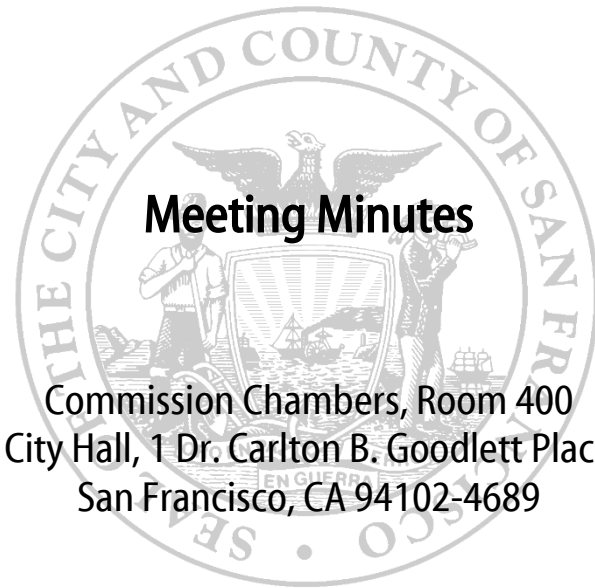


SAN FRANCISCO PLANNING COMMISSION



Meeting Minutes

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

Thursday, February 14, 2019
1:00 p.m.
Regular Meeting

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

THE MEETING WAS CALLED TO ORDER BY PRESIDENT MELGAR AT 1:04 PM

STAFF IN ATTENDANCE: Aaron Starr, David Weissglass, Deborah Landis, Jacob Bintliff, Paolo Ikezoe, Josh Pollak, Allison Vanderslice, Laura Ajello, Jeff Horn, Elizabeth Jonckheer, 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. 2018-016401PCA (V. FLORES: (415) 575-9173)
ACCESSORY DWELLING UNITS IN NEW CONSTRUCTION – Ordinance amending the **Planning Code and Business and Tax Regulations Code Amendments** to authorize the addition of an Accessory Dwelling Unit in the construction of a new single-family home or multi-family building; clarifying the ministerial approval process and creating an expedited Board of Appeals process for certain Accessory Dwelling Units in single-family homes meeting specific requirements; affirming the Planning Department’s determination under the

California Environmental Quality Act; making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and adopting findings of public necessity, convenience, and welfare under Planning Code, Section 302.

Preliminary Recommendation: Approve with Modifications

(Proposed Continuance to March 7, 2019)

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

2. 2018-006127CUA (D. WEISSGLASS: (415) 575-9177)
201 19TH AVENUE – southwest corner of the California Street and 19th Avenue, Lot 001 of Assessor's Block 1414 (District 1) - Request for a **Conditional Use Authorization**, pursuant to Planning Code sections 186, 209.2, 303, and 710 to allow a change of use from an existing grocery store to a restaurant in a Limited Commercial Use space within a RM-1 (Residential – Mixed, Low Density) Zoning District and 40-X Height and Bulk District. The Project also includes the removal of the white signage band obscuring the second-story windows, and the removal of all paint and other features obscuring the transparency of the second-story windows. 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: Disapprove
 (Continued from Regular hearing on December 13, 2018)
Note: On November 29, 2018, adopted a Motion of Intent to Deny, continued to December 13, 2018 by a vote of +4 -2 (Fong and Koppel against; Richards absent). On December 13, 2018, after hearing and closing public comment, continued to February 14, 2019 by a vote of +6 -0 (Johnson absent).
(Proposed Continuance to March 21, 2019)

