

# SAN FRANCISCO PLANNING COMMISSION



## DRAFT – Meeting Minutes

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

**Thursday, April 16, 2015**  
**12:00 p.m.**  
**Regular Meeting**

**COMMISSIONERS PRESENT:** Fong, Wu, Antonini, Hillis, Johnson, Moore, Richards  
**COMMISSIONER ABSENT:** None

**THE MEETING WAS CALLED TO ORDER BY PRESIDENT FONG AT 12:17 p.m.**

**STAFF IN ATTENDANCE:** John Rahaim – Planning Director, Nicholas Foster, Audrey Desmuke, Chelsea Fordham, Elizabeth Watty, Marcelle Boudreaux, Erika Jackson, Andrew Perry, Alexandria Kirby, Eiliesh Tuffy, and Jonas P. Ionin – Commission Secretary

**SPEAKER KEY:**

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

**A. CONSIDERATION OF ITEMS PROPOSED FOR CONTINUANCE**

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

1. 2014.0956E (S. SMITH: (415) 558-6373)  
LITTLE YOSEMITE FISH PASSAGE PROJECT - The project site is located off of Camp Ohlone Road in unincorporated Alameda County, approximately 2.6 miles downstream of the

Alameda Creek Diversion Dam and the Alameda Creek Diversion Tunnel - **Appeal of Preliminary Mitigated Negative Declaration** for: The San Francisco Public Utilities Commission's (SFPUC) Little Yosemite Fish Passage Project. The proposed project would improve upstream passage conditions for adult anadromous steelhead (*Oncorhynchus mykiss*) along a 0.4-mile long reach of Alameda Creek referred to as Little Yosemite. Proposed improvements include constructing concrete weirs shaped like natural boulders or bedrock in three strategically located water features. Project implementation would provide compliance with requirements stipulated by the National Marine Fisheries Service for prior approval of the Calaveras Dam Replacement Project.

Preliminary Recommendation: Uphold Preliminary Mitigated Negative Declaration  
(Continued from Regular Meeting of January 15, 2015)

**(Proposed for Continuance to August 6, 2015)**

SPEAKERS: None  
ACTION: Continued to August 6, 2015  
AYES: Wu, Fong, Antonini, Hillis, Johnson, Moore, Richards

## B. COMMISSION MATTERS

### 2. Consideration of Adoption:

- [Draft Minutes for March 26, 2015](#)
- [Draft Minutes for April 2, 2015 – Rules Committee](#)
- [Draft Minutes for April 2, 2015 – Regular Hearing](#)

SPEAKERS: None  
ACTION: Adopted  
AYES: Wu, Fong, Antonini, Hillis, Johnson, Moore, Richards

### 3. Commission Comments/Questions

- Inquiries/Announcements. Without discussion, at this time Commissioners may make announcements or inquiries of staff regarding various matters of interest to the Commissioner(s).
- Future Meetings/Agendas. At this time, the Commission may discuss and take action to set the date of a Special Meeting and/or determine those items that could be placed on the agenda of the next meeting and other future meetings of the Planning Commission.

#### Commissioner Antonini:

While we were out last week and I did a little reading during the time we were off, the draft DEIR for AAU was not enough for me. So anyway, I read a lot of this interesting book by a countryman of mine Enrico Moretti about the new geography of jobs and basically what's important about this is that it has many applications for us in San Francisco. In fact, he speaks a lot about San Francisco in the book and his thesis is innovative industries have replaced manufacturing as job generators and productivity generators in America in the 21st century. The important part for us is the multiplier effect that these jobs have, not just tech jobs, but innovative jobs, but particularly tech jobs will create five other jobs for every employee in the field as opposed to manufacturing will only produce one and a half jobs. And the reason for this is that particularly tech workers generally high salaries, more discretionary income, but also particularly those who live and work in the same area but

