

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 13, 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 1:05 PM

STAFF IN ATTENDANCE: Ashley Lindsay, Seema Adina, Jeff Horn, Nancy Tran, Chelsea Fordham, Marcelle Boudreaux, Andrew Perry, Chris May, Allison Vanderslice, Esmeralda Jardines, David Winslow, 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.

1. 2017-009224CUA (M. WOODS: (415) 558-6315)
601 VAN NESS AVENUE – west side of Van Ness Avenue; Lot 027 in Assessor's Block 0762 (District 5) – Request for **Conditional Use Authorization** pursuant to Planning Code Sections 202.4 and 303(j) to discontinue a Movie Theatre use (Opera Plaza Cinema) of approximately 6,380 square feet and propose a Retail Sales and Service use within a RC-4 (Residential-Commercial High Density) Zoning District, the Van Ness Avenue Special Use

District, and 130-V 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).

(Continued from Regular hearing on June 28, 2018)

Preliminary Recommendation: Approve with Conditions

(Proposed Continuance to October 18, 2018)

SPEAKERS: None
 ACTION: Continued to October 18, 2018
 AYES: Fong, Hillis, Johnson, Koppel, Melgar, Moore, Richards

2. [2018-008652PCAMAP](#) (A. STARR: (415) 558-6362)
DESIGN PROFESSIONAL SPECIAL USE DISTRICT – Planning Code and Zoning Map Amendment introduced by Supervisor Cohen amending the Planning Code to create the Design Professional Special Use District at 2 Henry Adams, Assessor’s Parcel Block No. 3910, Lot No. 001, to allow for Design Professional uses above the second story in a PDR-1-D (Production, Distribution, and Repair) zoning District with a Conditional Use authorization; 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
WITHDRAWN

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 ACTION: Withdrawn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

- 18a. [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).
 (Continued from Regular hearing on September 6, 2018)
Preliminary Recommendation: Approve with Modifications

SPEAKERS: Fernando Martis – Housing Sustainability District
 ACTION: Continued to September 27, 2018
 AYES: Fong, Hillis, Johnson, Koppel, Melgar, Moore, Richards

- 18b. [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\(h\)](#).

(Continued from Regular hearing on September 6, 2018)

Preliminary Recommendation: Approve with Modifications

SPEAKERS: Same as item 18a.

ACTION: Continued to September 27, 2018

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

4. [2018-003874CUA](#) (M. CHRISTENSEN: (415) 575-8742)
2475-2481 MISSION STREET – east side of Mission Street between 20th and 21st Streets, Lot 021 of Assessor’s Block 3610 (District 9) - Request for a **Conditional Use Authorization** pursuant to Planning Code Section 303 and 754 and the Mission Interim Zoning Controls (adopted by Planning Commission Resolution No. 19548, extended by Planning Commission Resolution No. 19865) and Board of Supervisors File No. 171290, to expand an existing restaurant (dba “Café La Taza”) into an adjoining 1,874 square foot retail space, within a NCT (Mission Street Neighborhood Commercial Transit) Zoning District, Mission Alcoholic Beverage Special Use Subdistrict, and 55-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: None

ACTION: Approved with Conditions

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

MOTION: [20274](#)

6. [2018-004720CUA](#) (M. CHANDLER: (415) 575-9048)
276 5TH STREET – north side between Clementia and Folsom Streets; Lot 271 in Assessor’s Block 3732 (District 6) - Request for **Conditional Use Authorization**, pursuant to Planning Code Sections 249.40A and 303, to permit change of use from Limited Restaurant to Restaurant Use (d.b.a Mr. East Kitchen) within a MUR (Mixed Use Residential) Zoning

District, SoMa Youth and Family Special Use District, Eastern Neighborhoods subarea plans East SoMa and Central SoMa and 85-X 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\(h\)](#).

