

# SAN FRANCISCO PLANNING COMMISSION



## Meeting Minutes

Commission Chambers - Room 400  
City Hall, 1 Dr. Carlton B. Goodlett Place  
San Francisco, CA 94102-4689

**Thursday, January 24, 2019**  
**1:00 p.m.**  
**Regular Meeting**

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

**THE MEETING WAS CALLED TO ORDER BY PRESIDENT MELGAR AT 1:39 PM**

**STAFF IN ATTENDANCE:** Deborah Landis, Dan Sider, Claudia Flores, Dori Ganetsos, Natalia Kwiatkowska, David Winslow, John Rahaim – Planning Director, 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. 2018-000813CUA (S. JIMENEZ: (415) 575-9187)  
939 ELLIS STREET – south side of Ellis Street between Van Ness Avenue and Franklin Street; Lot 019 in Assessor’s Block 0738 (District 5) – Request for **Conditional Use Authorization**, pursuant to Planning Code sections 209.3 and 303, to establish a Health Service (Retail Sales and Service) Use within a currently vacant 96,908 square foot tenant space most recently used as an Office Use. The subject property is located within a RC-4 (Residential –

Commercial, High Density) Zoning District, Van Ness Special Use District and 130-V Height and Bulk District. This action constitutes the Approval Action for the project for the purposes of CEQA, pursuant to San Francisco Administrative Code Section [31.04\(h\)](#).  
**(Proposed Continuance to January 31, 2019)**

SPEAKERS: None  
 ACTION: Continued to March 7, 2019  
 AYES: Fong, Hillis, Johnson, Melgar, Moore, Richards  
 ABSENT: Koppel

- 2a. 2013.0655CUA (R. SUCRE: (415) 575-9108)  
1513A-F YORK STREET – east side of York Street between Cesar Chavez Street and Peralta Avenue; Lots 011, 012 & 020 in Assessor’s Block 5513 (District 9) – Request for **Conditional Use Authorization**, pursuant to Planning Code Sections 209.1, 242 and 303, to allow up to one dwelling unit per 1,500 square feet of lot area for the construction of four two-family, two- to three-story (30-ft tall) dwellings (between 1,383 sq. ft. and 1,552 sq. ft. each) with covered parking on Lots 011 & 012 in the center of Block 5513, one two-family, three-story (30-ft tall) dwelling (between 1,040 sq. ft. and 1,208 sq. ft. each) on Lot 020 at York Street, and access to all ten dwellings through a driveway at 1513 York Street. The subject properties are located within a RH-2 (Residential – House, Two-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\(h\)](#).  
*Preliminary Recommendation: Approve with Conditions*  
 (Continued from Regular hearing on November 29, 2018)  
**Note: On November 29, 2018, after hearing and closing public comment, continued to January 24, 2019 by a vote of +6 -0 (Richards absent).**  
**(Proposed Continuance to March 14, 2019)**

SPEAKERS: None  
 ACTION: Continued to March 14, 2019  
 AYES: Fong, Hillis, Johnson, Melgar, Moore, Richards  
 ABSENT: Koppel

- 2b. 2013.0655VAR (R. SUCRE: (415) 575-9108)  
1513A-F YORK STREET – east side of York Street between Cesar Chavez Street and Peralta Avenue; Lots 011, 012 & 020 in Assessor’s Block 5513 (District 9) – Request for a **Variance** to the rear yard and exposure requirements pursuant to Planning Code Sections 134 and 140, respectively, to allow the construction of four two-family, two- to three-story (30-ft tall) dwellings (between 1,383 sq. ft. and 1,552 sq. ft. each) with covered parking on Lots 011 & 012 in the center of Block 5513, one two-family, three-story (30-ft tall) dwelling (between 1,040 sq. ft. and 1,208 sq. ft. each) on Lot 020 at York Street, and access to all ten dwellings through a driveway at 1513 York Street. The subject properties are located within a RH-2 (Residential – House, Two-Family) Zoning District, Bernal Heights Special Use District, and 40-X Height and Bulk District.  
 (Continued from Regular hearing on November 29, 2018)  
**(Proposed Continuance to March 14, 2019)**

