

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, February 2, 2017
12:00 p.m.
Regular Meeting

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

THE MEETING WAS CALLED TO ORDER BY PRESIDENT FONG AT 12:03 P.M.

STAFF IN ATTENDANCE: John Rahaim – Planning Director, Deborah Landis, Scott Sanchez, Aaron Starr, Rich Sucre, Sharon Young, David Lindsay, 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. 2016-001528CUA (N. KWIATKOWSKA: (415) 575-9185)
2645 OCEAN AVENUE – at 19th Avenue, Lot 023 in Assessor’s Block 7226 (District 7) - Request for **Conditional Use Authorization** pursuant to Planning Code Sections 303 and 710.21 to convert the existing individual medical uses into one large medical service of

26,181 gross square feet in an existing three-story structure within a NC-1 (Neighborhood Commercial Cluster) District, 26-X Height and Bulk District. The proposal includes interior alterations and new signage. The proposed use size requires CUA pursuant to Planning Code Section 710.21 since it is greater than 2,999 square feet. 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)

NOTE: On November 10, 2016, after hearing and closing public comment, the Commission adopted a motion of intent to Disapprove and continued the item to December 1, 2016 by a vote of +6 -1 (Hillis against).

On December 1, 2016, without hearing, the Commission continued the item to February 2, 2017.

(Proposed for Continuance to April 6, 2017)

SPEAKERS: None
 ACTION: Continued to July 27, 2017
 AYES: Hillis, Johnson, Koppel, Moore
 ABSENT: Fong, Richards, Melgar

2. 2016-006303DRM (M. CHRISTENSEN: (415) 575-8742)
3326 MISSION STREET- west side of Mission Street, between 29th Street and 30th Street; Lot 005 in Assessor's Block 6635 (District 11) - Request is for **Mandatory Discretionary Review** of an application for a change of use from bar to a Medical Cannabis Dispensary (MCD) at the ground story, within a NC-3 (Neighborhood Commercial – Moderate Scale) Zoning District and 40-X Height and Bulk District. The MCD is proposed for on-site sales with no on-site cultivation or production. The associated Building Permit Application 2016.05.23.8132 is for change of use and both interior and exterior alterations. 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
(Proposed Continuance to April 13, 2017)

SPEAKERS: None
 ACTION: Continued to July 27, 2017
 AYES: Hillis, Johnson, Koppel, Moore
 ABSENT: Fong, Richards, Melgar

3. 2008.0586E (T. CHANG: (415) 575-9197)
ACADEMY OF ART UNIVERSITY - Academy of Art University (AAU) is a private postsecondary academic institution that occupies buildings throughout the City (predominantly in the northeast quadrant). AAU plans on expanding its facilities and programs to accommodate a projected on-site student enrollment of approximately 17,282 students and 3,511 faculty and staff by 2020, resulting in a total increase of approximately 6,100 students and 1,220 faculty and staff. The Proposed Project consists of four general components: study area growth, project site growth, legalization of prior unauthorized changes, and shuttle service expansion. Study area growth consists of approximately 110,000 net square feet (sf) of additional residential uses (to house approximately 400 students, equivalent to about 220

