

SAN FRANCISCO PLANNING COMMISSION



Meeting Minutes

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

Thursday, September 6, 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 1:37 PM

STAFF IN ATTENDANCE: David Weissglass, Laura Ajello, David Winslow, Ella Samonsky, John Rahaim – Planning Director, Jonas P. Ionin – Commission Secretary

SPEAKER KEY:

- + indicates a speaker in support of an item;
- indicates a speaker in opposition to an item; and
- = indicates a neutral speaker or a speaker who did not indicate support or opposition.

A. CONSIDERATION OF ITEMS PROPOSED FOR CONTINUANCE

The Commission will consider a request for continuance to a later date. The Commission may choose to continue the item to the date proposed below, to continue the item to another date, or to hear the item on this calendar.

- 1a. 2011.1356TZU (L. CHEN: (415) 575-9124)
CENTRAL SOMA PLAN – Proposed **Planning Code, Administrative Code, and Zoning Map Amendments** - Public hearing to consider substantive amendments to the proposed Central SoMa Plan as introduced at the Board of Supervisors Land Use & Transportation Committee on July 23, 2018, including 1) amending the Planning Code and Administrative Code to give effect to the Central SoMa Plan; 2) amending the Zoning Maps, including zoning, height, and bulk limits, and Special Use Districts, to give effect to the Central SoMa Plan; 3) amending the Central SoMa Plan Implementation Program; and, 4) making

findings under the California Environmental Quality Act; and 5) 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. This action constitutes the Approval Action for the project for the purposes of CEQA, pursuant to San Francisco Administrative Code Section [31.04\(h\)](#).
(Proposed Continuance to September 13, 2018)

SPEAKERS: + Ozzie Rohm – Further continuance
 ACTION: Continued to September 13, 2018
 AYES: Fong, Hillis, Johnson, Koppel, Melgar, Moore, Richards

- 1b. 2018-004477PCA (P. IKEZOE: (415) 575-9137)
CENTRAL SOMA HOUSING SUSTAINABILITY DISTRICT – Proposed **Planning Code and Business and Tax Regulations Code Amendments** - Public hearing to consider substantive amendments to the proposed Central SoMa Plan as introduced at the Board of Supervisors Land Use & Transportation Committee on July 23, 2018, including 1) amending the Business and Tax Regulations Code and the Planning Code to establish the Central SoMa Housing Sustainability District; 2) making findings under the California Environmental Quality Act; and 3) 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. This action constitutes the Approval Action for the project for the purposes of CEQA, pursuant to San Francisco Administrative Code Section [31.04\(h\)](#).
(Proposed Continuance to September 13, 2018)

SPEAKERS: Same as item 1a.
 ACTION: Continued to September 13, 2018
 AYES: Fong, Hillis, Johnson, Koppel, Melgar, Moore, Richards

2. 2018-006562CUA (D. WEISSGLASS: (415) 575-9177)
50 QUINT STREET – western corner of Quint Street and Arthur Avenue, Lot 001 in Assessor's Block 5201 (District 10) - Request for **Conditional Use Authorization** pursuant to Planning Code Sections 210.3 and 303 to permit the change of use from an existing warehouse to a warehouse for storage and retail sales of industrial volatile materials. Approximately 1,150 square-feet of the total 12,130 square-foot building is to be dedicated to retail sales. The project also includes the construction of an access ramp on the south side of the building. The subject property is located within a PDR-2 (Core Production, Distribution, and Repair) Zoning District and 65-J Height and Bulk District. This project was reviewed under the Community Business Priority Processing Program (CB3P). This action constitutes the Approval Action for the project for the purposes of CEQA, pursuant to San Francisco Administrative Code Section [31.04\(h\)](#).

WITHDRAWN

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

B. COMMISSION MATTERS

3. Consideration of Adoption:
 - [Draft Minutes for August 23, 2018](#)

SPEAKERS: None

ACTION: Adopted

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

4. Commission Comments/Questions

Commissioner Johnson:

