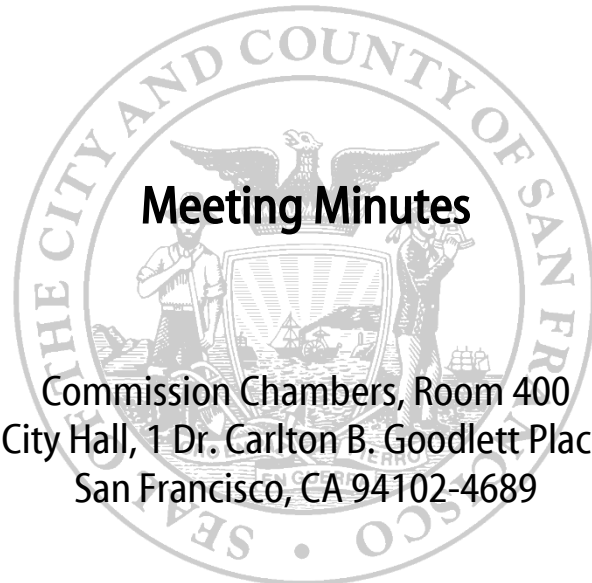


SAN FRANCISCO PLANNING COMMISSION



Meeting Minutes

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

Thursday, September 12, 2019
1:00 p.m.
Regular Meeting

COMMISSIONERS PRESENT: Fung, Hillis, Johnson, Koppel, Moore
COMMISSIONERS ABSENT: Melgar, Richards

THE MEETING WAS CALLED TO ORDER BY VICE PRESIDENT KOPPEL AT 1:03 PM

STAFF IN ATTENDANCE: Aaron Starr, Sharon Young, Elizabeth Jonckheer, Xinyu Liang, David Winslow, Katy Campbell, Jeanie Poling, AnMarie Rodgers, 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. 2015-006825CUA (V. FLORES: (415) 575-9173)
367 HAMILTON AVENUE – between Burrows and Bacon Streets; Lot 022 of Assessor’s Block 5987 (District 9) – Request for **Conditional Use Authorization**, pursuant to Planning Code Sections [303](#) and [317](#) to allow demolition of an existing 950 square foot single-family home and unauthorized dwelling unit and new construction of a three-story 3,115 square foot single-family home with an Accessory Dwelling Unit on the ground floor per Ordinance 95-17. The project site is located within a RH-1 (Residential, House – One

Family) Zoning District and 40-X Height and Bulk District. This action constitutes the Approval Action for the project for the purposes of CEQA, pursuant to San Francisco Administrative Code Section [31.04\(h\)](#).

Preliminary Recommendation: Approve with Conditions

(Continued from Regular hearing on July 11, 2019)

(Proposed Continuance to November 7, 2019)

SPEAKERS: None
 ACTION: Continued to November 7, 2019
 AYES: Fung, Hillis, Johnson, Koppel
 ABSENT: Melgar, Moore, 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

2. [2019-005613CUA](#) (K. PHUNG: (415) 558-6373)
[382 21ST AVENUE](#) – south side between Geary Boulevard and Clement Street; Lot 022 of Assessor’s Block 1452 (District 1) – Request for **Conditional Use Authorization**, pursuant to Planning Code Sections 303 and 712, to establish a Service, Instructional Use (dba Dance Training Center/San Francisco) within a 6,979 square foot second floor and mezzanine level of an existing vacant space most recently used as a Retail Sales Use within a NC-3 (Neighborhood Commercial, Moderate Scale) Zoning District and 40-X Height and Bulk District. Only interior tenant improvements are proposed to the second floor and mezzanine for the new dance studio facilities. No exterior modifications are proposed to the building and there are no proposed modifications to the existing 1st floor commercial space. 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: Fung, Hillis, Johnson, Koppel
 ABSENT: Melgar, Moore, Richards
 MOTION: [20517](#)

C. COMMISSION MATTERS

3. Consideration of Adoption:
 • [Draft Minutes for August 29, 2019](#)

SPEAKERS: None
 ACTION: Adopted
 AYES: Fung, Hillis, Johnson, Koppel

ABSENT: Melgar, Moore, Richards

4. Commission Comments/Questions

None

D. DEPARTMENT MATTERS

5. Director's Announcements

None

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

Aaron Starr:

Land Use Committee

- [190812](#) Planning Code - Allowing Long-Term Parking of and Overnight Camping in Vehicles and Ancillary Uses at 2340 San Jose Avenue. Sponsors: Safai; Yee and Ronen. Staff: D. Sanchez.

