

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, December 15, 2016
10:00 a.m.
Regular Meeting

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

THE MEETING WAS CALLED TO ORDER BY PRESIDENT FONG AT 10:11 A.M.

STAFF IN ATTENDANCE: John Rahaim - Planning Director , Elizabeth Gordon-Johnckeer, Rich Sucre, Chelsea Fordham, Tina Chang, Erica Jackson, Jonas P. Ionin - Commission Secretary

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.

None

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

470 WEST PORTAL AVENUE - west side of West Portal Avenue between 15th Avenue and Sloat Boulevard, near the intersection of Portola Drive, Sloat Boulevard, and West Portal Avenue; Lots 008 and 009 in Assessor's Block 2484 and Lot 001 in Assessor's Block 2540 (District 7) – Request for **Conditional Use Authorization** for a Planned Unit Development (PUD) pursuant to Planning Code Sections 132, 134, 155.2, 209.1, 303 and 304, to allow a two-phase expansion of the San Francisco Waldorf School that would provide additional on-site facilities for academic and recreational uses while also modifying the current parking lot configuration and access to the main school entrance. Phase 1 proposes the construction of a new multi-purpose gymnasium along West Portal Avenue, and Phase 2 proposes an addition beneath the footprint of the existing building at the northwest portion of the site and a ground floor level lobby connection between the gymnasium and the existing building. The proposed project would be designed to accommodate a potential increase in the school's enrollment by 90 for a total enrollment of up to a maximum of 240 students. The project seeks expansion of the secondary school (an institutional use) in a RH-1(D) District, and modifications from the Planning Code's front setback, rear yard and Class-1 bicycle parking space requirements via the CUA/PUD process. The project sponsor is seeking a ten-year authorization timeline. The project site is within a RH-1(D) (Residential, House Districts, One-Family, Detached) 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 Meeting of December 1, 2016)

SPEAKERS: None
 ACTION: Approved with Conditions
 AYES: Fong, Johnson, Koppel, Melgar
 ABSENT: Hillis, Moore, Richards
 MOTION: 19820

C. COMMISSION MATTERS

2. Consideration of Adoption:
- [Draft Minutes for December 1, 2016](#)

SPEAKERS: None
 ACTION: Approved with Conditions
 AYES: Fong, Johnson, Koppel, Melgar
 ABSENT: Hillis, 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.

None

D. DEPARTMENT MATTERS

4. Director's Announcements

None

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

LAND USE COMMITTEE:

- **161283 Extending Interim Zoning Controls - Medical Cannabis Dispensaries in Irving, Judah, Noriega and Taraval Neighborhood Commercial Districts.** Sponsor: Tang. Staff: Starr.

At this week's Land Use hearing, the Committee considered extending the interim zoning controls that require CU authorization for MCDs in the Outer Sunset Neighborhood Commercial Districts. Commissioners, you may remember that these interim controls were originally adopted over 18 months ago. This resolution would extend these controls for an additional 6 months. These controls are anticipated to become permanent with the Article 7 reorganization. At the hearing Supervisor Tang introduced the item. There were several questions from the Committee members about how these controls would impact pending Adult Use cannabis controls that the Planning Department along with other City agencies is in the early stage of developing. To be clear, these controls only apply to Medical Cannabis Dispensaries and do not address Adult Use cannabis controls. While the controls for MCDs may change as a result of the work on Adult Use cannabis, the effort right now is focused on ensuring that the City has a regulatory framework in place by the time cannabis can be sold and grown for adult use in California on January 1, 2018. The Committee ultimately voted that the item be forwarded to the Full Board with a positive recommendation.

- **1610674 Planning Code, Zoning Map - Mission and 9th Street Special Use District.** Sponsors: Kim; Peskin. Staff: Rodgers/Chang.

Also at land use was the proposed Mission and 9th Street SUD, sponsored by Supervisor Kim. Commissioners, you may recall that this ordinance was already heard at the Land Use Committee and sent to the Board with a positive recommendation. The item was referred back to the Land Use committee so that the Planning Commission's recommended change, which adds an additional 3.5% to the inclusionary housing requirement, could be added to the ordinance. Supervisor Kim had previously thought that the Commission's recommendation was included in the ordinance and upon learning that it wasn't, requested the item be sent back to the Land Use Committee. The ordinance was amended with the Commission's recommended modifications and the Committee then forwarded the item to the Full Board with a positive recommendation. With this amendment the SUD will have a 25% inclusionary rate, with the additional 3.5% going towards households making 150% of the AMI.