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

- 3a. 2017-001270CUA (R. SUCRE: (415) 575-9108)
3140-3150 16TH STREET – between Albion and Valencia Streets – Lot 018 in Assessor's Block 3555 (District 8) – Request for **Conditional Use Authorization**, pursuant to Planning Code Section 303 for the establishment of an Eating and Drinking Use, Planning Code Sections 121.2 and 762 for a Non-Residential Use equal to or greater than 3,000 sq. ft., Planning Code Section 762 for the conversion of existing ground floor Retail Use to Restaurant Use and the establishment of a Nighttime Entertainment Use, Planning Code Section 145.2 for the establishment of an Outdoor Activity Area, and Planning Code Section 186.2 for the upper-story uses of pre-existing structures in Neighborhood Commercial Districts, for the project involving the rehabilitation and adaptive re-use of a former 20,400 sq. ft. two-story Automotive Repair Use to a new Restaurant with Nighttime Entertainment Use including interior renovations, installation of new storefront systems, and the construction of a 3,735 sq. ft. rooftop deck, exit stairs, two restrooms, storage room, and two elevator penthouses for a new Outdoor Activity Area. The Project site is

located within the Valencia Street NCT (Neighborhood Commercial – Transit) Zoning District and 55-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 January 10, 2019)
(Proposed Continuance to April 4, 2019)

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

- 3b. 2017-001270VAR (R. SUCRE: (415) 575-9108)
3140-3150 16TH STREET – between Albion and Valencia Streets – Lot 018 in Assessor’s Block 3555 (District 8) – Request for a **Variance** to the rear yard requirement pursuant to Planning Code Section 134, and Off-Street Loading under Planning Code Section 152, for the project involving the rehabilitation and adaptive re-use of a former 20,400 sq. ft. two-story Automotive Repair Use to a new Restaurant Use including interior renovations, installation of new storefront systems, and the construction of a 3,735 sq. ft. outdoor rooftop deck, exit stairs, two restrooms, storage room, and two elevator penthouses. The Project site is located within the Valencia Street NCT (Neighborhood Commercial – Transit) Zoning District and 55-X Height and Bulk District.
(Continued from Regular hearing on January 10, 2019)
(Proposed Continuance to April 4, 2019)

SPEAKERS: None
ACTION: Acting ZA Continued to April 4, 2019

4. 2014.0948ENX (E. JARDINES: (415) 575-9144)
344 14TH STREET/1463 STEVENSON STREET – north side of 14th Street between Stevenson and Woodward Street, Lots 013 and 021 in Assessor’s Block 3523 (District 9) – Request for **Large Project Authorization** (LPA) pursuant to Planning Code Section 329, for the Project proposing a lot merger and new construction of a 78-foot tall, 7-story-over-basement residential building (measuring approximately 78,738 gross square feet (gsf)) with ground floor retail and a 40-foot tall 3-story-over basement SEW and PDR (Production, Distribution and Repair) building (measuring approximately 19,360 gsf). The Project would construct a total of 56 dwelling units, 5,633 square feet of ground floor commercial, and 46 below-grade off-street parking spaces. The project would construct a 22,996 gsf below-grade garage to serve both buildings. The proposed project would utilize the State Density Bonus Law (California Government Code Sections 65915-65918) and proposes waivers for: 1) rear yard (PC 134), 2) and height (PC 260). Under the LPA, the Project is seeking an exception for vertical non-habitable architectural elements in the Eastern Neighborhoods Mixed Use Districts (PC 263.21). The project site is located within the UMU (Urban Mixed-Use) and PDR-1-G (Production, Distribution, and Repair-1-General) Zoning Districts, and 40-X and 58-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\(h\)](#).
(Continued from Regular hearing on January 10, 2019)
(Proposed Continuance to April 4, 2019)

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

5. 2017-005279VAR (J. HORN: (415) 575-6925)
448 VALLEY STREET – north side of Valley Street between Castro and Noe Streets; lot 017 of Assessor’s Block 6612 (District 8) – Request for a **Variance** from the Planning Code for front setback requirements, pursuant to Planning Code Section 132. The subject property is located within a RH-2 (Residential – House, Two Family) Zoning District and 40-X Height and Bulk District.
WITHDRAWN

