

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, January 26, 2017
12:00 p.m.
Regular Meeting

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

THE MEETING WAS CALLED TO ORDER BY PRESIDENT FONG AT 12:10 P.M.

STAFF IN ATTENDANCE: John Rahaim – Planning Director, Esmeralda Jardines, Michael Jacinto, Rachel Schuett, Marcelle Boudreaux, Christopher May, Rich Sucre, Todd Kennedy, Colin Clarke, Jeffrey Speirs, 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.

- 1a. 2014.0011X (D. VU: (415) 575-9120)
1298 HOWARD STREET - northeast corner of 9th and Howard Streets – Lots 019, 024, 025, 086 & 087 in Assessor's Block 3728 - Request for **Large Project Authorization**, pursuant to

Planning Code Section 329 and 823 including exceptions from the rear yard, usable open space and dwelling unit exposure requirements pursuant to Planning Code Sections 134, 135 and 140, respectively, for the proposed construction of a 45- to 55-ft. tall, five-story mixed-use development consisting of two buildings totaling 139,516 square feet that include 124 dwelling units, approximately 13,850 sq. ft. of ground floor commercial space, 9,050 sq. ft. of common and public open space partially through a 30-ft. wide mid-block alley and a 30,395 sq. ft. basement for 71 automobile and 188 Class 1 bicycle parking spaces. The subject properties are located in the Regional Commercial (RCD), WSoMa Mixed Use-General (WMUG) and Residential Enclave-Mixed (RED-MX) Districts and 45-X and 55-X Height and Bulk Districts. 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: Pending

(Continued from Regular Hearing of December 1, 2016)

(Proposed for Continuance to March 2, 2017)

SPEAKERS: None
 ACTION: Continued to March 2, 2017
 AYES: Hillis, Fong, Johnson, Koppel, Melgar, Moore
 ABSENT: Richards

- 1b. 2014.0011C (D. VU: (415) 575-9120)
1298 HOWARD STREET - northeast corner of 9th and Howard Streets – Lots 019, 024, 025, 086 & 087 in Assessor's Block 3728 - Request for **Conditional Use Authorization** of a **Planned Unit Development**, pursuant to Planning Code Sections 121.1, 121.2, 121.7, 202.5, 303 and 304 for the conversion of an automobile service station, demolition of all existing structures, merger of lots and the construction of a 45- to 55-ft. tall, five-story mixed-use development consisting of two buildings totaling 139,516 sq. ft. that include 124 dwelling units, approximately 13,850 sq. ft. of ground floor commercial space, 9,050 sq. ft. of common and public open space partially through a 30-ft. wide mid-block alley and a 30,395 sq. ft. basement for 71 automobile and 188 Class 1 bicycle parking spaces. The Project is also requesting modifications from the rear yard, usable open space and dwelling unit exposure requirements pursuant to Planning Code Sections 134, 135 and 140, respectively. The subject properties are located in the Regional Commercial (RCD), WSoMa Mixed Use-General (WMUG) and Residential Enclave-Mixed (RED-MX) Districts and 45-X and 55-X Height and Bulk Districts.

Preliminary Recommendation: Pending

(Continued from Regular Hearing of December 1, 2016)

(Proposed for Continuance to March 2, 2017)

SPEAKERS: None
 ACTION: Continued to March 2, 2017
 AYES: Hillis, Fong, Johnson, Koppel, Melgar, Moore
 ABSENT: Richards

2. 2015-013617CUA (B. BENDIX: (415) 575-9114)
471 24TH AVENUE - located on the west side of 24th Avenue between Clement Street and Geary Boulevard, Lot 013 in Assessor's Block 1456 (District 1) - Request for **Conditional Use Authorization**, pursuant to Planning Code Sections 303 and 317 to demolish a two-story

single family dwelling through a major alteration within a RM-1 (Residential, Mixed, Low Density) Zoning District and 40-X Height and Bulk District. The project will construct horizontal additions at the front and rear of the existing structure, construct a two-story vertical addition, renovate the front façade and establish two addition dwelling units. The resulting 40-foot tall building will contain three dwelling units. 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

(Continued from Regular hearing of October 6, 2016)

(Proposed for Continuance to March 23, 2017)

SPEAKERS: None

ACTION: Continued to March 23, 2017

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

ABSENT: Richards

3. 2015-007042DRP (B. BENDIX: (415) 575-9114)
463 32ND AVENUE - west side between Geary Boulevard and Clement Street; Lot 006 in Assessor's Block 1464 (District 1) - Request for **Discretionary Review** of Building Permit Application No. 2015.06.02.7757 proposing the establishment of a second dwelling unit and vertical and rear horizontal additions to a two-story over garage, single-family house within a RH-2 (Residential, House, Two-Family) 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.

