

SAN FRANCISCO PLANNING COMMISSION



Thursday, November 16, 2017
1:00 p.m.
Regular Meeting

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

THE MEETING WAS CALLED TO ORDER BY PRESIDENT HILLIS AT 1:16 P.M.

STAFF IN ATTENDANCE: John Rahaim – Planning Director, Aaron Starr, Mark Luellen, Sharon Young, Jonathan Bintliff, Lily Langlois, Claudine Asbagh, Matt Dito, Ella Samonsky, 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. 2015-018225DRP (S. JIMENEZ: (415) 575-9187)
171 JUDSON AVENUE - south side between Edna Street and Circular Avenue; Lot 032 in Assessor's Block 3182 (District 7) - Request for **Discretionary Review** of Building Permit Application No. 2015.11.09.2182, proposing to alter an existing two-story, single family residence by legalizing and constructing a rear horizontal addition at the first and second

floors and a third story vertical addition located within a RH-1 (Residential, 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 Discretionary Review

Preliminary Recommendation: Do Not Take Discretionary Review and Approve

(Continued from Regular Meeting of September 7, 2017)

(Proposed for Continuance to December 7, 2017)

SPEAKERS: None

ACTION: Continued to December 7, 2017

AYES: Hillis, Fong, Koppel, Melgar, Moore

ABSENT: Johnson, Richards

- 2a. 2015-015846DRM (E. GORDON-JONCKHEER: (415) 575-8728)
520 28TH STREET - north side of 28th Street between Castro and Diamond Streets; Lot 008 in Assessor's Block 6604 (District 8) - **Staff-Initiated Discretionary Review**, pursuant to Planning Code Section 311(c)(1), of Building Permit Application No. 2015.11.12.2431, proposing vertical and horizontal additions to the existing one-story single-family home, including a new second floor, a new two-car garage, and two new basement levels within a RH-1 (Residential, House, One-Family) Zoning District and 40-X Height and Bulk District. In addition, the Zoning Administrator will consider a Variance from the requirements for rear yard (per Planning Code Section 134). 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: Full Discretionary Review

Preliminary Recommendation: Take Discretionary Review and Approve with Modifications

(Continued from Regular Meeting of September 28, 2017)

(Proposed for Continuance to January 11, 2018)

SPEAKERS: None

ACTION: Continued to January 11, 2018

AYES: Hillis, Fong, Koppel, Melgar, Moore

ABSENT: Johnson, Richards

- 2b. 2015-015846DRP (E. GORDON-JONCKHEER: (415) 575-8728)
520 28TH STREET - north side of 28th Street between Castro and Diamond Streets; Lot 008 in Assessor's Block 6604 (District 8) - Request for **Discretionary Review** of Building Permit Application No. 2015.11.12.2431, proposing vertical and horizontal additions to the existing one-story single-family home, including a new second floor, a new two-car garage, and two new basement levels within a RH-1 (Residential, House, One-Family) Zoning District and 40-X Height and Bulk District. In addition, the Zoning Administrator will consider a Variance from the requirements for rear yard (per Planning Code Section 134).

Staff Analysis: Full Discretionary Review

Preliminary Recommendation: Take Discretionary Review and Approve with Modifications

(Continued from Regular Meeting of September 28, 2017)

(Proposed for Continuance to January 11, 2018)

SPEAKERS: None

ACTION: Continued to January 11, 2018
 AYES: Hillis, Fong, Koppel, Melgar, Moore
 ABSENT: Johnson, Richards

- 2c. 2015-015846VAR (E. GORDON-JONCKHEER: (415) 575-8728)
520 28TH STREET - north side of 28th Street between Castro and Diamond Streets; Lot 008 in Assessor's Block 6604 (District 8) - Request for a **Rear Yard Variance** from the Zoning Administrator pursuant to Planning Code Section 134 to allow the demolition and replacement of the roof of the existing noncomplying structure constituting an increase in the volume of the building within the required rear yard. The project is located in a RH-1 (Residential, House, One-Family) Zoning District and 40-X Height and Bulk District.
 (Continued from Regular Meeting of July 6, 2017)
(Proposed for Continuance to January 11, 2018)

SPEAKERS: None
 ACTION: Acting ZA Continued to January 11, 2018
 AYES: Hillis, Fong, Koppel, Melgar, Moore
 ABSENT: Johnson, Richards

- 3a. 2016-004823CUA (E. JARDINES: (415) 575-9144)
744 HARRISON STREET - northwest corner of Harrison and Lapu Lapu Streets, on Lots: 028 and 054 in Assessor's Block 3751 (District 6) - Request for **Conditional Use Authorization**, pursuant to Planning Code Sections 202.2, 249.40A, 303 and 842, to establish a hotel in the MUO Zoning District and a restaurant within the SOMA Youth and Family Special Use District. The proposed project includes demolition of the existing two-story office building and new construction of a new 85-foot tall eight-story-over-basement mixed-use building with a ground floor 1,683 square foot restaurant, a 22,273 square foot tourist hotel (52 rooms), and 7,500 square feet of group housing (7 rooms with a common kitchen, dining, and living area) on the upper floors within the Mixed Use Office (MUO) Zoning District, the SOMA Youth and Family Special Use District and a 85-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
(Proposed for Continuance to January 18, 2018)