SPEAKERS: None
 ACTION: Withdrawn

B. CONSENT CALENDAR

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

6. [2018-013462CUA](#) (L. HOAGLAND: (415) 575-6823)
3995 ALEMANY BOULEVARD – south side of Alemany Boulevard between Worchester and St Charles Avenues; Lot 012 in Assessor’s Block 7126A (District 13) – Request for **Conditional Use Authorization**, pursuant to Planning Code Sections 303, 303.1, and 713 to establish a Formula Retail Use greater than 6,000 square feet within a NC-S (Neighborhood Commercial Shopping Center) District and 40-X Height and Bulk District. The proposal is to convert a vacant ground floor commercial space with approximately 47,108 square feet of floor area (formerly occupied by “Albertsons” grocery store, a Formula Retail Use) to another Formula Retail Use (d.b.a. “H-Mart” grocery store) within the Oceanview Village Shopping Center. 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, Koppel, Melgar, Moore
 ABSENT: Richards
 MOTION: [20380](#)

C. COMMISSION MATTERS

8. Consideration of Adoption:
- [Draft Minutes for January 24, 2019 – Joint with HPC](#)
 - [Draft Minutes for January 24, 2019](#)

- [Draft Minutes for January 31, 2019](#)

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

9. Commission Comments/Questions

Commissioner Fong:

Thank you. I wanted to make an announcement. I have officially resigned from the Planning Commission after eight years and two months, but not counting those but...I resigned and will take the President and CEO position of the San Francisco Chamber of Commerce. I'll have a long 45-minute speech next week, which will be my last week, but just very much appreciate this time together. I'll get deep into it, but all the skills and education, frankly, that I've learned here in eight years will come over to the Chamber of Commerce. The Chamber of Commerce generally is known for promoting business, but I think we're in a time where all of San Francisco falls into the Chamber's responsibilities as far as transit, housing, land use, street life, etc. And this all comes to play. It's purely from education that I've learned here, so thank you very much.

President Melgar:

Congratulations, Commissioner Fong, we will surely miss you.

Commissioner Richards:

I just wanted to say when I heard the news I thought, there couldn't be a more perfect person for this role. Honestly, because you get what's going on in the city. You've been around awhile; your family has been around awhile. And the wisdom that you've expressed here in the Commission, I think, really is going to benefit the Chamber of Commerce. You're going to be able to understand the pulls and the pushes that the City faces, so I wish you nothing but the best of luck.

One other quick one to mention, not to regurgitate old news, but I have kind of a connection to make. A high cost in housing cost is re-segregating the Bay Area was in the Chronicle recently. And they also had a survey of cities where there was the most diversity and they were kind of the outer ring of the Bay Area with the more youth got into the central area of the Bay Area, it got whiter. And why am I mentioning this? One, I don't think that's a great idea, I think we need to figure out what to do there. But two, there was an article in New York Times called The Automation Agenda Hidden by the Davos Elite and there was also an article, I couldn't find it, about robotics. It happened in the same week, and basically, what it said was economists are now rethinking the fact that efficiency and productivity is actually lifting all boats. In fact, they are now questioning the fact that boats are starting to sink. If you're educated, you know, and you're in certain industries, your prospects are really, really good. But if you have a high school education and you're in an industry that's non-automatable, like home health care nurse and things like that, your wages are just stagnated. So, whatever we do in order to re-segregate the Bay Area, we need to take into consideration the broader social trends around how people can afford, if they can afford to live where we want them to live, so that we actually have diversity. Anyways, I just made that connection and wanted to share. I also requested that if possible

we have Richard Rothstein come and do an informational presentation on The Color of Law, if that's something the other Commissioners would like to hear.

Commissioner Johnson:

I just wanted to say thank you to Commissioner Fong. I think something that you said last week during our community meeting about looking for balance, I think, runs true to your time on the Commission and your leadership and your leadership style. And that's really been a benefit to the Commission, and into the way that you engage with community. I really appreciate your thoughtful, personal, yeah, just generous approach to thinking about and thinking through the issues that come before the Commission. And I will deeply miss your leadership and collaboration, but really excited for this next chapter for you.

Commissioner Fong:

Thank you very much.