rooms) and 669,670 sf of additional institutional space in 12 geographic areas (study areas) where AAU could occupy buildings to accommodate future growth. The study areas generally include the following areas: Study Area 1 (SA-1), Lombard Street/Divisadero Street; SA-2, Lombard Street/Van Ness Avenue; SA-3, Mid Van Ness Avenue; SA-4, Sutter Street/Mason Street; SA-5, Mid-Market Street; SA-6, Fourth Street/Howard Street; SA-7, Rincon Hill East; SA-8, Third Street/Bryant Street; SA-9, Second Street/Brannan Street; SA-10, Fifth Street/Brannan Street; SA-11, Sixth Street/Folsom Street; and SA-12, Ninth Street/Folsom Street. Project site growth consists of six additional sites that have been occupied, identified, or otherwise changed by AAU since publication of the September 2010 Notice of Preparation (NOP) for this EIR. The six project sites would include a total of 411,070 sf of institutional, bus storage, and community facility uses. The project sites include the following addresses: 2801 Leavenworth Street (The Cannery) (Assessor's Block/Lot: 0010/001); 700 Montgomery Street (Assessor's Block/Lot:0196/028); 625 Polk Street (Assessor's Block/Lot:0742/002); 150 Hayes Street (Assessor's Block/Lot:0811/022); 121 Wisconsin Street (Assessor's Block/Lot:3953/004); and 2225 Jerrold Avenue (Assessor's Block/Lot:5286A/020). The Proposed Project also includes extension of AAU's shuttle service to serve growth in the study areas and at the project sites. The Proposed Project also includes legalization of changes in use and/or appearance undertaken without benefit of permits prior to issuance of the NOP at 28 of AAU's 34 existing sites. The Proposed Project includes the occupation and use of existing buildings, as well as construction activities that would be limited to interior tenant improvements, exterior modifications such as signage, window replacements, and security system installation, and in limited circumstances, seismic upgrades. Adoption of **CEQA Findings** for the Department Proposed Project, which reflects revisions in the Proposed Project to include only residential conversions where the conversion to student housing serves a higher intensity use than what would otherwise be located on the subject site; support conversion of industrial to institutional uses only where the conversion to institutional remains industrial in nature or maintains an industrial component and is therefore best situated on the subject site rather than elsewhere in the City; support conversions of commercial to institutional uses only where the conversion to institutional use maintains a publicly-accessible, active use, and therefore is best situated on the subject site rather than elsewhere in the City; and support conversions of office uses where the institutional use is office in nature, such as the institution's administrative headquarters, and is appropriate for the subject site. Based on these policy determinations, the Department Proposed Project includes review of all Program-Level Growth and Project-Level Growth analyzed in the EIR. However, the Department Proposed Project would result in the full legalization of 29 of AAU's 40 existing and project sites, with 3 pending recommendations.

Preliminary Recommendation: Adopt Findings

(Continued from Regular Hearing of November 17, 2016)

(Proposed for Continuance to July 27, 2017)

SPEAKERS: None
 ACTION: Continued to July 27, 2017
 AYES: Hillis, Johnson, Koppel, Moore
 ABSENT: Fong, Richards, Melgar

- 4a. 2016-007198PCA (T. CHANG: (415) 575-9197)
ADOPTION OF PLANNING CODE TEXT CHANGES INITIATED BY THE PLANNING DEPARTMENT AND RELATED TO THE ACADEMY OF ART UNIVERSITY - Consideration of Planning Code

Amendments related to Academy of Art University (AAU) - The Planning Commission will consider the adoption of an Ordinance amending the Planning Code to allow a limited conversion of Existing Housing to Student Housing Use for two specific properties. The Ordinance recommended for Adoption would waive the applicability of the prohibition on conversion of Residential Units to Student Housing set forth in Planning Code Section 317(e) to 2209 Van Ness Avenue (Lot 005 in Assessor's Block 0570) and 2211 Van Ness Avenue (Lot 029 in Assessor's Block 0570). The proposed Ordinance would also establish criteria for conditional use authorization applicable to conversions to Student Housing for 2209 Van Ness Avenue and 2211 Van Ness Avenue; make findings under the California Environmental Quality Act; make findings under Planning Code Section 302 of public necessity, convenience, and welfare; make findings of consistency with the General Plan and the eight priority policies of Planning Code Section 101.1; and provide for expiration of the provision by operation of law three years after its effective date.

Preliminary Recommendation: Adopt a Recommendation for Approval

(Continued from Regular Meeting of November 17, 2016)

(Proposed Continuance to July 27, 2017)

SPEAKERS: None
 ACTION: Continued to July 27, 2017
 AYES: Hillis, Johnson, Koppel, Moore
 ABSENT: Fong, Richards, Melgar

4b. 2016-000559PCA (T. CHANG: (415) 575-9197)

ADOPTION OF PLANNING CODE TEXT CHANGES PROPOSED BY AND RELATED TO THE ACADEMY OF ART UNIVERSITY - A Consideration of **Planning Code Text Amendments** related to Academy of Art University (AAU). The Planning Commission will consider the proposal from the Academy of Art University to adopt an Ordinance that includes a grandfathering provision applicable to former Planning Code Section 317(f) to enable the unauthorized conversion of Residential Units to Student Housing for the following properties: 1080 Bush Street (Lot 015 in Assessor's Block 0275); 1153 Bush Street (Lot 026 in Assessor's Block 0281); 1916 Octavia Street (Lot 011 in Assessor's Block 0640); 1055 Pine Street (Lot 009 in Assessor's Block 0275); 860 Sutter Street (Lot 006 in Assessor's Block 0275); 2209 Van Ness Avenue (Lot 005 in Assessor's Block 0570) and 2211 Van Ness Avenue (Lot 029 in Assessor's Block 0570). The proposed Ordinance incorporates the already established conditional use authorization criteria for Residential Conversion pursuant to former Planning Code Section 317(f)(2).