SPEAKERS: None
 ACTION: Continued to January 18, 2018
 AYES: Hillis, Fong, Koppel, Melgar, Moore
 ABSENT: Johnson, Richards

- 3b. 2016-004823ENX (E. JARDINES: (415) 575-9144)
744 HARRISON STREET - northwest corner of Harrison and Lapu Lapu Streets, on Lots: 028 and 054 in Assessor's Block 3751 (District 6) - Request for a **Large Project Authorization**, pursuant to Planning Code Section 329, to construct a new 85-foot tall eight-story-over-basement mixed-use building with a ground floor 1,683 square foot restaurant, a 22,273 square foot tourist hotel (52 rooms), and 7,500 square feet of group housing (7 rooms with a common kitchen, dining, and living area) on the upper floors. Under the LPA, the Project is seeking exceptions to the Planning Code requirements for rear yard (Planning Code Section 134) and usable open space (Planning Code Section 135). The proposed project is

located within the Mixed Use Office (MUO) Zoning District, the SOMA Youth and Family Special Use District and 85-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
(Proposed for Continuance to January 18, 2018)

SPEAKERS: None
 ACTION: Continued to January 18, 2018
 AYES: Hillis, Fong, Koppel, Melgar, Moore
 ABSENT: Johnson, Richards

4. 2015-008252DRP (E. GORDON-JONCKHEER: (415) 575-8728)
89 ROOSEVELT WAY - south side of Roosevelt Way at Buena Vista Terrace; Lot 077 in Assessor's Block 2612 (District 8) - Request for **Discretionary Review** of Building Permit Application No. 2016.09.19.8061, proposing the vertical addition of a mezzanine level with roof decks to an existing 3-story building within a RM-1 (Residential-Mixed, Low Density) Zoning District and 40-X Height and Bulk District. This action constitutes the Approval Action for the project for the purposes of CEQA, pursuant to San Francisco Administrative Code Section [31.04\(h\)](#).

Preliminary Recommendation: Pending
(Proposed for Continuance to March 1, 2018)

SPEAKERS: None
 ACTION: Continued to March 1, 2018
 AYES: Hillis, Fong, Koppel, Melgar, Moore
 ABSENT: Johnson, Richards

5. 2015-018233DRP (M. DITO: (415) 575-9164, E. SAMONSKY: (415) 575-9112)
1290 SHAFTER AVENUE- north side between Ingalls and Hawes Streets; Lot 012A in Assessor's Block 4787 (District 10) - Request for **Discretionary Review** of Building Permit Application No. 2015.11.20.3280 proposing to legalize one dwelling unit at the first floor level, pursuant to Ordinance 43-14, and to remove an unauthorized dwelling unit at the second floor (by merging with the existing dwelling unit) from a property containing a single-family home 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: Full Discretionary Review

Preliminary Recommendation: Do Not Take Discretionary Review and Approve
 (Continued from Regular Meeting of October 5, 2017)

WITHDRAWN

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

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

6. [2016-002491CUA](#) (A. LINDSAY: (415) 575-9178)
556 JONES STREET - southeast corner at the intersection of Geary Street and Jones Street, Lot 014 of Assessor's Block 0317 (District 4) - Request for **Conditional Use Authorization**, pursuant to Planning Code Sections 303(c) and 209.3, to install a new T-Mobile Macro Wireless Telecommunications Services Facility consisting of installation of nine (9) new panel antennas, installation of three (3) new RRUs, installation of (4) new FRP screen walls, and ancillary equipment as part of the T-Mobile Telecommunications Network. The subject property is located within a RC-4 (Residential – Commercial-High Density) Zoning District, and 80-T and 130-T Height and Bulk Districts.
Preliminary Recommendation: Approve with Conditions
- SPEAKERS: None
 ACTION: Approved with Conditions
 AYES: Hillis, Fong, Koppel, Melgar, Moore
 ABSENT: Johnson, Richards
 MOTION: [20052](#)
7. [2017-002484CUA](#) (A. LINDSAY: (415) 575-9178)
2 GENEVA AVENUE - south side between Ocean Avenue and Howth Street; Lot 057 of Assessor's Block 6946 (District 11) - Request for **Conditional Use Authorization**, pursuant to Planning Code Sections 303(c) and 755, to develop a T-Mobile Wireless Telecommunications Facility consisting of six (6) screened rooftop-mounted panel antennas, one (1) GPS antenna, two (2) two-sided screen walls, and an associated equipment area as part of the T-Mobile Wireless Telecommunications Network. The subject property is located within the Ocean Avenue NCT (Neighborhood Commercial Transit) Zoning District and 40-X Height and Bulk District.
Preliminary Recommendation: Approve with Conditions
- SPEAKERS: None
 ACTION: Approved with Conditions
 AYES: Hillis, Fong, Koppel, Melgar, Moore
 ABSENT: Johnson, Richards
 MOTION: [20053](#)
8. [2017-010834CUA](#) (A. LINDSAY: (415) 575-9178)
501-503 & 505-511 LAGUNA STREET - west side between Linden and Fell Streets; Lots 034 and 035 of Assessor's Block 0819 (District 5) - Request for **Conditional Use Authorization**, pursuant to Planning Code Sections 303(c) and 761, to: (1) legalize the modification of an existing AT&T Mobility Wireless Telecommunications Facility consisting of three (3) new antennas, for a total of six (6) antennas mounted to an existing rooftop within existing screening; and (2) modify the existing facility consisting of the removal and replacement of six (6) radio relay units (RRUs) and other equipment upgrades as part of the AT&T Mobility Wireless Telecommunications Network. The subject property is located within the Hayes-

Gough NCT (Neighborhood Commercial Transit) Zoning District and 40-X Height and Bulk District.

