

SAN FRANCISCO PLANNING COMMISSION



Meeting Minutes

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

Thursday, February 28, 2019
1:00 p.m.
Regular Meeting

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

THE MEETING WAS CALLED TO ORDER BY PRESIDENT MELGAR AT 1:07 PM

STAFF IN ATTENDANCE: Aaron Starr, Kate Conner, Mat Snyder, Adam Varat, Esmeralda Jardines, David Winslow, Michael Christensen, 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. 2018-007204CUA (L. AJELLO: (415) 575-9142)
754 35TH AVENUE – east side of 35th Avenue, between Balboa and Cabrillo Streets; Lot 023 of Assessor's Block 1610 (District 1) – Request for **Conditional Use Authorization**, pursuant to Planning Code Sections 207, 209.1 and 303, for Residential Density of three units on a 4,499 square foot lot to allow construction of a four-story two-family dwelling on a vacant portion of the subject property currently occupied by a two-story, single-family residential

building 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

(Proposed Continuance to March 14, 2019)

SPEAKERS: Jeremy Schaub – Two-week continuance
Rose Hillson – Support for continuance
ACTION: Continued to March 14, 2019
AYES: Hillis, Koppel, Melgar, Moore, Richards
ABSENT: Johnson

- 1b. 2018-007204VAR (L. AJELLO: (415) 575-9142)
754 35TH AVENUE – east side of 35th Avenue, between Balboa and Cabrillo Streets; Lot 023 of Assessor's Block 1610 (District 1) – Request for a **Variance** from the Planning Code for rear yard setback and dwelling unit exposure requirements, pursuant to Planning Code Sections 134 and 140. The subject property is located within a RH-2 (Residential, House, Two-Family) Zoning District and 40-X Height and Bulk District.
(Proposed Continuance to March 14, 2019)

SPEAKERS: Same as item 1a.
ACTION: Acting ZA Continued to March 14, 2019

7. [2019-000048PCA](#) (A. BUTKUS: (415) 575-9129)
SMALL BUSINESS PERMIT STREAMLINING – **Health Code Amendment** to align regulation of restaurant enclosures for outdoor food service and restroom requirements with state standards; and **Planning Code Amendment** to clarify that a Type 23 liquor license may be used in conjunction with a Bar or Restaurant use, to amend the definition of a Bar to provide for consistent treatment of Type 64 liquor licenses, to modify Nighttime Entertainment use food service requirements, to reduce the distance measured for Retail Sales and Services uses in Neighborhood Commercial zoning districts to any neighborhood commercial district, to reduce the distance measured for nonconforming uses in RH (Residential, House), RM (Residential, Mixed), and RTO (Residential, Transit-Oriented) districts to any neighborhood commercial district, to amend the definition of General Entertainment to include Amusement Game Arcade, to allow as a permitted use an Outdoor Activity Area operated between 6 a.m. to 10 p.m., and to allow Limited Restaurant use as an Accessory Use; amending the Police Code to eliminate certain duplicative inspections and signoffs in connection with Place of Entertainment permits, and amending the definition of Limited Live Performance Locale to remove the requirement for food and beverage service; 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 public necessity, convenience, and welfare findings pursuant to Planning Code, Section 302.

Preliminary Recommendation: Approve

SPEAKERS: None
ACTION: Continued to March 7, 2019
AYES: Hillis, Koppel, Melgar, Moore, Richards
ABSENT: Johnson

B. COMMISSION MATTERS

2. Consideration of Adoption:
 - [Draft Minutes for February 14, 2019](#)

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

3. Commission Comments/Questions

Commissioner Richards:

I guess a couple of things. We have a river of rain that hit us this week. We also have a river of new bills coming out of Sacramento that are going to affect San Francisco. Recently we had AB68, which on my first glance at it, actually affects the rent-controlled portion of ADUs; AB69, AB587 that allows subdivision of ADUs; SB330 which regulates the size and the permitting process on ADUs and other things; then AB1515. So, I just want us to feel like we're being overwhelmed. We don't have any idea what these bills are going to -- how they're going to affect us. I'm really concerned about AB330 and its effect on some of the policies. We have like the flats policy in terms of use size and things and I have met with AnMarie Rogers and asked her to please take a look at especially SB330, but these other ones are also going to be affecting us, especially the one around rent control. So, we want to make people aware of that.

