

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, March 10, 2016
12:00 p.m.
Regular Meeting

COMMISSIONERS PRESENT: Fong, Richards, Antonini, Hillis, Moore
ABSENT: Wu

THE MEETING WAS CALLED TO ORDER BY PRESIDENT FONG AT 12:15 P.M.

STAFF IN ATTENDANCE: John Rahaim – Planning Director, Esmeralda Jardines, Diana Sokolove, Jonathan DiSalvo, Ella Samonsky, Diego Sanchez, Chris Townes, Elizabeth Gordon-Jonckheer, Wayne Farrens, Sharon Young, Shawn Mendrin, Colin Clarke, 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. 2014-002961CUA (D.VU: (415) 575-9120)
1699 MARKET STREET - south side between Octavia and Gough Streets; Lot 030 in Assessor's Block 3504 - Request for **Conditional Use Authorization** of a Planned Unit

Development pursuant to Planning Code Sections 303 and 304 to demolish an existing 22,150 square foot commercial building and construct an approximately 199,562 square foot, nine-story 85-foot tall building consisting of up to 162 dwelling units, approximately 4,500 square feet of commercial space, and up to 97 off-street parking spaces in a basement level garage. The project is also requesting an exception to the off-street parking requirements, pursuant to Planning Code Section 304. The subject property is located within a Neighborhood Commercial Transit, Moderate Scale (NCT-3) District and 85-X Height and Bulk District. This notice also meets Section 312 requirements for public notification. This action constitutes the Approval Action for the project for the purposes of CEQA, pursuant to San Francisco Administrative Code Section 31.04(h).

(Proposed for Continuance to March 24, 2016)

SPEAKERS: None
 ACTION: Continued to March 24, 2016
 AYES: Fong, Richards, Antonini, Hillis, Moore
 ABSENT: Johnson, Wu

2. 2015-005788CUA (W. FARRENS: (415) 575-9172)
372 7TH AVENUE - east side between Geary Boulevard and Clement Street; Lot 023 in Assessor's Block 1438 - Request for **Conditional Use Authorization** pursuant to Planning Code Sections 303 and 712.54 to legalize a Massage Establishment use that is operating as accessory to an existing Medical Service use (dba "Tian Yun Clinic"), within a NC-3 (Neighborhood Commercial, Moderate Scale) 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).
(Proposed for Indefinite Continuance)

SPEAKERS: None
 ACTION: Continued Indefinitely
 AYES: Fong, Richards, Antonini, Hillis, Johnson, Moore
 ABSENT: Johnson, Wu

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

3. 2015-012168CND (E. JARDINES: (415) 575-9144)
158-162 LINDA STREET – west side of Linda Street between 19th and 20th Streets; Lot 049 of Assessor's Block 3597 - Request for **Condominium Conversion Subdivision** to convert a three-story over garage, six-unit building into residential condominiums within a RTO-M (Residential Transit Oriented - Mission) Zoning District and 45-X Height and Bulk District. The project was determined not to be a project under CEQA Guidelines Sections 15060(c) and 15378 because there is no direct or indirect physical change in the environment.
Preliminary Recommendation: Approve

SPEAKERS: None
 ACTION: Approved
 AYES: Fong, Richards, Antonini, Hillis, Moore
 ABSENT: Johnson, Wu
 MOTION: 19585

4. [2015-012375CND](#) (J. DISALVO: (415) 575-9182)
427-431 14TH STREET - south side of 14th Street between Guerrero & Valencia Streets; Lot 029 of Assessor's Block 3546 - Request for **Condominium Conversion Subdivision** to convert a three-story, four-unit building (front building) and a one-story, one-unit building (rear building) into residential condominiums within a RTO-M (Residential Transit Oriented - Mission) Zoning District and 45-X Height and Bulk District. The project was determined not to be a project under CEQA Guidelines Sections 15060(c) and 15378 because there is no direct or indirect physical change in the environment.
Preliminary Recommendation: Approve