Preliminary Recommendation: Approve with Conditions

SPEAKERS: None
 ACTION: Approved with Conditions
 AYES: Fong, Hillis, Johnson, Koppel, Melgar, Moore, Richards
 MOTION: [20275](#)

7. [2018-003878CUA](#) (S. YOUNG: (415) 558-6346)
[3407 CALIFORNIA STREET](#) – south side between Laurel and Locust Streets, Lot 001 in Assessor’s Block 1034 (District 2) - Request for **Conditional Use Authorization** pursuant to Planning Code Sections 303, 303.1, 703.4, and 713 to establish a Formula Retail Use within a NC-S (Neighborhood Commercial Shopping Center) District and 40-X Height and Bulk District. The proposal is to convert a vacant ground floor commercial space with approximately 2,600 square feet of floor area (previously occupied by “Gymboree”, a Formula Retail Use) to another Formula Retail Use (d.b.a. Sephora Studio, retail store specializing in cosmetic sales with personal services) within the Laurel Village Shopping Center. 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: Approved with Conditions
 AYES: Fong, Hillis, Johnson, Koppel, Melgar, Moore, Richards
 MOTION: [20276](#)

C. COMMISSION MATTERS

10. Consideration of Adoption:
 • [Draft Minutes for August 30, 2018](#)

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

11. Commission Comments/Questions

Commissioner Richards:

I have just one quick one. Since we have three items today on our calendar revolving, what I consider around Historic Preservation, and I know I didn’t give the Director a heads up on this, I would love to understand maybe next week, a status on where the Preservation Element is, whether would be able to get it done this year, etc. I would really appreciate that. Thanks.

Commissioner Moore:

I'm glad reading in this morning's paper that there are indeed a number of larger projects coming on-line being built. Ms. Simi updated us also in her summary. Glad to hear about three major projects coming on-line.

D. DEPARTMENT MATTERS

12. Director's Announcements

None

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

Aaron Starr:**LAND USE COMMITTEE:**

- 180490 General Plan Amendments - Central South of Market Area Plan. Sponsor: Commission. Staff: L. Chen. Item 1
- 180185 Planning Code, Zoning Map - Central South of Market Special Use District] Sponsors: Mayor; Kim. Staff: L. Chen. Item 2
- 180453 Business and Tax Regulations, Planning Codes - Central South of Market Housing Sustainability District. Sponsors: Mayor; Kim. Staff: Ikezoe. Item 3
- 180612 Administrative Code - San Francisco Special Tax Financing Law - Central SoMa. Sponsors: Mayor; Kim. Staff: L. Chen. Item 5

All Central SoMa Items were continued to October 1.

- 180483 Planning Code - Health Services - Ocean Avenue Neighborhood Commercial Transit District. Sponsor: Yee. Staff: Butkus.

The Committee did consider Supervisor Yee's ordinance that would require CU authorization for Health Services on the ground floor in the Ocean Avenue NCT. There was no public comment and no significant comments from the committee members. The item passed out of committee with a positive recommendation.

FULL BOARD:

- 180053 Planning Code - Massage Establishments - Union Street Neighborhood Commercial District. Sponsor: Stefani. Staff: D. Sanchez. PASSED Second Read
- 180364 Planning Code - Affordable Housing Projects on Undeveloped Lots in Service/Arts/Light Industrial Districts. Sponsor: Kim. Staff: Butkus.

Continued to 9/18/18 in order to further refine the language in the ordinance.

- 180651 Hearing - Appeal of Final Environmental Impact Report Certification - Central SoMa Plan. Staff: White

Continued to September 25, 2018. At the hearing, Supervisor Kim noted that this extra time is necessary to continue the negotiations with the appellants.

- 180584 Planning Code - Fees for Certain Permits and Transportation Analysis. Sponsor: Mayor. Staff: Landis. Passed First Read

Jonas P. Ionin, Commission Secretary:

The Board of Appeals did hear the Certificate of Appropriateness issued by the Historic Preservation Commission on the Early Days Statue from the Pioneer Monument. This is the second full hearing and they unanimously upheld that Certificate of Appropriateness for the removal of that statue.