Commissioner Hillis:

I too wanted to congratulate Commissioner Fong and I mean, like Commissioner Richards, when I heard the Chamber job was open, I was puzzled to kind of who they would pick for that position, and I think you're a perfect choice for that. So, I'm excited to see you in that role and hopefully work with you in that role. But you're also, I think, a perfect Commissioner here, so it's sad for us that you're leaving. You've been on this Commission one of the longest serving members. Certainly, as long as I've been here, and I've learned a ton from you. I think your tone, the balance you have, you've kind of set the tone for the rest of us and we've learned a lot from you. So, thank you for everything you've done here.

Commissioner Fong:

Thank you, Rich.

Commissioner Moore:

Thank you, congratulations Commissioner Fong.

Commissioner Fong:

Thank you.

Commissioner Moore:

Obviously, we are all proud being somewhat part of your success.

Commissioner Fong:

Yes.

Commissioner Moore:

Because I do believe the Planning Commission is a great training ground. And I couldn't be happier, having worked with you for so long. Also, on what you mentioned in the paper yesterday that the small business concerns will be as important as an ingredient of San Francisco and that makes me very, very happy and very, very hopeful that we will continue to work hand in hand to do what we need to do here.

Commissioner Fong:

Thank you, Commissioner Moore.

President Melgar:

So, I will just chime in. I will really miss your kindness. You are a kind and generous person, and I appreciate your energy on this Commission. I'm bummed that we're losing you, but I'm grateful for the city of San Francisco that we're going to have you in that role. I think you're going to be great.

Commissioner Koppel:

I'll quickly chime in, as well. You were one of the first Commissioners I was able to just talk to in the hallway back in the day when I used to attend these hearings on the public side. So, privileged to have met you then and sit next to you now. Sorry to see you go, but congratulations to you.

Commissioner Fong:

Thank you, and you're all invited to speak at my funeral.

D. DEPARTMENT MATTERS**10. Director's Announcements****John Rahaim, Planning Director:**

One more. Commissioners, on behalf of the Department, thank you for everything you've done. And I just will say, and we can say more next week, two things, one is, I'm looking forward to working with you in your new role. I think it would be great to have you there and to have that connection and your knowledge from here and working with you there. And secondly, we need to have an appropriate sendoff for the next couple of weeks. So, we'll all start thinking about that. Thank you.

Commissioner Fong:

We're due yeah.

Commissioner Richards:

We're due. We're due.

11. Review of Past Events at the Board of Supervisors, Board of Appeals and Historic Preservation Commission**Aaron Starr:****Land Use Committee**

- 180003 Planning Code - Landmark Designation - 460 Arguello Boulevard (aka Theodore Roosevelt Middle School). Sponsor: HPC. Staff: Ferguson. Item 1
- 180005 Planning Code - Landmark Designation - 2728 Bryant Street (aka Sunshine School). Sponsor: HPC. Staff: Ferguson. Item 2

First on the land use agenda was the Landmark designations for the Sunshine School and the Theodore Roosevelt Middle School. These items were called together.

Sunshine School was constructed in 1937 with funds from the Public Works Administration. It is significant as the first public school specifically designed for children with disabilities built west of the Rockies. It was designed in the Spanish Colonial Revival style with Art Deco and Moorish accents. Perhaps more significantly, it has a floorplan devised to combine two specialized schools into one campus, one for disabled children and one for chronically ill children.

Theodore Roosevelt Middle School was constructed in 1930 and is architecturally significant as San Francisco's only Dutch/German Expressionist style building designed by master architect Timothy Pflueger. It also has three important New Deal murals.

The HPC initiated designation October 18, 2017 and unanimously recommended landmark designation on December 6, 2017.

During the land use hearing, representatives from the SFUSD asked for a continuance to give the new SFUSD board members a chance to review the landmark designations. Other Public commenters were in favor of the landmark designation and included many people from the preservation community.

Supervisor Peskin stated that landmark designation of public schools would be honorific, as the Planning Department does not review alterations to schools. Staff also affirmed that planning review of alterations is usually limited to informational presentation at the HPC.

The Committee then voted unanimously to recommend the Ordinance to the Full Board.

- 181045 Planning Code, Zoning Map - 170 Valencia Street. Sponsor: Mandelman. Staff: Butkus.