SPEAKERS: None
 ACTION: Approved
 AYES: Fong, Richards, Antonini, Hillis, Moore
 ABSENT: Johnson, Wu
 MOTION: 19586

C. COMMISSION MATTERS

5. Consideration of Adoption:
- [Draft Minutes for February 25, 2016](#)

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

6. 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:

A couple of things in the news, sorry to see what appears that the legislator had cut back on funding for a mass transit project that would affect us in San Francisco and the entire Bay Area, and that is unfortunate, we need more of a realization of the importance of mass transit, not just for those who live in the middle of dense urban areas, but for the entire state and the entire country, because much of the business and decisions are made in dense urban areas, and affect people even if they don't necessarily live there. The good news is, I think, I read in the Business Times today, there is a possible bid on Parcel H,

which is the final parcel for Transbay and that could generate large amount of revenue, that is badly needed towards the Transbay Terminal and other projects, so hopefully that will in fact come to pass, it is very interesting development site that joins the Transbay Terminal.

Commissioner Richards:

A couple things, first, I was able to attend a panel discussion on gentrification and displacement that we heard about last week. It was hosted by the Mayor's Office of Housing and Community Development. It was a really interesting session. We had three panelists and they were, excuse me, I have it here somewhere, Miriam Zsuk from the Institute for Research on Labor Employment, UC Berkeley. She did, her and Karen Chapel, did the displacement study and Antonio Diaz from PODER, People Organizing to Demand Environmental and Economic Rights, and Gordon Chin, who many of you probably know was the founder of CCDC, Chinatown Community Development Center, really interesting panel discussion. The paper is going to be released, or has been released. I suggest you go to their website on Berkeley. There were two neighborhoods in San Francisco that were highlighted, one was Chinatown and the other one was the Mission in terms of displacement, an interesting read. From the summary, from the nine county Bay Area, a couple of things to note, that the displacement crisis is not yet half over, according to the scholars, but there still is half of neighbors in the nine county Bay Area they are quite stable, but just becoming poorer and displacement stand far beyond gentrifying neighborhoods, but actually extends to the affluent neighborhoods as well. Lastly, I think the most important take away, and I think, speaking to the Director, when we talked about the Mission Interim Controls, they actually list a strategy on anti-displacement that it goes far beyond just zoning. It includes preservation strategists of homes, tenant protections, asset building and local economic development, affordable housing production, taxing, and additional land use controls, so it is a real comprehensive look how you can approach this displacement situation. One other thing, probably two or three weeks back, many of you might have heard it or read that there was a woman in Burlingame who have lived in her existing cottage for 66 years, since 1950, she was 97, and she got a 30 days eviction notice, and there was a big brouhaha nationally and internationally and when I read that, I thought, wow, the stress in this person must be incredible, she has not where to go, and she is 97 years old. It was a great disappointment, yesterday, I read that she passed away, so I am not saying that the eviction caused her death, but she died of some type of flu or a cold that probably is the result of a lower immune system because of stress. I'm making a stress there, but I do think that displacement does affect people psyche and does affect their health in ways that are not yet all understood.

Commissioner Moore:

Thank you for bringing that up. Some people would refer to it as root stress, which has been attributed to the kinds of symptoms you are describing. On another note, 1567 Polk, President Fong and myself met with staff to look at further façade development for the Polk Street side of a project, which was approved by the Commission with the caveat that the staff and the developer was asked participating in the discussion, would work on the façade. It was a constructive discussion. There will be one more follow-up. I feel we are on the right track and appreciate staff very actively engaging in the discussion.

D. DEPARTMENT MATTERS

7. Director's Announcements

Director Rahaim:

Good afternoon, Commissioners, I have no report this week other than to say we should all stay dry this week.

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

FULL BOARD:

- **151004 Planning Code - Projecting Signs in the Fillmore Street Neighborhood Commercial Transit District.** Sponsor: Breed. Staff: Starr. PASSED Second Read

- **160026 Planning Code, Zoning Map - Rezoning Noe Valley Town Square.** Sponsor: Wiener. Staff: Burns. PASSED Second Read

- **160115 Planning, Building Codes - Conditional Use Required to Remove Any Residential Unit; Mandatory Legalization of Illegal Units; Permeable Surfaces and Landscaping Requirements.** Sponsor: Avalos. Staff: Haddadan.