E. GENERAL PUBLIC COMMENT

- SPEAKERS:** Georgia Schuttish – Policy Efficacy and Objectives of the General Plan and the Planning Code Sect. 317 regarding loss of dwelling units – aka Demolition, Tantamount to Demolition or De Facto Demolition-
What is the Policy??
The General Plan recognizes that existing housing is the greatest stock of rental and financially accessible residential units and is a resource in need of protection. Please adjust the values to promote efficacy through non-legislative updates. The Zoning Administrator has done this in the RH-1, three times since 2015. The Commission has not – ever – used the powers allowed by section 317(b)(2)(D). The Commission should now a most important criterion for permitting demolition is relative affordability.
Please ask the City Attorney if the Commission can adjust the values three times as the Zoning Administrator did in the past three years to correct the failure to improve policy efficacy going forward. Or, please do it once, at least.
Tim Brown – 807 Franklin and 635 Fulton
Laura Clark – Starter home
Corey Smith – Housing Accountability Act analysis
Michael Nulty – Community land trust

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.

3. [2016-015675CUA](#) (A. LINDSAY: (415) 575-9178)
[2990 24TH STREET](#) – northeast corner of the Harrison Street and 24th Street intersection, Lot 040 of Assessor's Block 4206 (District 9) - Request for a **Conditional Use Authorization**, pursuant to Planning Code Sections 303(c) and 763, to install a new rooftop AT&T Mobility Macro Wireless Telecommunications Facility consisting of (2) new FRP enclosures; (9) new antennas; (24) new RRHs; (1) GPS antenna; ancillary equipment; and (1) equipment room

within the existing building as part of the AT&T Mobility Telecommunications Network. The subject property is located within a NCT (24th-Mission Neighborhood Commercial Transit), and 55-X Height and Bulk Districts. 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: = Ashley Lindsay – Staff report
 + Misako Hill – Project presentation
 - Miguel Bustos - Opposition, request for continuance
 - Glynne Ali – Neighborhood opposition
 - Eric Arguello – Scale of the tower
 = Michael Nulty – Mi casa tu casa

ACTION: After being pulled off of Consent; Closing PC; and a Motion to Continue Indefinitely failed +1 -5 (Fong, Johnson, Koppel, Moore, Hillis against; Richards recused); Continue to November 8, 2018

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

5. [2018-005745CUA](#) (S. ADINA: (415) 575-6428)
385 EDDY STREET – south side of Eddy Street between Leavenworth and Jones Streets; lot 018 of Assessor’s Block 0338 (District 6) – Request for a **Conditional Use Authorization**, pursuant to Planning Code Section 209.3, 303, 317 to convert one SRO and manager’s unit within a 68 residential-hotel building into an accessory Institutional Use – Social Service Facility, providing on-site resident services for building tenants within a RC-4 (Residential-Commercial, High Density) Zoning District and 80-T 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: = Seema Adina – Staff report
 + Denise Choy – Project presentation
 - John Nulty – Owner, partnership
 - Michael Nulty – Transparency

ACTION: After being pulled off of Consent; Approved with Conditions
 AYES: Fong, Hillis, Johnson, Koppel, Melgar, Moore, Richards
 MOTION: 20277

8. [2018-007741CUA](#) (J. HORN: (415) 575-6925)
3133 TARAVAL STREET – south side of Taraval Street between 41st and 42nd Avenues, Lot 027 of Assessor’s Block 2384 (District 4) - Request for a **Conditional Use Authorization** pursuant to Planning Code Sections 209.2, 303, and 317 to convert a vacant 1,740 square-foot two-story single-family dwelling to a Community Center for seniors (dba Self-Help for the Elderly). The project also proposes a 1,500 square-foot two-story rear addition, for a total building size of 3,240 gross square feet. The subject property is located within a RM-1 (Residential-Mixed, Low Density) 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
 + Patrice Fambrini – Project presentation
 + Annie Chung – Project presentation
 + Grace Kan – Large demand
 + Annie Ma, Aide to Sup. Tang – Support
 - Speaker – Senior community center vs. housing
 - Laura Clark - Upzoning