even those who don't, have a much larger need for local services and the typical manufacturing employee and also they cluster together and many of all them have their businesses in the same area as we've see with the Silicon corridor and Market Street in San Francisco where there are many of this type firms present right now, and what that clustering does as we know from the need to have clustering is that it allows retail and allow other services. What was good news of those five jobs only two of them were professional jobs, business professionals, attorneys, accountants, health care professionals, higher income, the other three are generally lower income workers, service workers, the kind of jobs we want to try to create, so he makes the thesis that their not at odds actually, the presence of this tech community actually helps everyone and creates a lot more jobs this is only part of his book. Also, along that same line there was an article in the San Francisco Business Times that talked about company startups moving from Silicon Valley to San Francisco and starting in San Francisco why not in other parts of South Bay. Well, first of all, in many of those places, there isn't available space, there isn't enough available space. Because these companies will quickly need a lot of square footage very quickly, and you know many of the places don't any have available square footage, what they have is a small building, and there is no bigger building for them to occupy if they grow. The other thing is cache, if they're a new company they are in a place, where someone might actually see them, and if they're isolated somewhere in Sunnyvale, particularly in the business park, nobody is going know or see their name, but if they're in a major building in San Francisco they will see them. And the third is, the networking that occurs, much of what Moretti was talking about is that cluster together and you know that's very helpful when you're growing a company you want to be able to go to coffee or have a drink with somebody in from another company and this whole concept that the internet has made the whole world flat and nobody has to be together, is been refuted, because people do still cluster and want to be together. The third thing that I read, and I sent this to the Commissioners, is from The Economist and it says: Space in the City, basically talks about how not being dense is costing us a lot of lost productivity. They proposed the thought that could increase our gross national product by 1 to 2 trillion dollars more by being denser and they talk a lot about San Francisco in this article too, but bring up why are we not so dense? Well, cities originally were designed to be dense places where everything worked together, but they were abused in the 19<sup>th</sup> century. There was pollution, there were no open spaces, there was a very poor quality of life, so, rightly we began to take into account the public good but outgrowth of that was that small groups became empowered to sometimes block major projects or developments that would have benefited the greater city or greater area using the concept that the public good has to be maintained, but often is a group that only represents a very small population in a particular area they may only be there a generation, but they feel that they own the area and everything has to go through them. So that has to be eliminated. We need to have decisions made from the top that benefit the greatest number of the population within a city or an area and number two is the theory of The Economist is that we have to tax the land a little more heavily and it is a little difficult to do that in California, but we can be innovative by Mello-Roos districts or by community benefit districts, where landowners are obliged to put money into transit and infrastructure which benefits, not only them, but also will keep - make the area much more desirable and will allow for new development that'll drive the cost of property down a lit bit if there is more there. Those were three very interesting articles and I believe the Commissioners should have gotten, but we will be getting copies of two them and Moretti's book is still in print and is available.

**Commissioner Richards:**

I don't know about my fellow Commissioners, how they feel about this or not, after reading the AAU DEIR, I kind of thought it might be a good idea, to be able to actually go and see some of the sites that we are going to be dealing with, whether we do them in clusters of Commissioners or a clusters of sites, but I really think that, just seeing a photo or address on a piece of paper, really leaves me a little bit lacking in terms of what I am trying to understand, so I leave that open for anybody else to comment on or whatever, but even if I'm alone, I still would love to do that with the help of the Department.

**C. DEPARTMENT MATTERS****4. [Director's Announcements](#)****Director Rahaim:**

Good afternoon Commissioners, two announcements today, I just passed out a memo – a copy of a memo that we sent to Supervisor Kim related to the follow-up from a hearing that occurred last week on 340 Bryant Street. If you recall, that project – the environmental review was appealed to the Board. The Board did not uphold the appeal, but they were very concerned about issues of how we address pedestrian safety issues in development projects. Supervisor Kim asked us to look at ways of further addressing pedestrian safety issues for development outside of the CEQA process so this memo actually addresses some changes we're going to make within our processes not within CEQA review, but within the actual project review. There are four items that you will see on this list – excuse me five items on this list; one is adding the high injury corridors into the Property Information Map so staff immediately has that information at their fingertips. A second would be to include our assessment of pedestrian conditions in the preliminary project assessment letter so that very early on the project sponsors have that information. Third is to further discuss the street priorities with MTA and their work on Vision Zero and other similar activities. The fourth that did come up in the hearing as well, the estimate for density of office employees, that number has varied over the last several years and so we will be revising that number and, in fact, using a smaller number that's the square foot per employee, we are using an smaller number in our work right now in the Central Soma Plan, and the fifth is looking at possibility of a code change, to address the threshold for when projects are required to provide street improvements. That number is – there's a fairly high threshold now and we think it might be time to revisit that, and require projects of a smaller size to do some street improvements. So, those five changes we would like implement immediately, in our practice on how we review projects. Again, not through necessarily the CEQA process, but through the actual project review, which is frankly a more direct way of dealing with these issues. The second item that I want to mention was, an item that came up, I think two weeks ago, Commissioner Richards mentioned – asked us to follow up and that is the code provision that exists in many parts of the City, including Western Soma, allowing for an extra five feet of height to be applied to the first floor of those mixed use buildings. The intent of that provision, and that has been put it is place in many places across the City. The intent now is to provide an extra five feet of height on the ground floor to provide a more generous ground floor, higher ceilings for retail space and a better proportion of the building along the street. That is the plan we intended that five feet, in fact, in the most part of the City one can only get the extra height, if you do it on the first floor. So, just to be clear that that was the intent I know there has been discussions, about some projects, actually trying to use that to gain another more – to gain another story in

the building there may be many ways to do that, I don't know, but the intent clearly of the code is that five feet be applied to the base of building of the retail level. That concludes my presentation and I am happy to answer any questions.