- **140877 Planning Code - Downtown Support Special Use District; Fees in Lieu of On-Site Open Space.** Sponsor: Kim. Staff: Rodgers.

Next on the agenda was Supervisor Kim's ordinance that would allow the InterContinental Hotel to pay Fees in Lieu of On-Site Open Space. Commissioners, you heard this item on November 17 and voted to recommend approval. At the land use committee, Supervisor Cohen raised concerns that the hotel was still not currently complying with the POPOS requirement and actively advertising the space for rental on its web site. Supervisor Kim stated that she was unaware of this was asked Planning Staff about the enforcement efforts around this issue. Staff responded that the hotel still has an open enforcement case against it, but that the Department has not been assessing penalties since they were actively working to come into compliance. The Committee members also questioned the hotel representatives about the current state of the open space; not finding a satisfactory answer from the Hotel representatives, Supervisor Kim asked that the Committee continue the item until the new year so that Planning Staff could provide the committee more details about the open enforcement case and so that the Hotel could get back to the committee about how the space is being used now.

- **161066 Planning Code - Waiving Fees and Exempting Requirements, Authorizing Land Dedication or Construction of Off-Site Units, Establishing 180 Jones Street Affordable Housing Fund, Accepting a \$2,000,000 Gift, Authorizing Payment - 950-974 Market Street.** Sponsor: Kim. Staff: Rodgers/Asbagh.
- **161249 Conveyance of Real Property - 180 Jones Street - Mayor's Office of Housing and Community Development - \$1.** Sponsor: Kim. Staff: Rodgers/Asbagh.

Next, the Committee then continued the two ordinances that would dedicate land in lieu of affordable housing for the project at 950 Market Street to the New Year. These are sponsored by Supervisor Kim.

- **161068 Planning Code - Terrace Infill for Noncomplying Structure Designated as a Significant Building in C-3 Zoning District.** Sponsor: Peskin. Staff: Starr. Item 9

Finally, the Committee considered an ordinance, sponsored by Supervisor Peskin that would amend the Planning Code to permit Terrace Infills on noncomplying structures that are designated as a Significant Buildings under Article 11, and located in a C-3 Zoning District. If you recall this ordinance was specifically targeted for The Clift Hotel.

This commission heard this item on December 8 and recommended approval with modifications. The modifications included:

1. Delete one of the finding proposed in the ordinance which was redundant.
2. Restrict the proposed change only to the block that contains the Clift Hotel; and
3. Place a two-year time limit on the proposed Planning Code change.

At the hearing, Supervisor Peskin read the three amendments requested by the Planning Commission and asked that they be included into the ordinance. The Committee then voted to recommend the item to the Full Board with a positive recommendation.

FULL BOARD:

- **161095 Planning Code, Zoning Map - 1493-1497 Potrero Avenue.** Sponsor: Planning Commission. Staff: Starr. PASSED Second Read
- **161184 General Plan Amendment - Downtown Area Plan Map 5.** Sponsor: Kim. Staff: Chang. PASSED Second Read
- **161285 Real Property Acquisition - Sidewalks Along Portions of Van Ness Avenue and South Van Ness Avenue.** Sponsor: Mayor. Staff: Rodgers. PASSED Second Read
- **161157 Planning Code - Inclusionary Housing Small Sites Program.** Sponsor: Mayor; Campos. Staff: D. Sanchez. Passed First Read
- **161146 Hearing - Appeal of Determination of Exemption From Environmental Review - Proposed Project at 2675 Folsom Street.** Staff: Gibson. Continued to January 10, 2017
- **161150 Hearing - Appeal of Conditional Use Authorization - Proposed Project at 2675 Folsom Street.** Staff: Rodgers. Continued to January 10, 2017
- **161278 Hearing - Appeal of Categorical Exemption from Environmental Review - 3516-3526 Folsom Street.** Staff: Gibson. Continued to January 10, 2017
- **161067 Planning Code, Zoning Map - Mission and 9th Street Special Use District.** Sponsors: Kim; Peskin. Staff: Rodgers/Chang. Passed First Read
- **161283 Extending Interim Zoning Controls - Medical Cannabis Dispensaries in Irving, Judah, Noriega and Taraval Neighborhood Commercial Districts.** Sponsor: Tang. Staff: Starr. Adopted