Preliminary Recommendation: Approve with Conditions

SPEAKERS: None
 ACTION: Approved with Conditions
 AYES: Hillis, Fong, Koppel, Melgar, Moore
 ABSENT: Johnson, Richards
 MOTION: [20054](#)

9. [2017-004909CUA](#) (K. CAMPBELL: (415) 575-8732)
123 WEST PORTAL AVENUE - southeastern side between Vicente and 14th Streets, Lot 031 in Assessor's Block 2989B (District 14) - Request for **Conditional Use Authorization**, pursuant to Planning Code Sections 303, 303.1, and 703.4 to establish a Formula Retail Use (d.b.a. Verizon, a wireless communications retail store) within an existing 2,174 square feet tenant space (previously occupied by "RadioShack", a retail store use) within the West Portal NCD (Neighborhood Commercial) Zoning District and 26-X Height and Bulk District. This action constitutes the Approval Action for the project for the purposes of CEQA, pursuant to San Francisco Administrative Code Section [31.04\(h\)](#).
Preliminary Recommendation: Approve with Conditions

SPEAKERS: None
 ACTION: Approved with Conditions
 AYES: Hillis, Fong, Koppel, Melgar, Moore
 ABSENT: Johnson, Richards
 MOTION: [20055](#)

10. [2016-014513CUA](#) (S. YOUNG: (415) 558-6346)
1765 CALIFORNIA STREET - south side between Franklin Street and Van Ness Avenue, Lot 013 in Assessor's Block 0647 (District 2); Request for **Conditional Use Authorization** pursuant to Planning Code Sections 303, 303.1, and 703.4 to establish a Formula Retail Use (d.b.a. Genji Sushi, a limited restaurant use specializing in sushi packaged for takeout in the deli area) inside an existing Whole Foods Market grocery store located within a NC-3 (Moderate Scale Neighborhood Commercial District, Van Ness Automotive Special Use District, and a 130-E Height and Bulk District. This action constitutes the Approval Action for the project for the purposes of CEQA, pursuant to San Francisco Administrative Code Section [31.04\(h\)](#).
Preliminary Recommendation: Approve with Conditions

SPEAKERS: = Sharon Young – Staff report
 + Speaker – Project presentation
 + Speaker – Project presentation
 ACTION: After being pulled off Consent; Approved with Conditions
 AYES: Hillis, Richards, Koppel, Melgar, Moore, Johnson, Fong
 MOTION: [20056](#)

C. COMMISSION MATTERS

11. Consideration of Adoption:

- [Draft Minutes for October 26, 2017](#)

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

- [Draft Minutes for November 2, 2017](#)

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

12. Commission Comments/Questions

Commissioner Moore:

I'd just like to ask the question when the Department is going to distribute meeting material for our meeting at the end of November because many of us are going away for Thanksgiving and it is kind of a little bit unclear when we will be receiving packages.

Jonas P. Ionin, Commission Secretary:

Those packages are expected to be delivered to you Wednesday before the Thanksgiving holiday.

Commissioner Moore:

And for those who are gone already, are they on the web when?

Jonas P. Ionin, Commission Secretary:

They get posted on the web as soon as we deliver them to you.

Commissioner Moore:

Ok. Thank you. That's good. Appreciate it.

13. [2018 Hearing Schedule](#)

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

D. DEPARTMENT MATTERS

14. Director's Announcements

Director John Rahaim:

I just wanted to call your attention to Resilient by Design, the competition that is under way regionally. Yesterday the teams released, the 10 teams, released their conceptual ideas for a number of sites across the Bay and those sites are on the website, under

resilientbydesign.org and they are accepting public comments for the next two weeks on those sites and on those ideas until December 1st. At that point, there is a committee that is going to go through a process of matching teams with particular locations in the Bay Area and that will happen by the middle of December and then those designs will move forward and are due out May 1st. So, I encourage you to look at the website, to check out the ideas, there was some pretty interesting stuff that came up as you might imagine and we could submit your comments anytime until December 1st. Thank you, that concludes my presentation.

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

LAND USE COMMITTEE:

- **170922 Planning Code - Landmark Designation of 2731-2735 Folsom Street (aka Gaughran House).** Sponsor: Historic Preservation Commission. Staff: Ferguson.

First on the land use agenda this week was the Landmark designation of 2731-2735 Folsom Street, known as the Gaughran House. The property is a three-story, wood frame, three-unit building designed in the Beaux-Arts style. It is significant as a notable work of local master architect James Francis Dunn (1874- 1921) and is a fine example of residential Beaux-Arts architecture. Staff present the landmark designation to the Committee and answered questions from the committee Members. Supervisor Peskin then asked to be added as a sponsor of the proposed ordinance and the committee voted unanimously to recommend the designation.

