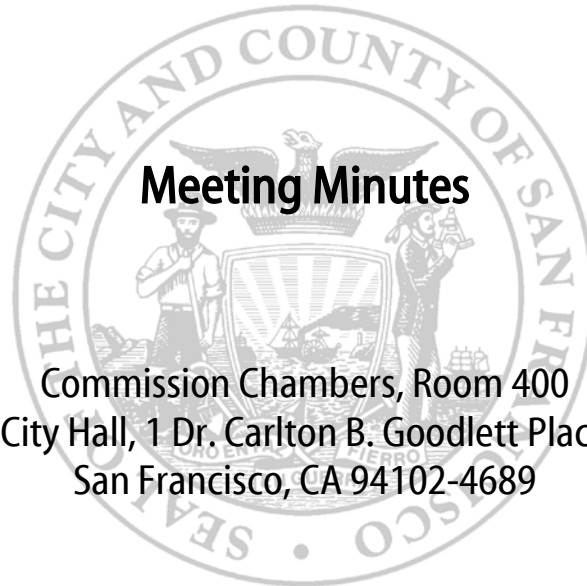


SAN FRANCISCO PLANNING COMMISSION



Meeting Minutes

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

Thursday, June 14, 2018

1:00 p.m.

Regular Meeting

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

THE MEETING WAS CALLED TO ORDER BY PRESIDENT HILLIS AT 1:09 PM

STAFF IN ATTENDANCE: Aaron Starr, Jeremy Shaw, Esmeralda Jardines, Diego Sanchez, John Rahaim – Director of Planning, 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. [2017-001283CUA](#) (M. CHRISTENSEN: (415) 575-8742)
792 CAPP STREET – west side of Capp Street, between 22nd and 23rd Streets; lot 019B of Assessor's Block 3637 (District 9) - Request for **Conditional Use Authorization** pursuant to Planning Code Sections 209.4, 303, and 317, proposing to demolish the existing two-story single-family home and construct a new four-story (40 foot tall) residential structure containing four dwelling units within a Residential Transit Oriented - Mission (RTO-M) Zoning District, Calle 24 Special Use 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

(Continued from Regular hearing on May 17, 2018)

Note: On October 12, 2017, after hearing and closing public comment, continued to December 21, 2017. On December 21, 2017, after a Motion to Continue failed +3 -4 (Fong, Melgar, Moore, Hillis against); and a Motion to Approve with Conditions failed +3 -4 (Koppel, Melgar, Moore, Richards against); the Commission adopted a Motion of Intent to Disapprove and Continued the matter to March 22, 2018.

On March 22, 2018, without hearing, continued to May 3, 2018 by a vote of +6 -0 (Fong absent).

On May 3, 2018, without hearing, continued to May 17, 2018 by a vote of +4 -0 (Johnson, Melgar, Richards absent).

On May 17, 2018, without hearing, Continued to June 14, 2018 by a vote of +5 -1 (Richards against; Fong absent).

(Proposed Continuance to June 28, 2018)

SPEAKERS: None

ACTION: Continued to June 28, 2018

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

2. 2014.1459CUA (J. HORN: (415) 575-6925)

214 STATES STREET – north side of States Street between Levant and Castro Streets; Lot 038 in Assessor's Block 2622 (District 8) - Request for **Conditional Use Authorization**, pursuant to Planning Code Sections 303 and 317, to allow the tantamount to demolition of an existing 1,635 square foot, two-story single family home and the addition of a ground floor garage and front entrance, a horizontal rear addition, three new roof dormers and the enclosing of two front decks to create bay windows. 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: Approve with Conditions with Modifications

(Continued from Regular Meeting of May 3, 2018)

Note: On December 15, 2017, after hearing and closing public comment, continued to March 15, 2018 by a vote of +7 -0.

On March 15, 2018, without hearing, continued to May 3, 2018 by a vote of +5 -1 (Moore against; Melgar absent).

On May 3, 2018, without hearing, continued to June 14, 2018 by a vote of +4 -0 (Johnson, Melgar, Richards absent).