ACTION: After being pulled off of Consent; Approved with Conditions

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

MOTION: 20278

9. [2016-009062DRP](#) (N. TRAN: (415) 575-9174)
505 GRAND VIEW AVENUE – corner of Grand View Avenue and Elizabeth Street, Lot 044 in Assessor’s Block 2828 (District 8) – Request for **Discretionary Review** of Building Permit Application No. 2016.11.23.3441, proposing to construct three new accessory dwelling units at the ground and basement levels within a RM-1 (Residential-Mixed, Low Density) 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 Review

(Continued from Regular hearing on August 30, 2018)

Preliminary Recommendation: Do Not Take Discretionary Review and Approve

SPEAKERS: = Nancy Tran – Staff report
 + Toby Morris – Project presentation
 + Jennifer Feiber - Support

ACTION: After being pulled off of Consent; Did Not Take DR and Approved

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

DRA: [0608](#)

14. [2013.1535ENV](#) (C. FORDHAM: (415) 575-9071)
450-474 O’FARRELL STREET/532 JONES STREET – on a block bounded by Geary Street to the north, O’Farrell Street to the south, Taylor Street to the east, and Jones Street to the west (Assessor’s block/lot 0317/007, 0317/009, and 0317/011) (District 6) – **Certification of the Final Environmental Impact Report**. The project site is currently developed with the three-story (50-foot-tall), 26,904-square-foot Fifth Church of Christ, Scientist building, including a 1,400-square-foot parking lot with four parking spaces, at 450 O’Farrell Street; a one-story (30-foot-tall), 4,415-square-foot vacant retail building at 474 O’Farrell Street; and a one-story (30-foot-tall), 1,012-square-foot restaurant and residential building with basement at 532 Jones Street. The proposed project would demolish the existing structures, merge the three lots, and construct a 13-story, 130-foot-tall, 226,514-sf mixed-use building. The church façade at 450 O’Farrell Street would be retained as part of the proposed project. The proposed development would include up to 182,668 sf of residential space (with 176 dwelling units), 3,827 sf of restaurant and retail space, and 9,555 sf of religious institution space. Up to 46 parking spaces would be provided within a 22,105-sf, one-level subterranean parking garage with access off of Shannon Street. The project site is located in a Residential-Commercial, High Density (RC-4) District, the North of Market

Residential Special Use District No. 1, 80-T-130-T Height and Bulk District, and the Uptown Tenderloin National Register Historic District.

NOTE: The public hearing on the Draft EIR is closed. The public comment period for the Draft EIR ended on December 11, 2017. Public comment will be received when the item is called during the hearing. However, comments submitted may not be included in the Final EIR.

(Continued from Regular hearing on June 28, 2018)

Preliminary Recommendation: Certify the Final EIR

NOTE: On June 28, 2018, after hearing and closing public comment the matter was Continued to September 13, 2018 by a vote of +6 -0 (Fong absent).

SPEAKERS: = Chelsea Fordham – CEQA Staff presentation
 = Marcelle Boudreaux – Staff report
 + Tyler Evje – Project presentation
 + Del Seymour – Support
 + Joseph Brown – Support
 + David Elliott Lewis – Support
 + Corey Smith – Approve it now
 + Speaker – Go with it
 + Mervin Green – Support
 + Mike Buhler – Full preservation alternative facadism
 + Michael Nulty – Support
 + Brenda – Support
 + John Nulty – Affordability
 = Jim Worshell – Remedies for complete demolition

ACTION: Certified

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

MOTION: 20279

- 15a. [2013.1535ENV](#) (M. BOUDREAUX: (415) 575-9140)
 450-474 O'FARRELL STREET/532 JONES STREET – on a block bounded by bounded by Geary Street to the north, O'Farrell Street to the south, Taylor Street to the east, and Jones Street to the west (Assessor's block/lot 0317/007, 0317/009, and 0317/011) (District 6) – The proposal requests Planning Commission consideration of adoption of **CEQA Findings** under the California Environmental Quality Act for a Project that would demolish the existing structures, merge the three lots, and construct a 13-story, 130-foot-tall, 226,514-sf mixed-use building. The church façade at 450 O'Farrell Street would be retained as part of the proposed project. The proposed development would include up to 182,668 sf of residential space (with 176 dwelling units), 3,827 sf of restaurant and retail space, and 9,555 sf of religious institution space. Up to 46 parking spaces would be provided within a 22,105-sf, one-level subterranean parking garage with access off of Shannon Street. The project site is located in a Residential-Commercial, High Density (RC-4) District, North of Market Residential Special Use District No. 1, 80-T-130-T Height and Bulk District, and the Uptown Tenderloin National Register Historic District. This action constitutes the Approval Action for the project for the purposes of CEQA, pursuant to San Francisco Administrative Code Section [31.04\(h\)](#).