So this week there was a really interesting article in the New York Times called "Hard Lessons Thanks to Amazon Breathe New Life Into Retail Stores". We know that retail is something that our Commission has discussed a lot about trying to figure out what the future of retail is. A couple of key quotes from that article, "As store closings set records last year, no class of retailer was spared, from Madison Avenue to shopping malls to big box stores. Things look like they're turning around. It may be too early to clear the death of retail. Americans have actually started shopping more in stores. Many successful stores of kind of this next wave of retail look like a cross between fast food drive-thru and a hotel concierge. Places where you can pick up and return multiple items, get personal shopping and stores are in general, returning into a user experience that provides a smaller footprint as easier to navigate and is based in communities and community need." So I think you know, while this change is just beginning to happen and there's kind of been a shake out of these larger retailers, we know that a shift potentially is coming and of course the shift will be slow in its course. My favorite quote from the article, "it's like turning around the Queen Mary. You can turn the rudder, but it takes time to gain an actual purchase." We'll be able to in time see what the changing face of retail is but just wanted to share with my fellow Commissioners that there might be a change coming.

Commissioner Richards:

Thank you I look forward to Commissioner Johnson's corner every week. I'm happy to have you speak first, so we don't do any duplicates. This is the first meeting of my second term and congratulates Commissioner Fong, Commissioner Johnson and Commissioner Moore for also being reappointed. Somebody, the other day, I was having a glass of wine with, and they said, "You guys need to focus on the three P's" and I said "What are they?" and they said, protect existing residents, P for protect; produce additional housing for both current residents who are overcrowded, and newcomers who have yet to arrive in San Francisco and the other P was preserve existing relatively affordable housing. And I thought it was a really good summation of what our charge should be and I actually put it through the lens of the Housing Affordability Study. Those are really the three things that now are on my mind rather than the five or six old ones that I have. This is really where I think for me, the next four years, needs to be focused. Secondly -- and I look forward to the next four years. I had a blast the last four years and look forward to the next four years. I was sitting reading the Sunday Chronicle and I kind of glanced down at the Insight section. I don't have it here. I forgot it but I do have it online. And I was -- I did a double-take and I said. The Insight section is normally John Diaz, the editor, has a big thing on the front, but there was a woman named Ozzie Rohm who comes here before the Commission quite frequently and she actually got the front page of the Insight section which I thought was quite a coo. Her article was entitled, "Four things we can do to cure our housing shortage." Really quickly, the four were vacancy tax, which I think we've talked about and maybe

Housing Affordability Study can talk about that. Preserve relatively affordable housing. I know Supervisor Peskin is working on demo definition and penalties, which is I think is in the chutes. Rental Registry, number three, I think Supervisor Fewer has been talking about that. And the last one was build 100% affordable housing, which I think really is something we've been trying to do. So I really thought that was a great article and you should look at it. This morning really quickly, "Anti Pot fervor takes over the D4 race." I read the article that Mr. Sabatini wrote in the Examiner and it looks like we're going to be having, at some point in the future, more discussions around Cannabis as it relates to how far it is from schools and whether if we should have carve-outs and things. So stay tuned. The Cannabis story is not quite over yet.

Commissioner Koppel:

Just a quick comment - yesterday's paper, San Francisco Mayor London Breed sets aggressive goal to shrink city's carbon footprint to net zero by 2050. As your resident electrical guru up here, I'm really excited to see her setting the tone citywide for this. SB 350 has set forth some pretty impressive high marks for the State of California but I'm glad to see that Mayor Breed has us on target to align with these goals. So it will be really interesting to see from here on out what we see as far as new projects and what eventually the existing buildings will be doing to kind of reduce their waste. That's it. Thanks.

C. DEPARTMENT MATTERS

5. Director's Announcements

John Rahaim, Planning Director:

Just a couple of things Commissioners - next week is the Global Climate Summit here in San Francisco that is being convened by Governor Brown. I think that Mayor Breed's announcement is related to that and as well as other items. There are a number of events that are happening that are kind of peripheral to that conference and, the conference itself is actually by invitation-only, but it will be several thousand people in town talking about these issues at a very high level. So and I know that the Department of Environment and Mayor's office have been very much involved in helping to organize those events, so we're looking forward to seeing the outcome of that. Secondly, Commissioner Richards, it's funny that you mentioned those three P's, if you will. You may recall that last year as a result of the last Bay planned Bay Area, the MTC and ABAG staffs convened a regional working group on housing and it's called CASA. By the way, it does not stand for anything, that's just the name of the group. And those are the three terms that they've used as a basis for their discussions, as the goals of that effort, which were to protect existing residents and preserve existing affordable housing and produce housing. So that's exactly the same mantra they're using in their work regionally and the results of that work are coming out, I think, later this fall. And I was going to talk to President Hillis about scheduling a hearing on it, because I think it would be really important for the Commission to hear the results and the recommendation from that regional group.