(Proposed Continuance to July 12, 2018)

SPEAKERS: None

ACTION: Continued to July 12, 2018

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

3. 2017-003299DRP-03 (L. HOAGLAND: (415) 575-6823)

1782 QUESADA AVENUE – northeast side of Quesada Avenue between Newhall and 3rd Streets; Lot 027 of Assessor's Block 5327 (District 10) - Requests for **Discretionary Review** of Building Permit Application 2017.03.08.0963 within a RH-2 (Residential, House – Two

Family) and 40-X Height and Bulk District. The proposal includes the construction of a three-story over basement, two-residential dwelling unit building on a vacant lot. The Project includes a 1,358 square foot, 3-bedroom, 2-bath unit and a 1,567 square foot, 3-bedroom, 2-bath unit, a two-car garage and a roof deck. 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
(Continued from Regular hearing on May 10, 2018)
(Proposed Continuance to July 26, 2018)

SPEAKERS: None
ACTION: Continued to July 26, 2018
AYES: Fong, Hillis, Johnson, Koppel, Melgar, Moore, Richards

11. [2017-015181CUA](#) (A. PERRY: (415) 575-9017)
412 BROADWAY – north side of Broadway between Montgomery and Kearny Streets, on Lot 033 in Assessor’s Block 0144 (District 3) – Request for a **Conditional Use Authorization**, pursuant to Planning Code Sections 303 and 714, to permit an extension of operating hours until 4 a.m. daily, for an existing Restaurant and Nighttime Entertainment use (d.b.a. The Penthouse Club & Restaurant). No other changes are proposed. The proposed project is located within a Broadway Neighborhood Commercial District (NCD) and 65-A-1 Height and Bulk District. The Project is not subject to the California Environmental Quality Act (CEQA) as the extension of hours is not considered a “project” under CEQA.
Preliminary Recommendation: Disapprove

SPEAKERS: Jeremy Paul – Request for continuance
Andrew Perry – Staff response
ACTION: Continued to August 30, 2018
AYES: Fong, Hillis, Johnson, Richards
NAYES: Koppel, Melgar, Moore

15. [2009.0880DRP](#) (E. JARDINES: (415) 575-9144)
2100 MISSION STREET – located on the southwest corner of Mission and 17th Streets; Lot 001 in Assessor’s Block 3576 (District 9) - Request for **Discretionary Review** of Building Permit Application No. 2014.0623.9172, to demolish the existing one-story commercial building (DBA One \$ Store) and construct a new 65-foot tall six-story, 28,073-square foot mixed-use building with 27 dwelling units and approximately 3,000 square feet of ground floor commercial use. The Project is located within the Mission Street NCT (Neighborhood Commercial Transit) Zoning District and a 65-B 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: John Kevlin – Request for continuance
ACTION: Continued to July 12, 2018
AYES: Fong, Hillis, Johnson, Koppel, Melgar, Moore, Richards

B. COMMISSION MATTERS

4. Commission Comments/Questions

None

C. DEPARTMENT MATTERS

5. Director's Announcements

None

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

Aaron Starr:

LAND USE COMMITTEE:

• **180423 Planning Code - Review for Downtown and Affordable Housing Projects; Notification Requirements; Review of Alterations to Historical Landmarks and in Conservation Districts.** Sponsor: Mayor. Staff: J Bintliff.

On Monday, the Land Use Committee considered the Mayor's Process Improvements Ordinance. Commissioners, you heard this item last week at your June 7 hearing. At that hearing you voted to recommend the ordinance with modifications.

The Committee adopted several of the Commission's recommendations, including an amendment to require that all notification materials be provided according to adopted Planning Commission policy; however, the Committee voted to maintain the proposed 20-day standard notification period, and did not include amendments regarding design review, performance standards, prevailing wage, and building code standards for 100% affordable housing projects.

The Committee also maintained the exemption of limited rear yard additions, also known as pop-outs, from neighborhood notification requirements; however, the Committee amended the Ordinance to require notification for these pop-outs if the existing structure has been modified in the previous 3 years. The committee also urged the Planning Commission to adopt a policy to require Pre-Application meetings for these rear yard additions.