Also up for its second read was Supervisor Avalos's Ordinance that would require conditional use authorization for the removal of both authorized and unauthorized dwelling units. Last week Supervisor Tang voted against the ordinance, this week voted for the ordinance. Staff did have a briefing with her this past Friday, where we were able to answer her outstanding questions and address some of her concerns. This ordinance PASSED Second Read on a 10 to 1 vote with Supervisor Yee dissenting.

- **151084 Planning Code - Upper Market Street Neighborhood Commercial Transit District; Second Floor Bars.** Sponsor: Wiener. Staff: Mohan, Starr. Passed First Read

INTRODUCTIONS:

- none

BOARD OF APPEALS:

No Report

HISTORIC PRESERVATION COMMISSION:

No Report

E. 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.

None

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.

9. (D. SOKOLOVE: (415) 575-9046)

SAN FRANCISCO SEA LEVEL RISE ACTION PLAN - **Informational presentation** on San Francisco Sea Level Rise Action Plan (SLR Action Plan). The SLR Action Plan is a product of the Mayor's Sea Level Rise Coordinating Committee, co-chaired by Gil Kelley (Planning) and Fuad Sweiss (Public Works). The SLR Action Plan gives San Francisco a clear path forward to further understand and address the threat of sea level rise and what it means for our waterfront, economy, residents, and visitors. It, along with the Executive Directive, provides direction to our City departments to be flexible and adaptive as they continue to plan for sea level rise along San Francisco's coastal shoreline and waterfront.

Preliminary Recommendation: None – Informational

SPEAKERS: = Gil Kelly – Staff Introduction
 = Diana Sokolove – Staff presentation
 + Patrick Otellini – Accelerating existing efforts
 + Brad Benson – Sea level rise response to questions

ACTION: None – Informational

10. [2015-018261PCA](#) (D. SANCHEZ: (415) 575-9082)

PERMITTING ACCESSORY MESSAGE USES WITH CONDITIONAL USE PERMIT IN THE NORTH OF MARKET RESIDENTIAL SPECIAL USE DISTRICT [BOARD FILE NO. 151280] - **Planning Code Amendment** introduced by Supervisor Kim to permit accessory message uses, with a Conditional Use permit, in the North Market Residential Special Use District; affirming the Planning Department's determination under the California Environmental Quality Act; and making findings of consistency with the General Plan, Planning Code Section 302 and the eight priority policies of Planning Code Section 101.1.

Preliminary Recommendation: Adopt a Recommendation for Approval

SPEAKERS: = Diego Sanchez – Staff presentation
 + Bobby Lopez – Aide to Supervisor Kim – Introduction to the proposed legislation
 + Randy Shaw – Examples of these businesses
 + Caroline Smith – Space improvements

ACTION: Adopted a Recommendation for Approval

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

ABSENT: Wu

RESOLUTION: 19587

11. [2015-018387CUA](#) (E. SAMONSKY: (415) 575-9112)

461 VALENCIA STREET - located on the east side of Valencia Street, between Sparrow Street and 16th Street; Lot 019 Assessor's Block 3554 - Request for **Conditional Use Authorization** pursuant to Planning Code Sections 145.4(e) and 303 to permit a change of use of a 3,153 square foot vacant commercial space (previously occupied by an art gallery) to a Business and Professional Service use, doing business as Keller Williams Realty, at the ground floor of the subject property. The project also includes interior and exterior tenant

improvements. The subject property is located in the Valencia Street Neighborhood Commercial Transit (NCT) Zoning District 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
(Continued from Regular Meeting of March 3, 2016)

SPEAKERS: = Ella Samonsky – Staff presentation
+ LeAndre Davis – Project presentation
- Jefferson McArly – Replacing real retail with real estate/financial institution
- Jason McArther – Not zoned for office
- Katherine Vausacker – No clear plan for the space