5. Review of Past Events at the Board of Supervisors, Board of Appeals and Historic Preservation Commission
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## LAND USE COMMITTEE:

4/6/15

- **141266 Off-Street Parking Exceptions. Sponsor: Breed.** This Ordinance provides flexibility in meeting required off-street parking requirements and codifies existing Zoning Administrator procedures for removing or modifying inapplicable parking requirements. The Planning Commission heard this Ordinance on February 26, 2015 and voted unanimously to recommend approval with modifications. The modifications included exempting GFA devoted to off-street parking from development impact fee calculations, changing the term bicycle path to bikeway, further clarifying Zoning Administrator procedures for granting reductions or waivers from off-street parking requirements and exploring an exemption clause for projects in the Van Ness SUD. At the Land Use Committee hearing, the Committee heard a substitute version of the proposed Ordinance that includes the Planning Commission recommendations. With no public comment or any significant comment from the committee members, the Land Use committee voted unanimously to forward the Ordinance with a favorable recommendation to the Full Board.
- **150029 Planning Code - City Housing Balance Monitoring and Reporting. Sponsor: Kim. Staff: Haddadan.** This ordinance requires the Planning Department to monitor the balance between new market rate housing and new affordable housing, and publish a bi-annual Housing Balance Report. This Commission unanimously recommended approval for this Ordinance on March 19th and proposed two modifications: first to modify the dates when the reports will be published, and second to modify requirements for presenting the reports to community organizations. Supervisor Kim incorporated the Planning Commission's recommendations into her proposal. Several members of the public also were present at the hearing and supported the proposed Ordinance including many housing advocacy organizations. The Committee referred the Ordinance to the full Board with a positive recommendation.

4/13/15

- **150315 and 150317 Resolution authorizing the nomination of four new Priority Conservation Areas (Palou Phelps Natural Area, Bayview Hill Natural Area, Green Connections-McLaren Park Pivot, and Crosstown Trail-Connecting Twin Peaks Bio-Region/Glen Canyon) Sponsor: Mar. Staff: Dito.** This resolution authorized the nomination of four new Priority Conservation Areas in the City. A Priority Conservation Area (or PCA) is an area of high ecological value that faces high-risk from surrounding urban development, while largely lacking funding to support its preservation. Designation as a PCA opens up a small amount of funding through a

competitive grant program administered by ABAG. The Planning Department worked in collaboration with the Department of the Environment, Recreation and Parks Department, and various other non-profit agencies to identify San Francisco's Priority Conservation Areas. Ann Buell of the State Coastal Conservancy came out and spoke in favor of adding the San Francisco Bay Water Trail to the list of PCA, which was also supported by Supervisor Cohen. Supervisor Cohen then modified the resolution it to include the San Francisco portion of the Bay Water Trail, and the Committee forwarded the resolution to the BOS with a positive recommendation.

#### **FULL BOARD OF SUPERVISORS:**

**4/7/15**

- **150149 Planning Code - Adopting the Nexus Analysis for Certain Development Fees. Sponsor: Planning Commission. Staff: Dischinger.** This item was approved by the Planning Commission on December 11 of last year and the Land Use Committee reviewed it on March 30 and forward to Full Board with a positive recommendation. At the Full Board it passed its first read.
- **150167 Public Hearing - Appeal of Categorical Exemption from Environmental Review - 53 States Street. Staff: Jones, Navarrete, Poling, Chang.** This project is a demo/new construction project near Corona Heights, and was a subject of a DR before the Planning Commission, where the Commission voted to remove approximately 1,600 sq. ft. of living space from the two proposed units. Discussion at the Board ranged from cumulative impacts to unusual circumstances, whether the Corona Heights interim controls require additional environmental review, the relevance of the State Supreme Court's Berkeley Hillside decision, and the Board's policies for interpreter availability at hearings. Ultimately, the CatEx was upheld and the appeal denied by a vote of 10-0. (Sup. Wiener recused himself due to the proximity of the project site to his home.)
- **150171 Public Hearing - Appeal of Community Plan Exemption from Environmental Review - 340 Bryant Street. Staff: Jones, Jain, Uchida, Jackson.** This was an appeal of a Community Plan Exemption for a change of use from a PDR use to an office use in the East SoMa Plan Area. The subject building is located on an irregularly-shaped site on the north side of Bryant Street between Rincon Street and the eastbound Interstate 80 on-ramp. The elevated Harrison Street off-ramp also adjoins the project site on three sides. Pedestrian access to the building is currently provided via unmarked crosswalks that do not favor pedestrian crossings. The appellant's letter stated that these site-specific features would result in significant pedestrian-related transportation hazard impacts that were not analyzed in the Eastern Neighborhoods Rezoning and the Area Plans Final Environmental Impact Report, and that the number of new employees that would be housed in the building was underestimated in the Community Plan Exemption. The staff presentation included citations to the Eastern Neighborhoods EIR that described higher traffic speeds on streets leading to freeway ramps (including Bryant Street), lack of pedestrian amenities, crosswalks at freeway ramp turn lanes that are inhospitable to pedestrians, and the potential for new development to increase conflicts between vehicles and pedestrians. Staff concluded that office development at the 340 Bryant Street site was covered by the Eastern Neighborhoods EIR as it was among the parcels rezoned to allow more

intensive office uses. Staff stated that, even if the actual number of employees were double the figure reported in the CPE as the appellant stated, the number of employees would still be within the density assumed in the Eastern Neighborhoods EIR. Staff therefore concluded that the proposed project would not result in new significant environmental impacts that were not analyzed in the Eastern Neighborhoods EIR, and that the project is appropriately exempt from further environmental review.

