) limit the size of non-residential uses in the Pacific NCD and Polk NCD, and exempting movie theaters in the Polk NCD from certain size limits; 3) restrict lot mergers in the Pacific NCD and Polk NCD; 4) require ground floor commercial uses in the Polk NCD and on certain portions of Pacific Avenue; 5) modify residential and non-residential off-street parking requirements in the Pacific NCD and Polk NCD; 6) prohibit garage entries, driveways, or other vehicular access to off-street parking or loading on certain streets and alleys in the Pacific NCD and Polk NCD; 7) deem nonconforming uses in the Polk NCD to be discontinued after 18 months of non-use; 8) clarify procedures for abating a Conditional Use authorization; 9) modifying the maximum concentration of eating and drinking uses in the Polk NCD; 10) prohibit and restrict medical service, massage establishment, kennel, and agriculture uses in the Polk NCD; 11) prohibit storefront merges in the Polk NCD; 12) prohibit and restrict medical service, kennel, and agriculture uses in the Pacific NCD; 13) modify the required dwelling unit mix in the Polk NCD and Pacific NCD; 14) require Conditional Use authorization before replacing a Legacy Business in Polk NCD and Pacific

NCD; 15) prohibit removal, demolition, merger, or conversion of certain residential units in Polk NCD and Pacific NCD; and 16) correct, clarify, 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 of Approval with Modifications

SPEAKERS: = Diego Sanchez – Staff Report
 + Lee Hepner – Aide to Supervisor Perskin – Ordinance overview
 + Steven Cornell – Support
 + Speaker, PANA – Support for Pacific Avenue NCD and Polk Street NCD
 + Chris Schulman – Lower Polk Neighbors support
 + Tom Radulovich – Support, consideration

ACTION: Adopted a Recommending Approval with Modifications 7 and 9 (proposed by staff), only.

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

ABSENT: Fong

RESOLUTION: 19959

11. [2016-004985CUA](#) (D. WEISSGLASS: (415) 575-9177)
53-57 POTOMAC STREET - west side of Potomac Street, between Waller Street and Duboce Park; Lot 009 in Assessor's Block 0865 (District 8) - Request for **Conditional Use Authorization** to allow the merger of two legal dwelling units on the top story of a 3-story-over-garage 5-unit residential building in an RH-2 Zoning District and a 40-X Height and Bulk District. The building's other 3 units would remain unaltered. There will be no expansion of the building envelope. Minor landscaping and permeability alterations proposed within the front setback were administratively approved by the Historic Preservation Commission through an Administrative Certificate of Appropriateness on June 12, 2017. 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: = Delvin Washington – Staff Report
 + Project Sponsor – Project presentation
 + Rachel – Support
 + Blake – Support
 + Sophie Chestin – Support

ACTION: Approved with Conditions

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

ABSENT: Fong

MOTION: 19960

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.

12. [2016-000814DRP](#) (E. SAMONSKY: (415) 575-9112)
1058 MISSISSIPPI STREET- west side, approximately 150 feet north of the intersection with 25th Street, Lot 022 in Assessor's Block 4224 (District 9) - Request for **Discretionary Review** of Building Permit Application No. No. 2015.1231.6217 proposing new construction of a four-story, 3,360 square-foot, two-family residence on an existing vacant lot that includes two vehicle parking spaces, a roof deck and decks at the second, third and fourth floors 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).
 Staff Analysis: Full Discretionary Review
Preliminary Recommendation: Do Not Take Discretionary Review and Approve
 (Continued from Regular Meeting of April 27, 2017)
NOTE: On February 16, 2017, after hearing and closing public comment, the Commission continued the matter to March 16, 2017 by a vote of +7 -0.
On March 16, 2017, without hearing the Commission continued the matter to April 27, 2017 by a vote of +5 -0 (Johnson and Richards absent).
On April 27, 2017, after hearing and closing public comment, the matter was continued to July 13, 2017 by a vote of +4 -1 (Koppel against; Fong, Johnson absent).