The other thing is two weeks in a row in the Examiner and once in the Chronicle, there was an article by somebody from Labor. And they said, we support absolutely building more housing, however, we're going to need between 200,000 and 400,00 additional workers in this state to construct them. So, you know, we can approve all we want, but if there's nobody to build them, we're going to be in a pickle. So, I just wanted to bring people's attention to that. And then lastly, the most funny thing, two weeks ago I think we were talking about Plan Bay Area 2040 and I made a comment and said, how can we plan so far in advance because we don't know where technology is taking us? The velocity, the changes are so big and the velocity so fast, what we think is going to happen in 5 year – 25 years, we just have no idea. You have to look at transportation network companies, Uber, the sharing economy, all of this stuff. And I said I prognosticated about having a futurist. So, and I was just joking. I said, well we're talking about transit around housing, around transit corridors. We may be flying in cars by then. And lo and behold, yesterday there's an article about flying cars that are being developed. Uber is planning on doing a flying uber car, too. So, I mean, I really want to understand we're planning today based on what we think is going to happen today, but there are a lot of things happening tomorrow where TOD may be moot. Who knows. Thanks.

Commissioner Koppel:

Yeah, earlier today, President Melgar and myself, had the privilege of attending a press conference with Honorable Mayor London Breed to announce the success of the latest directives to increase accessory dwelling unit production. Ourselves, were there along with

the Building Inspection Commissioners, Fire Commissioners and a host of other, you know, groups within city government, but it was just a really good way to actually put this into some context as well, because we were standing in front of six garages that were going to be turned into four units, two studios and two one-bedrooms. And, you know, what you realize when you go and show up to the actual building, is this is so common because it's being done during a soft-story retrofit. And that, you know, the units are on the ground level. So, it's going to be a lot more helpful seniors or handicapped people that are just going to need access issues and its, I think, the clip is you know, we're seeing numbers of over 900 additional units coming through the city's pipeline. And thanks to Planning staff, who has been doing a lot of the legwork with the other departments. And the mayor, mayor's leadership, we're actually getting a lot more housing built.

C. DEPARTMENT MATTERS

4. Director's Announcements

John Rahaim, Planning Director:

Thank you, Jonas. Commissioners, I just wanted to also mention the press conference. And in particular, I wanted to thank two staff people who have been really instrumental for making this happen, Marcelle Boudreaux and Natalia Kwiatkowska. Natalia is now our 24/7 or I guess at least eight or nine hours a day on ADU. She's our ADU person. And one of the very innovative things they developed was this idea of a roundtable where all departments are reviewing the plans at the same time. And that's become a very interesting model. We were able to get through over 900 units that are in the backlog in six months. So maybe less than six months actually. So, I'm really excited about that. we are seeing new applications at the rate of about 500 a year in ADUs and 90% of those are -- will be rent-controlled, because they're being built in rent-controlled buildings. So, it is providing not only more housing supply, but a housing supply that's more affordable than the typical new market rate buildings that are built. So, we're really excited about that and we're looking forward to kind of using this as a model for how we streamline some of our other work. Thank you.

Commissioner Richards:

Exactly what I was going to ask was, would this be a great model to replicate for non-housing production because things tend to take long.

President Melgar:

Through the chair, please, Commissioner. Okay.

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

Aaron Starr:

Land Use Committee

- No Planning Items

Full Board

- 180003 Planning Code - Landmark Designation - 460 Arguello Boulevard (aka Theodore Roosevelt Middle School). Sponsor: HPC. Staff: Ferguson. Passed First Read

- 180005 Planning Code - Landmark Designation - 2728 Bryant Street (aka Sunshine School). Sponsor: HPC. Staff: Ferguson. Passed First Read
- 181045 Planning Code, Zoning Map - 170 Valencia Street. Sponsor: Mandelman. Staff: Butkus. Passed First Read
- 190108 Planning Code - Conversion of Medical Cannabis Dispensary Uses to Cannabis Retail Uses. Sponsor: City Administrator. Staff: Christensen. Passed First Read
- 181247 Hearing - Appeal of Determination of Exemption from Environmental Review - 2831-2833 Pierce Street. Staff: Cisneros and Walker. Continued one week at the request of the district supervisor.

D. GENERAL PUBLIC COMMENT

SPEAKERS: Georgia Schuttish – Occupancy of approval development
Rose Hillson –SB50
Carolyn Kenady –SB50/CASA analysis hearing

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.

6. [2019-000931PCA](#) (K. CONNER: (415) 575-6914)
HOMELESS SHELTERS IN PDR AND SALI DISTRICTS – Ordinance amending the **Administrative Code** and **Planning Code Amendments** to authorize the Departments of Homelessness and Supportive Housing (“HSH”) and Public Works to enter into and amend contracts without requiring competitive bidding for construction work and professional and other services relating to sites and programs for people experiencing homelessness; permitting Homeless Shelters in PDR and SALI districts; authorizing HSH to operate Navigation Centers for more than two years; and affirming the Planning Department’s determination under the California Environmental Quality Act, and making findings of consistency with the City’s General Plan and the eight priority policies of Planning Code, Section 101.1.; and making findings of public convenience, necessity, and welfare under Planning Code, Section 302.