Staff Analysis: Abbreviated Discretionary Review

Preliminary Recommendation: Do Not Take Discretionary Review and Approve as Amended

(Continued from Regular Hearing of November 10, 2016)

WITHDRAWN

4. 2015-001073DRP (C. TOWNES: (415) 575-9195)
44 AZTEC STREET- south side of Aztec Street, between Coso Avenue and Shotwell Street; Lot 015 in Assessor's Block 5521 (District 9) - Request for **Discretionary Review (DR)** of building permit application Nos. 2015.0624.9730 and 2015.0624.9736, proposing to demolish an existing single family residence and construct a four-story, 38-foot tall, single family residence with two off-street parking spaces within a RH-1 (Residential House, One-Family) Zoning District, Bernal Heights Special Use District and 40-X Height and Bulk District. This action constitutes the Approval Action for the project for the purposes of CEQA, pursuant to San Francisco Administrative Code Section 31.04(h).

WITHDRAWN

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

5. [2016-006613CUA](#)

(E. JARDINES: (415) 575-9144)

1245 ALABAMA STREET – located on the east side of Alabama Street between 24th and 25th Streets; Lot 027 and in Assessor’s Block 4269 (District 9) – Request for **Conditional Use Authorization**, pursuant to Planning Code Sections 209.1, 303 and 317, to allow the expansion of a child-care facility (DBA Mission Neighborhood Centers) and allow the change of use and residential conversion from the vacant St. Peter’s Convent (group housing) to a community facility (DBA Mission Neighborhood Centers) on the second floor of an existing two-story building. The subject property is within a RH-2 (Residential House-Two Family) Zoning District and 40-X Height and Bulk District. This action constitutes the Approval Action for the project for purposes of CEQA, pursuant to Section 31.04(h) of the San Francisco Administrative Code.

Preliminary Recommendation: Approve with Conditions
(Continued from Regular Hearing of January 5, 2017)

SPEAKERS: None
ACTION: Approved with Conditions
AYES: Hillis, Fong, Johnson, Koppel, Melgar, Moore
ABSENT: Richards
MOTION: 19841

C. COMMISSION MATTERS

6. Consideration of Adoption:

- [Draft Minutes for January 12, 2017](#)

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

7. 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 Moore:

I'd like to ask the question to get an update, on where we are with permit tracking, a joint effort between Planning and DBI. Planning was on track, but since this Commission has supported allocation of funds over the years I kind of feel that I'm waiting for it to happen and I was trying to find the permit, obviously I couldn't and I think that system would be really more coordinated, it will be very easy to get questions to answers that are just not there at the moment.

Director Rahaim:

Commissioners John Rahaim, with the Department, the Department -- the Planning Department went live, I think on October of 2014 and there have been delays on the Department of Building Inspection side. We expect them to – is not total clear at this point,

but it likely be another year before they go live. The third component was of course, a public access component, and that really relies on both departments being online. Although, I will say we are looking at options of having some aspects of the public access component before that timeframe. So, I don't know – I don't have a good answer for that component, yet, but we -- it does appear to be another year before both departments will be live.

Commissioner Moore:

Could I ask a follow up question, obviously when you integrate systems, your was created with the understanding of the perimeters of the software and software interface, and I understand that there was a breakdown in, I don't want to be too technical, however; does that mean the planning Department retroactively has to invest more money in making this work to make the joint interface?

Director Rahaim:

I don't believe so. There might be a modest amount of resources needs to merge the two systems when they go live, but I don't think that we will have to retroactively make any changes going forward.

Commissioner Moore:

Because your system works quite well, I use it frequently and I hope that we're not losing anything given that we've made a joint, significant investment in supporting your system.

Director Rahaim:

Okay. Thank you.

Commissioner Richards:

A little levity here, tomorrow I am going to New Zealand, so, you won't be seeing me next Thursday, however, if I continue to see what I see, every morning in the New York Times, about what is going on in Washington, you may not see me anymore. I'm staying.

D. DEPARTMENT MATTERS

8. Director's Announcements

Director Rahaim:

Commissioners, I just wanted to review a memo that was in your packet today, with you, to on the implementation update on Proposition 64, which is the Adult Use of Marijuana. After we realized this is information that is relate to a couple of items on your agenda today. But, I just want to go over a high-level what the situation is, with how we're implementing Prop 64. As you recall, it passed last November but the basis of Prop 64 was that before any business may engage in the sale of adult use cannabis, they must obtain a license and those licenses will not be issued by the State until January of next year, and it doesn't take away -- Prop 64 does not take away any control from the local jurisdiction to regulate at the local level. We anticipate that we will have regulations before you in September of this year, so that we can have them in place when licenses are issued in January. The most, I think, pertinent aspect of all this is whether or not, as you've asked us to look into, whether or not if we anticipate that a medical cannabis dispensary which you have approval authority on today could in the future automatically be converted to adult use. While we cannot speak with 100 percent certainty that won't be the case, it is in our

opinion highly, highly unlikely, that local regulations will allow for that. We believe that the adult use cannabis dispensaries would be or sales of any type of will be defined as separate land use in the Planning Code, which will mean that a medical use facility can't be automatically convert because they are two different land uses on our code. In addition to that, if for any reason the regulations don't play out that way, which we think is highly unlikely, the Board could adopt interim regulations, as they have many for issues in last few years, or you can adopt your own interim controls requiring that the medical use cannabis dispensary is a mandatory discretionary review. So, there are many different options you have to make sure that there is not any kind of automatic conversion, if you will, from a medical cannabis dispensary to adult use sales. I just wanted to give you that information before the hearing today so you have that as background. Thank you.