This week, the Land Use Committee considered Supervisor Safai's ordinance that would allow Long Term Parking of and Overnight Camping in Vehicles at 2340 San Jose Avenue. The Planning Commission heard this ordinance on August 29, 2019 and recommended approval with modification. The sole modification was to alter the proposed temporary use authorization so that it may be used at other sites.

At the Land Use committee, public comment was in support of the Ordinance and many speakers expressed a desire to see this program extended citywide. After public comment, the Land Use Committee unanimously recommended the Ordinance as a committee report to be heard at the Full BoS.

- [190355](#) Planning Code - Authorizing Interim Activities at Development Sites. Sponsors: Mayor; Haney. Staff: Merlone. Continued to the call of the chair.

Full Board

- [190702](#) Planning Code - New Rooftop Floor Area or Building Volume on Noncomplying Structure Designated as a Significant Building - Assessor's Parcel Block No. 3707. Sponsor: Planning Commission. Staff: Adina. PASSED Second Read
- [190594](#) Planning Code - Reorganization of Chinatown Mixed Use Districts. Sponsor: Planning Commission. Staff: Starr. PASSED Second Read
- [190812](#) Planning Code - Allowing Long-Term Parking of and Overnight Camping in Vehicles and Ancillary Uses at 2340 San Jose Avenue. Sponsors: Safai; Yee and Ronen. Staff: D. Sanchez. First Read

Introductions

- [190548](#) REINTRODUCTION Planning Code - Jobs Housing Linkage Fee and Inclusionary Housing. Sponsor: Haney. Staff: D. Sanchez. *In the new version the fee increased from \$19.96 to \$69.60 for Office Space and \$13.30 to \$46.43 for Laboratories (previously*

Research and Development). The original ordinance increased the fee to \$38 from \$19.69 and did not change any other fees.

Jonas P. Ionin, Commission Secretary:

The Board of Appeals met last night and considered three items that may be of interest to the Planning Commission. All three appeals related to disapprovals of building permit applications that the Planning Commission made under discretionary review. For these appeals, the Board of Appeals considers the item De Novo, which means they hear the case anew and are not required to defer to the findings of fact or determinations of the Planning Commission.

610 Camino Del Mar, the subject permit seek to convert a portion of an existing solarium into a roof deck. The Planning Commission heard this item as a public initiated discretionary review on December 6, 2018 and denied the permits citing a previous private agreement between the DR requestor and the permit applicant. The private agreement was created in response to a previous Discretionary Review in 2011 that was ultimately withdrawn based upon changes to the project that were made by the permit applicant. These changes included removal of a proposed deck similar to that proposed under the current permit. And the appellant, the permit applicant, argued that it was improper for the Planning Commission to base their decision on a private agreement which did not prohibit them from applying for a similar project in the future. The Board found the basis for the decision to be problematic and continued the item until October 23rd to allow the parties additional time to resolve their dispute.

1794 Filbert Street, the subject permit seek to configure the lay-out of the three existing dwelling units in the building by relocating one dwelling unit to a new third story addition which would extend into the rear yard requiring a variance. The Planning Commission heard this item as a public initiated Discretionary Review on October 29, 2018 and February 14, 2019 and voted to deny the permit because the project would not retain existing housing stock, and the third-floor dwelling unit would be out of scale and will not be considered affordable. The Zoning Administrator subsequently denied the request for the rear yard variance, while the appellant, the permit holder, appealed the Planning Commission's denial of the building permit. They did not appeal the denial of the variance. At the hearing, the appellant presented a revised project that reduced the proposed third-floor addition, such that the project is now code compliant and included an ADU in the vacant non-confirming ground floor commercial space. The board found that these changes resulted in a project that was compatible with the neighborhood character and provided additional housing. The Board continued the item to October 23rd, to allow the appellant to work with staff to finalize the design of the project.

120 Varennes Street, the subject permit seeks to a vertical addition to an existing building containing two dwelling units. The Planning Commission heard this as a public initiated Discretionary Review on March 7, 2019 and denied the permit finding that the project had been used as a means of dislodging existing protected tenants under rent control. The appellant, again the permit applicant, argued that while the project must be approved under the Housing Accountability Act, they would now revise the project to include an ADU. The Department noted that the Housing Accountability Act would not apply to the project because the permit under appeal did not add dwelling units. The Board considered

the tenant history and voted to deny the appeal citing the fact that the permit that was before them did not maximize appropriate density on the lot.