Questions and comments from Supervisor Kim focused on how Eastern Neighborhoods fees are used to pay for pedestrian improvements, a desire to develop a coordinated interdepartmental way to implement Vision Zero goals for smaller projects like 340 Bryant that typically do not require streetscape plans, and the timing of updates to the Planning Department's methods for calculating new employees based on office square footage. Supervisor Kim also pointed out that the project sponsor has reached an agreement with neighbors, separate from the Planning process, to install a signalized crosswalk across Bryant Street to provide better pedestrian access to the project site. Staff responded that the department's Transportation Guidelines are expected to be revised within a year due to recent CEQA changes such as SB 743, and will include updated employment calculations. Staff will also provide a memo outlining steps to better incorporate Vision Zero goals into smaller change of use projects. Several members of the public spoke in favor of the appeal, and several members (including neighbors and former occupants of the project site) spoke against the appeal, with some indicating specific support for the improvements that the project sponsor has agreed to implement. Supervisor Kim then made a motion to reject the appeal and uphold the CPE, which was passed unanimously by the full Board (11-0).

#### 4/14/15

- **150149 Planning Code - Adopting Nexus Analysis for Certain Development Fees. Sponsor: Planning Commission. Staff: Dischinger.** Passed its Second Read
- **141266 Off-Street Parking Exceptions. Sponsor: Breed. Staff: D. Sanchez.** Passed its First Read
- **150029 Planning Code - City Housing Balance Monitoring and Reporting. Sponsor: Kim. Staff: Haddadan.** Passed its First Read

#### INTRODUCTIONS:

##### April 7

- **150348 Planning Code - Applying Inclusionary Housing Requirements to Group Housing. Sponsors: Avalos, Kim.**

##### April 14

- **150365 Planning, Administrative Codes - Construction of Accessory Dwelling Units. Sponsor: Wiener.** Ordinance amending the Planning Code to allow construction of Accessory Dwelling Units in the 24th Street - Noe Valley Neighborhood Commercial District or within 1,750 feet of its boundaries, and on lots in the Glen Park Neighborhood Commercial Transit District and lots zoned NC-S within Board of Supervisors District 8.
- **150363 Administrative Code - Short-Term Residential Rentals. Sponsor: Mayor Lee, Farrell**

- **150295 Administrative Code - Short-Term Residential Rentals. Sponsor: Campos, Mar, Avalos**
- **141298 Building Administrative, Planning, and Policy Codes - Noise Regulations Relating to Residential Uses Near Places of Entertainment. Sponsor: Breed, Wiener.** Revised Ordinance includes the Commission recommended modifications.

#### **BOARD OF APPEALS:**

The Board of Appeals did meet last night and also last week, just a few items from that hearing. First, last week was the first hearing for Commissioner Rick Swig, so we welcomed him to the Board of Appeals. They also heard an appeal of 340 Bryant Street, this was an office allocation, a small cap allocation, that this Commission had approved and as you noted there was also an appeal of the environmental review that was heard last week by the Board of Supervisors. For the Board of Appeals, they denied the appeal and unanimously upheld this Commission's decision on the office allocation. There was also an appeal of a building permit for 437 Duncan. This had been before you on a discretionary review where you took off the top floor of the building. This appeal was by a neighbor across the street and a couple doors down who had concerns about the relative affordability of the new construction and also some design concerns as well. In that case the board unanimously denied the appeal and the permit was granted with the conditions that this Commission had imposed. Finally, 1049 Market Street, this is somewhat of a complicated project, but that permit has been issued to remove illegal units in this building and we had suspended that because of some concerns about the accuracy of the permit itself. We ultimately released the suspension and that was appealed to the Board of Appeals by the tenants in the building who would have been displaced by the permit. The Board heard this item last week and granted the appeal and so the suspension remains in place for that. We had actually recommended that course of action as well because of the new interim controls that the Board and the Mayor have adopted that would require a CU for this type of project and we believe that's an appropriate decision. The Board expressed concerns about the accuracy of the permit itself. Last night, just one item of interest was 3828 Cesar Chavez, which has been before you, again kind of a complicated history, but the permit has been issued in error without notice. We brought it before you as a discretionary review, to try to cure that notice issue; this Commission denied the permit, so we have gone through the revocation proceedings. We initiated the revocation proceedings and last night was an appeal of our revocation request to get that permit overturned and the Board – the vote was split 2-2, so there was no affirmative action by the Board, but that decision or lack of decision, the revocation request stands, so now DBI will begin the proceed the revocation process. I am available for any questions.