FULL BOARD:

- **170930 General Plan - Pier 70 Mixed-Use District Project.** Sponsor: Commission. Staff: Sucre. PASSED Second Read
- **170864 Planning Code, Zoning Map - Pier 70 Special Use District.** Sponsors: Mayor; Cohen. Staff: Sucre. PASSED Second Read
- **170923 Planning Code - Landmark Designation of 1399 McAllister Street (aka Third Baptist Church Complex).** Sponsors: Breed; Peskin and Farrell. Staff: Ferguson. PASSED Second Read
- **170941 Planning Code, Zoning Map - Transit Center Special Sign District.** Sponsor: Kim. Staff: D. Sanchez. Passed First Read
- **171053 Hearing - Appeal of Determination of Categorical Exemption From Environmental Review - 20 Nobles Alley.** Staff: Eiliesh Tuffy, Pilar LaValley and Tania Sheyne

Also on the agenda was the appeal of the Categorical Exemption for a project located at 20 Nobles Alley. The project has a long and complicated permit history dating back to the 1990's. The appeal was not focused on CEQA and instead the environment appeal appeared to be a proxy for settling disagreements between neighbors. There was a motion to continue the item for three months to help resolve some of the issues, but this failed to receive a majority vote. Staff adroitly

defended the CatEx determination and ultimately the Board agreed with Staff by upholding the environmental determination and rejecting the appeal by a 6-3 vote. With Supervisors Fewer, Kim, and Ronen voting no, and Supervisors Cohen, and Peskin recused.

- **171041 Planning Code – Cannabis Regulation.** Sponsors: Mayor, Sheehy. Staff: Starr. Item 3
- **171187 Planning Code - Cannabis Regulation.** Sponsors: Mayor; Sheehy. Staff: Starr. Item 4

And lastly I'll discuss the Cannabis Regulations that were heard at the Land Use Committee, Rules Committee, and Full Board this week and the previous weeks. After a total of 6 committee hearings and one Board meeting it's been very hard to keep track of all the various moving pieces and proposed amendments, so while what I'm about to present I've double check and believe to be accurate, some information may be out of date.

First, the ordinance was split at the Land Use hearing; one version is referred to as the skinny version, and the other is referred to as the bulky version. The skinny version removes most of the special carve-outs that supervisors added to the ordinance in the first Land Use hearing, while the bulky version keeps most of those in. The Skinny version was forwarded to the Board without a recommendation, and the bulky version remains in committee.

Originally, the Land Use Committee did vote to increase the 600 foot buffer around schools to 1000 feet, which the Commission recommended. The Committee at one point also considered adding a 1000 foot buffer around Childcare facilities. Adding child care facilities to would have all but eliminated the green zone. Since then and through various amendments, the 1000' buffer around schools has been brought back to 600 feet in the skinny version, and the childcare provision has been eliminated in both versions.

Also, originally, the orbit option was added to the ordinance, which this commission had recommended; however, currently in the version that was before the Board on Tuesday, the orbit option was replaced by a straight 600' anti-clustering provision. Originally it was a 300' anti-clustering provision in the version you reviewed.

The Land Use Committee also added NC-1 Districts in Supervisor Tang's District to the green zone. This amendment is still in both versions.

Also in both versions is a finding that directs the planning commission to consider the concentration of MCDs and Cannabis Retailers when evaluating CU applications.

Both versions of the ordinance have a limit of three MCDs or Cannabis Retailers in any combination in the Excelsior Outer Mission NCD. This provision previously extended to all of Supervisor District 11.

The bulky version also has a requirement that MCDs converting the Cannabis Retailers in the four Outer Sunset Districts, Ocean Avenue, and West Portal NCDs must seek mandatory DR to do so.

The bulky version also has provisions allowing only 1 Medical Cannabis Dispensary or Cannabis Retail establishment in each of Outer Sunset NCDs, the Upper Fillmore NCD, Sacramento Street NCD, the NC-5 District in Supervisorial District 2, and West Portal NCD. It also has a limit of 2 such establishment in the Ocean Avenue NCD, and a prohibition on Cannabis Retailers and MCDs in Chinatown.

At this week's Full Board hearing, the Board voted to continue the item to November 28 on a 9-1 vote with Supervisor Peskin voting no and Supervisor Cohen absent. This was done to allow more time to consider the proposed amendments. There was a proposed amendment by Superior Sheehy that would have allowed the sale of adult use cannabis on January 1 for existing MCDs, and continued the rest of the land use discussion for a few more weeks, but ultimately that recommendation was withdrawn.

The end result is that San Francisco will not have regulations for adult use cannabis in San Francisco by January 1, 2018. The earliest that the law could take effect would be January 6, 2018 if the Mayor signs the ordinance one day after the Board adopts it.