SPEAKERS: None

ACTION: Acting ZA Continued to March 14, 2019

12. [2016-004403CUA](#) (S. YOUNG: (415) 558-6346)  
2222 BROADWAY – north side between Webster and Fillmore Streets, Lot 070 in Assessor's Block 0564 (District 2) – Request for **Conditional Use Authorization** pursuant to Planning Code Sections 178(e)(2), 209.1, and 303 to increase the enrollment cap for an existing school, Schools of the Sacred Heart (Broadway campus), with a student enrollment increase from 850 to 1050 students and an increase in the number of faculty and staff from 200 to 205 (at most). The proposal will involve modifying conditions of a prior Conditional Use Authorization under Case No. 1999.217C (Motion No. 16082). No physical alterations to the existing school buildings and surrounding sidewalks and streets are proposed. 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 San Francisco Administrative Code Section [31.04\(h\)](#).  
*Preliminary Recommendation: Approve with Conditions*

SPEAKERS: None  
 ACTION: Continued to April 4, 2019  
 AYES: Fong, Hillis, Johnson, Melgar, Moore, Richards  
 ABSENT: Koppel

## B. CONSENT CALENDAR

All matters listed hereunder constitute a Consent Calendar, are considered to be routine by the Planning Commission, and may be acted upon by a single roll call vote of the Commission. There will be no separate discussion of these items unless a member of the Commission, the public, or staff so requests, in which event the matter shall be removed from the Consent Calendar and considered as a separate item at this or a future hearing

3. [2018-011935CUA](#) (M. CHRISTENSEN: (415) 575-8742)  
2505 THIRD STREET – southeast corner of 3<sup>rd</sup> and 22<sup>nd</sup> Streets; Lot 001 of Assessor's Block 4173 (District 10) – Request for **Conditional Use Authorization**, pursuant to Planning Code Sections 210.3, 249.37, and [303](#) to expand an existing Retail Sales and Service use to a total size of 6,798 square (proposed as a Restaurant and Event Space, dba Magnolia Brewery) at the ground floor of an existing three-story industrial building within the PDR-1-G (Production, Distribution & Repair – 1 - General) Zoning District, the Innovative Industries Special Use District, and the 85-X and 68-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 hearing on December 20, 2018)

SPEAKERS: None  
 ACTION: Approved with Conditions  
 AYES: Fong, Hillis, Johnson, Melgar, Moore, Richards  
 ABSENT: Koppel  
 MOTION: [20373](#)

4. [2018-010700CUA](#) (D. GANETSOS: (415) 575-9172)  
 4018 24<sup>TH</sup> STREET – north side between Noe and Castro Streets; Lot 009 of Assessor’s Block 3656 (District 7) - Request for **Conditional Use Authorization**, pursuant to Planning Code Sections 303 and 728 to establish a restaurant use (DBA Wallflower) in an existing and vacant ground floor retail storefront (approximately 1,425 square feet in area) most recently permitted as a limited restaurant use within the 24<sup>th</sup> Street – Noe Valley NCD (Neighborhood Commercial District) and 40-X Height and Bulk District. This project was reviewed under the Community Business Priority Processing Program (CB3P). 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: Fong, Hillis, Johnson, Melgar, Moore, Richards  
 ABSENT: Koppel  
 MOTION: [20374](#)

## C. COMMISSION MATTERS

5. Consideration of Adoption:  
 • [Draft Minutes for January 10, 2019](#)

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

6. Commission Comments/Questions

### **Commissioner Richards:**

So, I received an advanced agenda for our meeting on February 7<sup>th</sup> at Mission High School, between 4 and 7 and I think -- a couple comments I’d like, I respectfully request President Melgar sit with the community folks and try to set expectations on making sure that we have a civil dialogue. If you need help on that, let me know. I think the other one is I have seen meetings that have kind of gone awry and I really would request, respectfully, that we have sheriff deputies there. I don't know how other Commissioners feel but I just feel there might be a safety issue.

### **President Melgar:**

Thank you, Commissioner Richards. We are addressing both of your requests. Thank you.

### **Commissioner Richards:**

Okay great. One last quick item. Governor's housing hammer, you know, carrots and sticks to get housing. He wants to withhold transportation funds from SB1 because cities don't build enough housing, and I really want to step back to say, the city doesn't build the housing. We had the pipeline report last week, 70,000 units in it. Why would you want to withhold funds from a city like us? If actually those were built, we probably would be far up on the scale of our RHNA target. I think it is very misguided.