In the end, Committee voted without objection to refer the amended ordinance to the full Board at the June 19 regular meeting.

In addition, Supervisor Kim moved to duplicate the file in order to introduce further amendments to Articles 10 and 11. These amendments would allow administrative approval of certain minor scopes of work on historic structures. Specifically, the administrative approval of "signs, murals, or exterior paint installed to celebrate an event or anniversary or an event of national or international significance relevant to the historic context of the landmark or historic district."

The duplicated ordinance were scheduled to be heard at the Committee's July 9 hearing, and the duplicated version of the ordinance would be returned to the Historic Preservation Commission and Planning Commission for review following action by the Committee.

FULL BOARD:

- **180117 Planning Code - Increasing the Transportation Sustainability Fee for Large Non-Residential Projects.** Sponsor: Peskin. PASSED Second Read
- **180187 Planning Code - Reauthorizing Section 210.3C Concerning New Production, Distribution, and Repair Space.** Sponsor: Cohen. Passed First Read

INTRODUCTIONS:

None

D. GENERAL 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. Each member of the public may address the Commission for up to three minutes.

SPEAKERS:

Georgia Schuttish – Notification

Please write to Board either as a Commission or individual Commissioners. Tell them why the Land Use Committee was incorrect when they declined the Commission's recommendations for the Process Improvement. It should be 30 days for all noticing! OTC for pop outs: highly questionable!

The Pre-Application noticing and meetings need improvement. Envelopes for Pre-App meetings must be able to get the attention of the addressee...currently they look like junk mail. Meetings should be the start of communication with attendees of the meeting....not the dead-end they are now. 311 Notices should continue to be mailed USPS. Consider reducing the radius to immediate neighbors and interested parties and groups. CUAs in the R districts for Demolitions and new construction must also send plans to the same. 11x17 plans cannot be printed at home. Neighbors should not scramble to obtain plans and information. Transparency is needed.

Gus Hernandez – 1355 Fulton Street

Sue Hestor – Process improvements

The Planning Commission approved WITH MODIFICATIONS **Mayor's Process Improvements Ordinance** substantially amending Planning Code **6/7/18**. Friday **6/8** Planning staff transmitted **Resolution 20198** to Board of Supervisors. I am providing copies. **BOS Land Use Committee heard and approved FILE 180423 6/11**. This legislation is scheduled for passage **6/19**. Planning staff did not conduct ANY workshop soliciting input from the PUBLIC. Only to Developers and architects. This is major change to Planning Code. INTRODUCED **May 1**. Final passage planned **June 19**. Mayor signs **June 20**. Discussion with the public – AFTER LEGISLATION PASSED. Expediting 100% affordable housing – PASS NOW. Rushing

amendments to public notice – needs a month to consult non-developers.
 Public process?
 Todd David – Administrative transition
 Pat Buscovich – Variance fee for Civil Right?
 Speaker – ADA placard

E. REGULAR CALENDAR

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

7. 2018-004601CWP (J. SHAW: (415) 575-9135)
SF STATE CAMPUS MASTER PLAN – San Francisco State University is coordinating with the Planning Department and City agency staff in expectation of a Notice of Preparation of a Draft EIR for their campus master plan this fall. Planning Staff are especially encouraged by the University's goals of increasing campus housing for students and staff, connecting the campus to surrounding development and open spaces, and pursuing sustainability initiatives. This **Informational Presentation** will update the Commission on the status of the campus master plan, inter-agency coordination and environmental review process.
Preliminary Recommendation: None - Informational

SPEAKERS: + Leslie Wong – SF State Master Plan Presentation
 + Jay Orendorff – SF State Master Plan Presentation
 = Jeremy Shaw – Staff comments
 + Todd David – Supportive
 + Pat Buscovich – Supportive