INTRODUCTIONS:

- **161342 Promoting Safety and Minimizing Displacement of Unauthorized Live/Work Spaces and Entertainment Venues.** Sponsor: Avalos. Staff: Not Staffed
Resolution finding that unauthorized live/work spaces and entertainment venues are valuable and irreplaceable components of the City's housing stock and artistic communities; and urging various City departments to address safety issues in these unauthorized spaces, develop a legalization process that minimizes displacement, and identify resources to help property owners fund safety improvements and legalization.
- **BF TBD Planning Code – Inclusionary Affordable Housing Fee and Requirements.** Sponsor: Peskin. Staff: Dischinger
Ordinance amending the Planning Code to revise the amount of the Inclusionary Affordable Housing Fee and the On-Site and Off-Site Affordable Housing Alternatives and other Inclusionary Housing requirements.

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.

SPEAKERS: Georgia Schuttish – Section 317, DR's

Tantamount to Demolition:

Section 317 need to be strengthened, not abolished. The original intent of this Planning Code Section was to allow for alteration permits not demolitions. The line has been pushed, stretched and crossed by developers. The affordability and the relative affordability of all of our Residential Neighborhoods is at risk without stronger and clearer calculations. Consideration should be given to qualitative definitions as well as quantitative ones.

Residential Design Guidelines:

a. Consistent Rooflines from the street façade to the rear façade.

b. Setbacks on the Rear

c. Guidelines for use of Rear Yards

d. Horizontal vs. Vertical Expansions/Street vs. Rear Yard

e. Application of Guidelines to the uniqueness of the site

f. Decrease in Glazing

g. More rigorous application of the current Guidelines to current and ongoing projects

Monthly Hearings for only Discretionary Review Requests and CUA for RH zoned project.

Should we have Cooperative Apartments rather than Condos to help solve the Housing Crisis?

Tom Borden – SNRAMP EIR

Dupa Abose – SNRAMP EIR

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.

6. [2014-000362ENV](#) (C. FORDHAM: (415) 575-9071)
1500 MISSION STREET PROJECT - north side of Mission Street between South Van Ness Avenue to the west and 11th Street to the east; Lots 002,003 in Assessor's Block 3506 - Public Hearing on the **Draft Environmental Impact Report**. The proposed project would include the demolition an existing 29,000-square-foot, 30-foot-tall building at 1580 Mission Street and retention and rehabilitation a portion of an existing 57,000-square-foot, 28-foot-tall building at 1500 Mission Street and demolition of the remaining portions on the project site, and construction of a mixed-use development with two components. The

residential/retail component would consist of an approximately 767,200-square-foot, 416-foot-tall (to the top of the parapet) residential and retail/restaurant building at the corner of South Van Ness Avenue and Mission Street that would contain up to 560 dwelling units and 38,000 square feet of retail space. The office component would include an approximately 567,300-square-foot, 257-foot-tall (to the top of the parapet) office, permit center, and childcare building for the City and County of San Francisco ("City") on 11th Street between Market and Mission Streets. The proposed project would include a two-level, below-grade basement level parking garage for up to 420 parking spaces. The project site is located in the Downtown General Commercial (C-3-G) Zoning District and 120/320-R-2, 85/250-R-2, 85-X Height and Bulk Districts.

Written comments will be accepted at the Planning Department until 5:00 p.m. on January 4, 2017.

Preliminary Recommendation: Review and Comment

SPEAKERS: = Chelsea Fordham – Staff Report
ACTION: Reviewed and Commented

- 7a. [2014-000362GPA](#) (T. CHANG: (415) 575-9197)
INTENT TO INITIATE GENERAL PLAN AMENDMENTS RELATED TO PLANNING CODE TEXT AND ZONING MAP AMENDMENTS TO FACILITATE THE CREATION OF THE 1500 MISSION STREET SPECIAL USE DISTRICT - Located on the north side of Mission Street, east of Van Ness Avenue and west of 11th Street, Lots 006 and 007 in Assessor's Block 3506 (District 6) – Consideration of a Resolution of **Intent to Initiate** Amendments to the General Plan pursuant to Planning Code Section 340 to amend Map 3 (Height Districts) of the Market and Octavia Area Plan and Map 5 (Height and Bulk Districts) of the Downtown Area Plan. The amendment would reflect the proposed heights and bulks associated with the project within the proposed 1500 Mission Street Special Use District.