Last on the Land Use agenda was the rezoning for 170 Valencia Street. The subject property has split zoning with the NCT-3 zoning at the front of the building and RTO at the rear. This ordinance would make the entire building zoned NCT-3. Commissioners, you heard his item on January 17 and voted to recommend approval. At the land use hearing there was no public comment and no significant comments from the Committee members. The item was sent to the full board with a positive recommendation.

Full Board

- 181175 Planning Code- Landmark Designation – 22 Beaver Street (Benedict-Gieling House). Sponsor: Mandelman. Staff: Ferguson. PASSED Second Read.
- 181238 Hearing - Appeal of Conditional Use Authorization – 3637-3657 Sacramento Street. Items 5-7. Staff: Starr/Woods.

Then Board considered the CU appeal for 3637 Sacramento Street. Last week the Board voted to uphold the Environmental determination and continued the CU appeal for one week to finalize agreed upon conditions of approval.

At the hearing, Supervisor Stefani moved to overturn the CU and grant a new CU that includes the conditions imposed by the Planning Commission in addition to several new construction-activity related conditions and design modifications. The design

modifications are intended to reduce the bulk of the building by providing a 3' setback at either end of the fourth floor and modify the design to be more in keeping with neighborhood character. This passed unanimously.

- 190093 Hearing - Appeal of Determination of Community Plan Evaluation - 1052-1060 Folsom Street and 190-194 Russ Street. Continued to April 9, 2019
- 190097 Hearing - Appeal of Conditional Use Authorization - Proposed Project at 1052-1060 Folsom Street and 190-194 Russ Street. Continued to April 9, 2019

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. When the number of speakers exceed the 15-minute limit, General Public Comment may be moved to the end of the Agenda.

SPEAKERS: None

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.

7. [2018-015439CUA](#) (D. WEISSGLASS: (415) 575-9177)
[205 HUGO STREET](#) – southwest corner of Hugo Street and 3rd Avenue; Lot 001 in Assessor's Block 1752 (District 5) – Request for **Conditional Use Authorization**, pursuant to Planning Code Sections 186, 209.1, 303, and 730 to allow a change of use from an existing Limited Restaurant to a Restaurant in a Limited Commercial Use space within a RH-2 (Residential – House, Two Family) Zoning 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: = David Weissglass – Staff report
 + Speaker – Project presentation
 - Gabriel Ricketts – Overflow, noise, alcohol
 - Mathew Bruno – Alcohol, negative impacts request for continuance

ACTION: After being pulled off of Consent; Approved with Conditions as amended to include:

1. Limiting hours of operation to 9 pm; and
2. Restricting amplified music outdoors.

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

MOTION: [20381](#)

12. [2018-015471CRV](#) (D. LANDIS: (415) 575-9118)
FY 2019-2021 PROPOSED DEPARTMENT BUDGET and WORK PROGRAM – Final review of the Department's **Revenue and Expenditure Budget** in FY 2019-2020 and FY2020-2021, including grants, capital budget requests, and proposed staffing; high-level work program activities for the Department; and proposed dates where budget items will be discussed during the budget process.
Preliminary Recommendation: Approve
- SPEAKERS: + John Rahaim, Planning Director – Introduction
+ Debra Landis – Budget & Work program
- ACTION: Approved
- AYES: Fong, Koppel, Melgar, Moore, Richards
- ABSENT: Hillis, Johnson
- RESOLUTION: [20382](#)
13. (J. BINTLIFF: (415) 575-9170)
[EXECUTIVE DIRECTIVE ON HOUSING \(17-02\) REPORT](#) – **Informational Presentation** to update the Commission on the status of the Executive Directive and implementation of the Department's 2017 Process Improvements Plan. The presentation will include a summary and status report of several improvement measures that have been implemented in 2018, or are currently underway or anticipated, and a quantitative report on the Department's performance on various target project review timeframes.
Preliminary Recommendation: None – Informational
- SPEAKERS: = Jacob Bintliff – Staff presentation
= Steve Vettel – CEQA process for large projects to CPE checklist
+ Corey Smith – Support
Sue Hestor – PIM, technological limitations
- ACTION: Reviewed and Commented
14. [2019-001351CRV](#) (P. IKEZOE (415) 575-9137)
NONPROFIT ORGANIZATIONS' FIRST-RIGHT-TO-PURCHASE MULTI-FAMILY RESIDENTIAL BUILDINGS [BF 181212] – **Administrative Code Amendment** introduced by Supervisor Sandra Fewer to confer upon certain nonprofit organizations a first-right-to-purchase, consisting of both a right of first offer and a right of first refusal, over all multi-family residential buildings (and related construction sites and vacant lots) in the City, for the purpose of creating and preserving rent-restricted affordable rental housing; establishing related procedures for the selection of such nonprofits, preservation of rent-restricted affordable housing, and implementation and enforcement; and affirming the Planning Department's determination under the California Environmental Quality Act.
Preliminary Recommendation: Adopt a Recommendation for Approval
- SPEAKERS: = Paolo Ikezoe – Staff report
+ Ian Fergosi, Aide to Sup. Fewer – COPA
+ Amy Chan, MOH – Support
+ Jeanne Hallacy – Non-profit opportunities for housing
+ Liam Ladia – Housing crisis
+ Gene Alejo – Support for COPA