ACTION: None – Informational

8. 2018-000971CUA (J. HORN: (415) 575-6925)
2001 37TH AVENUE – located on the west side of 37th Avenue between Rivera and Pacheco Streets; Lot 006 in Assessor's Block 2094 (District 4) - Request for **Conditional Use Authorization** for the expansion of an existing private secondary school (St. Ignatius College Preparatory) to increase the maximum student enrollment by 100 students, from 1500 to 1600 students. The additional students will be restricted to enrollment in a new 6th through 8th grade middle school, the Fr. Sauer Academy. Classes for the Fr. Sauer Academy would occur within existing classrooms on campus, but the project includes a proposed 1,300 square foot buildable area, at the center of the campus, on existing concrete pad, for a potential classroom to be built in the future. The Project 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 San Francisco Administrative Code Section [31.04\(h\)](#).
Preliminary Recommendation: Approve with Conditions

SPEAKERS: = Jeff Horn – Staff report
 + Speaker – Project presentation

ACTION: Approved with Conditions

AYES: Hillis, Johnson, Koppel, Moore, Richards

ABSENT: Fong, Melgar
MOTION: 20204

- 9a. [2015-015010CUA](#) (D. VU: (415) 575-9120)
1 DE HARO STREET – between King and Berry Streets – Lots 303 & 304 in Assessor’s Block 3800 (District 10) – Request for **Conditional Use Authorization**, pursuant to Planning Code Sections 210.3C and 303, for uses that support new development of Production, Distribution and Repair (PDR) space for the project involving demolition of three existing two-story, 25-ft. tall light industrial buildings (collectively measuring approximately 10,620 sq. ft.), and construction a new four-story, 58-ft. tall mixed-use building containing 86,301 sq. ft. of office use and 43,318 sq. ft. of PDR uses. The Project also includes 14 accessory parking spaces adjacent to the building, streetscape improvements, 36 Class 1 and 4 Class 2 bicycle parking spaces. The Project is contingent upon the approval of new legislation associated with reauthorizing Planning Code Section 210.3C (See Case No. [2018-003257PCA](#)). The Project site is located within a PDR-1-G (Production, Distribution and Repair - General) Zoning District and 58-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
 (Continued from Regular Meeting of May 3, 2018)

SPEAKERS: = Doug Vu – Staff report
 + Dan Kingsley – Project presentation
 + John Nicolai – Project presentation
 + John Fisher – Project presentation
 + Evan Jacob – Design presentation
 - Carla Leslie – Noise and shade
 - Sherry Juneja – Shadow on the park, noise
 + J.R. Eppler – Community liaison
 = Allison Heath – Concerns and suggestion
 + Ryan Spurlock – Human made
 + Weldon Hall – Connective creation
 + Janet Liese – SF Made support
 + David Meckel – Great team
 + Todd David – Support
 = Sue Hestor – Remaining concerns

ACTION: Approved with Conditions as amended and read into the record by Staff.
 AYES: Hillis, Johnson, Koppel, Melgar, Moore, Richards
 ABSENT: Fong
 MOTION: 20205

- 9b. [2015-015010OFA](#) (D. VU: (415) 575-9120)
1 DE HARO STREET – between King and Berry Streets – Lots 303 & 304 in Assessor’s Block 3800 (District 10) – Request for an **Office Development Authorization** under Planning Code Sections 320, 321 and 322 to authorize up to 86,301 sq. ft. from the Office Development Annual Limit. The Project would construct a new four-story, 58-ft. tall mixed-use building containing 869,301 sq. ft. of office use and 43,318 sq. ft. of PDR uses. The Project site is located within a PDR-1-G (Production, Distribution and Repair - General) Zoning District and 58-X Height and Bulk District.

Preliminary Recommendation: Approve with Conditions
(Continued from Regular Meeting of May 3, 2018)

SPEAKERS: Same as item 9a.
ACTION: Approved with Conditions
AYES: Hillis, Johnson, Koppel, Melgar, Moore, Richards
ABSENT: Fong
MOTION: 20206