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

LAND USE COMMITTEE:

• **160925 Planning Code - Transportation Demand Management Program Requirement. Sponsor: Cohen. Staff: Schuett.**

At this week's land use hearing, the Committee heard the Transportation Demand Management or TDM Ordinance. Commissions you may recall that you initiated this ordinance and then voted to recommend approval to the Board of Supervisors on August 4, 2016. After transmittal to the Board, Supervisor Cohen took over sponsorship.

This was the third time that the Land Use Committee heard the ordinance. The most significant amendments that passed related to exempting project with 24 or less dwelling units from the ongoing administrative fee and providing for a waiver process for city-funded non-profits from all the administrative fees.

At the land use hearing, Director Rahaim, the chair of MTA Board, and the executive director from the Transportation Authority gave opening remarks about the merits of the new program. Planning staff then made their presentation on the project. Public comment on the proposed ordinance was mainly in support; however, some commenters wish that the project went further by providing more points for reduced parking.

After public comment and some general words of support for the program by the Committee members, Supervisor Sheehy, who was sitting on the Land Use Committee in Scott Weiner's place, asked to be added as a cosponsor to the ordinance. After the Committee accepted the amendments proposed by Supervisor Cohen they voted to recommend the item to the Full Board.

• **170036 Hearing - Cannabis State Legalization Task Force Update. Sponsor: Cohen, Ronen. Staff: Starr/Sider.**

Last on the Land Use agenda was a hearing to provide an update on the Cannabis State Legalization Task Force's recommendations, which were published late last year. Commissioners, you may recall that Supervisor Wiener sponsored the legislation that formed the task force, which began its work early last year. Members of the task force presented their recommendations, which touched on a variety of issues including regulation, taxes, land use and social justice. Public comment was mainly in support of the task force's work and the normalizing of cannabis in San Francisco; however, there was one

commenter who represented a group made up of Chinese Americans that expressed concern over future adult use cannabis activities.

The Committee had few questions for the presenters but did note that the City still had a lot of work to do, not only to create a robust regulator structure for SF, but also to reach out to communities who have concerns over the future of recreational cannabis. Supervisor Sheehy reflected on his days in Act Up and how cannabis helped him cope with the severe side effects of early HIV drugs, which were decidedly more toxic than cannabis. He also commented on how the plant has been unfairly demonized by the US government over the last 40 years. The Committee then voted to continue the item to the call of the chair, allowing the committee to receive future updates.

FULL BOARD:

- **161068 Planning Code - Terrace Infill for Noncomplying Structure Designated as a Significant Building in C-3 Zoning District.** Sponsor: Peskin. Staff: Starr. PASSED Second Read
- **160656 Planning Code – Requiring CU for Medical Services- Sacramento Street Neighborhood Commercial District.** Sponsor: Farrell. Staff: Starr. Passed First Read
- **161241 Interim Zoning Controls - Indoor Agriculture.** Sponsor: Mayor. Staff: Not Staffed. Adoption

Also at the Board was the Mayor's interim control that would require CU authorization for indoor agriculture. At the hearing Supervisor Peskin, seconded by Supervisor Sheehy, moved that this Resolution be amended to expand the grandfathering provisions to applicants who have 1) applied to the Department of Building Inspection (DBI) for a building permit application or 2) attempted to apply to the Department of Public Health for the building permit and were not referred to DBI until after November 8, 2016. That motion carried. There was an attempt by Supervisor Kim to extend the grandfather date to November 25, but that motion failed. The Board then voted to approve the proposed interim controls.

- **161308 General Plan Amendments - Potrero HOPE SF Project.** Sponsor: Commission. Staff: Snyder. First Read, Item 26
- **161159 Planning Code - Potrero HOPE SF Special Use District.** Sponsor: Cohen. Staff: Snyder. Passed First Read
- **161160 Planning Code, Zoning Map - Potrero HOPE SF Zoning Map Amendments.** Sponsor: Cohen. Staff: Snyder. Passed First Read
- **161309 General Plan Amendments - Sunnydale HOPE SF Project.** Sponsor: Planning. Staff: Snyder. Passed First Read
- **161162 Planning Code - Sunnydale HOPE SF Special Use District.** Sponsor: Cohen. Staff: Snyder. Passed First Read
- **161163 Planning Code, Zoning Map - Sunnydale HOPE SF Zoning Map Amendments.** Sponsor: Cohen. Staff: Snyder. Passed First Read
- **161278 Hearing - Appeal of Categorical Exemption from Environmental Review - Proposed Project at 3516-3526 Folsom Street.** Staff: Gibson.