+ Simon Velloria – Support for COPA
 + Mike Sherwood – Support for COPA
 + Sam Woo – Support for COPA
 + Olivia – Support for COPA
 + Sam Cooke – Support for COPA
 + David Woo – Support for COPA
 + Andrew Rogge – Support for COPA
 + Mary Claire Amable – Support for COPA
 + Speaker – Support for COPA
 + Theresa Imperial – Support for COPA
 + Fernando Marti – Support for COPA
 + Tony Robles – Support for COPA
 + Speaker – Support for COPA
 + Jordan Davis – Support for COPA
 + Joy – Support for COPA
 + Deven Richardson – Support for COPA
 + Theresa Flandrick – Support for COPA
 + Raymond Castillo – Support for COPA
 + Georgia Schuttish – Support for COPA
 + Alexandria Copeland – Support for COPA
 + Maya Chuphov – Support for COPA
 + Tess Wilborn – Support for COPA
 + Corey Smith – Support for COPA

ACTION: Adopted a Recommendation for Approval as amended, encouraging the pursuit of incentives.

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

ABSENT: Fong

RESOLUTION: 20383

15. [2018-016562PCA](#) (J. BINTLIFF: (415) 575-9170)
INCLUSIONARY HOUSING FEE FOR STATE DENSITY BONUS PROJECTS [BF 181154] – Planning Code Amendment introduced by Supervisor Peskin that would amend Section 415 to require all projects using the State Density Bonus law, regardless of Environmental Evaluation Application date, to pay the inclusionary housing fee on any additional units or square footage allowed by the state law; and affirming the Planning Department’s determination under the California Environmental Quality Act; making findings of consistency with the General Plan, and the eight priority policies of the Planning Code, Section 101.1; and making findings of public convenience, necessity, and welfare under the Planning Code, Section 302.
Preliminary Recommendation: Disapprove
 (Continued from Regular hearing on January 31, 2019)
Note: On January 31, 2019, after hearing and closing public comment, continued to February 14, 2019 by a vote of +5 -0 (Koppel, Melgar absent).

SPEAKERS: = Jacob Bintliff – Staff report
 - Corey Smith – Problematic
 = Fernando Marti – Clarity and certainty

ACTION: Disapproved

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

ABSENT: Fong
RESOLUTION: [20834](#)

16. [2016-007303ENV](#) (J. POLLAK: (415) 575-8766)
5 THIRD STREET (HEARST BUILDING) – southeast corner of Market and Third streets at the Hearst Building; Lot 057 of Assessor’s Block 3707 (District 4) – **Appeal of Preliminary Mitigated Negative Declaration** for conversion of the existing 131,650-gross-square-foot, 13-story, 189-foot-tall Hearst Building from office use to a mixed-use hotel with ground-level retail, new event space and rooftop bar and patio. The new mixed-use building would result in an approximately 131,500 gross square foot building with up to 170 hotel rooms, 5,920 square feet of office space, and 11,393 square feet of retail space, including 422 square feet of general retail and 4,005 square feet of restaurant/bar uses. The project site is located in a C-3-O (Downtown Office) Use District and 120-X Height and Bulk District.
Preliminary Recommendation: Uphold the Preliminary Mitigated Negative Declaration
(Continued from Regular hearing on December 13, 2018)