(Continued from Regular hearing on June 28, 2018)

Preliminary Recommendation: Adopt CEQA Findings

NOTE: On June 28, 2018, after hearing and closing public comment the matter was Continued to September 13, 2018 by a vote of +6 -0 (Fong absent).

SPEAKERS: Same as item 14.
 ACTION: Adopted Findings
 AYES: Fong, Hillis, Johnson, Koppel, Melgar, Moore
 NAYES: Richards
 MOTION: 20280

- 15b. [2013.1535CUA](#) (M. BOUDREAUX: (415) 575-9140)
450-474 O'FARRELL STREET/532 JONES STREET – on the block is bounded by Geary Street to the north, O'Farrell Street to the south, Taylor Street to the east, and Jones Street to the west (Assessor's block/lot 0317/007, 0317/009, and 0317/011) (District 6) - Request for **Conditional Use Authorization** pursuant to Planning Code Section 303 for: i) Planned Unit Development pursuant to Section 304, with modifications for rear yard (Section 134), dwelling unit exposure (Section 140); off-street loading (Section 152) and permitted obstructions (Section 136); and additional findings for ii) for demolition of five existing dwelling units (Section 317); iii) exceeding height of 50 feet with street frontage greater than 50 feet (Section 253); iv) height greater than 80 feet in North of Market Residential Special Use District No. 1 (Section 249.5/263.7); v) bulk exceedance (Section 270/271); vi) establishment of new religious institution use (Section 303). The project site is currently developed with the three-story (50-foot-tall), 26,904-square-foot Fifth Church of Christ, Scientist building, including a 1,400-square-foot parking lot with four parking spaces, at 450 O'Farrell Street; a one-story (30-foot-tall), 4,415-square-foot vacant retail building at 474 O'Farrell Street; and a one-story (30-foot-tall), 1,012-square-foot restaurant and residential building with basement at 532 Jones Street. The proposed project would demolish the existing structures, merge the three lots, and construct a 13-story, 130-foot-tall, 226,514-sf mixed-use building. The church façade at 450 O'Farrell Street would be retained as part of the proposed project. The proposed development would include up to 182,668 sf of residential space (with 176 dwelling units), 3,827 sf of restaurant and retail space, and 9,555 sf of religious institution space. Up to 46 parking spaces would be provided within a 22,105-sf, one-level subterranean parking garage with access off of Shannon Street. The project site is located in a Residential-Commercial, High Density (RC-4) District, the North of Market Residential Special Use District No. 1, 80-T-130-T Height and Bulk District, and the Uptown Tenderloin National Register Historic District.

(Continued from Regular hearing on June 28, 2018)

Preliminary Recommendation: Approve with Conditions

NOTE: On June 28, 2018, after hearing and closing public comment the matter was Continued to September 13, 2018 by a vote of +6 -0 (Fong absent).

SPEAKERS: Same as item 14.
 ACTION: Approved with Conditions as amended by staff, adding a Finding recognizing that Heritage and the PS will continue working together, and:
 1. Allowing the removal of the historic façade; and
 2. A future informational item presenting the final design.
 AYES: Fong, Hillis, Johnson, Koppel, Melgar, Moore
 NAYES: Richards
 MOTION: 20281

16. [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.
 (Continued from Regular hearing on August 30, 2018)
Preliminary Recommendation: Disapprove

SPEAKERS: = Andrew Perry – Staff report
 + Jeremy Paul – Project presentation
 + Sally Cazzaza – Firefighter toy drive
 + Jason – Firefighter toy drive
 + Speaker – Firefighter toy drive
 - Paul Webber – Opposed
 - Lisa Krekups – Negative impacts
 + Dominic DeLandry – Support
 + Joanna Tankpost- Support
 + Aaron Barbero – Support
 + Marrienne – Support
 + Emma Henley – Support
 + Michael Rickson – Support
 + Daniel – Support
 + Francis – Support
 + Rochelle – Support
 + Frankie Fusco – Support
 + Scotty – Support
 + Marquel Cagny – Support
 + Terrance Allen – Support
 + Sara – Support
 - Kyle Klesko - Opposed

ACTION: After hearing and closing PC; Continued to October 25, 2018 with direction from the CPC.