Last on the agenda was the Environmental Appeal for 3516 Folsom Street. This project involves the construction of two single-family residences on two vacant lots located on the

west side of the unimproved segment of Folsom Street. The Planning Department issued a Class 3 categorical exemption for the project on July 8, 2016. An appeal of the catex was filed in November 2016.

The day of the appeal hearing at the Board, the ERO rescinded the catex, thereby tabling the hearing. At the hearing on the tabling of the appeal, Supervisor Asha Safai was recused. Supervisor Ronen asked Planning staff to explain why the catex was rescinded. The ERO explained that further study was required to address a concern raised by the appellant regarding potential construction-related impacts to the adjacent underground PG&E gas pipeline. Pending the results of the additional analysis, the ERO will determine the appropriate level of environmental review and will issue a new environmental determination. This does mean that the project will require new entitlements.

INTRODUCTIONS:

None

BOARD OF APPEALS:

I'll note the Board of Appeals did meet last night, two items of interest to the Commission. First, the board had their election of officers and the previous officers carried over, so President Honda and Vice President Fung. The other item is 2545 Greenwich Street, which was a discretionary review heard in December of 2015. It was appealed to the Board of Appeals last night, largely concerned about the procedural issues, which I think, they were addressed quite some time ago, and the Board unanimously denied that appeal. No meeting next week, back on February 8th.

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: Andrew Yip – Commonwealth of the Nation
Ozzie Rohm – Documental procedures and policies:
I am here today to once again bring up the issue of documented policies and procedures.
We know the budget will be coming up shortly and we're hopeful that the Planning Department will attach the dollars it request to concrete goals and commitments like other Department's do. For instance, Current Planning has never developed comprehensive procedures like it promised to do in the last budget cycle. The result has been new planners who don't know how to review demo calculations and other quantitative code requirements. We have uneven and inconsistent ways in which projects are reviewed: each one different that the next so that no sponsor or neighbor knows what is going on.
We believe that the budget dollars should be tied to concrete and measurable goals and then those goals need to be met.

Ozzie Rohm
 On behalf of the 250+ members of Noe Neighborhood Council
 Lisa Fromer – Urban Design Guidelines (DRAFT)
 Anastasia Yovanopoulos – Family friendly housing

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.

10. [2011.1356E](#) (M. JACINTO: (415) 575-9033)
CENTRAL SOMA PLAN – Public Hearing on the **Draft Environmental Impact Report**. The project is a comprehensive plan for the 230-acre, 17-block portion of the city's South of Market neighborhood bounded by Second Street on the east, Sixth Street on the west, Townsend Street on the south, and an irregular border that generally follows Folsom, Howard and Stevenson Streets to the north. The proposal is the draft Central SoMa Plan, published in August 2016, which seeks to encourage and accommodate housing and employment growth within the Plan Area by: **(1)** amending existing use districts and planning controls to support mixed-use and office development in portions of the Plan Area where such uses may currently be restricted or not permitted; **(2)** amending existing height and bulk districts to permit greater heights and densities than currently allowed; **(3)** modifying street and circulation patterns within and adjacent to the Plan Area; and **(4)** establishing new, and improving existing, open spaces. The Plan proposes planning policies and controls for land use; urban form (building height, setback and design); functional circulation changes to Folsom, Howard, Harrison, Bryant, Brannan, Third, and Fourth Streets in areas within and beyond the Plan Area; as well as policies and implementation measures related to open space, historical preservation and sustainability. The Plan requires General Plan, Planning Code, and Zoning Map text amendments as well as adoption of a Special Use District (SUD) to permit the Plan's uses at the locations, heights and intensities proposed.

NOTE: Written comments on the Draft Environmental Impact Report will be accepted at the Planning Department until 5 p.m. on February 13, 2017.

Preliminary recommendation: Review and Comment

SPEAKERS:

- = Michael Jacinto – Staff Report
- = Richard Drury – Mid-rise alternative
- Arthur Meader – No project alternative
- = Cynthia Gomez – Displacement of SROP residents, family friendly housing
- = Mike Farrow – 6th Street
- Margarita Bratkova – Traffic, highrise versus mid-rise alternatives
- John Elberling – Public services analysis
- Alice Light – Impacts of proposed changes conveyed graphically
- Dennis Renae – Construction negative impacts, safety
- = Correy Smith – Issues and concerns
- = John Schwarky – Jobs-housing balance
- = Sue Hestor – No bitch clause