SPEAKERS: = Ella Samonsky – Staff Report
 - Elena Meyers – DR presentation
 + Stephen Antonarus – Sponsor presentation
 - Max Meyer – Exit door
 - Jim Walter Vindetti - Opposition
 ACTION: Did NOT Take DR and approved as proposed
 AYES: Hillis, Richards, Johnson, Koppel, Melgar, Moore
 ABSENT: Fong
 DRA No: 0542

13. [2014.0870DRP](#) (N. KWIATKOWSKA: (415) 575-9185)
891 CAROLINA STREET - east side between 20th and 22nd Streets, Lot 027 in Assessor's Block 4097 (District 10) - Request for **Discretionary Review** of Building Permit Application No. 2014.02.11.8267, proposing to construct a one-story vertical addition, horizontal expansion of the existing floors at the rear, front façade changes, and the addition of a second dwelling unit to a two-story-over-basement, single-family building within a RH-2 (Residential, House, Two-Family) Zoning District and 40-X Height and Bulk District.
 Staff Analysis: Abbreviated Discretionary Review
Preliminary Recommendation: Do Not Take Discretionary Review and Approve

SPEAKERS: = Rich Sucre – Staff Report
 - Robin Bishop – DR presentation
 - Speaker – Neighborhood character
 - Speaker – Opposition
 - Kristine Gardner – Height and depth
 - Katherine Lambert – Uphold previous rulings
 - J.R. Eppler – Policy issue of RDG's

- + Jon Lum – Project presentation
- + Bill Canahan – Owner statement
- + Dimitri – Support
- + William Canihan- Approval process
- + Carol Burns – Support
- + Jeremy Paul – ADU's

ACTION: Took DR and Approved with Modifications, eliminating the third floor decks at the front and rear.

AYES: Hillis, Richards, Koppel, Melgar, Moore

NAYES: Johnson

ABSENT: Fong

DRA No: 0543

14. [2016-006290DRP-02](#) (S. JIMENEZ: (415) 575-9187)
1132-1134 SANCHEZ STREET - west side between 24th and Jersey Streets; Lot 004 in Assessor's Block 6508 (District 8) - Requests for **Discretionary Review** of Building Permit Application No. 2016.05.02.6342, proposing to construct a one-story vertical addition to create a fourth floor with integrated roof decks at that level, and an expansion of the first, second, and third floors at the rear of the existing three-story, two-family building within a RH-2 (Residential, House, Two-Family) Zoning District and 40-X Height and Bulk District.
 Staff Analysis: Abbreviated Discretionary Review
Preliminary Recommendation: Do Not Take Discretionary Review and Approve

- SPEAKERS:**
- = Marcelle Boudreaux – Staff Report
 - Speaker – DR presentation No.1
 - Lori Thomas – DR presentation No. 2
 - Speaker – Opposition
 - Dara Papo – Opposition
 - Tara Brandt – Opposition
 - Anastasia Yovanopoulos – Opposition
 - Brian Pitchard – Opposition
 - Ozzie Rhom – Scale
 - Speaker – Opposition
 - + Naomi Newman – Project presentation
 - + Jason Babcoke – Project presentation
 - + Simon Goldride – Support
 - + Clint Malone – Support
 - + Tim Trodedock – Support
 - + Lisa Jansen – Support
 - + Susan Elliott – Support
 - + Henry Albedres – Support
 - Liz Moreno - Rebuttal

ACTION: Took DR and Approved with Modifications:
 1. Eliminate the fourth floor;
 2. Eliminate obstruction to the DR Requestor's window; and
 3. If the project is amended to provide less than two units, it shall return to the CPC for review

AYES: Richards, Johnson, Koppel, Melgar, Moore

ABSENT: Hillis, Fong

DRA No: 0544

H. 2:30 p.m.

Items listed here may not be considered prior to the time indicated above. It is provided as a courtesy to limit unnecessary wait times. Generally, the Commission adheres to the order of the Agenda. Therefore, the following item(s) will be considered at or after the time indicated.