HISTORIC PRESERVATION COMMISSION:

Pilar LaValley, Acting Senior Preservation Planner:

I'm here in place of Tim Frye to report on the actions of the Historic Preservation Commission yesterday. The Commission heard three Certificates of Appropriateness, heard and approved three Certificates of Appropriateness, recommended approval for the addition of Cliff's Variety and Tomaso's Ristorante Italiano to the Legacy Business Registry and heard an informational item from the Port on the Waterfront Land Use Plan. In addition, they heard a Permit to Alter case for 56 Mason Street. This project's proposal is to restore and partially replace 75 street facing windows at the upper three levels and for storefront alteration along Mason Street. The permit was submitted as a minor permit to alter and request for hearing was filed by Sue Hestor on August 28th who raised concerns about the potential loss of the existing 41 SRO units at the property, which have been vacant since 2013. During the hearing yesterday, the HPC heard public comment from 11 members of the public as well as Ms. Hestor, the Tenderloin Neighborhood Development Corporation, Hospitality House and the Senior -- and Senior and Disabilities Action; expressing concerns regarding the long construction history of the hotel, past legal action against property owner and the potential loss of SRO units at the property. Because the permit did not address the use of the property, which is an issue that's beyond the purview of the HPC and because the permit would lead to the habitability of the building, the HPC unanimously approved the permit to alter. In their remarks, the HPC directed staff to make the Planning Commission, Mayor and Board of Supervisors aware of the public comments and the HPC's concerns about these issues. It is our understanding that a request for Discretionary Review will be filed against the permit and heard before this commission in the coming months and that the HPC will provide a statement to this Commission, the Board of Supervisors and the Mayor regarding their concerns surrounding the affordable housing at the property. Just for a little background, additional background, there are currently three approved permits from 2013-2014 for interior tenant improvements of the

SRO units and hotel rooms, but no permit has been filed for change of use. Any removal of SRO units at the property would trigger a Conditional Use Authorization for both the removal of affordable housing units as well as intensification of a hotel use and per Chapter 41 of the Administrative Code; one-for-one replacement of the units would be required at an alternative location. That concludes my presentation. Thank you.

BOARD OF APPEALS:

Jonas P. Ionin, Commission Secretary:

There is a Board of Appeals report from the Zoning Administrator. I'll apologize in advance for it does appear to be lengthy. Last week, the Board of Appeals held a hearing and considered two items that may be of interest to the Commission. First the Board heard and denied a rehearing request for their decision on 2226 Green Street. The board upheld the Planning Commission's decision to allow a roof deck at the subject property. Second, the Board heard an appeal of the building permits for demolition and new construction of a single-family dwelling at 255 Seacliff Avenue. The Commission heard this under Discretionary Review and approved the permit with reduction in the size of the top floor. The Board upheld the demolition permits but required the top floor be removed, allowing a roof deck up to 500 square feet. The Board continued the item and requested that the parties work together on the final details of the roof deck. Last night, the Board of Appeals held a hearing and considered three items that may be of interest to the commission. First, they considered an appeal of the Variance issued by the Zoning Administrator for the project at 645 Valencia Street. The Planning Commission heard a discretionary review request on June 2nd of this year, which was filed by the neighbors to the rear of the property. Their primary concerns were potential impacts to the rear yard tree and impacts of new shadow on to their rear yard. The Commission voted 5-1 with Commissioner Johnson absent to take DR and shift the top floor five feet away from the neighbor's property line. The appellant made the same arguments at the Board of Appeals, but the Board determined that the project met the required five findings to grant the variance and voted unanimously to deny the appeal of the variance. Second, the Board considered an appeal of a building permit for a third story addition to 259 Avila Street. The Planning Commission heard a discretionary review on the project August 4th of this year, which was filed by the neighbor to the rear of the subject property. His primary concerns were the added height created by the third story and potential structural issues related to seismic activity. The Commission found no exceptional extraordinary circumstances and voted 5-0 to not take DR and approve the project. The appellant made the same arguments at the Board of Appeals, but the Board determined that the project had been properly approved and voted unanimously to deny the appeal of the building permit. Finally, the Board considered an appeal of the rear yard variance issued by the Zoning Administrator for the project at 2523 Steiner Street. The proposal was for rear additions at the third and fourth floors. The Planning Commission heard a discretionary review on June 15, 2017 which was filed by an adjacent neighbor and the Zoning Administrator heard the variance at the same hearing. The Commission voted 4-1 to take DR and disapprove the entire project, which also included a horizontal addition of the front of the fourth floor that did not require a variance. The Zoning Administrator took the variance under advisement and eventually granted the variance with several conditions of approval that set back the proposed rear additions and terraces further from the adjacent property. The appellant made basically the same arguments to the Board of Appeals, after a lengthy hearing and deliberation the board voted 3-2 to take the appeal and deny the variance. However, four

votes are required to overturn the Zoning Administrator's granting of the variance. No other motions were made and appeal was denied due to lack of votes.

E. GENERAL 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. Each member of the public may address the Commission for up to three minutes.

SPEAKERS: Georgia Schuttish – RET
John Lum
Speaker
Sue Hestor – 311 Notifications

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.

16. (J. BINTLIFF: (415) 575-9170)

[MAYOR'S EXECUTIVE DIRECTIVE ON HOUSING](#) – **Informational Presentation** outlining the provisions of Executive Directive 17-02 establishing approval deadlines and accountability measures regarding the approval of new housing developments, and the Department's approach to developing a process improvements plan for the Mayor's consideration.

Preliminary Recommendation: None – Informational

SPEAKERS: = Jacob Bintliff – Staff presentation
= Christopher Roach – Routine permits
= Aida Abernethy – Infill development
= Karen Payson – Gross square foot
= Ross Levy – Process improvements
= John Lum – HRER's
= Georgia Schuttish
= Alex Lansburg – Tripping over months to same days
= Sue Hestor – Loss of housing

ACTION: None – Informational

17. [2009.0159IKA](#) (L. LANGLOIS: (415) 575-9083)

OAK PLAZA - approving an **impact fee waiver** for 1554 Market Street in the amount of \$2,180,893 to create a plaza within the Oak Street right of way between Van Ness Avenue and Franklin Street (aka "Oak Plaza"), and to recommend to the Board of Supervisors that they adopt an ordinance accepting streetscape and open space improvements above the value of the in-kind fee waiver amount.