E. GENERAL PUBLIC COMMENT

SPEAKERS: Georgia Schuttish – Demolitions
Steve Zeltzer – Ongoing chaos, transit

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. [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. The proposal will involve modifying conditions of a prior Conditional Use Authorization under Case No. 1999.217C (Motion No. 16082) and to legalize the continued operation of the school with this current range of student enrollment. 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: = Sharon Young – Staff report
 + Jody Knight – Project presentation
 + Ann Marie Krejcarek – Project presentation
 + Krystal Mendez – Support
 + Dinh Tran – Support
 + Arianna Nassiri – Support
 + Layla Nazumi – Support
 + E'rika Chambers – Support
 + Hector Flores – Support
 + Terry McGuire – Support
 + Greg Scott – Support
 + Max Savage – Support
 + Nichlesh Patel – Support
 = Elizabeth Jonckheer – Response to questions

ACTION: Approved with Conditions as amended

AYES: Fung, Hillis, Johnson, Koppel, Moore

ABSENT: Melgar, Richards

MOTION: [20518](#)

8. [2018-011446CUA](#) (X. LIANG: (415) 575-9182)
399 FREMONT STREET – north side of Fremont Street between Folsom Street and Harrison Street; Lot 320 in Assessor's Block 3747 (District 6) – Request for a **Conditional Use Authorization**, pursuant to Planning Code Sections 303 and 827.37, to allow the conversion of a portion of the existing accessory parking garage for the residential units to an "Automobile Parking Garage, Community Commercial" use for a total of 30 parking spaces within a RH DTR (Rincon Hill Downtown Residential) Zoning District and 85/400-R Height and Bulk District. Currently, the project site contains a 37-story residential building with 448 dwelling units and 251 accessory off-street parking spaces. 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: = Xinyu Liang – Staff report
 + Megan Jennings – Project presentation
 + Speaker – Response to questions
 ACTION: Approved with Conditions
 AYES: Fung, Hillis, Johnson, Koppel, Moore
 ABSENT: Melgar, Richards
 MOTION: [20519](#)

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.

9. [2017-006245DRP](#) (D. WINSLOW: (415) 575-9159)
50 SEWARD STREET – between 19th and Douglass Streets; Lot 024A in Assessor's Block 2701 (District 8) – Request for **Discretionary Review** of Building Permit Application No. 2017.0419.4301 for construction of a horizontal front addition and a third-story vertical addition to an existing two-story two-family house 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
 (Continued from Regular hearing on August 29, 2019)
Note: On June 6, 2019, after hearing and closing public comment, continued to July 18, 2019 by a vote of +5 -0 (Fung, Hillis absent).
On July 18, 2019, without hearing, continued to August 29, 2019 by a vote of +5 -0 (Richards, Hillis absent).
On August 29, 2019, without hearing, continued to September 12, 2019 by a vote of +5 -0 (Johnson and Richards absent).

SPEAKERS: = David Winslow – Staff report
 - James Pincow – DR 1 presentation

- Alissa Fitzgerald – DR 2 presentation
- Kenneth Hillan – DR 3 presentation
- Peter Fatooh – Opposition
- Steve Zeltzer – Neighborhoods are being destroyed
- + Brett Gladstone – Project presentation
- + John Lum – Design presentation
- = Katy Campbell – Response to questions

ACTION: Took DR and Approved with conditions:
1. Eliminating the ADU and incorporating the square footage into the lower unit.

AYES: Fung, Hillis, Johnson, Koppel

NAYS: Moore

ABSENT: Melgar, Richards

DRA: [0662](#)

10. [2018-006557DRP-02](#) (D. WINSLOW: (415) 575-9159)
20 INVERNESS DRIVE – between Sloat Boulevard and Ocean Avenue; Lot 023 in Assessor’s Block 7210 (District 7) – Request for **Discretionary Review** of Building Permit Application No. 2018.0403.5346 for construction of a 774 s.f. 3rd- story vertical addition to an existing 2-story single-family dwelling 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\(h\)](#).