15. [2014-003153CUA](#) (A. PERRY: (415) 575-9017)
2505 NORIEGA STREET - southwest corner of Noriega Street and 32nd Avenue, Lot 012 in Assessor's Block 2069 (District 4) - Request for **Conditional Use Authorization** pursuant to Planning Code Sections 303 and 739.84, and formerly pursuant to Planning Code Section 306.7 and interim zoning controls established under Resolutions 179-15 and 544-16, proposing to establish a new Medical Cannabis Dispensary (MCD) (d.b.a. The Apothecarium) in a currently vacant commercial space at the ground floor of the subject property. last occupied by Ace Pharmacy. The MCD would not allow for on-site medication of medical cannabis (e.g. smoking, vaporizing, and consumption of medical cannabis edibles), nor would the MCD permit on-site cultivation of plants for harvesting medical product. The MCD would permit on-site sales of medical cannabis only and also proposes to provide delivery services. The project is located within the Noriega Street Neighborhood Commercial District (NCD) and a 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:
- = Andrew Perry – Staff Report
 - + Ryan Hudson – Project presentation
 - + Floyd Huyen – Project presentation
 - Katie, Sunset Golden Club – Organized opposition
 - Sheri Lau – Sunset Friends – Organized opposition
 - Speaker – Sunset Motherhood Association – Organized opposition
 - Speaker – Sunset Approaches to Marijuana – Organized opposition
 - Speaker – SAM – Organized opposition
 - Wendy – Sunset District Volunteers Association – Organized opposition
 - Speaker – Noriega Street Merchants Association – Organized opposition
 - Speaker – Sunset Parents Club – Organized opposition
 - Speaker – Noriega Street Employees – Organized opposition
 - Theresa – SFCEC – Organized opposition
 - Ellen – SFCEC – Organized opposition
 - Ray Hacke – Ark of Hope Preschool – Organized opposition
 - Frank Lee – OJE – Organized opposition
 - Jenny – No MCD
 - Bernie Chung – SF Chinese Baptist Church – Organized opposition
 - Walter Hoyer - SF Chinese Baptist Church – Organized opposition
 - Wayne – American Family Association – Organized opposition
 - Speaker - SF Chinese Baptist Church – Organized opposition
 - Speaker – Protect the children
 - Dr. Lynn Fox – CALM – Organized opposition
 - Speaker – Protect my kids

- Dr. Patricia Tsang – Herald Concern Care – Organized opposition
- + Carol Crooks – Support
- + Jill Wince – Marijuana research, impact on children
- + Joseph Ewold – Counter to opioid addiction
- Speaker – No MCD
- Speaker – No MCD
- Speaker – No MCD
- Speaker – No MCD
- Speaker – No MCD
- Speaker – No MCD
- Speaker – No MCD
- Speaker – No MCD
- Speaker – No MCD
- Hellen Lam – No MCD
- Vicky – Opposition
- Susanna Chiu – Opposition
- Speaker – No MCD
- Speaker – No MCD
- Speaker – Opposition concern for children
- Jamie – Opposition
- Speaker – Opposition
- Speaker – No MCD
- Alice – No MCD
- Speaker – No MCD
- Terry – No MCD, crime
- Speaker – No MCD
- Speaker – Not appropriate location
- Ana – No MCD
- Virginia Lee – Opposition
- Speaker – No MCD
- Cindy Ming – No MCD
- Betsy – Protect our kids, protect our neighborhood
- Theresa – Fresh air
- Speaker – No MCD
- Speaker - Outreach
- Speaker – Opposition, impact on children
- Lai Wong – No MCD
- Speaker – No MCD
- Speaker – Schools and childcare in the Sunset
- Speaker – Revenue from cannabis does not justify its legalization, prevention first
- Speaker – No MCD
- Speaker – Negative impact to kids
- Paul Tsu – No MCD in my community
- + Speaker – I need the medicine
- Florence Wong – No marijuana in Sunset District
- John Lee – Opposition