#### **HISTORIC PRESERVATION COMMISSION:**

Good afternoon Commissioners, Tim Frye, Department staff, here to share with you a few items from yesterday's Historic Preservation Commission Hearing. The first thing I want to mention was the Swedish-American Hall and Rube Goldberg – the Rube Goldberg Building proposed designations will be at the Land Use Committee on Monday and the Department will be representing the HPC's unanimously recommendation, in support of those landmark designations at that time. Also, Supervisor Breed and Wiener are also in support of those proposed landmark designations. Yesterday, the Commission started with a meeting of the Culture Heritage Advisory Committee. The speaker at this committee meeting was SF Travel. SF Travel talked about how it promotes San Francisco as a cultural



destination and in particular talked about its increasing outreach and development of creating more information about neighborhood-centric businesses and the HPC after the presentation noted the clear link between their work and the proposed legacy business registry that will go into effect this fall. So the HPC, at this time instructed staff to continue it work with the Office of Small Business and SF Travel on ways to help integrate SF Travel into the legacy business registry and we're continue to report back to the HPC on those efforts. And then just to remind you, the Cultural Heritage Assets Committee will formulate some recommendations for the city, this summer on how to more productively reach out in terms of protecting cultural heritage assets in San Francisco, particularly those intangibles that may not fall within traditional landmark designation regulation. The full Commission then met and had several items on its calendar; one was an approval of a Certificate of Appropriateness to insert a garage in the Alamo Square Landmark District at 88 Fulton Street. There was a slightly controversial project at 3751 20th Street in the Liberty Hill Landmark District. This was for a three-story addition at the rear of the property and the insertion of a three-car garage. The Commission heard this item earlier this year and asked the project sponsor to redesign the overall massing of the rear addition, siting concerns about an adjacent rear cottage and the overall visibility of the addition in relationship to the district. The project sponsor did redesign and sculpt the massing; however, there is a number of adjacent property owners are unhappy with the results of the project. The HPC reminded the members of the public of their purview, in terms of determining compliance with the Secretary of Interior Standards; they feel the proposed addition is now in compliance with the standards and unanimously approved the project. The project still requires 311 notifications, and a rear yard variance issued by the Zoning Administrator. The Commission also unanimously approved 901 Tennessee. This is for a new four-story 44 dwelling units structure within the Dogpatch Landmark District, project still requires a large project authorization by this Commission, which I believe is coming on May 7th to you for approval. The Commission complimented the project sponsor on the overall design of the project, which takes cues from not only the historic residential properties within the district by also those historic industrial properties within the district. There was some discussion about window patterns and exterior clouding materials, but overall the Commission approved the project per staff's recommendation. The Commission then also heard a request by a member of the public to begin the landmark designation process on 235 Valencia Street, this is the former Hap Jones Motorcycle Dealership. Member of the public di provide extensive materials on the significance of Hap Jones and his contributions to motorcycle culture within San Francisco and nationwide. The Commission felt while the information is very interesting, it could benefit from some additional research before they consider adding the property to the landmark designation work program and they instructed the member of the public to continue to work with staff in providing that information. And finally, the Commission reviewed -- the Department gave an update on the landmark designation program and they decided not to move or prioritize any items on that program, and we continue to process the designations in the original order they instructed. That concludes my presentation, unless you have any questions.

6. [2014.00951](#) (N. FOSTER: (415) 575-9167)  
MULTIPLE PROPERTIES OWNED OR LEASED BY THE HEALTHRIGHT 360 LOCATED IN THE CITY AND COUNTY OF SAN FRANCISCO - Notification by the Zoning Administrator of the filing of an **Institutional Master Plan** (IMP) for the HealthRIGHT 360. Pursuant to Planning Code Section 304.5, the Planning Commission must hold a public hearing upon receiving a

current IMP. This public hearing is for receipt of public testimony only. Receipt of this IMP does not constitute approval or disapproval of any proposed projects contained in the IMP by the Planning Commission. The IMP contains information on the nature and history of the institution, the location and use of affiliated buildings, and institutions' development plans. The IMP is available for viewing on the Planning Department's website at: <http://www.sfplanning.org>, click on "Resource Center", then "Department Publications A-Z", then scroll to "I" for Institutional Master Plans. The IMP is also available for public viewing at the Planning Department's Public Information Center located at 1660 Mission Street, 1<sup>st</sup> Floor, and at the Department's reception area located at 1650 Mission Street, 4<sup>th</sup> Floor.

Preliminary Recommendation: None - Informational

SPEAKERS: + Vika Eissen – Project presentation  
ACTION: Reviewed and Commented

7. (A. DESMUKE: (415) 575-9136)

[2014 HOUSING INVENTORY](#) - ANNOUNCING THE PUBLICATION OF THE 2014 HOUSING INVENTORY - This report is the 45<sup>th</sup> in the series and describes San Francisco's housing supply. Housing Inventory data accounts for new housing construction, demolitions, and alterations in a consistent format for analysis of housing production trends. Net housing unit gains are reported citywide, by zoning classification, and by planning district. Other areas covered include affordable housing production, condominium conversions, and changes to the residential hotel stock. In addition, lists of major housing projects completed and approved for construction in 2014 are provided. A list of affordable housing projects in the pipeline (projects in various stages of review or pre-construction planning) is included to provide a picture of likely housing construction activity in the near future. Report is available for the public at the Planning Department and on the website.