Preliminary Recommendation: Approve

SPEAKERS: = Kate Conner – Staff report
+ Emily Cohen, Mayor’s office –Project presentation
+ Corey Smith – Support
+ Jeff Kositsky, Director of HSH – Response to questions

ACTION: Approved

AYES: Hillis, Koppel, Melgar, Moore, Richards

ABSENT: Johnson

RESOLUTION: 20394

- 9a. [2018-003324CUA](#) (E. JARDINES: (415) 575-9144)
2779 FOLSOM STREET – west side of Folsom Street, between 23rd and 24th Streets; lot 025 of Assessor’s Block 3640 (District 9) - Request for **Conditional Use Authorization**, pursuant to Planning Code Sections 186, 209.1 and 303, to allow for dwelling unit density at a ratio of one unit per 1,500 square feet of lot area and to establish a Community Facility in the RH-2 Zoning District for the project proposing a vertical and horizontal addition to an existing two-story building. The Project would result in a four-story (approximately 40-ft tall) mixed-use building with six dwelling units (approximately 21,734 square feet), of which approximately 4,672 square feet are proposed for a ground floor Community Facility, and six off-street parking spaces within a Residential-House, Two-Family (RH-2) 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

SPEAKERS: = Esmeralda Jardines – Staff report
 + Ryan Patterson – Project presentation
 = Valentino Fazzois– Rear building wall, light and air
 Speaker – Issues and concerns
 + Eric Arguello – Support
 + Ani Rivera – Arts use
 + Vic Ferrer – Support
 + Eric Allenis – Support
 = David Winslow – Response to questions

ACTION: Approved with Conditions as amended:
 1. Setback roof decks five feet from east and west property lines; and
 2. Comply with the Planning Code.

AYES: Hillis, Koppel, Melgar, Richards

NAYS: Moore

ABSENT: Johnson

MOTION: 20395

- 9b. [2018-003324VAR](#) (E. JARDINES: (415) 575-9144)
2779 FOLSOM STREET – west side of Folsom Street, between 23rd and 24th Streets; lot 025 of Assessor’s Block 3640 (District 9) – Request for a **Variance** from the Zoning Administrator to address the Planning Code requirements for rear yard (Section 134), for the proposed project involving a vertical and horizontal addition, which would result in a four-story (approximately 40-ft tall) mixed-use building with six dwelling units (approximately 21,734 square feet), of which approximately 4,672 square feet are proposed for a ground floor Community Facility, and six off-street parking spaces within a Residential-House, Two-Family (RH-2) Zoning District and 40-X Height and Bulk District.

SPEAKERS: Same as item 9a.

ACTION: ZA Closed the PH and indicated an intent to Grant

8. [2009.3461CPW](#) (M. SNYDER: (415) 575-6891)
AREA PLAN IMPLEMENTATION UPDATE AND INTER-DEPARTMENT PLAN IMPLEMENTATION COMMITTEE (IPIC) REPORT – **Informational Presentation** on the activities of the

Department's Plan Implementation Group, including overview progress toward funding infrastructure projects called for in adopted area plans and coordination with CACs. Presentation of 2019 Interdepartmental Plan Implementation Committee (IPIC) Report, which includes capital planning accomplishments and recommendations for each plan area.

Preliminary Recommendation: None – Informational

SPEAKERS: = Mat Snyder – Staff report
= Adam Varat – Response to questions
ACTION: None – Informational

10. [2017-016520CUA](#) (M. CHRISTENSEN: (415) 575-8742)
828 ARKANSAS STREET – west side of Arkansas Street, between 22nd and 23rd Streets; lot 026 of Assessor's Block 4162 (District 10) - Request for **Conditional Use Authorization** pursuant to Planning Code Sections 209.1, 303, and 317, proposing to demolish the existing two-story, 1,727 square foot single-family home and construct a new four-story, 4,868 square foot (39.5 foot tall from grade) residential structure containing two dwelling units within a Residential-House, Two-Family (RH-2) 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
(Continued from Regular hearing on December 13, 2018)

SPEAKERS: = Michael Christensen – Staff report
+ Jody Knight – Project presentation
+ Chris McMahon – Design presentation
= Anamarie Patch – Proposal modification
= William Harris – Matching lightwell
= Rebecca Ronsaville – Light and air
ACTION: Approved with Conditions as amended:
1. Provide a matching lightwell in length; and
2. Provide a roof deck compliant with the Roof Deck Policy.
AYES: Hillis, Koppel, Melgar, Moore, Richards
ABSENT: Johnson
MOTION: 20396

ADJOURNMENT – 3:41 PM
ADOPTED MARCH 14, 2019