Preliminary Recommendation: Initiate

SPEAKERS: = Tina Chang - Staff Report
= Sue Hestor – Transportation impacts
ACTION: Adopted a Motion to Initiate and Scheduled a Hearing on or after March 16, 2017
AYES: Fong, Richards, Johnson, Koppel, Melgar, Moore
ABSENT: Hillis
MOTION: 19821

- 7b. [2014-000362PCAMAP](#) (T. CHANG: (415) 575-9197)
INTENT TO INITIATE PLANNING CODE TEXT AND ZONING MAP AMENDMENTS RELATED TO THE CREATION OF THE 1500 MISSION STREET SPECIAL USE DISTRICT - Located on the north side of Mission Street, east of Van Ness Avenue and west of 11th Street, Lots 006 and 007 in Assessor's Block 3506 (District 6) – Consideration of a Resolution of **Intent to Initiate** an Amendment to the Planning Code Text and Zoning Map pursuant to Planning Code Section 302 to 1.) amend Maps HT07 (Height & Bulk Districts) and SU07 (Special Use Districts); 2.) create Section 249.XX to establish the 1500 Mission Street Special Use District, and 3.) amend Section 270 for an associated height and bulk reclassification.

Preliminary Recommendation: Initiate

SPEAKERS: Same as Item 7a.

ACTION: Adopted a Motion to Initiate and Scheduled a Hearing on or after March 16, 2017
 AYES: Fong, Richards, Johnson, Koppel, Melgar, Moore
 ABSENT: Hillis
 MOTION: 19822

8. [2015-006857CUA](#) (E. JACKSON: (415) 575-6383)
4529 18TH STREET - south side of 18th Street, between Douglass and Clover Streets, Lot 40 in Assessor's Block 2691 (District 8) - Request for **Conditional Use Authorization** to reactivate a discontinued limited commercial use per Planning Code Sections 186(g) and 303 within a RH-2 (Residential House, Two Units) District and 40-X Height and Bulk District. The limited commercial use was terminated in 1965. The Proposed Project also includes a three-story vertical addition on top of the existing single-story structure containing a single-family unit and the proposed commercial space, which is currently occupied by an interior designer showroom/office. 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 September 15, 2016)

SPEAKERS: = Erika Jackson – Staff Report
 + Lokelain Devose – Condition glazing with p__ glass
 ACTION: Approved with Conditions
 AYES: Fong, Richards, Johnson, Koppel, Melgar, Moore
 ABSENT: Hillis
 MOTION: 19823

9. [2014.1434ENX](#) (R. SUCRE: (415) 575-9108)
950 TENNESSEE STREET - located on the west side of Tennessee Streets, Lot 001B in Assessor's Block 4107 (District 10) - Request for **Large Project Authorization (LPA)**, pursuant to Planning Code Sections 329, to demolish the existing two-story industrial building and construct a new four-story-with-basement (40-feet tall) residential building (measuring approximately 99,075 sq ft) with 103 dwelling units, 86 off-street parking spaces, and 100 Class 1 bicycle parking spaces. The project incorporates a publically-accessible mid-block passage. Under the LPA, the project is requesting exceptions to the requirements for rear yard (Planning Code Section 134), dwelling unit exposure (Planning Code Section 140), and off-street parking (Planning Code Section 151.1). The project site is located within the Dogpatch Landmark District, UMU (Urban Mixed-Use) 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 Section 31.04(h) of the San Francisco Administrative Code.
Preliminary Recommendation: Approve with Conditions

SPEAKERS: = Rich Sucre – Staff Report
 + Juan Carlos Wallace – Project presentation
 + Glen Rescalvo – Design presentation
 ACTION: Approved with Conditions
 AYES: Fong, Richards, Hillis, Johnson, Koppel, Melgar, Moore
 MOTION: 19824

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))

SPEAKERS: Sue Hestor – Rescind votes

ADJOURNMENT – 11:16 A.M.