Preliminary Recommendation: None - Informational

SPEAKERS: = Paul Wermer – Contextual data, affordable and middle income housing  
= Peter Cohen – Residential versus loss of housing units, short-term rentals  
= Calvin Welch – Data not measured – Short-term rental conversions. Collection of data  
= Sue Hestor – Critical report, but not enough  
= Hiroshi Fukuda – Workforce housing data  
= Sophie Hayward, MOH – Response to questions  
ACTION: Reviewed and Commented

**D. GENERAL PUBLIC COMMENT – 15 MINUTES**

At this time, members of the public may address the Commission on items of interest to the public that are within the subject matter jurisdiction of the Commission except agenda items. With respect to agenda items, your opportunity to address the Commission will be afforded when the item is reached in the meeting. Each member of the public may address the Commission for up to three minutes.

SPEAKERS: Jim Meko – Intent of the code provisions with respect of the extra 5'

## 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.

8. [2008.0586E](#) (C. FORDHAM: (415) 575-9071)  
**ACADEMY OF ART UNIVERSITY PROJECT - Public Hearing on the Draft Environmental Impact Report** - Academy of Art University (AAU) is a private postsecondary academic institution that occupies buildings throughout the City (predominantly in the northeast quadrant). AAU plans on expanding its facilities and programs to accommodate a projected on-site student enrollment of approximately 17,282 students and 3,511 faculty and staff by 2020, resulting in a total increase of approximately 6,100 students and 1,220 faculty and staff. The Proposed Project consists of four general components: study area growth, project site growth, legalization of prior unauthorized changes, and shuttle service expansion. Study area growth consists of approximately 110,000 net square feet (sf) of additional residential uses (to house approximately 400 students, equivalent to about 220 rooms) and 669,670 sf of additional institutional space in 12 geographic areas (study areas) where AAU could occupy buildings to accommodate future growth. The study areas generally include the following areas: Study Area 1 (SA-1), Lombard Street/Divisadero Street; SA-2, Lombard Street/Van Ness Avenue; SA-3, Mid Van Ness Avenue; SA-4, Sutter Street/Mason Street; SA-5, Mid-Market Street; SA-6, Fourth Street/Howard Street; SA-7, Rincon Hill East; SA-8, Third Street/Bryant Street; SA-9, Second Street/Brannan Street; SA-10, Fifth Street/Brannan Street; SA-11, Sixth Street/Folsom Street; and SA-12, Ninth Street/Folsom Street. Project site growth consists of six additional sites that have been occupied, identified, or otherwise changed by AAU since publication of the September 2010 Notice of Preparation (NOP) for this EIR. The six project sites would include a total of 411,070 sf of institutional, bus storage, and recreational uses. The project sites include the following addresses: 2801 Leavenworth Street (The Cannery) (Assessor's Block/Lot: 0010/001); 700 Montgomery Street (Assessor's Block/Lot:0196/028); 625 Polk Street (Assessor's Block/Lot:0742/002); 150 Hayes Street (Assessor's Block/Lot:0811/022); 121 Wisconsin Street (Assessor's Block/Lot:3953/004); and 2225 Jerrold Avenue (Assessor's Block/Lot:5286A/020). The Proposed Project also includes extension of AAU's shuttle service to serve growth in the study areas and at the project sites. The Proposed Project also includes legalization of changes in use and/or appearance undertaken without benefit of permits prior to issuance of the NOP at 28 of AAU's 34 existing sites. The Proposed Project includes the occupation and use of existing buildings, as well as construction activities that would be limited to interior tenant improvements, exterior modifications such as signage, window replacements, and security system installation, and in limited circumstances, seismic upgrades. The six project sites and 28 of the existing sites would be subject to project approvals such as conditional use authorizations, building permits, text amendments to the Planning Code, and historic review for signage.

**NOTE: Written comments will be accepted at the Planning Department until 5:00 p.m. on April 27, 2015.**

Preliminary Recommendation: Review and Comment

**SPEAKERS:** Ron Miguel – Lisa Stephens, scofflaw EIR deficiencies  
Tom Jones – Move forward in order to take action

Paul Wermer – Adequacy of EIR  
 Christopher Martin-Cannary – potential historic resources  
 John Elberling – Student body impacts need to be evaluated  
 Hiroshi Fukuda – CSFN Resolution, negative impacts  
 Marlene Morgan – Will submit  
 (M) Speaker – 2550 Van Ness, AAU infractions  
 John Holden – Disproportionate effect on artists, housing affordability, ethnic cleansing  
 Stella Adelman – AAU growth displacement of artists  
 Joseph Sider – AAU impacts  
 J.R. Epplar – 121 Wisconsin Street bus storage  
 Ian Lewis – Demand on housing, selective enforcement  
 Mari Eliza – Alternative mitigation measures  
 Tony Aviola-Mecca – Preserve current rental stock  
 Jake McGoldrick – Housing rents  
 Angelica Combadwe – AAU growth without comprehensive understanding of its impact  
 Gen Fujido – Tragedy and an irony an art institution is placing artists  
 Peter Cohen – Low and moderate income housing. Viable alternatives evaluated in EIR  
 Jim Meko – Study Area 12  
 Sue Hestor – Move forward and don't wait, schedule the IMP  
 Jane Edwards – St. Brigid's Church  
 Roshell O'Donnell – AAU working with St. Brigid's School  
 ACTION: Reviewed and Commented  
 RECUSED: Antonini