SPEAKERS: = Josh Pollak – Staff report
- Yasin Salma – Appellant presentation
- Susan Brandt-Hawley – Substantial evidence standard
+ Caroline Chase – Project presentation
+ Ian Lewis – Support for the project
= Allison Vanderslice – Response to questions

ACTION: Upheld the PMND

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

MOTION: [20385](#)

17. [2018-007049CUA](#) (L. AJELLO: (415) 575-9142)
3378 SACRAMENTO STREET – northeast corner of Sacramento and Walnut Streets; Lot 049 in Assessor’s Block 1008 (District 2) – Request for **Conditional Use Authorization**, pursuant to Planning Code Sections 303, 724 and 102 to allow a “Health Services” use (dental/orthodontics office) at the basement level of a mixed-use building within a Sacramento Street NCD (Neighborhood Commercial District) 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: = Laura Ajello – Staff report
+ Gerald Green – Project presentation
- Evan Garnett – Opposition

ACTION: Approved with Conditions

AYES: Fong, Johnson, Koppel, Melgar

NAYS: Moore, Richards

ABSENT: Hillis

MOTION: [20386](#)

18. [2017-005279CUA](#) (J. HORN: (415) 575-6925)
448 VALLEY STREET – north side of Valley Street between Castro and Noe Streets; lot 017 of Assessor’s Block 6612 (District 8) – Request for a **Conditional Use Authorization**, pursuant to Planning Code Sections 303 and 317, to allow the demolition of an existing 1,904 square

foot two-story single-family home and the new construction of a 4,450 square foot four-story two-family dwelling 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: = Jeff Horn – Staff report
 + Suheil Shatara – Project presentation
 = Georgia Schuttish – Questions and concerns
 - Anastasia Yovanopoulos – Promote policies that make the most sense
 + Sean Kiegran – Support
 ACTION: Approved with Conditions
 AYES: Fong, Johnson, Koppel, Melgar, Moore, Richards
 ABSENT: Hillis
 MOTION: [20387](#)

19. [2018-014721CUA](#) (L. AJELLO: (415) 575-9142)
[1685 HAIGHT STREET](#) – southwest corner of Cole and Haight Streets; Lot 020 in Assessor's Block 1247 (District 5) – Request for **Conditional Use Authorization**, pursuant to Planning Code Sections 202.2, 303, and 719 to establish a Cannabis Retail Use within the Haight Street NCD (Neighborhood Commercial District) and 40-X Height and Bulk District. The proposal is to convert a ground floor commercial space with approximately 1,250 square feet of floor area to Cannabis Retail Use within a mixed-use building. 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: = Laura Ajello – Staff report
 + Sean Richard – Project presentation
 + Connor Johnston – Project presentation
 = Derek Remski, Aide to Sup. Brown – Outreach
 + John Nauer – SFEG
 + Corey Smith – Support
 + Bram Goodwin – Support
 + Ted Lowenberg – Support
 + David Goldman – Support
 + Michael Cohen – Support
 + Jim Friedman – Support
 + Yolanda Galisimo – Support
 + Speaker – Support
 + Damien Posey – Support
 = Jeremy Paul – Process
 + Jidani Murray – Support
 = Alex Keno – Process
 - Michael Musleh – Opposition
 + Speaker – Support
 ACTION: Approved with Conditions
 AYES: Fong, Johnson, Koppel, Melgar, Moore, Richards

ABSENT: Hillis
 MOTION: [20388](#)

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.