Preliminary Recommendation: Adopt a Recommendation for Disapproval

(Continued from Regular Meeting of November 17, 2016)

(Proposed Continuance to July 27, 2017)

SPEAKERS: None
 ACTION: Continued to July 27, 2017
 AYES: Hillis, Johnson, Koppel, Moore
 ABSENT: Fong, Richards, Melgar

4c. 2012.0646PCA (T. CHANG: (415) 575-9197)

ACADEMY OF ART UNIVERSITY - A Consideration of **Planning Code Text Amendments** related to Academy of Art University (AAU). The Planning Commission will consider the proposal from the Academy of Art University to adopt an ordinance that expands the

grandfathering provision to Section 175.5(b) to enable the legalization of the unauthorized conversion of Office space to Institutional use for 601 Brannan Street (Lot 132 in Assessor's Block 3785).

Preliminary Recommendation: Adopt a Recommendation for Disapproval

(Continued from Regular Meeting of November 17, 2016)

(Proposed Continuance to July 27, 2017)

SPEAKERS: None
 ACTION: Continued to July 27, 2017
 AYES: Hillis, Johnson, Koppel, Moore
 ABSENT: Fong, Richards, Melgar

- 5a. 2007.1082C (T. CHANG: (415) 575-9197)
2209 VAN NESS AVENUE - Located on the west side of Van Ness Avenue between Broadway and Vallejo Streets, Lot 029 in Assessor's Block 0318 (District 2) - Request for **Conditional Use Authorization**, pursuant to Planning Code Sections 317 and 303, for the conversion of Residential Units to Student Housing. The project proposes to legalize the conversion of one Residential Unit to 22 Student Housing rooms within a Residential-Commercial, Medium Density (RC-3) Zoning and 80-D 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
(Continued from Regular Meeting of November 17, 2016)
(Proposed Continuance to July 27, 2017)

SPEAKERS: None
 ACTION: Continued to July 27, 2017
 AYES: Hillis, Johnson, Koppel, Moore
 ABSENT: Fong, Richards, Melgar

- 5b. 2007.1083C (T. CHANG: (415) 575-9197)
2211 VAN NESS AVENUE - Located on the west side of Van Ness Avenue between Broadway and Vallejo Streets, Lot 029 in Assessor's Block 0318 (District 2) - Request for **Conditional Use Authorization**, pursuant to Planning Code Sections 317 and 303, for the conversion of Residential Units to Student Housing. The project proposes to legalize the conversion of two Residential Units and one Commercial Unit to three Dwelling Units and 8 Student Housing rooms within a Residential-Commercial, Medium Density (RC-3) Zoning and 80-D 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
(Continued from Regular Meeting of November 17, 2016)
(Proposed Continuance to July 27, 2017)

SPEAKERS: None
 ACTION: Continued to July 27, 2017
 AYES: Hillis, Johnson, Koppel, Moore
 ABSENT: Fong, Richards, Melgar

- 5c. 2007.1073C (C. CAMPBELL: (415) 575-8732)
1916 OCTAVIA STREET - Located on the east side of Octavia Street between Broadway and Vallejo Streets, Lot 011 in Assessor's Block 0640 (District 2) - Request for **Conditional Use Authorization**, pursuant to Planning Code Sections 317 and 303, for the conversion of 20 Residential Units to Student Housing. The project proposes to legalize the conversion of one Residential Unit to 22 Student Housing rooms within a Residential-House, Two-Family (RH-2) Zoning 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: Disapprove

(Continued from Regular Meeting of November 17, 2016)

(Proposed Continuance to July 27, 2017)

SPEAKERS: None
 ACTION: Continued to July 27, 2017
 AYES: Hillis, Johnson, Koppel, Moore
 ABSENT: Fong, Richards, Melgar