Preliminary Recommendation: Approve

SPEAKERS: = Lily Langlois – Staff report
 + Speaker
 + Michael Yorne
 + Ted Olsen
 ACTION: Approved
 AYES: Johnson, Fong, Richards, Koppel, Melgar, Moore
 ABSENT: Hillis
 MOTION: [20057](#)

18. [2014-002849CUA](#) (C. GROB: 9415) 575-9138)
1196 COLUMBUS AVENUE - north side of Columbus Avenue, on the east side of the intersection of Columbus Avenue, Jones and Bay Streets; Lot 007 in Assessor's Block 0043 (District 3) - Request for **Conditional Use Authorization**, pursuant to Planning Code Sections 210.1 & 303 to establish a hotel use within a C-2 (Community Business) District, Telegraph Hill-North Beach Residential Special Use District and 40-X Height and Bulk District. The project proposes to demolish the existing one-story commercial building and construct a four-story-over-basement, 28,308 square foot hotel with 75 rooms. 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 November 2, 2017)
NOTE: On September 28, 2017, after hearing and closing public comment, the Commission adopted a Motion of Intent to Disapprove and Continued the matter to November 2, 2017 by a vote of +5 -2 (Koppel, Hillis against).
On November 2, 2017, after hearing and closing public comment, the Commission Continued the matter to November 16, 2017 by a vote of +6 -0 (Melgar absent).

SPEAKERS: = Mark Luellen – Staff report
 + Speaker – Project presentation
 - Paul Webber
 + David Harlan – Union Hotel jobs
 - Marla Knight – Opposed to hotel
 - Speaker
 - Speaker – Make communities
 + Cynthia Gomez – Union support
 ACTION: Disapproved
 AYES: Johnson, Richards, Melgar, Moore
 AGAINST: Fong, Hillis, Koppel
 MOTION: [20058](#)

19. [2017-007658CUA](#) (L. AJELLO-HOAGLAND: (415) 575-6823)
4522 3RD STREET - west side of 3rd Street, between La Salle and McKinnon Streets; Lot 019 in Assessor's Block 5296 (District 10) - Request for **Conditional Use Authorization**, pursuant to Planning Code Sections 249.62, 303 for Change of Use and relocation of an existing Prohibited Liquor Establishment in the Third Street Alcohol Special Use District for an existing retail grocery and liquor store (d.b.a. Sav Mor Market) to relocate from 4500 3rd Street to a vacant commercial storefront located at 4522 3rd. The project site is located within a NC-3 (Neighborhood Commercial, Moderate Scale) Zoning District, and dddddd40-

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 November 2, 2017)

NOTE: On November 2, 2017, after hearing and closing public comment, the Commission Continued the matter to November 16, 2017 by a vote of +3 -2 (Johnson, Koppel against; Melgar, Hillis absent).

SPEAKERS: None
 ACTION: Continued to December 14, 2017
 AYES: Hillis, Fong, Koppel, Melgar, Moore
 ABSENT: Johnson, Richards

20. [2016-002572CUA](#) (E. JARDINES: (415) 575-9144)
2534-2540 MISSION STREET- west side of Mission Street; Lot 211 in Assessor's Block 3616 (District 9) - Request for a **Conditional Use Authorization**, pursuant to Planning Code Sections 121.2, 202.2, 249.60, 303, 754, 781.80 and the Mission 2016 Interim Zoning Controls (Planning Commission Resolution 19865), to permit the change of use from a vacant non-retail professional service to a restaurant and allow the expansion of an existing restaurant (DBA Foreign Cinema), and to permit a non-residential use size larger than 6,000 square feet in the Mission Street NCT (Mission Street Neighborhood Commercial Transit) Zoning District, Mission Alcoholic Beverage Special Use District and a 65-B 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: Denial

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

- 21a. [2014.0408DNX](#) (C. ASBAGH: (415) 575-9165)
1055 MARKET STREET - south side of Market Street, between Sixth and Seventh Streets at the intersection of McAllister and Market Streets; lot 066 of Assessor's Block 3703 (District 6) - Request for a **Downtown Project Authorization** per Planning Code Section 309, including a request for an exception to the ground-level wind current requirements in C-3 Districts (Section 148). The proposal would demolish the existing two-story approximately 16,000 square foot commercial building, and construct a 10-story, 160-room tourist hotel with approximately 2,014 square feet of ground floor retail. The project site is located in the Downtown General Commercial (C-3-G) Zoning District and 90-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: = Claudine Asbagh – Staff report
 + Speaker – Project presentation
 + Cynthia Gomez – Union support
 ACTION: Approved with staff recommendations
 AYES: Johnson, Fong, Richards, Koppel, Melgar, Moore

ABSENT: Hillis
 MOTION: [20059](#)

- 21b. [2014.0408CUA](#) (C. ASBAGH: (415) 575-9165)
1055 MARKET STREET - south side of Market Street, between Sixth and Seventh Streets at the intersection of McAllister and Market Streets; lot 066 of Assessor's Block 3703 (District 6) - Request for a **Conditional Use Authorization**, pursuant to Planning Code Sections 210.2 and 303 to establish a tourist hotel. The proposal would demolish the existing two-story approximately 16,000 square foot commercial building, and construct a 10-story, 160-room tourist hotel with approximately 2,014 square feet of ground floor retail. The project site is located in the Downtown General Commercial (C-3-G) Zoning District and 90-X Height and Bulk District.