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

Aaron Starr:

LAND USE COMMITTEE:

- No Land Use committee due to Labor Day Holiday

FULL BOARD:

- 180389 Planning Code, Zoning Map - Amend Zoning Map and Abolish Legislated Setback on 19th Avenue Between Quintara and Rivera Streets. Sponsor: Tang. Staff: Butkus. PASSED Second Read
- 180556 Planning Code - Hours of Operation for Limited Nonconforming Uses. Sponsor: Planning Commission. Staff: Starr. PASSED Second Read
- 180319 Planning Code - Cannabis Retail and Medical Cannabis Dispensaries in Chinatown. Sponsor: Peskin; Kim, Tang, Fewer, and Safai. Staff: Starr. PASSED Second Read
- 180752 Planning Code - Accessory Dwelling Units; In-Lieu Fee for Street Trees. Sponsors: Tang; Kim. Staff: Haddadan. PASSED Second Read
- 180053 Planning Code - Massage Establishments - Union Street Neighborhood Commercial District. Sponsor: Stefani. Staff: D. Sanchez. Passed First Read
- 180364 Planning Code - Affordable Housing Projects on Undeveloped Lots in Service/Arts/Light Industrial Districts. Sponsor: Kim. Staff: Butkus. Passed First Read
- 180651 Hearing - Appeal of Final Environmental Impact Report Certification - Central SoMa Plan. Continued to 9/11/18
- 180787 Hearing - Appeal of Conditional Use Authorization - 143 Corbett Avenue. Staff: Horn, Starr. Continued to October 2, 2018
- 180294 Hearing - Appeal of Final Mitigated Negative Declaration - Proposed Alcatraz Ferry Embarkment Project. Staff: Moore, Navarrete.

Lastly, the Board did hear the Appeal for the Final Mitigate Negative Declaration for the Proposed Alcatraz Ferry Embarkment Project. Under the proposed project, the National Park Service would enter into a long-term agreement with the Port Commission to make improvements to the existing Alcatraz Ferry embarkation site at Pier 31-1/2 to support the existing Alcatraz ferry trips. The improvements would allow the berthing of up to three ferry boats at a time, which would accommodate interpretive bay cruises and ferry service to Fort Baker, located in the Golden Gate National Recreation Area, approximately two miles from Sausalito. The Ferry service would begin in 2023, and run on weekends only.

The City of Sausalito appealed the Neg Dec because of potential impacts on transportation and public safety within Sausalito. However, as Sausalito's lobbyist stated at the hearing "The changes to the Project agreements that were approved by the Port Commission have addressed Sausalito's concerns." Yet, Sausalito could not unconditionally withdraw their appeal because the Project agreements aren't final until approval by the BOS and the BOS can't take action on the Project agreements until the appeal has been resolved." There were no speakers in support of the appeal.

The Planning Department provided a very brief response, referring the Board to the Department's appeal response, and summarizing that Sausalito fails to provide any substantial evidence that would indicate that the proposed project would have a significant impact on the physical environment, necessitating the preparation of an EIR. There was no public comment.

Supervisor Peskin immediately presented a motion to uphold the Final Mitigated Negative Declaration, which was unanimously approved.

INTRODUCTIONS:

None

Jonas P. Ionin, Commission Secretary:

Commissioners, it has gotten to the point where I cannot remember what happened yesterday. The Historic Preservation Commission did meet and initiated landmark designation of the Paper Doll and 524 Union Street as well as recommended several landmark businesses.

D. GENERAL PUBLIC COMMENT

SPEAKERS: Georgia Schuttish – Demolition – calculations
Todd David – Housing construction

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. [2018-004644CUA](#) (D. WEISSGLASS: (415) 575-9177)
619 DIVISADERO STREET – west side of Divisadero Street between Grove and Hayes Streets, Lots 039-054 in Assessor’s Block 1201 (District 5) - Request for **Conditional Use Authorization** pursuant to Planning Code Sections 303, 303.1, and 759, to establish a Formula Retail use (d.b.a. “CorePower Yoga”) and to allow hours of operation from 5:30 a.m. to 11:00 p.m. daily. The subject property is located within the Divisadero Street NCT (Neighborhood Commercial Transit) Zoning District and 65-A 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: = David Weissglass – Staff report
 + Stephanie Rubenstein – Project presentation
 + Jesse Khana – Yoga studios are good business for the neighborhood
 - Tess Wellborne – Formula retail
 - Scott Rothman – Not needed
 + Marilyn Mendoza – Support
 + Leeda – Support
 + Reema Shany – Support
 + Randa Naseer – Vacant retail storefront
 - Gus Hernandez – Opposed, is it necessary and desirable.
 - Conner Ryan – Opposition to formula retail
 - Jason Gervis – Opposition, wrong fit
 + Henli – Yoga is power
 + Johnny Shemayam – Great energy
 + Lawrence Rio – Support
 + Speaker – Support