- + Beth Gray Silver – Support
- Speaker – Spare the neighborhood
- Speaker – Protect the children, No MCD
- Speaker – Protect the children, No MCD
- Rita Lee – Higher crime rates, DUI, youth access
- Speaker – No MCD in my neighborhood
- + Michelle – Support
- + Linda – Support
- + Henry Sanchez – Patients access to medication
- Speaker – No MCD
- Speaker – Marijuana makes them crazy
- + Michael Cohen – Support
- + David Goldman – Support
- + Speaker – Support
- + Michelle Aldridge – It will improve the neighborhood
- Cecilia – No MCD
- + Sharon – Support
- + Susan Pfeifer – Support
- + Johnny DeLaplain – No lethal dose of marijuana
- + Speaker – Support
- + Joel Dee – Pre-school vs K-12
- + Sean Smith – Petitions
- + Tally Tobin – Support
- + Barbara Kearny – Support
- + Dr. Debra Durnell – Lutheran Church statement
- + Nick Lau – Support
- Speaker – No MCD
- + Richard DeNola – Grant addition to the neighborhood
- + David Ambruster – Support
- + Jonathan Fabian – Support
- + Daniel Wax – Support
- + Jeremy Cohen – Support
- + Kevin Clarke – Support
- + Tamara Ritz – Support research data
- Speaker – Sunset residents against MCD
- + David Hua – Untruths
- + Aaron Ashe – Support
- + Speaker – Support
- Speakers – No MCD
- Speakers – Grandchildren will be forced to walk by every day
- Speaker – Clean air, No MCD
- + Speaker – Regulated market
- + Speaker – Safe access to medicine
- + Speaker – L. Chow letter
- Speaker – No MCD
- Speaker – No MCD
- + Marcus Voldarama – Support
- + Tiara Metro – Support

- + Brian Support
- Anthony Tang – Opposed
- Steven Chu – No MCD
- Alfonso Chen – Negative impact
- Speaker – No MCD
- Speaker – No MCD
- Speaker – No MCD
- Speaker – No MCD
- Speaker – No MCD
- Speaker – No MCD
- Jennifer Yang – Not just drugs, it can damage your nervous system
- Joanna – No MCD
- Karen Ling– No MCD
- Susan Lee – No MCD
- Lisa Yang – No MCD
- Speaker – No MCD
- Renee – Impacts on children
- Speaker – No MCD
- Speaker – No MCD
- Speaker – No MCD
- Speaker – No MCD
- Speaker – No MCD
- Speaker – Stone drivers
- Speaker – No MCD
- Jessica Yu – No MCD
- Randy Louie – Opposed
- + Allysa Hambrikt – Support
- + Theodore Douglass – Support
- + Edmund – Medical benefits
- + Candace Lee - Support
- George Yun – Opposition
- Vicent Chan – Opposition
- Speaker – No happy ending
- Lilly Chu – Opposition
- + Navas Albaka - Support
- + Brian – Set the standard
- Sherman Lau – Opposition
- Gloria – No MCD
- Speaker – No MCD
- Speaker – No MCD
- Lisa – Opposition
- Speaker – Cannabis marketing, negative impacts
- - Samy Chu – No MCD
- Pauline Chung – No MCD
- + Lisa Wetch – Support, bi-lingual services
- Chris Eng – Negative impacts, community safety

ACTION: Approved with Conditions as amended to include bi-lingual, cultural and educational services
AYES: Hillis, Johnson, Koppel, Melgar, Moore
NAYES: Richards
ABSENT: Fong
MOTION 19961

I. 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 - 11:41 P.M.