Preliminary Recommendation: Approve with Conditions

SPEAKERS: Same as Item #21a.
 ACTION: Approved with staff recommendations as amended to eliminate the ground floor rooms and reconfigure the public open space.
 AYES: Johnson, Fong, Richards, Koppel, Melgar, Moore
 ABSENT: Hillis
 MOTION: [20060](#)

22. [2017-007430CUA](#) (C. ASBAGH: 415/575-9165)
1360 JONES STREET, UNITS 902 AND 1001 - southeast corner of Washington and Jones Streets; lot 016 of Assessor's Block 0214 (District 3) - Request for a **Conditional Use Authorization**, pursuant to Planning Code Section 303 and 317 to merge two dwelling units within a 19-unit building. The project would merge a 1,507 square foot, two-bedroom, two-bath unit (#902) with a 2,502 square foot, two-bedroom, two and a half-bath unit (#1001) within the RM-4 (Residential - Mixed, High Density) Zoning District and 65-A Height and Bulk District.

Preliminary Recommendation: Disapprove

SPEAKERS: = Claudine Asbagh – Staff report
 + Brett Gladstone – Project presentation
 ACTION: After hearing and closing public comment;
 Continued to December 14, 2017
 AYES: Johnson, Hillis, Richards, Koppel
 AGAINST: Melgar
 RECUSED: Moore
 ABSENT: Fong

23. [2017-003058CUA](#) (M. DITO: (415) 575-9164)
2323 MISSION STREET - east side of Mission Street, between 19th and 20th Streets on Assessor's Block 3595, Lot 029 (District 9) - Request for **Conditional Use Authorization** pursuant to Planning Code Sections 145.2, 303, and 754 to establish an Outdoor Activity Area at an existing restaurant use (d.b.a. "Teeth") in an existing two-story mixed-use building. The subject property is located within the Mission Street Neighborhood Commercial Transit District and 55-X Height and Bulk Districts. 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 28, 2017)

- SPEAKERS:**
- = Matt Dito – Staff report
 - + Serina Calhoun – Project presentation
 - + Stevon Cook – Support
 - = Felicia Lester – Noise is a problem
 - Speaker – Opposed to the expansion
 - + Tom Timfrano – Support
 - + Lila – Support
 - Speaker – Noise, loitering
 - Speaker – Disruptive to neighbors
 - + Al Sharva – Support
 - + Speaker – Support
 - + Speaker – Support
 - + Phillip Lesser – Look back period
- ACTION:** Approved with Conditions as amended for the Sponsor to continue working with Staff to develop a sound mitigation plan and one-year informational hearing to report back, from implementation of noise reduction measures.
- AYES:** Hillis, Richards, Fong, Johnson, Koppel, Melgar, Moore
- MOTION:** [20061](#)

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.

- 24a. [2015-015751DRP](#) (M. DITO: (415) 575-9164, E. SAMONSKY: (415) 575-9112)
1824 JENNINGS STREET- east side between Shafter and Thomas Avenues; Lot 005 in Assessor's Block 4790 (District 10) - Request for **Discretionary Review** of Building Permit Application No. 2015.11.09.2165 proposing to remove two unauthorized dwelling units (by merger of the units with the existing dwelling unit) and to legalize a dwelling unit at the first floor, pursuant to Ordinance 43-14, in an existing single family home 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: Full Discretionary Review

Preliminary Recommendation: Take Discretionary Review and Approve with Conditions

- SPEAKERS:**
- = Matt Dito – Staff report
 - Nick Cola – City Attorney presentation
 - = Speaker
 - + Frederick Bryant – Veteran interests
 - + Tommy Avecola-Mecca – Assurances for relocation
 - + Speaker – Options for non-veterans

- + Tony Robles – Legalize the units
- + James Muller – Hardship to move
- + John Talbot – Forced homelessness
- + Michelle Monton – 1750 Newcomb
- + Speaker – Support
- + Speaker – Support
- + Taie Quadivo – Great place
- Speaker – Responsibility to all residents
- + Ryan Patterson
- + Jeremy Shaw – Housing solution
- + Pat Buscovitch

ACTION: Took DR and Approved with Conditions
 AYES: Hillis, Richards, Fong, Koppel, Melgar, Moore
 ABSENT: Johnson
 DRA No: [0561](#)

- 24b. [2015-018300DRP](#) (M. DITO: (415) 575-9164, E. SAMONSKY: (415) 575-9112)
1083 HOLLISTER AVENUE - south side between Ingalls and Hawes Streets; Lot 029 in Assessor's Block 4965 (District 10) - Request for **Discretionary Review** of Building Permit Application No. 2015.11.10.2331 proposing to legalize one dwelling unit at the first floor level (by merger with another unauthorized dwelling unit), pursuant to Ordinance 43-14, and to remove an unauthorized dwelling unit at the second floor (by merging with the existing dwelling unit) from a property containing a single-family home 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: Full Discretionary Review

