

SAN FRANCISCO PLANNING COMMISSION



Meeting Minutes

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

Thursday, November 21, 2019
1:00 p.m.
Regular Meeting

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

THE MEETING WAS CALLED TO ORDER BY PRESIDENT MELGAR AT 1:08 PM

STAFF IN ATTENDANCE: Claudia Flores, Audrey Merlone, Joshua Switzky, Maia Small, Jon Francis, Trent Greenan, Luiz Barata, Scott Sanchez, Andrew Perry, Liz Watty, Alex Westhoff, Linda Ajello-Hoagland, Delvin Washington, Bridget Hicks, Laura Ajello, Sylvia Jimenez, Elizabeth Gordon-Jonckheer, Xinyu Liang, Michael Christensen, Ella Samonsky, Jeff Joslin, 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. 2019-014348PCA (A. MERLONE: (415) 575-9129)
EXEMPTION FROM DENSITY LIMITS FOR AFFORDABLE AND UNAUTHORIZED UNITS [BOARD FILE NO. 190757] – **Planning Code Amendment** to provide an exception from density limit

calculations for all affordable units in projects not seeking and receiving a density bonus, permit the legalization of all unauthorized dwelling units notwithstanding a history of no-fault evictions, and principally permit residential care facilities for seven or more persons in all RH (Residential, House) Zoning Districts; 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 general welfare under Planning Code, Section 302.

Preliminary Recommendation: Approve with Modifications
(Continued from Regular hearing on November 7, 2019)
(Proposed for Continuance to December 5, 2019)

SPEAKERS: None
ACTION: Continued to December 5, 2019
AYES: Diamond, Johnson, Koppel, Melgar, Richards
ABSENT: Fung, Moore

2. 2009.0885B (C. TEAGUE (415) 575-9081)
1100 VAN NESS AVENUE – located on the east side of Van Ness Avenue between Cedar and Geary Streets; Assessor's Block 0694, Lots 029 and 030 (District 6) – **Allocation Revocation** of square footage under the Annual Office Development Limitation Program set forth in Planning Code Sections 320 through 324. Pursuant to [1] the provisions of Planning Code Section 321(d)(2), [2] Conditions of Approval contained in Planning Commission Motion No. 18890, and [3] Planning Commission policy set forth in Planning Commission Resolution 17846A, the Planning Commission will consider revoking approximately 52,000 square feet of office space allocated in 2013 for a new office building. The proposal would not result in any physical changes to the subject property.

Preliminary Recommendation: Revoke Office Allocation
(Continued from Regular hearing on October 24, 2019)
(Proposed for Continuance to December 19, 2019)

SPEAKERS: None
ACTION: Continued to December 19, 2019
AYES: Diamond, Johnson, Koppel, Melgar, Richards
ABSENT: Fung, Moore

- 3a. 2018-007725DRP (D. WINSLOW: (415) 575-9159)
244 DOUGLASS STREET – at the corner of Caselli; Lot 006 in Assessor's Block 2691 (District 8) – Request for **Discretionary Review** of Building Permit Application No. 2018.0820.7815, proposing a vertical addition, remodeling of the interior, and the modification of the rear pitched roof to a flat roof to accommodate a roof deck with planter guardrails to an existing 2-story, two-family house within a RH-2 (Residential House, Two-Family) Zoning District and 40-X Height and Bulk District. The proposal is subject to a rear-yard variance 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\(h\)](#).

WITHDRAWN

SPEAKERS: None
ACTION: Withdrawn

- 3b. 2018-007725VAR (D. WINSLOW: (415) 575-9159)
244 DOUGLASS STREET – at the corner of Caselli; Lot 006 in Assessor’s Block 2691 (District 8) - Request for **Rear Yard Variance**, proposing a vertical addition, remodeling of the interior, and the modification of the rear pitched roof to a flat roof to accommodate a roof deck with planter guardrails to an existing 2-story, two-family house within a RH-2 (Residential House, Two-Family) Zoning District and 40-X Height and Bulk District. The proposal is subject to a rear-yard variance 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\(h\)](#).
 (Continued from Regular hearing on August 28, 2019)
(Proposed for Continuance to December 5, 2019 Variance Agenda)

SPEAKERS: Same as item 3a.