- + Speaker – Support
- + Speaker – Support
- + Speaker – Support
- + Speaker – Support
- Tom Hamilton – Opposed
- + Nancy Roberts – Support
- + Anise Nasser – Support
- + Edward Nasser – Support
- + Ted Nasser – Support
- Chagel Lesbon – Opposed
- Phillip Laurent – Opposed
- Charles Dipency – Opposed
- Quinton Macky – Rapid changed or pausing

ACTION: Adopted a Motion of Intent to Disapprove; and Continued to September 27, 2018

AYES: Johnson, Koppel, Moore, Richards

NAYS: Fong, Melgar, Hillis

8. [2016-005870CUA](#) (L. AJELLO: (415) 575-9142)
461 ASHBURY STREET – Northwest corner of Ashbury and Page Streets, Lot 007 in Assessor's Block 1224 (District 5) - Request for **Conditional Use Authorization** pursuant to Planning Code Sections 303 and 317 to legalize a residential merger of three dwelling units into two dwelling units. The proposed project would legalize the merger of two flats on the second and third floors in a three-story residential building. The subject property is located 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: Disapprove

SPEAKERS: = Laura Ajello – Staff report
 + Speaker – Project presentation

ACTION: Disapproved

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

ABSENT: Melgar

MOTION: [20273](#)

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.

9. [2016-011632DRP](#) (D. WINSLOW: (415) 575-9159)
1897 FUNSTON AVENUE – at the intersection of Aerial Way; Lot 052 in Assessor's Block 2050A (District 14) - Request for **Discretionary Review** of Building Permit Application No. 2016.0712.2094, proposing new construction of a four-story single family house, on a 25' x 108' vacant lot 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: Do Not Take Discretionary Review and Approve

SPEAKERS: = David Winslow – Staff report
 - DR Requestor – Presentation
 - Speaker – Construction, safety
 - Ivy – Bird population
 - Kevin Ong – Safety and security
 - Darwin Chen
 + Steven Lee – Project presentation
 + Julie Jackson – Design presentation
 + Regina Quan - Support

ACTION: Did NOT Take DR

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

DRA: [0606](#)

10. [2017-001225DRP-02](#) (E. SAMONSKY: (415) 575-9112)

701 HAMPSHIRE STREET – south east corner of the intersection of 19th and Hampshire Streets; Lot 018 in Assessor’s Block 4078 (District 8) - Request for **Discretionary Review** of Building Permit Application No. 2017.0124.7741, proposing to convert the ground floor garage space into two accessory dwelling units and construct a vertical addition (fourth floor) of approximately 1,051 square feet (vertical addition would add living space to the existing units #4 and #5 on the third floor), and interior and exterior remodel of the existing six-unit apartment building within a RH-2 (Residential, House, Two-Family) Zoning District and 40-X Height and Bulk District.

Staff Analysis: Abbreviated Discretionary Review

(Continued from Regular hearing on August 30, 2018)

Preliminary Recommendation: Do Not Take Discretionary Review and Approve

SPEAKERS: = Ella Samonsky – Staff report
 - DR Requestor, No. 1 – Presentation
 - Trevor Summers – Presentation
 - Speaker – Opposition
 - Ozzie Rohm – Opposition
 - Theresa Flandrick – Opposition
 + Brett Gladstone – Continuance to October 25, 2018

ACTION: Took DR and approved with conditions:

1. Eliminate the fourth floor;
2. Ensure minimal disruption to existing tenants;
3. Work with staff on the design and livability for the ADU’s;
4. Work with staff on the streetscape improvements; and
5. Eliminate the existing curb cut and install a new curb cut on the opposite street.

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

ABSENT: Fong

DRA: [0607](#)

ADJOURNMENT – 4:24 PM

ADOPTED SEPTEMBER 27, 2018