Preliminary Recommendation: Take Discretionary Review and Approve with Conditions

SPEAKERS: Same as Item 24a.
 ACTION: Took DR and Approved with Conditions
 AYES: Hillis, Richards, Fong, Koppel, Melgar, Moore
 ABSENT: Johnson
 DRA No: [0562](#)

- 24c. [2015-018240DRP](#) (M. DITO: (415) 575-9164, E. SAMONSKY: (415) 575-9112)
1395 SHAFTER AVENUE - south side between Jennings and Ingalls Streets; Lot 025 in Assessor's Block 4791 (District 10) - Request for **Discretionary Review** of Building Permit Application No. 2015.11.20.3191 proposing to remove three unauthorized dwelling units (by merger of the units) and to legalize a dwelling unit at the second floor, pursuant to Ordinance 43-14, in an existing single family home 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: Full Discretionary Review

Preliminary Recommendation: Take Discretionary Review and Approve with Conditions

SPEAKERS: Same as Item 24a.
 ACTION: Took DR and Approved with Conditions

AYES: Hillis, Richards, Fong, Koppel, Melgar, Moore
 ABSENT: Johnson
 DRA No: [0563](#)

- 24d. [2016-000316DRP](#) (M. DITO: (415) 575-9164, E. SAMONSKY: (415) 575-9112)
1351 REVERE AVENUE - south side between Jennings and Ingalls Streets; Lot 020A in Assessor's Block 4788 (District 10) - Request for **Discretionary Review** of Building Permit Application No. 2015.12.15.5196 proposing to add one dwelling unit and legalize one dwelling unit at the first floor level, pursuant to Ordinance 43-14, and to remove four unauthorized dwelling units (by merging the units with the existing unit) from a property containing a single-family home 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 San Francisco Administrative Code Section [31.04](#)(h).
 Staff Analysis: Full Discretionary Review
Preliminary Recommendation: Do Not Take Discretionary Review and Approve
 (Continued from Regular Meeting of October 5, 2017)

SPEAKERS: Same as Item 24a.
 ACTION: Did NOT Take DR and Approved
 AYES: Hillis, Richards, Fong, Koppel, Melgar, Moore
 ABSENT: Johnson
 DRA No: [0564](#)

- 24e. [2016-000184DRP](#) (M. DITO: (415) 575-9164, E. SAMONSKY: (415) 575-9112)
38 CARR STREET - west side between Paul and Salinas Avenues; Lot 010 in Assessor's Block 5462 (District 10) - Request for **Discretionary Review** of Building Permit Application No. 2015.12.02.3978 proposing the removal of two unauthorized dwelling units at the second and third floor (by merger with the existing unit) and to legalize a dwelling unit at the first floor, pursuant to Ordinance 43-14, in an existing single family home 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: Full Discretionary Review
Preliminary Recommendation: Take Discretionary Review and Approve with Conditions
 (Continued from Regular Meeting of October 5, 2017)

SPEAKERS: Same as Item 24a.
 ACTION: Took DR and Approved with Conditions
 AYES: Hillis, Richards, Fong, Koppel, Melgar, Moore
 ABSENT: Johnson
 DRA No: [0565](#)

- 24f. [2016-000121DRP](#) (M. DITO: (415) 575-9164, E. SAMONSKY: (415) 575-9112)
1050 GILMAN AVENUE - north side between Griffith and Hawes Street; Lot 006A in Assessor's Block 4937 (District 10) - Request for **Discretionary Review** of Building Permit Application No. 2015.12.02.3975 proposing to remove three unauthorized dwelling units (by merger of the units) and to legalize a dwelling unit at the first floor, pursuant to Ordinance 43-14, in an existing single family home 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: Full Discretionary Review

Preliminary Recommendation: Take Discretionary Review and Approve with Conditions
(Continued from Regular Meeting of October 5, 2017)

SPEAKERS: Same as Item 24a.
ACTION: Took DR and Approved with Conditions
AYES: Hillis, Richards, Fong, Koppel, Melgar, Moore
ABSENT: Johnson
DRA No: [0566](#)

- 24g. [2016-000343DRP](#) (M. DITO: (415) 575-9164, E. SAMONSKY: (415) 575-9112)
[1656 NEWCOMB AVENUE](#) - north side between Third and Newhall Street; Lot 006 in Assessor's Block 5306 (District 10) - Request for **Discretionary Review** of Building Permit Application No. 2015.11.10.2339 proposing to remove two unauthorized dwelling units on the second and third floors (by merger with existing units) and to legalize one dwelling unit on the ground floor, pursuant to Ordinance 43-14, in an existing three family building 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 San Francisco Administrative Code Section [31.04\(h\)](#).
Staff Analysis: Full Discretionary Review
Preliminary Recommendation: Do Not Take Discretionary Review and Approve
(Continued from Regular Meeting of October 5, 2017)

SPEAKERS: Same as Item 24a.
ACTION: Did NOT Take DR and Approved
AYES: Hillis, Richards, Fong, Koppel, Melgar, Moore
ABSENT: Johnson
DRA No: [0567](#)

ADJOURNMENT – 7:13 PM
ADOPTED NOVEMBER 30, 2017