- 9a. [2012.0678EIKUVX](#) (E. WATTY: (415) 558-6620)  
19-25 MASON STREET (AKA 2-16 TURK STREET) - northwest corner of Mason and Turk Streets; Lots 002, 005, 006 in Assessor's Block 0340 - Request for **Determination of Compliance** pursuant to Planning Code Section 309, with exceptions to the requirements for "Rear Yard" (Section 134), "Reduction of Ground-Level Wind Currents in C-3 Districts" (Section 148), and "Off-Street Freight Loading" (Section 152.1). The proposed project would remove an existing surface parking lot and construct a new, 12-story-over-basement, 114,118 gsf, mixed-use building, with 155 dwelling units, 68 off-street parking spaces, and approximately 2,825 sf of ground-floor retail space. The project site is located within the C-3-G (Downtown General) Zoning District and 120-X Height and Bulk District. This action constitutes the Approval Action for the project for the purposes of CEQA, pursuant to Section 31.04(h) of the San Francisco Administrative Code.  
 Preliminary Recommendation: Approve with Conditions

SPEAKERS: + John Kevlin – Project presentation  
 + Alex Asley – Design presentation  
 + Michael Nolte – Project sponsor outreach, public safety  
 ACTION: Approved with Conditions  
 AYES: Wu, Fong, Antonini, Hillis, Johnson, Moore, Richards  
 MOTION: 19353

- 9b. [2012.0678EIKUVX](#) (E. WATTY: (415) 558-6620)  
19-25 MASON STREET (AKA 2-16 TURK STREET) - northwest corner of Mason and Turk Streets; Lots 002, 005, 006 in Assessor's Block 0340 - Request for a **Variance**, pursuant to Planning Code Section 140, for dwelling unit exposure for 63 of the 155 units. The proposed project would remove an existing surface parking lot and construct a new, 12-story-over-basement, 114,118 gsf, mixed-use building, with 155 dwelling units, 68 off-street parking spaces, and approximately 2,825 sf of ground-floor retail space. The project site is located within the C-3-G (Downtown General) Zoning District and 120-X Height and Bulk District.

SPEAKERS: Same as Item 9a.

ACTION: After hearing and Closing Public Comment; ZA indicated an intent to Grant

10. [2013.0483C](#) (M. BOUDREAUX: (415) 575-9140)  
44 WEST PORTAL AVENUE - cross streets Ulloa and Vicente Streets; Lot 005 in Assessor's Block 2931 - Request for **Conditional Use Authorization** pursuant to Planning Code Sections 303, 303.1, and 703.4 to allow establishment of a Formula Retail use (d.b.a. Quickly) at a permitted Limited Restaurant use, which is already operating in the space. This request seeks to abate Planning Enforcement case 12398 to legalize the use. Modified signage is proposed. No other work is planned. The site is within the West Portal Avenue NCD (Neighborhood Commercial) Zoning District, and 26-X Height and Bulk District. This action constitutes the Approval Action for the project for the purposes of CEQA, pursuant to Section 31.04(h) of the San Francisco Administrative Code.  
 Preliminary Recommendation: Approve with Conditions

SPEAKERS: + Gorman – Project presentation

ACTION: Approved with Conditions

AYES: Wu, Hillis, Johnson, Moore, Richards

NAYES: Antonini

ABSENT: Fong

MOTION: 19354

11. [2014.1328C](#) (E. JACKSON: (415) 558-6363)  
1218 SOUTH VAN NESS AVENUE - west side between 23<sup>rd</sup> and 24<sup>th</sup> Streets; Lot 067 in Assessor's Block 3642 - Request for **Conditional Use Authorization**, pursuant to Planning Code Sections 209.4 and 303, to establish a new private elementary school and child-care facility (d.b.a. SF Tikes Academy) for up to 100 students within an RTO-M (Residential Transit Oriented – Mission 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: Approve with Conditions