- 5d. 2007.1074C (C. GROB: (415) 575-9138)
1055 PINE STREET - Located on the south side of Pine Street between Jones and Taylor Streets, Lot 009 in Assessor's Block 0275 (District 3) - Request for **Conditional Use Authorization**, pursuant to Planning Code Sections 209.2, 303 and 317 for the conversion of Residential Units to Student Housing. The project proposes to legalize the conversion of 59 Residential Hotel rooms to Student Housing rooms within a Residential-Mixed, High Density (RM-4) Zoning District, Nob Hill Special Use District and 65-A Height and Bulk District. The project proposes to establish a total of 81 student housing rooms. The project is associated with a Planning Code Text Amendment proposed by the Academy of Art University. The adoption hearing for the subject Planning Code Amendment will also be heard on September 22, 2016 (2016-000559PCA). 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: Disapprove

(Continued from Regular Meeting of November 17, 2016)

(Proposed Continuance to July 27, 2017)

SPEAKERS: None
 ACTION: Continued to July 27, 2017
 AYES: Hillis, Johnson, Koppel, Moore
 ABSENT: Fong, Richards, Melgar

- 5e. 2007.1077C (C. GROB: (415) 575-9138)
860 SUTTER STREET - Located on the north side of Sutter Street between Leavenworth and Jones Streets, Lot 006 in Assessor's /Block 0281 (District 3) - Request for **Conditional Use Authorization**, pursuant to Planning Code Sections 209.3, 303 and 317, for the conversion of Residential Units to Student Housing. The project proposes to legalize the conversion of 50 Residential Hotel rooms and 39 Tourist Hotel rooms to 89 Student Housing rooms within a Residential-Commercial, High Density (RC-4) Zoning and 80-A Height and Bulk District. The project is associated with a Planning Code Text Amendment proposed by the Academy of Art University. The adoption hearing for the subject Planning Code

Amendment will also be heard on September 22, 2016 (2016-000559PCA). 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: Disapprove

(Continued from Regular Meeting of November 17, 2016)

(Proposed Continuance to July 27, 2017)

SPEAKERS: None
 ACTION: Continued to July 27, 2017
 AYES: Hillis, Johnson, Koppel, Moore
 ABSENT: Fong, Richards, Melgar

- 5f. 2007.1070C (S. ADINA: (415) 575-8722)
1080 BUSH STREET - Located on the north side of Bush Street between Leavenworth and Jones Streets, Lot 015 in Assessor's Block 0276 (District 3) - Request for **Conditional Use Authorization**, pursuant to Planning Code Sections 317 and 303, for the conversion of 15 Residential Hotel Rooms to Student Housing. The project proposes to legalize the conversion of 15 Residential Hotel rooms to 15 Student Housing rooms within a Residential-Commercial, High Density (RC-4) Zoning and 65-A 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: Disapprove
(Continued from Regular Meeting of November 17, 2016)
(Proposed Continuance to July 27, 2017)

SPEAKERS: None
 ACTION: Continued to July 27, 2017
 AYES: Hillis, Johnson, Koppel, Moore
 ABSENT: Fong, Richards, Melgar

- 5g. 2007.1071C (S. ADINA: (415) 575-8722)
1153 BUSH STREET - Located on the south side of Bush Street between Leavenworth and Hyde Streets, Lot 026 in Assessor's Block 0280 (District 3) - Request for **Conditional Use Authorization**, pursuant to Planning Code Sections 317 and 303, for the conversion of 15 Residential Hotel Rooms to Student Housing. The project proposes to legalize the conversion of 15 Residential and Residential Hotel rooms to 15 Student Housing rooms within a Residential-Commercial, High Density (RC-4) Zoning and 65-A 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: Disapprove
(Continued from Regular Meeting of November 17, 2016)
(Proposed Continuance to July 27, 2017)

SPEAKERS: None
 ACTION: Continued to July 27, 2017
 AYES: Hillis, Johnson, Koppel, Moore
 ABSENT: Fong, Richards, Melgar

6. 2012.0107C (C. CAMPBELL: (415) 575-8732)

460 TOWNSEND STREET - north side of Townsend Street between 5th and 6th Streets; Lot 023 in Assessor's Block 3785 (District 6) - Request for **Conditional Use Authorization**, pursuant to Planning Code Sections 303 and 845.32; for the conversion from Production, Distribution, and Repair (PDR) to an Educational Services use by the Academy of Art University. The project proposes to legalize the conversion from industrial/wholesale to educational services for classrooms, studios, student and faculty lounges within a WSoMa Mixed-Use Office (WMUO) Zoning District, the Western SoMa Special Use District, and an 85-X Height and Bulk District.