ACTION: Acting ZA Continued to the December 5, 2019 Variance Agenda

17. [2018-012392CUA](#) (J. HORN: (415) 575-6925)
37 SATURN STREET – between Lower Terrace and the Saturn Street Steps; Lot 045 in Assessor’s Block 2646 (District 8) – Request for **Conditional Use Authorization**, pursuant to Planning Code Sections Planning Code Sections 249.77 and 303 for a vertical and a horizontal rear addition to an existing single-family home, resulting in a rear yard that is less than 45% of entire lot area within a RH-2 (Residential-House, Two Family) Zoning 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 Modifications and Conditions
 (Continued from Regular hearing on October 24, 2019)

SPEAKERS: None

ACTION: Continued to December 19, 2019

AYES: Diamond, Johnson, Koppel, Melgar, Richards

ABSENT: Fung, Moore

26. [2018-016284DRP](#) (G. PANTOJA: (415) 575-8741)
1299 SANCHEZ STREET – east side of Sanchez Street and Clipper and 26th Streets; Lot 020 in Assessor’s Block 6552 (District 8) – Request for a **Discretionary Review** of Building Permit Application No. 2018.1129.6993 proposing the change of use of an approximately 1,139 square-foot tenant space at an existing two-story mixed-use building from an existing Laundromat into a Limited Restaurant (d.b.a. Noe Valley Coffee) with an Accessory Coffee Roaster within a Neighborhood Commercial, Cluster (NC-1) 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 canceled hearing on November 14, 2019)

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

4. [2019-015128CUA](#) (G. PANTOJA: (415) 575-8741)
333 DOLORES STREET – between 16th and 17th Streets; Lot 057 in Assessor’s Block 3567 (District 8) – Request for a **Conditional Use Authorization** pursuant to Planning Code Section 303 to amend Motion Nos. 16683 and 19041 for a request to retain three existing temporary classroom structures for an additional seven years beyond the previously approved date at the subject property within a Residential- Mixed, Low Density (RM-1) Zoning District and 40-X Height and Bulk District. The temporary classroom structures will remain at the subject property until June of 2031. No interior or exterior alterations are proposed to the existing temporary classroom structures. 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: Diamond, Johnson, Koppel, Melgar, Richards
 ABSENT: Fung, Moore
 MOTION: [20562](#)

5. [2019-014224CUA](#) (A. LINDSAY: (415) 575-9178)
279 COLUMBUS AVENUE – on southwest side of Columbus Ave between Broadway Ave and Jack Kerouac Alley, Lot 017 of Assessor’s Block 0162 (District 3) – Request for a **Conditional Use Authorization**, pursuant to Planning Code Sections 303 and 714, for the new restaurant use (d.b.a. Bulgara) to operate as a restaurant with a Type-41 On-Sale Beer and Wine for Bona fide Public Eating Place license. The previous use appears to be limited restaurant. This project was reviewed under the Community Business Priority Processing Program (CB3P). The subject property is located within the Broadway NCD (Neighborhood Commercial) and 65-A-1 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

SPEAKERS: None
 ACTION: Approved with Conditions
 AYES: Diamond, Johnson, Koppel, Melgar, Richards
 ABSENT: Fung, Moore
 MOTION: [20566](#)

6. [2019-012281CUA](#) (D. WEISSGLASS: (415) 575-9177)
350 PACIFIC AVENUE – north side of Pacific Avenue between Sansome and Battery Streets; Lot 006 in Assessor’s Block 0165 (District 3) – Request for a **Conditional Use Authorization**, pursuant to Planning Code Sections 184, 210.1, 239, and 303, for renewal of a commercial

Public Parking Lot within a C-2 (Community Business) Zoning District, Washington-Broadway Special Use District and 65-A Height and Bulk District. Ordinance 232-14 amended Planning Code Sections 184 and 239 to state that public parking lots shall not be permitted as a permanent use in the Washington-Broadway SUD but may be authorized as a temporary use for up to five years with Conditional Use authorization. The proposal also includes the addition of fencing at the entry property line. This Project was reviewed as a CB3P (Community Business Priority Processing Program) Project. 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

(Continued from canceled hearing on November 14, 2019)

SPEAKERS: None
 ACTION: Approved
 AYES: Diamond, Johnson, Koppel, Melgar, Richards
 ABSENT: Fung, Moore
 MOTION: [20567](#)

7. [2019-016419CND](#) (M. DITO: (415)575-9164)
3234 WASHINGTON STREET – north side of Washington Street between Presidio Avenue and Lyon Street; Lot 008 in Assessor’s Block 0983 (District 2) – Request for a **Condominium Conversion Subdivision** to convert a four-story, five-unit building into residential condominiums 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