ACTION: After hearing and closing public comment; Continued to June 16, 2016

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

ABSENT: Wu

12. [2015-000332CUA](#) (C. TOWNES: (415) 575-9195)
1531-1581 HOWARD STREET - east side of Howard Street between 11th and 12th Streets; Lots 056 & 064 in Assessor's Block 3516 - Request for a **Conditional Use Authorization**, pursuant to Planning Code Sections 157.1, 303, and 844.71 to establish 4-level vehicle stacker storage for 132 parking spaces within an enclosed lot, including the construction of a one-story car wash and three architectural metal vehicle screening structures up to 32'-7" tall along Howard Street. The 55,818 sf site is currently occupied by an auto repair facility (Royal Motors). The subject properties are located within the WMUG (Western SoMa Mixed Use-General) Zoning District, Western SoMa Special Use District, and 55-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: = Chris Townes – Staff presentation
+ John Kevlin – Project presentation
+ Mitch Kittler – Owner comments

ACTION: Approved with Conditions as Amended to include: the user must maintain the site, specifically: landscaping and graffiti free

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

ABSENT: Wu

MOTION: 19588

13. [2013.0253ENX](#) (S. MENDRIN: (415) 575-9178)
655 FOLSOM STREET - located on the south side of Folsom Street between 3rd and Hawthorne Streets, Lot 050 in Assessor's Block 3570 - Request for **Large Project Authorization**, pursuant to Planning Code Section 329, for the demolition of the existing building and parking lot and the construction of a fourteen-story mixed use building (measuring approximately 75,164 gross square feet) measuring 130-ft from existing grade to the roof (with an elevator and stair penthouse) with approximately 2,300 square feet of commercial space and 89 dwelling units, 36 off-street parking spaces in a basement level, one car-share parking spaces, 89 Class 1 bicycle parking spaces, and 6 Class 2 bicycle parking spaces. The project includes private and common open space, as well as a

publically-accessible open space located on Hawthorne Street via an extension of the sidewalk and associated landscaping. Under the Large Project Authorization, the project is seeking exceptions including: 1) rear yard (Planning Code Section 134); 2) dwelling unit exposure (Planning Code Section 140); 3) ground floor ceiling height (Planning Code Section 145.1); and 4) off-street parking (Planning Code Section 151.1). The subject property is located within the MUR (Mixed Use Residential) Zoning District, and 130-G 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: = Shawn Mendrin – Staff presentation
 + C.J. Higgle – Project presentation
 + (M) Speaker – Design presentation
 + Rudy Corpuz – Housing for people in the community
 + Rob Poole – Support
 + Austin – Support

ACTION: Approved with Conditions
 AYES: Fong, Richards, Antonini, Hillis, Moore
 NAYES: Johnson
 ABSENT: Wu
 MOTION: 19589

- 14a. [2013.0431CV](#) (E. JONCKHEER: (415) 575-8728)
750-754 14TH STREET - northwest corner of 14th and Belcher Streets, Lot 025 in Assessor's Block 3537 - Request for **Conditional Use Authorization** pursuant to Planning Code Sections 207.6, 209.4 and 303, to: (1) add seven dwelling units to an existing ten-unit building exceeding the principally permitted dwelling unit density, and (2) provide less than the required 40 percent two-bedroom or greater unit mix for the proposed new units, within the RTO (Residential, Transit Oriented Development) Zoning District and 40-X Height and Bulk District and within the Market and Octavia Area Plan. 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: Approve with Conditions

SPEAKERS: = Elizabeth Gordon-Jonckheer – Staff presentation
 + Todd Menter – Project presentation
 + Heidi Leibes – Design presentation
 + Golden Gate Church Pastor - Support

ACTION: After hearing and closing public comment; Continued to June 16, 2016
 AYES: Fong, Richards, Antonini, Hillis, Moore
 NAYES: Johnson
 ABSENT: Wu