ACTION: = Andrew – SOMA Filipinos
Reviewed and Commented

11. [2014.0241E](#) (R. SCHUETT: (415) 575-9030)
1028 MARKET STREET - North side of Market Street between Jones and Taylor streets; Assessor's Block 0350 Lot 002 - Certification of the **Final Environmental Impact Report**. The proposed project includes demolition of the existing two-story, 33,310-gross-square-foot (gsf) historic commercial building and construction of a 13-story, approximately 120-foot-tall, multi-family residential development, with a maximum of 186 residential units, 9,657 gsf of ground-floor retail/restaurant uses (four tenant spaces), and a one-level 15,556 gsf below-grade basement level parking garage for up to 40 parking spaces. The project site is located in the Downtown General Commercial (C-3-G) Zoning District and the 120-X Height and Bulk District, within the Downtown Plan area. The Final EIR/EIS concluded that implementation of the 1028 Market Street project would result in significant unavoidable environmental impacts related to: historic architectural resources. **Please Note: The public hearing on the Draft EIR/EIS is closed. The public comment period for the Draft EIR/EIS ended on November 7, 2016. Public comment will be received when the item is called during the hearing. However, comments submitted may not be included in the Final EIR.**

Preliminary Recommendation: Certify the Final EIR/EIS

SPEAKERS: = Rachel Schuett – Staff Report
 = Marcelle Boudreaux – Staff Report
 + Speaker – Project presentation
 + Stragen Forgen – Design presentation
 + Mike Anderer – Affordable housing
 + Speaker – Support
 + Randy Shaw – Development in the Tenderloin
 + Speaker – Support, new jobs
 + Charlie Rutgus – The Hall – buzzing
 + Carmen Mogert – Tidewater outreach, community development
 + Corey Smith – Community outreach, ground floor retail
 + Adrian Simi – Carpenter's Local 22 support
 + Ben Davis – Support
 + Zack Sharp – Support
 + Jacob Shay – Support
 + David Seward – Activate the community
 + Alvin Padilla – Benefits for poor people
 = Said Nuseiba – Religious community
 + Axel Bourne – Good project
 + Karen Frost – Larking Street Youth Services
 + Rob Poole – The Hall
 + Speaker – Support
 + Lowell Culder – Retail tenants
 + Brenda Juarez – Support
 + Paul Pendergast – Jobs for people in the neighborhood, small business success story
 + Hunter Franks – Support
 + Danny Campbell – Local Sheet Workers Union support

- + Curtis Bradford – Support
- + Lisa Zonner – Improve our neighborhood
- + Honey Mahogany – Transgender community
- + Javier Flores – Good for the neighborhood
- + Laura Clarke – Even just building housing is good
- + Sonja Transs – Support
- + Scott Feney – Perfect place for housing
- + Neil Shaw – Tidewater is invested in the community
- + Speaker – Support
- + Alexander Goldman – Support
- + Richard Lewis Perry – Support
- + Craig Young – Response to questions

ACTION: Certified
 AYES: Hillis, Richards, Fong, Johnson, Koppel, Melgar, Moore
 MOTION: 19842

- 12a. [2014.0241E](#) (M. BOUDREAUX: (415) 575-9140)
1028 MARKET STREET – (Assessor Block 0350 /Lots 002) (District 6) - Adoption of **CEQA Findings** for the proposed project that includes demolition of the existing two-story, 33,310-gross-square-foot (gsf) historic commercial building and construction of a 13-story, approximately 120-foot-tall, multi-family residential development, with a maximum of 186 residential units, 9,657 gsf of ground-floor retail/restaurant uses (four tenant spaces), and a one-level 15,556 gsf below-grade basement level parking garage for up to 40 parking spaces. The property is within a C-3-G (Downtown-General) Zoning District and 120-X Height and Bulk District.
Preliminary Recommendation: Adopt Findings

SPEAKERS: Same as Item 11.
 ACTION: Adopted Findings
 AYES: Hillis, Richards, Fong, Johnson, Koppel, Melgar, Moore
 MOTION: 19843

- 12b. [2014.0241X](#) (M. BOUDREAUX: (415) 575-9140)
1028 MARKET STREET – (Assessor Block 0350 /Lots 002) (District 6) - Request for **Determination of Compliance** for Downtown Project Authorization pursuant to Planning Code Section 309, with exceptions including “Ground Level Wind Currents,” “Freight Loading,” “Rear Yard,” and “Curb Cuts (Golden Gate Avenue).” The proposed project includes demolition of the existing two-story, 33,310-gross-square-foot (gsf) historic commercial building and construction of a 13-story, approximately 120-foot-tall, multi-family residential development, with a maximum of 186 residential units, 9,657 gsf of ground-floor retail/restaurant uses (four tenant spaces), and a one-level 15,556 gsf below-grade basement level parking garage for up to 40 parking spaces. The property is within a C-3-G (Downtown-General) Zoning District and 120-X Height and Bulk District.
Preliminary Recommendation: Approve with Conditions

SPEAKERS: Same as Item 11.
 ACTION: Approved with Conditions
 AYES: Hillis, Richards, Fong, Johnson, Koppel, Melgar, Moore
 MOTION: 19844