Preliminary Recommendation: Pending

(Continued from Regular Meeting of November 17, 2016)

(Proposed Continuance to July 27, 2017)

SPEAKERS: None
 ACTION: Continued to July 27, 2017
 AYES: Hillis, Johnson, Koppel, Moore
 ABSENT: Fong, Richards, Melgar

7. 2012.0720C (S. ADINA: (415) 575-8722)

466 TOWNSEND STREET - north side Townsend Street between 5th and 6th Streets; Lot 005 in Assessor's Block 3785 (District 6) - Request for **Conditional Use Authorization**, pursuant to Planning Code Sections 303 and 845.32, for the conversion from Production, Distribution and Repair (PDR) to an Educational Services use by the Academy of Art University. This project proposes to legalize the conversion from a Data/Telecommunications facility to educational services for classrooms, labs/art studios, an art store, and student and faculty lounges within a WSoMa Mixed-Use Office (WMUO) Zoning District, the Western SoMa Special Use District, and an 85-X Height and Bulk District.

Preliminary Recommendation: Pending

(Continued from Regular Meeting of November 17, 2016)

(Proposed for Continuance to July 27, 2017)

SPEAKERS: None
 ACTION: Continued to July 27, 2017
 AYES: Hillis, Johnson, Koppel, Moore
 ABSENT: Fong, Richards, Melgar

B. COMMISSION MATTERS

8. Consideration of Adoption:
- [Draft Minutes for January 19, 2017](#)

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

9. 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'm reading about and being asked about the City requiring sidewalks along Van Ness in a particular portion of Van Ness. I've tried to Google, but I cannot find any answers, of what that means or what does that doesn't means? And I'm just curious.

Director Rahaim:

Commissioners, that was an item we've been negotiating with the State for a long time. The City has been maintaining the sidewalks along Van Ness, even though it is a state road, for many years, and the City has been in negotiations with the State to take control of that part of the right-of-way because it gives us a lot more flexibility on what we can do in the right-of-way. The State for example, will not even allow projection for things like bay windows into the right-of-way, so after a lot of discussion that staff spent with the State, they agreed to basically relinquish their interest in that part of the right-of-way, basically from the building to curve, to allow us a lot more flexibility of how that space is used.

Commissioner Moore:

I'm glad you're getting something for your money.

C. DEPARTMENT MATTERS

10. Director's Announcements
11. Review of Past Events at the Board of Supervisors, Board of Appeals and Historic Preservation Commission

LAND USE COMMITTEE:

- Land Use hearing was canceled this Monday for Lunar New Year

FULL BOARD:

- **160656 Planning Code - Medical Service Use - Sacramento Street Neighborhood Commercial District.** Sponsor: Farrell. Staff: Starr. PASSED Second Read
-
- **161308 General Plan Amendments - Potrero HOPE SF Project.** Sponsor: Commission. Staff: Snyder. PASSED Second Read
- **161159 Planning Code - Potrero HOPE SF Special Use District.** Sponsor: Cohen. Staff: Snyder. PASSED Second Read
- **161160 Planning Code, Zoning Map - Potrero HOPE SF Zoning Map Amendments.** Sponsor: Cohen. Staff: Snyder. PASSED Second Read
- **161309 General Plan Amendments - Sunnydale HOPE SF Project.** Sponsor: Planning. Staff: Snyder. PASSED Second Read

- **161162 Planning Code - Sunnydale HOPE SF Special Use District.** Sponsor: Cohen. Staff: Snyder. PASSED Second Read
- **161163 Planning Code, Zoning Map - Sunnydale HOPE SF Zoning Map Amendments.** Sponsor: Cohen. Staff: Snyder. PASSED Second Read
- **160925 Planning Code - Transportation Demand Management Program Requirement.** Sponsors: Cohen; Sheehy. Staff: Wietgreffe/ Schuett. Passed First Read
- **161365 Hearing - Appeal of Mitigated Negative Declaration - Proposed Project at 950-974 Market Street.** Staff: Gibson.
Last on the agenda was the Environmental Appeal Hearing for 950 Market Street. The appeal was withdrawn as the parties agreed on terms that would create a Transgender Cultural District around the area of the proposed project.