(Continued from canceled hearing on November 14, 2019)

SPEAKERS: None
 ACTION: Approved
 AYES: Diamond, Johnson, Koppel, Melgar, Richards
 ABSENT: Fung, Moore
 MOTION: [20568](#)

C. COMMISSION MATTERS

8. Consideration of Adoption:
- [Draft Minutes for November 7, 2019](#)
 - [Draft Minutes for November 14, 2019 – Closed Session](#)

SPEAKERS: None
 ACTION: Adopted
 AYES: Diamond, Johnson, Koppel, Melgar, Richards
 ABSENT: Fung, Moore

9. Commission Comments/Questions

Commissioner Richards:

Just one quick one. We had, I believe a couple weeks ago a DR on a Falafel store in the Castro, I think it was 463 Castro. I just wanted to update everybody, after all that thrash and all that hearing, I walked by the storefront the other day and it's released again. So, the Flying Falafel will not be going in where we did not take DR and approved the project.

D. DEPARTMENT MATTERS

10. Director's Announcements

John Rahaim, Planning Director:

Commissioners, good afternoon. First on behalf of the Department, welcome to Commissioner Diamond. It's great to have you here, we look forward to working with you. And even though our time together will be short, I have about three months, I look forward to that and to the future.

Commissioner Diamond:

Thank you.

John Rahaim, Planning Director:

Secondly, I wanted to call to your attention briefly the memo that is in your packet from me regarding the Excelsior Work. This came up a couple weeks ago on a project. The Excelsior and the Commission asked about planning efforts in the Excelsior. I just wanted to call that out and remind you of that memo. And actually, also remind you that we are coming up on the budget process. So, if there are specific ideas and requests that you have, we will be bringing the budget to you in January and February. I think as typically required, the budget goes to the mayor, I think the third week in February. So, we will be bringing that budget process to you in the next few weeks, and we can think about this work in the context of that process.

Thirdly, I'm very pleased to announce that my colleague, Jeff Joslin, sitting next to me has been recognized and given an award by the local AIA, that is a very nice award. Jeff is receiving the Local Government Award in the 2019 AIA San Francisco Community Alliance Awards Program. It recognizes an elected or appointed organization or individual who establishes and contributes to the development of laws, regulations and policies that promote excellence in architecture. Jeff has been working very diligently with the local AIA on all of our procedures and programs to streamline the process, to have more transparency in the process and I'm really gratified to see that the AIA is recognizing his work in giving him that award. So, we congratulate Mr. Joslin.

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

Aaron Starr:

Land Use was canceled last week for Veteran's Day and also this week so there's nothing to report on that. And then at this week's Rules Committee, the Committee voted to forward the Mayor's Planning Commission appointment Sue Diamond, and a ruining the surprise there, to the Board, without a recommendation. The vote passed with a 2-1 vote with Supervisor Walton voting against the motion because he wanted to recommend approval to the Board.

Last week the temporary Cannabis Business Permit to your extension passed its first read. And also last week the Supervisors considered the ordinances allowing for the development at 3333 California Street as well as the CU and CEQA appeal. The proposed project is a mixed use project with 744 dwelling units, about 3,500 square feet of retail and 15,000 square feet of childcare. The Planning Commission certified the final EIR on September 5, 2019. While the appellant raised 18 concerns in the appeal, the main item that the appellant focused on was the claim with the EIR failed to adequately review potential design modifications to reduce the project's significant historic resource impacts. The appellant continued to assert that one of the community proposed alternatives should be approved instead of the project. The Department maintained that the community alternatives were considerably like the alternatives discussed in the EIR and that the community alternatives could not be built and would not achieve the units desired. Public comment during the hearing centered around concerns of the tree removal at the project site and its impact on climate change and concerns over the type of retail uses permitted and the allowable hours of operation for those uses. Opponents of the proposed project also supported the community alternative endorsed by the Laurel Heights Improvement Association.