10. [2016-008651ENX](#) (E. JARDINES: (415) 575-9144)
600 20TH STREET – northwest corner of Illinois and 20th Streets, on Lot 002 in Assessor's Block 4058 (District 10) – Request for a **Large Project Authorization**, pursuant to Planning Code Section 329, to construct a new 68-foot tall six-story, 26,024 square-foot mixed-use building with 21 dwelling units, including a flexible unit, and approximately 1,694 square feet of ground floor commercial use. Under the LPA, the Project is seeking exceptions to the Planning Code requirements for rear yard (Planning Code Section 134), dwelling unit exposure (Planning Code 140), and flexible units-modification of the accessory use provisions for dwelling units (Planning Code Section 329(d)(11)). The proposed project is located within the Urban Mixed Use (UMU) Zoning District, the Life Science and Medical Special Use District, and 68-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: = Esmeralda Jardines – Staff report
+ Will Mollard – Project presentation
- Corrine David – Organized opposition
- Speaker – Opportunity for improvement
- James Park – Roof height
+ Nico Nagle – Support
+ Angelina Ma - Support
ACTION: Approved with Conditions
AYES: Hillis, Johnson, Koppel, Melgar, Moore, Richards
ABSENT: Fong
MOTION: 20207

13. [2018-006286PCA](#) (A. STARR: (415) 558-6362)
PROHIBIT CANNABIS RETAIL AND MEDICAL CANNABIS DISPENSARIES IN CHINATOWN – **Planning Code Amendment** to prohibit Cannabis Retail and Medical Cannabis Dispensaries in the Chinatown Mixed Use Districts; 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 making findings of public necessity, convenience, and welfare under Planning Code, Section 302.

Preliminary Recommendation: Approve with Modifications

SPEAKERS: = Aaron Starr – Staff report
+ Speaker – No MCD in Chinatown
- Wendy Wong – Think deeper
+ Lee Hepner, Aide to Sup. Peskin – Proposed legislation

ACTION: Disapproved
 AYES: Fong, Hillis, Johnson, Koppel, Melgar
 NAYES: Moore, Richards
 RESOLUTION: 20208

12. [2018-004191PCA](#) (D. SANCHEZ: (415) 575-9082)
HOTEL USES IN NORTH BEACH – **Planning Code Amendment** to limit hotel uses in the Telegraph Hill-North Beach Residential Special Use District and the North Beach Neighborhood Commercial District; 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 findings of public necessity, convenience, and welfare under Planning Code, Section 302.
Preliminary Recommendation: Approve with Modifications

SPEAKERS: = Diego Sanchez – Staff report
 + Lee Hepner, Aide to Sup. Peskin – Proposed legislation
 + Stan Hayes – Support for original language
 ACTION: After a motion to Approve without Staff Modifications failed +3 -4 (Fong, Johnson, Koppel, Hillis against); Approved with Staff Modifications and expanding to the north side of Broadway.
 AYES: Fong, Hillis, Johnson, Koppel
 NAYES: Melgar, Moore, Richards
 RESOLUTION: 20209

F. 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. [2016-005617DRP](#) (M. CHRISTENSEN: (415) 575-8742)
1439-1441 SOUTH VAN NESS AVENUE – east side of South Van Ness Avenue, between 25th and 26th Streets; lot 021 of Assessor’s Block 6526 (District 9) - Request for **Discretionary Review** of building permit application No. 2016.0809.4577 that proposes to legalize and alter the existing ground floor dwelling unit, construct vertical and rear additions to expand all units within the structure, and alter the façade of the structure within a RM-1 (Residential-Mixed, Low Density) District and 50-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: Take Discretionary Review and Approve with Conditions
 (Continued from Regular hearing on March 15, 2018)
Note: On November 30, 2017, after hearing and closing public comment; the Commission Continued the matter to December 21, 2017 by a vote of +6 -0 (Hillis absent).
On December 21, 2017, without hearing, Continued to January 18, 2018 by a vote of +5 -0 (Melgar, Richards absent).

On January 18, 2018 without hearing, Continued to February 1, 2018 by a vote of +6 -0 (Johnson absent).

On February 1, 2018 without hearing, Continued to March 15, 2018 by a vote of +5 -0 (Johnson and Melgar absent).

SPEAKERS: None

ACTION: Withdrawn

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

ADJOURNMENT 4:18 PM

ADOPTED JUNE 28, 2018