INTRODUCTIONS:

None

BOARD OF APPEALS:

No Report

HISTORIC PRESERVATION COMMISSION:

Yesterday, the Historic Preservation Commission did meet. There were no real items of interest to the Planning Commission, only note that they did hear a presentation regarding the budget and the work program, which you will hear today and they received public comment on the Pier 70 mixed use project, which you will hear next week on February 9th.

D. GENERAL PUBLIC COMMENT – 15 MINUTES

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

SPEAKERS: Georgia Schuttish – 151 Liberty Street Programming of Units. Two issues for comment today. Section 317 (b) (7) is a loophole that should be closed. As has been stated by Staff there is nothing that can make a property owner or project sponsor rent a unit that may have been downsized under this Planning Code Section. However, it is logical to assume that this loophole *incentivizes the expansion of a property with two complete units...aka stacked units or a pair of flats...which then results in one mega unit into the mega unit to create a monster home. And which is basically a de facto unit merger.* Programming is important. As discussed recently family units may not necessarily be determined by number of bedrooms...it may also not be determined by number of living rooms or family rooms or media rooms. Logical use of floor space when a residential building is altered or created new is imperative.

Paul Werner – Gentrification
Jeremy Paul – Legalization of dwelling units, room down matrix
Tom Radulovich – Family friendly housing

E. REGULAR CALENDAR

The Commission Hearing Procedures provide for presentations by staff; followed by the project sponsor team; followed by public comment for and against the proposal. Please be advised that the project sponsor team includes: the sponsor(s) or their designee, lawyers, architects, engineers, expeditors, and/or other advisors.

12. (D. LANDIS; (415) 575-9118)
[FY 2017-2019 PROPOSED DEPARTMENT BUDGET and WORK PROGRAM](#) - **Informational Presentation** of the Department's proposed revenue and expenditure budget in FY 2017-2018 and FY2018-2019, including grants, capital budget requests, and staffing changes; high-level work program activities for the Department in FY 2017-2018 and FY2018-2019; and proposed dates where budget items will be discussed during the budget process.
Preliminary Recommendation: None – Informational
- SPEAKERS: + John Rahaim – Introduction
 + Deborah Landis – Staff report
 + Georgia Schuttish – Action item list, Residential Design Guidelines
 = Tom Radulovich – Complexity vs complication
- ACTION: Reviewed and Commented
13. [2008.0586DVA](#) (S. SANCHEZ: (415) 558-6350)
[ACADEMY OF ART UNIVERSITY \(AAU\) DEVELOPMENT AGREEMENT \(DA\) APPLICATION](#) - **Informational Presentation** to discuss the Term Sheet for Global Resolution between the City & County of San Francisco and AAU. The Term Sheet represents a proposed resolution to outstanding land use matters for properties in San Francisco used or controlled by AAU.
Preliminary Recommendation: None – Informational
- SPEAKERS: = Tom Lakevitz – AAU DA presentation
 - Thomas Joens – DA deficiencies
 = Paul Werner – Shuttle service
 - Speaker – “Campus”
 - Sue Hestor – Affordable housing, student housing
- ACTION: Reviewed and Commented
14. [2014-001965PCA](#) (A. STARR: (415) 558-6362)
[ARTICLE 7: PHASE 2 OF THE CODE REORGANIZATION AND SIMPLIFICATION PROJECT](#) - Department sponsored **Planning Code Amendment** to reorganize Article 7 and to update, correct, clarify, and simplify Code language in other Planning Code Sections; requiring Conditional Use authorization for Bars, and Liquor Stores on the first floor in the Noriega, Irving, Taraval, and Judah Neighborhood Commercial Districts; enacting permanent controls requiring Conditional Use authorization for Medical Cannabis Dispensaries in the Noriega, Irving, Taraval, and Judah Neighborhood Commercial Districts; require Conditional Use authorization for Personal Services on the second floor in the Noriega, Irving, Taraval, and Judah Neighborhood Commercial Districts; prohibit Kennels, Large Scale Urban Agriculture, Business Hours from 2 a.m. to 6 a.m., and the demolition or merge of units on the second story and above in the North Beach Neighborhood Commercial District; preserve the small storefronts, street frontage and prohibit vehicular access on certain streets within the North Beach NCD and SUD; create the definition of Special Food

Manufacturing and amending the Eating and Drinking Controls for the North Beach SUD; requiring Conditional Use for Bars and Principally Permitting Restaurants in the Broadway NCD; affirming the Planning Department's determination under the California Environmental Quality Act; and making findings of consistency with the General Plan and the eight priority policies of Planning Code Section 101.1, and adopting findings of public convenience, necessity, and welfare under Planning Code Section 302.