- 12c. [2014.0241CUA](#) (M. BOUDREAUX: (415) 575-9140)
1028 MARKET STREET – (Assessor Block 0350 /Lots 002) (District 6). Request for **Conditional Use Authorization** pursuant to Planning Code Sections 124(f) and 303 to exempt the on-site inclusionary units from calculation of floor area ratio. The proposed project includes demolition of the existing two-story, 33,310-gross-square-foot (gsf) historic commercial building and construction of a 13-story, approximately 120-foot-tall, multi-family residential development, with a maximum of 186 residential units, 9,657 gsf of ground-floor retail/restaurant uses (four tenant spaces), and a one-level 15,556 gsf below-grade basement level parking garage for up to 40 parking spaces. The property is within a C-3-G (Downtown-General) Zoning District and 120-X Height and Bulk District.
Preliminary Recommendation: Approve with Conditions

SPEAKERS: Same as Item 11.
 ACTION: Approved with Conditions
 AYES: Hillis, Richards, Fong, Johnson, Koppel, Melgar, Moore
 MOTION: 19845

- 12d. [2014.0241VAR](#) (M. BOUDREAUX: (415) 575-9140)
1028 MARKET STREET - (Assessor Block 0350 /Lots 002) (District 6). Request for **Variance** from the requirements for dwelling unit exposure (Planning Code Section 140), for projections over the public right of way for the public art (Planning Code Section 136(d)), and a height exception for the elevator mechanicals (Planning Code Section 260(b)). The proposed project includes demolition of the existing two-story, 33,310-gross-square-foot (gsf) historic commercial building and construction of a 13-story, approximately 120-foot-tall, multi-family residential development, with a maximum of 186 residential units, 9,657 gsf of ground-floor retail/restaurant uses (four tenant spaces), and a one-level 15,556 gsf below-grade basement level parking garage for up to 40 parking spaces. The property is within a C-3-G (Downtown-General) Zoning District and 120-X Height and Bulk District.

SPEAKERS: Same as Item 11.
 ACTION: ZA, after hearing and closing public comment, indicated an intent to Grant

- 12e. [2014.0241X](#) (M. BOUDREAUX: (415) 575-9140)
1208 MARKET STREET - **Informational Presentation** of the 1% Public Art Requirement for a project that includes demolition of the existing two-story, 33,310-gross-square-foot (gsf) historic commercial building and construction of a 13-story, approximately 120-foot-tall, multi-family residential development, with a maximum of 186 residential units, 9,657 gsf of ground-floor retail/restaurant uses (four tenant spaces), and a one-level 15,556 gsf below-grade basement level parking garage for up to 40 parking spaces. The property is within a C-3-G (Downtown-General) Zoning District and 120-X Height and Bulk District.
Preliminary Recommendation: None - Informational

SPEAKERS: Same as Item 11.
 ACTION: Review and Commented

13. [2015-007183CUA](#) (T. KENNEDY: (415) 575-9125)

79 CRAGMONT AVENUE - west side of Cragmont Avenue, located in the Inner Sunset Neighborhood, Lot 012 in Assessor's Block 2131A (District 7) - Request for **Conditional Use Authorization** to authorize the demolition of a 1700 square foot, one-story house and replace it with a 3,756 square foot, two – story house in its place pursuant Planning Code Sections 317, 209.1, and 303. The subject property is within a RH-1 (Residential House-Single 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: Approve with Conditions

SPEAKERS: = Todd Kennedy – Staff Report
+ Stacy Lin – Project presentation

ACTION: After hearing and closing public comment; Adopted a Motion of intent to Disapprove and Continued the item to February 23, 2017

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

14. [2015-017998OFA](#) (R. SUCRE: 415/575-9108)
144 TOWNSEND STREET - located on the west side of Townsend Street between Stanford Street and Clarence Place, Lot 009A in Assessor's Block 3788 - Request for an **Office Development Authorization** under Planning Code Sections 321, 322 and 842.66 for a change in use from self-storage facility to office use, and authorize up to approximately 42,510 gross square feet from the Office Development Annual Limit. The subject property is located within the South End Landmark District, MUO (Mixed-Use Office) Zoning District and 65-X Height and Bulk District.

SPEAKERS: = Rich Sucre – Staff Report
+ Tuija Catallano – Project presentation

ACTION: Approved with Conditions

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

MOTION: 19846

- 15a. [2013.1037C](#) (C. MAY: (415) 575-9087)
650 DIVISADERO STREET - southeast corner of Divisadero and Grove Streets; Lot 002B in Assessor's Block 1202 (District 5) - Request for **Conditional Use Authorization** pursuant to Planning Code Sections 121.1, 271, 303, 746.10 and 746.11 to permit the development of a 6-story mixed-use building containing 66 residential dwelling units above 26 ground floor parking spaces and 3,528 square feet of commercial uses within the Divisadero Street Neighborhood Commercial Transit (NCT) District, the Fringe Financial Services Restricted Use District and 65-A Height and Bulk District. This action constitutes the Approval Action for the project for the purposes of CEQA, pursuant to San Francisco Administrative Code Section 31.04(h).