SPEAKERS: + Harvey Hacker – Project presentation

+ Christine Iskevich – Rounder presentation

+ Jacob Wong – Child development administration

ACTION: Approved with Conditions

AYES: Wu, Fong, Antonini, Hillis, Johnson, Moore, Richards

MOTION: 19355

## 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.

- 12a. [2014.1418DRPV](#) (A. KIRBY: (415) 575-9133)  
330 2<sup>ND</sup> AVENUE - east side between Clement Street and Geary Boulevard; Lots 062 - 064 in Assessor's Block 1433 - Request for **Discretionary Review** of Building Permit Application No. 2014.04.30.4584, proposing to reconfigure the existing exterior staircase from the third story to the fourth story at the rear of the four-story, 4-unit building located within a RM-1 (Residential – Mixed, Low Density) District, 40-X Height and Bulk District. This action constitutes the Approval Action for the project for the purposes of CEQA, pursuant to Section 31.04(h) of the San Francisco Administrative Code.  
 Staff Analysis: Abbreviated Discretionary Review  
 Preliminary Recommendation: Do Not Take Discretionary Review and Approve
- SPEAKERS: - Henry Lowe – DR presentation  
 + Amber – Project presentation
- ACTION: No DR Approved as proposed
- AYES: Wu, Fong, Antonini, Hillis, Johnson, Moore, Richards
- DRA No: 0414
- 12b. [2014.1418DRPV](#) (A. KIRBY: (415) 575-9133)  
330 2<sup>ND</sup> AVENUE - east side between Clement Street and Geary Boulevard; Lots 062 - 064 in Assessor's Block 1433 - Request for a **Rear Yard Variance**, pursuant to Planning Code Section 134 to reconfigure the existing exterior staircase from the third story to the fourth story at the rear of the four-story, 4-unit building located within a RM-1 (Residential – Mixed, Low Density) District, 40-X Height and Bulk District.
- SPEAKERS: Same as Item 12b.
- ACTION: After hearing and Closing Public Comment; ZA indicated an intent to Grant
- 13a. [2014.0727DRPV](#) (A. PERRY: (415) 575-9017)  
3643-3645 19<sup>TH</sup> STREET - south side of 19<sup>th</sup> Street between Oakwood and Guerrero Streets; Lot 069 in Assessor's Block 3598 – Request for **Discretionary Review** of Building Permit Application 2013.06.18.9882 proposing to convert a two-story, two-unit building into a four-story, three-unit building that is located partially within the required rear yard, within a RH-3 (Residential House, Three-Family), 40-X Height and Bulk District. This action constitutes the Approval Action for the project for the purposes of CEQA, pursuant to Section 31.04(h) of the San Francisco Administrative Code.  
 Preliminary Recommendation: Do Not Take DR and Approve  
**WITHDRAWN**

- 13b. [2014.0727DRPV](#) (A. PERRY: (415) 575-9017)  
 3643-3645 19<sup>TH</sup> STREET - south side of 19<sup>th</sup> Street between Oakwood and Guerrero Streets; Lot 069 in Assessor's Block 3598 - Request for **Variance** from Planning Code Section 134 for the construction of a building addition located in the required rear yard. The project is located within a RH-3 (Residential House, Three-Family), 40-X Height and Bulk District.  
**WITHDRAWN**

14. [2014.1253DDRP](#) (E. TUFFY: (415) 575-9191)  
 276 HARTFORD STREET - west side of Hartford Street between 19<sup>th</sup> and 20<sup>th</sup> Streets; Lot 021 in Assessor's Block 6505 - **Mandatory Discretionary Review**, pursuant to Planning Code Section 317, to legalize the present single-family use as part of a residential expansion proposal. The proposal includes rehabilitation of the building interior, raising the existing front gable roof structure 1 foot in height, and increasing the overall building depth through a three-story rear horizontal addition. The existing structure is two-stories over a crawlspace, originally built as a two-family dwelling, located within a RH-3 (Residential, Home, Three-Family) Zoning District and 40-X Height and Bulk District. This action constitutes the Approval Action for the project for purposes of CEQA, pursuant to Section 31.04(h) of the San Francisco Administrative Code.  
 Preliminary Recommendation: Take Discretionary Review and Disapprove  
 (Continued from Regular Meeting of March 5, 2015)

**SPEAKERS:**

- Ryan Patterson – DR presentation
- Leslie ANDolin – DR filer presentation
- Jonathan Kaplan – Opposition, precedence
- Pat Buskovich – Density research, affordable housing
- Barbara Lagano – Oppostion
- + Steve Williams – Project presentation
- + Samantha Campbell – Sponsor presentation

**ACTION:** After a motion to Continued failed +3 -5 (Johnson, Moore, Richards, Wu, Fong against); Took DR and denied the DUM noting that the Sponsor may return within 12 mos for a 2-unit building project

**AYES:** Wu, Fong, Hillis, Johnson, Moore, Richards

**NAYES:** Antonini

**DRA No:** 0415

## G. PUBLIC COMMENT

At this time, members of the public may address the Commission on items of interest to the public that are within the subject matter jurisdiction of the Commission except agenda items. With respect to agenda items, your opportunity to address the Commission will be afforded when the item is reached in the meeting with one exception. When the agenda item has already been reviewed in a public hearing at which members of the public were allowed to testify and the Commission has closed the public hearing, your opportunity to address the Commission must be exercised during the Public Comment portion of the Calendar. Each member of the public may address the Commission for up to three minutes.

The Brown Act forbids a commission from taking action or discussing any item not appearing on the posted agenda, including those items raised at public comment. In response to public comment, the commission is limited to:

- (1) responding to statements made or questions posed by members of the public; or
- (2) requesting staff to report back on a matter at a subsequent meeting; or
- (3) directing staff to place the item on a future agenda. (Government Code Section 54954.2(a))

ADJOURNMENT - 6:32 P.M.