- 20a. [2016-005555DRP-02](#) (M. WOODS: (415) 558-6315)
1794-1798 FILBERT STREET/2902 OCTAVIA STREET – northeast corner at Filbert and Octavia Streets; Lot 015 in Assessor’s Block 0520 (District 2) – Requests for **Discretionary Review** of Building Permit Application No. 2016.09.27.8915S proposing to construct a new third floor level and a roof deck to the existing two-story building, containing commercial space and three dwelling units. Because the existing building already encroaches into the required rear yard setback, a portion of the new third floor would require a Variance from the rear yard requirements. The project site is located within a RH-3 (Residential, House, Three-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
 (Continued from Regular Hearing on January 17, 2019)
Note: On November 29, 2018, after hearing and closing public comment, continued to January 17, 2019 by a vote of +6 -0 (Richards absent). On January 17, 2019, without hearing, continued to February 14, 2019 by vote of +7 -0.

SPEAKERS: = Elizabeth Jonckheer – Staff report
 - Richard Soroko – DR presentation
 - Jennifer Feeber – DR presentation
 - Anastasia Yovanopoulos – Affordability
 - Sherry Shonberg – ADU
 - Alex Wagstaff – Opposition
 + Sara Hoffman – Project presentation
 + Erica Severns – Project presentation
 ACTION: Took DR and Disapproved the BPA
 AYES: Johnson, Koppel, Melgar, Moore
 NAYS: Fong
 ABSENT: Hillis, Richards
 DRA: [639](#)

- 20b. [2016-005555VAR](#) (M. WOODS: (415) 558-6315)
1794-1798 FILBERT STREET/2902 OCTAVIA STREET – northeast corner at Filbert and Octavia Streets; Lot 015 in Assessor’s Block 0520 (District 2) - Request for a **Variance** from the rear yard setback requirement pursuant to Planning Code Section 134. The project proposes to renovate the existing building and construct a new third floor level and a roof deck to the existing two-story building, containing commercial space and three dwelling units. Because the existing building already encroaches into the required rear yard setback, a

portion of the new third floor would require a rear yard Variance. The project site is located within a RH-3 (Residential, House, Three-family) Zoning District and 40-X Height and Bulk District.

(Continued from Regular Hearing on January 17, 2019)

SPEAKERS: Same as item 20a.

ACTION: ZA Closed the PH and took the matter under advisement.

21. [2016-009554DRP](#) (D. WINSLOW: (415) 575-9159)
27 FOUNTAIN STREET – between 24th and 25th Streets; Lot 021 in Assessor’s Block 6502 (District 8) – Request for **Discretionary Review** of Building Permit Application No. 2016.0701.1449 For construction of a rear horizontal addition at the lower basement level, front façade alterations, and relocation of the lower unit to the garden level 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: Do Not Take Discretionary Review and Approve

SPEAKERS: = David Winslow – Staff report
 - Linus Rukas – DR presentation
 - Debra Rukas – DR presentation
 - Chris Lewis – DR presentation
 + Jeremy Paul – Project presentation
 + Sara Wilmer – Project presentation
 + Pat Buscovich – Support

ACTION: Took DR and approved with conditions:
 1. Provide an open to the sky privacy screen for acoustic mitigation; and
 2. Continue working with staff on a more defined entry to the garden unit.

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

Absent: Hillis

DRA: [640](#)

22. [2017-014666DRP](#) (D. WINSLOW: (415) 575-9159)
743 VERMONT STREET– between 19th and 20th Streets; Lot 021 in Assessor’s Block 4074 (District 10) – Request for **Discretionary Review** of Building Permit Application No. 2017.1027.2504 For construction of a horizontal rear addition to an existing 2-story single-family residence 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: Do Not Take Discretionary Review and Approve

SPEAKERS: = David Winslow – Staff report
 - Meg McKnight – DR presentation
 - Pat Buscovich – DR presentation
 - Ryan Patterson – DR presentation
 + Jeff Ta – Project presentation
 + Terry Picker – Project presentation
 + Speaker – Project presentation

ACTION: No DR

AYES: Fong, Johnson, Koppel, Melgar, Moore, Richards
ABSENT: Hillis
DRA: [641](#)

ADJOURNMENT 7:51 PM
ADOPTED FEBRUARY 28, 2019