Preliminary Recommendation: Approve with Conditions

(Continued from Regular Hearing of October 20, 2016)

SPEAKERS: + John Kevlin – 650 Divisadero Continuance
+ Gus Hernandez – 650 Divisadero Continuance
= Speaker – 650 Divisadero Continuance

ACTION: Continued to March 23, 2017

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

ABSENT: Richards

- 15b. [2013.1037V](#) (C. MAY: (415) 575-9087)
650 DIVISADERO STREET - southeast corner of Divisadero and Grove Streets; Lot 002B in Assessor's Block 1202 (District 5) - Request for **Rear Yard Modification** pursuant to Planning Code Section 134 to permit the development of a 6-story mixed-use building containing 66 residential dwelling units above 26 ground floor parking spaces and 3,528 square feet of commercial uses within the Divisadero Street Neighborhood Commercial Transit (NCT) District, the Fringe Financial Services Restricted Use District and 65-A Height and Bulk District.
- SPEAKERS: Same as Item 15a.
 ACTION: Continued to March 23, 2017
 AYES: Hillis, Fong, Johnson, Koppel, Melgar, Moore
 ABSENT: Richards

G. DISCRETIONARY REVIEW CALENDAR

The Commission Discretionary Review Hearing Procedures provide for presentations by staff; followed by the DR requestor team; followed by public comment opposed to the project; followed by the project sponsor team; followed by public comment in support of the project. Please be advised that the DR requestor and project sponsor teams include: the DR requestor and sponsor or their designee, lawyers, architects, engineers, expeditors, and/or other advisors.

16. [2016-009352DRM](#) (C. CLARKE: (415) 575-9184)
2442 BAYSHORE BOULEVARD - west side of Bayshore Boulevard between Visitacion and Leland Avenues, Lot 020 in Assessor's Block 6249 (District 10) - **Mandatory Discretionary Review** of Building Permit Application No. [2016.0830.6390](#) pursuant to Planning Code Sections [202.2\(e\)\(1\)](#) and [712.84](#) to establish a Medical Cannabis Dispensary (MCD) use d.b.a. Elevated Systems in the existing 880 square-foot vacant tenant space at the ground floor of the existing two-story mixed-use building within the Neighborhood Commercial, Moderate Scale (NC-3) Zoning District (a portion of the lot is within the RH-1 (Residential - House, One-Family) Zoning District), [Visitacion Valley / Schlage Special Use District](#), [Visitacion Valley Zone 2 Redevelopment Area](#), and 55-X Height and Bulk District. The MCD would include on-site sales of medical cannabis and medical cannabis edibles. The MCD would not include on-site use of medical cannabis (e.g. smoking, vaporizing, or consumption of medical cannabis edibles), or on-site cultivation (harvesting of cannabis). A Planning Commission approval at the public hearing would constitute the Approval Action for the project for the purposes of CEQA, pursuant to San Francisco Administrative Code Section [31.04\(h\)](#).
- Staff Analysis: Full Discretionary Review
Preliminary Recommendation: Take Discretionary Review and Approve with Modifications
- SPEAKERS: = Colin Clarke – Staff Report
 + Victor Marquez – Project presentation
 + Victor Nguyen - Project presentation
 + Brian Wong - Project presentation
 + Speaker - Project presentation
 - Speaker – Opposed
 - Speaker – Opposed

- Yu Pan Chan – No MCD
- Speaker – Do you really need marijuana?
- Speaker – No MCD, not good for our health
- Susan Seto – No MCD
- Speaker – No MCD
- Lee Ho Chin – No MCD
- Shu Wen Ju – No MCD
- Speaker – Opposed, No MCD
- Speaker – I don't want teenagers to have exposure to marijuana
- Sandy Chan – No more marijuana shops in SF
- Wendy
- Fong Lee
- Peter Leong – Should be close to a hospital, not in a residential neighborhood
- Speaker – No MCD
- Speaker – No MCD
- Speaker – No MCD
- Speaker – No MCD
- Speaker – No MCD
- Speaker – No MCD
- Speaker – No MCD
- Speaker – No MCD
- Speaker – No MCD
- Speaker – No MCD
- Speaker – No MCD
- Speaker – No MCD
- Speaker – No MCD
- Speaker – No MCD
- Speaker – We have kids, teens, families
- Sherman King – Don't want my kids to have access to marijuana, belongs in a hospital
- Speaker – Should be located in a commercial district
- Speaker – For the health and safety
- Speaker – Quality of life
- Melly Chow – Opposed
- Becky – Should locate in a shopping mall
- Cindy Lee – Opposed
- Speaker – No MCD
- = SFPD Ingleside Station Captain McFadden – Suspension of time for research
- Speaker – Negative effects on children and elders
- Speaker – Opposed
- Emma – Opposed
- Lucky Ng – Opposed
- Ozzie Nan – Opposed, safety for children and seniors
- Speaker – Too close to kids activities
- Ignacio Vega
- Speaker – It is illegal
- Ken – Traffic impact