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

17. [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: Disapprove

SPEAKERS: = Chris May – Staff report

- + Jeremy Schaub – Project presentation
 - = Craig Harner – Adding a unit
 - Teera Price – Opposition
 - Marsha Crockett – Opposition
 - Mike Buhler – Opposition
 - + Laura Clark – Support
 - Speaker – Historic preservation
 - = Allison Vanderslice – Response to questions
- ACTION: After hearing and closing PC; Continued to November 15, 2018 with direction from the CPC.
- AYES: Fong, Hillis, Johnson, Koppel, Melgar, Moore, 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.

19. [2016-005406DRP](#) (E. JARDINES: (415) 575-9144)
42 OTIS STREET – between Brady and 12th Streets; Lot 020 in Assessor’s Block 3505 (District 6) - Request for **Discretionary Review** of Building Permit Application No. 2017.0330.2802, for new construction of a five-story, 55-foot tall, mixed-use building with 24 SRO dwelling units and ground floor commercial at 42 Otis Street within a NCT-3 (Moderate Scale Neighborhood Commercial Transit) Zoning 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\(h\)](#).
Preliminary Recommendation: Do Not Take Discretionary Review and Approve
- SPEAKERS: = Esmeralda Jardines – Staff report
 - Sue Hestor – DR presentation
 + Steve Vettel – Project presentation
 + Laura Clark – Support, no parking
 + Jonathan Pearlman – Response to questions
- ACTION: Did NOT Take DR
- AYES: Hillis, Johnson, Koppel, Melgar, Moore, Richards
- ABSENT: Fong
- DRA: 0609
20. [2017-015386DRP](#) (D. WINSLOW: (415) 575-9159)
838 PAGE STREET – between Scott and Pierce Streets; Lot 011 in Assessor’s Block 0845 (District 5) - Request for **Discretionary Review** of Building Permit Application No. 2017.1115.4089, for construction of a horizontal and vertical addition (the first story extending 17’-5” from the existing rear wall and the second and third stories extending 11’-0” from the existing rear wall) at the rear of the existing 2-story single-family home 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: Do Not Take Discretionary Review and Approve

SPEAKERS: = David Winslow – Staff report
 - Speaker – DR presentation
 + Sven Lavine – Project presentation

ACTION: Took DR and Approved with conditions:
 1. Install a 9'-9" green privacy screen wall at the property line.

AYES: Hillis, Johnson, Koppel, Richards
 NAYS: Moore
 ABSENT: Fong, Melgar
 DRA: 0610

21. [2015-013487DRP](#) (D. WINSLOW: (415) 575-9159)
 1267 RHODE ISLAND STREET – between and 23rd and 24th Streets; Lot 018 in Assessor's Block 4217 (District 10) - Request for **Discretionary Review** of Building Permit Application No. 2015.09.28.8194, for construction of a horizontal and two-story vertical addition, totaling 2,260 s.f. to an existing 2-story, two-family residence at 1267 Rhode Island Street 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: Do Not Take Discretionary Review and Approve

SPEAKERS: = David Winslow – Staff report
 - Hugo Gray – DR presentation
 - Anabelle Temple – Opposition
 - Jake – Opposition
 + John Goldman – Project presentation

ACTION: Did NOT Take DR

AYES: Hillis, Johnson, Koppel, Moore, Richards
 ABSENT: Fong, Melgar
 DRA: [0611](#)

ADJOURNMENT – 7:02 PM
 ADOPTED SEPTEMBER 27, 2018