Preliminary Recommendation: Do Not Take Discretionary Review and Approve

SPEAKERS: = David Winslow – Staff report
- Peter Santini – DR 1 presentation
- James Murphy – DR 2 presentation
+ Speaker – Project presentation
+ Sam Kong – Project presentation

ACTION: No DR

AYES: Fung, Hillis, Johnson, Koppel, Moore

ABSENT: Melgar, Richards

DRA: [0663](#)

11. [2018-001940DRP-02](#) (D. WINSLOW: (415) 575-9159)
33 CAPRA WAY – between Mallorca and Pierce Streets; Lot 032 in Assessor’s Block 0463A (District 2) – Request for **Discretionary Review** of Building Permit Application No. 2018.0601.0822 for construction of a 2- story vertical addition and 17’ deep horizontal rear addition to an existing 2-story single-family dwelling to create a 3 family dwelling 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

SPEAKERS: = David Winslow – Staff report
- Joshua Callahan – DR 1 presentation
- Mauricio Franco – DR 2 presentation
- Gibu Thomas – Opposition

- Ozzie Rohm – Opposition
 - Al Brandi – Opposition
 + John Lum – Project presentation
 + Ron Fuller – Support
 + Corey Smith – Support
 + Speaker – Support
 + Kim – Support
 + Laura Foote – Support
 + Ian Dau – Support
 + Tom Carney – Support
 + Theodore Randolph – Support
 + Sean Kieghran – Support

ACTION: Took DR and Approved with conditions:
 1. Reduce the roof deck; and
 2. Encourage removal the stair penthouse.

AYES: Fung, Hillis, Johnson, Koppel, Moore
 ABSENT: Melgar, Richards
 DRA: [0664](#)

H. 2:30 P.M.

Items listed here may not be considered prior to the time indicated above. It is provided as a courtesy to limit unnecessary wait times. Generally, the Commission adheres to the order of the Agenda. Therefore, the following item(s) will be considered at or after the time indicated.

12. [2018-007883ENV](#) (J. POLING: (415) 575-9072)
BALBOA RESERVOIR PROJECT – (Assessor’s Block 3180, Lot 190) – Public Hearing on the **Draft Environmental Impact Report**. The 17.6-acre project site is the western portion (the “lower basin”) of the Balboa Reservoir located west of City College and north of Ocean Avenue in the Balboa Park Station Plan Area. The publicly owned project site currently functions as a surface vehicle parking lot. Two different options for the site’s residential density are under consideration: (1) the Developer’s Proposed Option (1,100 dwelling units), proposed by Reservoir Community Partners LLC; and (2) the Additional Housing Option (1,550 dwelling units), proposed by the City. Overall, the proposed project would construct up to approximately 1.8 million gross square feet of uses, including between approximately 1.3 and 1.5 million gross square feet of residential space, approximately 10,000 gross square feet of community space, approximately 7,500 gross square feet of retail, up to 550 residential parking spaces and 750 public parking spaces in the Developer’s Proposed Option, and up to 650 residential parking spaces in the Additional Housing Option. The buildings would range in height from 25 to 78 feet in the Developer’s Proposed Option and from 25 to 88 feet in the Additional Housing Option. Approximately 4 acres would be devoted to publicly accessible open space. The project site is located in a Public (P) Zoning District and 40-X and 65-A Height and Bulk Districts.
NOTE: Written comments will be accepted at the Planning Department until 5:00 p.m. on September 23, 2019.

Preliminary Recommendation: Review and Comment

SPEAKERS: = Jeanie Poling – Staff presentation
 + Lisa Anderson – Adequate
 - Alvin Jah – Inadequacies

- Steve Zeltzer – Transit
- = Dr. Andrew Carrier – Disruption to Riordan High School students
- Christopher Peterson – More housing less parking
- + Benjamin Schneider – Support
- + Sam Moss – Support
- + Laura Foote – Support
- + Brad – Support
- Jess Nguyen – Transportation, parking
- Michael Adams – Rapid transit
- Vicky – Serving City College
- Sophie Saphire – Student access
- Wynd Kaufmyn – 100% affordable housing
- Monica Collins – Transit delay
- Theodore Randolph – Housing
- Jean Barrish – Flaws in DEIR
- Amy O’Hare – Alternative C
- Gary Berringer – Noise analysis
- Jennifer Heggie – Noise study
- Christine Hansen – Master plan
- Marcy Rine – Critical flaw
- Speaker – Parking lot
- Michael Ahrens – Severely flawed
- Kevin Kolsky – Parking, impact to City College
- Laura Frye – City college impacts, San Ramon Way
- Anita Theoharis – Inadequacies
- Harry Bernstein – Noise, air quality
- + Nicholas Nagle – Housing
- John Winston – Transportation and circulation

ACTION: Received public comment
AYES: Fung, Hillis, Johnson, Koppel, Moore
ABSENT: Melgar, Richards

ADJOURNMENT 5:47 PM
ADOPTED OCTOBER 3, 2019