Preliminary Recommendation: Adopt a Recommendation for Approval

(Continued from Regular Meeting of November 17, 2016)

- SPEAKERS:**
- = Aaron Starr – Staff Report
 - + Elizabeth Watty – Impact to Current Planning
 - Supervisor Aaron Peskin – Ain't broke don't fix it
 - + Ashley Sommers, Aide to Supervisor Tang – District 4 changes
 - + Edgar Oropeza – PIC simplification
 - + Elizabeth Purl – New format improves customer services
 - + Rich Sucre – SE Quadrant complexity
 - + Tom Rudolovich – Current code poorly organized and complex
 - Rose Hillson – Significant amendments
 - George Wooding – Impossible for public review
 - Paul Webber – Move Supervisor Kim and Supervisor Peskin legislation forward, table the rest.
- The Commission should not support the 750-page reorganization project that has not been widely read, or considered by staff or most NCDs, but raised universal substantive issues.
- After continuous denial, staff has just (quietly) acknowledged significant substantive changes, which it has not universally analysed, leaving no time for most NCDs to reach let alone understand them.
- Staff's repeated and erroneous public representations that changes were not substantive, the complexity and lack of highlighting of changes, the frequent publication of different versions and the completely inadequate outreach efforts, set the tone for dissuasive reactions by those who should have had an interest but were real uninformed.
- NCDs in tow supervisorial districts have been substantially assisted by staff (Tang's) or informed locals (Peskin's) and have come up with substantive changes, some universal. So approve separate legislation for each, leave Article 7 intact and engage all other NCDs as per Tang's.
- Teresa Imperial – Do not move forward
 - Joseph Smoot – Community review of changes
 - Harrison Lau – One size fits all approach does not make sense for our City
 - Ilene Boayan – Continue the item
 - + Jeremy Paul – Who benefits?
 - = Paul Werner – Mixed feelings
 - = Sue Hestor – Appreciate clean-up and restructuring, public aspect
 - + Susan Parsons – SPUR support
- ACTION:** Adopted a Recommendation for Approval; allowing for substantive changes to maintain existing land use controls.
- AYES:** Hillis, Fong, Johnson, Koppel

NAYES: Melgar, Moore
 ABSENT: Richards
 RESOLUTION: 19847

- 15a. [2014.1302CUA](#) (R. SUCRE: 415/575-9108)
2906 FOLSOM STREET - located at the southwest corner of 25th and Folsom Streets, Lot 001 in Assessor's Block 6525 (District 8) - Request for **Conditional Use Authorization**, pursuant to Planning Code Sections 303 and 317, for a residential merger at 2906 Folsom Street. Currently, the subject property possesses four dwelling units. The proposed project would demolish the existing garages, subdivide the existing lot into two lots, reconfigure and retain two dwelling units in 2906 Folsom Street, and construct two new dwelling units at 2904 Folsom Street and 3203 25th Street. Overall, the project would maintain four dwelling units on the project site. The project site is located within a RH-2 (Residential, House, Two-Family) Zoning District and 40-X Height and Bulk District. This action constitutes the Approval Action for the project for the purposes of CEQA, pursuant to Section 31.04(h) of the San Francisco Administrative Code.

Preliminary Recommendation: Disapprove

SPEAKERS: None
 ACTION: Continued to May 11, 2017
 AYES: Hillis, Johnson, Koppel, Moore
 ABSENT: Fong, Richards, Melgar

- 15b. [2014.1302VAR](#) (R. SUCRE: 415/575-9108)
2906 FOLSOM STREET - located at the southwest corner of 25th and Folsom Streets, Lot 001 in Assessor's Block 6525 (District 8) - Request for a **Variance** from the Zoning Administrator to address the requirements for minimum lot width and area (Planning Code Section 121) and rear yard (Planning Code Section 134). The proposed project would demolish the existing garages on the project site, subdivide the existing lot into two lots, reconfigure and retain two dwelling units in 2906 Folsom Street, and construct two new dwelling units at 2904 Folsom Street and 3203 25th Street. Overall, the project would maintain four dwelling units on the project site. The project would create two lots, which are narrower than 25-ft and less than 2,500 square feet, and would construct new dwelling units within the required rear yard. The project site is located within a RH-2 (Residential, House, Two-Family) Zoning District and 40-X Height and Bulk District.