**Commissioner Moore:**

I always target Director Rahaim in these meetings. Question on, while you're sitting, on the regional discussion. The City of Concord in downtown just approved a very large site right next to BART to become a soccer training center. And I am wondering why the discussion would not be geared towards asking every community to put high-density housing next to transportation? Am I missing my microphone here?

**President Melgar:**

Director Rahaim, do you want to weigh in?

**John Rahaim, Planning Director:**

Commissioners, that is a very good question. I don't know why an individual community would do that either except that as you know there is a mixed bag in the region about communities that are encouraging new housing and those that are not. And the ABAG board unfortunately has no power to compel communities to do that. That is one of the challenges we have at the regional plan is that there really isn't any legal teeth to require that communities meet the intent of the plan.

**D. DEPARTMENT MATTERS**

## 7. Director's Announcements

**John Rahaim, Planning Director:**

Thank you. Actually, if I may, with respect to Commissioner Richards' comments about the Governor's proposal. In fact, in our case, the City is meeting its market rate arena goals. So, presumably under the Governor's proposal, the City would not lose any transportation funding. Although, it is not clear what the specifics of that would be. I think it is meant to as I understand it, it is meant to really go after communities that are not, you know, that are doing very little. That is all the comments I have today. Thank you.

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

None

**E. GENERAL PUBLIC COMMENT**

**SPEAKERS:** Georgia Schuttish – Demo calculation  
 Jerry Dratler – Staff recommendations  
 Ozzie Rohm – ADU policy  
 Mark Christensen – H-Mart – Alemany Boulevard  
 Emily Adams – H-Mart Supermarket  
 Glen Hatakiyama – H-Mart Supermarket  
 Glen Rogers – H-Mart Supermarket  
 Steve Heidi – H-Mart Supermarket  
 Sandra Lopez – H-Mart Supermarket  
 Paul Chow – H-Mart Supermarket

## F. REGULAR CALENDAR

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

9. [2018-015471CRV](#) (D. LANDIS: (415) 575-9118)  
FY 2019-2021 PROPOSED DEPARTMENT BUDGET AND WORK PROGRAM – An **Informational Presentation** of the Department's proposed revenue and expenditure budget in FY 2019-2020 and FY2020-2021, including grants, capital budget requests, and staffing changes; high-level work program activities for the department in FY 2019-2020 and FY2020-2021; and proposed dates where budget items will be discussed during the budget process.  
*Preliminary Recommendation: None – Informational*

SPEAKERS: John Rahaim – Budget introduction  
 Debra Landis – Budget presentation  
 Jerry Dratler – 2013-14 Annual report  
 Ozzie Rohm – ADU report  
 Sue Hestor – HPC Joint, displacement of housing; SRO's; rent control  
 Dan Sider – Process improvements

ACTION: Reviewed and Commented

10. [2016-003351CWP](#) (C. FLORES: (415) 558-6473)  
RACIAL & SOCIAL EQUITY INITIATIVE – An **Informational Presentation** on the Department's work to date on the Racial & Social Equity Initiative with a focus on the draft Phase I Racial & Social Equity Action Plan. The overall Plan will contain goals, objectives and specific actions the Department will undertake to advance racial and social equity (1) internally as a workplace and (2) externally through our plans, policies and implementation. Over thirty City Departments are undertaking similar efforts and participating in the Government Alliance on Race and Equity under San Francisco's Human Right Commission leadership.  
*Preliminary Recommendation: None – Informational*

SPEAKERS: = Claudia Flores – Staff presentation  
 + Zoe Polk, Dep. Dir. Human Rights Commission – Racial Equity Plan  
 + Corey Smith – Good work  
 + Sue Hestor – Minority population  
 = Ozzie Rohm – Excelsior; Bayview Districts  
 + Sraddha Mehta – Planning Department guidance