- Speaker – Kids under 18
- + Mike – An illegal substance versus medical marijuana
- Russ Marine – Lack of outreach
- Speaker – Scared of theft, safety of the area
- Speaker – Robberies in the neighborhood
- Speaker – Humans do not need marijuana
- Sandra Lee – No MCD
- + Arnold Townsend – It is for the people in the neighborhood
- + Speaker – Support
- + Speaker -Support
- Speaker – No MCD
- May Lo – Owner lied, I want our neighborhood to be safe
- Speaker – Owner has not been honest
- Speaker – Sensitive to the smell
- Speaker – No MCD
- Speaker – 3,000 signature in opposition
- Yun Ling Yu – Effects on children
- Speaker – No advance warning, not good for the neighborhood or the children
- Speaker – I hope our area improves
- Yen – Security and safety is already bad this will make it worse
- May Lee Young – Area has gotten better, this is a bad idea
- Speaker – Allergic to the smell of marijuana
- + Sabrina Vallaria – Support
- + Speaker – Support
- + Morgan Rodriguez – Support, I've seen the benefits
- Speaker – Owner lied to us
- Speaker – Scares children
- Speaker – No MCD
- Speaker – Do we need more MCD's in SF
- Speaker – Negative effects on our children
- Speaker – Not good for the neighborhood or children
- Speaker – Not good for the neighborhood or children
- Speaker – Not good for the neighborhood or children
- Speaker – No MCD
- Speaker – No MCD
- Speaker – No MCD
- Speaker – No MCD
- Speaker – No MCD
- Speaker – No MCD
- Speaker – Against a cannabis shop in a Chinese neighborhood, safety
- Speaker – No notice for the first hearing
- Speaker – Schools in the area
- Speaker – Traffic, elderly, project misleading
- Speaker – Project was misleading
- + Speaker – On behalf of Paul Alvarez
- + Speaker – Progress the community needs
- + Speaker – Rules and regulations

- Clara Ng – Other shops offer delivery]
- Ellen – Want my children to be safe
- Speaker – No MCD, allergic to marijuana smell
- Jessica Long – Already too many cannabis shops
- + Aaron Latton – Support
- Speaker – No MCD in Visitacion Valley, too close to childcare centers
- Speaker – Too close to schools
- Winnie Wong – Don't waste your money on drugs
- + Speaker – Positive thing
- + Speaker – Support, patients need the help
- + Speaker – Support
- Joe Tsang – Afterschool programs
- Annie Hwong
- Lisa
- + Paul Alvarez
- + Robert Alvarez
- + Sam
- + Louis Sanchez
- + Jamil Martinez
- + Speaker - Support
- Speaker – No MCD
- Jim Chan - Marijuana is a gateway drug
- Jimmy Ma – No here
- Shelley Ma – Concern for my children
- Chan – Safety issues
- Sa Tong Ma – Opposed
- Jane Lee – Childcare facility
- Mandy Yuen – Quality of life
- Sophia – No MCD
- Way Wong – No MCD
- Wen Chen – Not in my neighborhood, safety
- Sandy Shen – Drug free area
- Speaker – Opposed
- Speaker – No drug store in our neighborhood
- Speaker – Proposal location near children facilities
- + Paloma Concordia – Support
- Speaker – Opposed
- Susan – Disapprove this project
- Emily – No MCD near our children
- Speaker – Marijuana is a bad influence
- Yee Jay Wong – No notice, double parking]
- Vicky Chen – Safety
- Speaker – Statistics on marijuana killing any one
- Jen – Childcare centers, senior centers and schools
- Way Woo – We are being deceived
- Speaker – No MCD
- Josephine Chan – Chronic deceptive practices
- Theresa – Not fair for non-English speaking community

- Sharon Hui – Against opening this business, we want a safe and peaceful community
- Ellen – Misleading the public
- Lee Yow – No MCD, children

ACTION: Took DR and Approved with Conditions as amended to include operating hours limited to 9 am thru 7 pm everyday.

AYES: Hillis, Richards, Fong, Koppel

NAYES: Johnson, Melgar, Moore

DRA No: 0500

17. [2016-005312DRM](#) (J. SPEIRS: (415) 575-9161)
3185 MISSION STREET - east side of Mission Street, between Powers and Fair Avenues; Lot 015 in Assessor's Block 5609 (District 9) - Request is for a **Mandatory Discretionary Review** of an application for a change of use from Retail to a Medical Cannabis Dispensary (MCD) at the ground story, within the NC-3 (Neighborhood Commercial – Moderate Scale) Zoning District and 40-X Height and Bulk District. The MCD is proposed for on-site sales, and on-site consumption. The associated Building Permit Application 2016.02.11.9450 is for change of use and interior alterations. No significant exterior alterations are proposed. 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: Full Analysis
Preliminary Recommendation: Take Discretionary Review and Approve

SPEAKERS: = Jeffrey Speirs – Staff Report
 + Sean Killin – Project presentation
 + Susan Tillan – Medical nature of cannabis
 + Jennifer Garcia – Workers in cannabis industry
 + Scott Bikmore – Miss the community

ACTION: Took DR and Approved with Conditions

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

DRA No: 0501

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 - 8:35 P.M.