- 14b. [2013.0431CV](#) (E. JONCKHEER: (415) 575-8728)
750-754 14TH STREET - northwest corner of 14th and Belcher Streets, Lot 025 in Assessor's Block 3537 - Request for a **Variance** pursuant to Planning Code Sections: 134, to allow for an exterior stairway in the required rear yard, 135, to provide for approximately 590 square feet of common usable open space where 931 square feet is required, and 140, for dwelling unit exposure for ground floor units #5 and #6 where the existing chapel stage

overhang extends 5 feet above the dwelling unit windows into a required rear yard area less than 25 feet in depth. The project site is located within the RTO (Residential, Transit Oriented Development) Zoning District and 40-X Height and Bulk District and within the Market and Octavia Area Plan.

SPEAKERS: Same as Item 14a.

ACTION: After hearing and closing public comment; ZA continued to June 16, 2016

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.

- 15a. [2015-006356DRMVAR](#) (W. FARRENS: (415) 575-9172)
336 PIERCE STREET - east side between Oak and Page Streets, Lot 020 in Assessor's Block 0844 - **Mandatory Discretionary Review** of Building Permit Application No. 2015.09.09.6439 to legalize work done beyond the scope of approved Building Permit No. 2012.11.14.4171 that is tantamount to demolition per Planning Code Section 317, 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 purposes of CEQA, pursuant to Section 31.04(h) of the San Francisco Administrative Code.
Preliminary Recommendation: Do Not Take Discretionary Review and Approve

SPEAKERS: = Wayne Farrens – Staff presentation
 + Bob Neelke – Project presentation
 + Ahmand Amivaza – Project presentation
 - David Schnoor – Not a demo and replace in-kind, but an expansion
 - Lauren – Opposed
 - David Lyle – Loss of rear yard open space
 - Katy Hostel – Opposed
 - Amol Mahajan – Opposed
 + Berns Vadami - Support

ACTION: After hearing and closing public comment; Continued to March 24, 2016

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

ABSENT: Wu

- 15b. [2015-006356DRMVAR](#) (W. FARRENS: (415) 575-9172)
336 PIERCE STREET - east side between Oak and Page Streets, Lot 020 in Assessor's Block 0844 - Request for a **Variance** pursuant to Planning Code Section 134 to allow reconstruction of a two-story garage with one dwelling unit located in the required rear yard. The project site is located within a RM-1 (Residential, Mixed, Low Density) Zoning District and 40-X Height and Bulk District.

SPEAKERS: None

ACTION: After hearing and closing public comment; ZA continued to March 24, 2016

16. [2014-000352DRP](#) (S. YOUNG: (415) 558-6346)
2231 FRANCISCO STREET – south side between Divisadero and Scott Streets; Lots 051-052 in Assessor’s Block 0929 –Request for **Discretionary Review** of Building Permit Application No. 2014.05.05.4871 to remove the existing one-story rear extension and in its place, construct a two-story horizontal addition at the rear of a three-story, two-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 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
WITHDRAWN
17. [2014-003127DRP](#) (C. CLARKE: (415) 575-9184)
155-157 29TH STREET - south side, between Dolores Street & San Jose Avenue, Lot 025 in Assessor’s Block 6634; Request for **Discretionary Review** of Building Permit Application No. 2014.1205.3112 proposing construction of a two-story rear horizontal addition, with roof deck above, and a vertical addition of a third story with roof deck above an existing two-story (over garage) two-family dwelling within a RH-3 (Residential House, Three-Family) Zoning District and 40-X Height and Bulk District. The project also includes infill of two lightwells at the ground floor and adding a roof deck at the front of the third story, as well as façade and interior alterations. This action constitutes the Approval Action for the project for the purposes of CEQA, pursuant to San Francisco Administrative Code Section [31.04\(h\)](#).
Staff Analysis: Abbreviated Discretionary Review
Preliminary Recommendation: Do Not Take Discretionary Review and Approve
WITHDRAWN

H. 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 - 4:45 P.M.