ACTION: Reviewed and Commented

11. [2018-008877CUA](#) (D. GANETSOS: (415) 575-9172)  
1519 POLK STREET – at the corner of California Street; Lot 004 of Assessor's Block 0643 (District 3) - Request for **Conditional Use Authorization**, pursuant to Planning Code Sections 303 and 723 to establish a bar use (wine and cheese bar, DBA ORA) in an existing, ground floor, 805 square foot vacant retail storefront with a 575 square foot basement storage area within the Polk Street NCD (Neighborhood Commercial District) and 65-A Height and Bulk District. The Project would occupy one of the five existing commercial tenant spaces at the first floor of the existing four story, mixed use residential and

commercial building. Interior tenant improvements, a new business sign, and window replacement at the front façade of the building are associated with this proposal. 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: = Dori Ganetsos – Staff report  
 + Sabrina Thillard – Project presentation  
 + Suzanne Markel-Fox – Support  
 ACTION: Approved with Conditions  
 AYES: Fong, Hillis, Johnson, Melgar, Moore, Richards  
 ABSENT: Koppel  
 MOTION: [20375](#)

## 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.

13. [2015-011216DRP](#) (N. KWIATKOWSKA: (415) 575-9185)  
[277 JUDSON AVENUE](#) – south side between Phelan Avenue and Edna Street; Lot 034 in Assessor's Block 3181 (District 7) – Request for **Discretionary Review** of Building Permit Application No. 2015.08.12.3993, proposing a rear and side expansion of all floor levels including excavation at the basement level, addition of exterior stairs, changes to the front façade, and an interior remodel including the legalization of an unpermitted dwelling unit through the addition of a an accessory dwelling unit at the lower level of the two-story residential structure within a RH-1 (Residential, House, One-Family) Zoning District and 40-X Height and Bulk District.  
 Staff Analysis: Full Discretionary Review  
*Preliminary Recommendation: Take Discretionary Review and Approve with Conditions*  
 (Continued from Regular hearing on December 13, 2018)  
**Note: On October 18, 2018, after hearing and closing public comment, continued to December 13, 2018 with direction from the CPC by a vote of +4 -0 (Fong, Richards, Hillis absent).**  
**On December 13, 2018, without hearing, continued to January 24, 2019 by a vote of +5 -0 (Johnson, Melgar absent).**

SPEAKERS: = Natalia Kwiatkowska – Staff report  
 - Ivan Hudak – DR presentation  
 + Tom Zhang – Project presentation  
 ACTION: Took DR and reduced the depth of the top floor seven feet (allowing a deck to replace the proposed addition) and staff recommended modifications.  
 AYES: Fong, Hillis, Johnson, Melgar, Moore  
 ABSENT: Koppel, Richards  
 DRA: [637](#)

14. [2016-005189DRP](#) (D. WINSLOW: (415) 575-9159)  
216 HEAD STREET – Palmetto; Lot 023 in Assessor’s Block 7135 (District 7) - Request for **Discretionary Review** of Building Permit Application No. 2010.1105.4435 for construction of a new 3-story single family residence 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 the purposes of CEQA, pursuant to San Francisco Administrative Code Section [31.04\(h\)](#).  
*Preliminary Recommendation: Do Not Take Discretionary Review and Approve*

SPEAKERS: = David Winslow – Staff report  
 - Marc Christensen – DR presentation  
 - Paul Chow – Opposition, impact to solar panels  
 - Sandra Lopez – Flooding  
 - Glen Rogers – Drainage  
 - Steve Heidi – Illegal activity  
 - Emily Adams – Impacts to nearby church  
 - Glen Hatakiyama  
 - Patrice Fambrini – Project presentation

ACTION: After hearing and closing public comment; Continued to March 7, 2018 with direction for additional information.

AYES: Hillis, Johnson, Melgar, Moore, Richards

ABSENT: Fong, Koppel

15. [2017-013175DRP](#) (D. WINSLOW: (415) 575-9159)  
1979 FUNSTON AVENUE – between Rockridge and Aerial Way; Lot 016 in Assessor’s Block 2121A (District 7) – Request for **Discretionary Review** of Building Permit Application No. 2017.0914.8178 for construction of a vertical and horizontal rear addition to an existing 2-story single-family residence. The proposal also includes replacing the rear deck 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 the purposes of CEQA, pursuant to San Francisco Administrative Code Section [31.04\(h\)](#).  
*Preliminary Recommendation: Do Not Take Discretionary Review and Approve*

SPEAKERS: None

ACTION: Withdrawn

ADJOURNMENT 5:18 PM  
 ADOPTED FEBRUARY 14, 2019