SPEAKERS: None
 ACTION: Acting ZA Continued to May 11, 2017

16. [2016-012471CUA](#) (S. YOUNG: (415) 558-6346)
2086 UNION STREET - north side between Webster Street and Buchanan Street, Lot 016 in Assessor's Block 0532 (District 2); Request for **Conditional Use Authorization** pursuant to Planning Code Sections 303, 303.1, 703.3, and 703.4 to establish a Formula Retail Use within the Union Street Neighborhood Commercial District and 40-X Height and Bulk District. The proposal is to convert a vacant ground floor commercial space with approximately 1,670 square feet of floor area (previously occupied by "Nine West", a retail store use) into a Formula Retail Use (d.b.a. Sweaty Betty, a British retailer specializing in women's activewear). This action constitutes the Approval Action for the project for the purposes of CEQA, pursuant to San Francisco Administrative Code Section 31.04(h).

Preliminary Recommendation: Approve with Conditions

SPEAKERS: = Sharon Young – Staff Report
 + Peter Fantasia – Project presentation
 ACTION: Approved with Conditions
 AYES: Hillis, Koppel, Melgar, Moore
 ABSENT: Fong, Richards, Johnson
 MOTION: 19848

F. DISCRETIONARY REVIEW CALENDAR

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

- 17a. [2015-013066DRP-02](#) (W. FARRENS: (415) 575-9172)
2600 PACIFIC AVENUE – northwest corner of Pierce Street and Pacific Avenue, Lot 003 in Assessor's Block 0584 (District 2); Requests for **Discretionary Review** of Building Permit Application No. 2016.02.03.8723, proposing a horizontal addition at the rear of the top floor of a three-story single-family house. The project site is located within a RH-1 (Residential, House, One-Family) Zoning District and 40-X Height and Bulk District. This action constitutes the Approval Action for the project for the purposes of CEQA, pursuant to San Francisco Administrative Code Section 31.04(h).
 Staff Analysis: Abbreviated Analysis
Preliminary Recommendation: Do Not Take Discretionary Review and Approve

SPEAKERS: = David Lindsay – Staff Report
 + DR Requestor – DR presentation
 + Lewis Butler – Project presentation
 ACTION: Did Not Take DR and Approved as Proposed
 AYES: Hillis, Johnson, Koppel, Melgar, Moore
 ABSENT: Fong, Richards
 DRA No: 0502

- 17b. [2015-013066VAR](#) (W. FARRENS: (415) 575-9172)
2600 PACIFIC AVENUE – northwest corner of Pierce Street and Pacific Avenue, Lot 003 in Assessor's Block 0584 (District 2) - Request for Rear Yard **Variance**. The project proposes a horizontal addition at the rear of the top floor of a three-story single-family house. The proposed addition would encroach approximately 7 feet into the required rear yard; therefore, the project requires a Variance from the Rear Yard requirements of the Planning Code. The project site is located within a RH-1 (Residential, House, One-Family) Zoning District and 40-X Height and Bulk District.

SPEAKERS: Same as Item 17a.
 ACTION: ZA closed the public hearing and indicated an intent to Grant

18. [2015-014722DRP](#) (L. AJELLO: (415) 575-9142)

3239 STEINER STREET - west side between Lombard and Greenwich Streets; Lot 003A in Assessor's Block 0511 (District 2) - Request for **Discretionary Review** of Building Permit Application No. 2015.10.29.1119 proposing façade changes and a small increase in the volume of the fourth floor to enclose the previously-approved open stairs to the roof and accommodate a new motorized roof hatch at the front of the four-story two-unit residential building 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 purposes of CEQA, pursuant to Section 31.04(h) of the San Francisco Administrative Code.

Staff Analysis: Abbreviated Discretionary Review

Preliminary Recommendation: Do Not Take Discretionary Review and Approve

SPEAKERS: = David Lindsay – Staff Report
 - Mark Slutzkin – DR presentation
 + Mike Gong – Project presentation
 + Hannah Gong – Support
 + Ashley Gong – Support
 + Michael Hennesy – Design presentation

ACTION: No DR and Approved

AYES: Hillis, Johnson, Koppel, Melgar, Moore

ABSENT: Fong, Richards

DRA No: 0503

G. PUBLIC COMMENT

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

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

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

ADJOURNMENT - 5:03 P.M.