Regarding the tree removal and how that would exacerbate climate change, staff and the project sponsors noted that the project overall would not increase greenhouse gas emissions. The project would plant more trees than it would remove it. And it was certified by the Governor as an AB900 environmental leadership project with a net zero additional greenhouse gas emissions. The project is an infill development located in proximity to frequent transit service and thus as such will have lower vehicle miles traveled, will also comply with the city's successful greenhouse gas reduction strategy which supports the state's ambitious climate goals. In the big picture, the climate change benefits of this project would far outweigh the temporary loss of carbon sequestering trees from the project site. In the end, the Board voted to deny the environmental appeal and CU appeal with the unanimous vote of Supervisor Peskin absent. The Board then voted to approve the related entitlement ordinances for the project. Of note, this appeal provided an opportunity for the Department to explain how infill development projects like 3333 California are consistent with the state's strategies to reduce BMT and greenhouse gas emissions. There's also hope this will help decision makers and the public to be more informed about climate change benefits of infill development while ensuring that the environmental impact of traffic, such as noise, air pollution and safety concerns continue to be properly addressed and mitigated through the California Environmental Quality Act.

At this week's Board hearing, both 3333 California Street and the extension for the canvas permits passed their second read. Commissioner Diamond was appointed to the Planning Commission. And the Board is also meeting today for a special hearing to consider an issue of ordinance for the March 3rd elections that would place a tax on vacant commercial properties.

Finally, Supervisor Safai has introduced a resolution to initiate proceedings for the Landmark Designation of 4767 Mission Street. This is the first step in the landmark designation process for board sponsored landmark designations. And that concludes my report. Thanks.

Commissioner Richards:
Mr. Starr, what is 4768 Mission Street?

Aaron Starr:
I'm not entirely sure. Do you know? I will send you some information on it.

Commissioner Richards:
Okay great, thanks.

Jonas P. Ionin, Commission Secretary:
The Board of Appeals did meet but had nothing of interest for the Planning Commission. The Historic Preservation Commission did meet yesterday. They approved several -- or they adopted recommendations for approval of several Legacy Business applications. More significantly, they adopted CEQA findings and approved a master Certificate of Appropriateness and a master Major Permit to Alter for the Academy of Art University which you will be taking up today. And actually, their action enables you to take up that matter today.

President Melgar:
Jonas, did The Community Music Center get a Legacy Business?

Jonas P. Ionin, Commission Secretary:
It did. It did.

President Melgar:
Okay. Because they're coming in front of us.

Jonas P. Ionin, Commission Secretary:
They did, indeed.

President Melgar:
Thank you.

E. GENERAL PUBLIC COMMENT

SPEAKERS: Jerry Dratler – Illegal demolition penalties
Sarah Hoffman – 2417 Green continuance
Karolyn Kenady – SB330
Sue Hestor – Speak into the microphone
Jacquari – Cannabis dispensary 1335 Grant

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.

12. [2016-003351CWP](#) (C. FLORES: (415) 558-6473)
RACIAL AND SOCIAL EQUITY ACTION PLAN – Staff will present the updated Department’s Racial & Social Equity Action Plan, **Phase I Adoption**. The Plan contains goals, objectives and specific actions the Department will undertake to advance racial and social equity in our internal functions as well as a draft Implementation matrix. Phase II will focus on the external functions of the Department and will be recommended for adoption in late 2020. Both Phase I and Phase II will contain the Department’s commitments to advance racial and social equity: (1) internally as a workplace and (2) externally through our plans, policies and processes; and (3) ongoing implementation and monitoring mechanisms for accountability. All city departments are participating in the Government Alliance on Race and Equity under leadership from San Francisco’s Human Rights Commission and are undertaking similar Action Plans in accordance with the requirements of the newly formed Office of Racial Equity by Board Ordinance 188-19. Per the ordinance, Action Plans must be updated every three years from adoption.

Preliminary Recommendation: Adopt

SPEAKERS: = Claudia Flores – Staff report
 + Cynthia Gomez – Support
 + Alex Lansberg – Support
 + Connie Ford – Quality of jobs
 + Sabrina Hernandez – Support
 + Perry Jones – Token equity
 + Angela White – Support
 + Fernando Marti – Support

ACTION: Adopted Phase 1

AYES: Diamond, Johnson, Koppel, Melgar, Richards

ABSENT: Fung, Moore

RESOLUTION: [20569](#)

13. [2019-017962PCA](#) (A. MERLONE: (415) 575-9129)
100% AFFORDABLE HOUSING AND EDUCATOR HOUSING STREAMLINING PROGRAM – **Planning Code Amendment** to require at least half of residential units in Educator Housing projects to have two or more bedrooms, to eliminate the requirement that Educator Housing projects have a minimum amount of three bedroom units, conditioned on the passage of Proposition E in the November 5, 2019, Municipal Consolidated Election; 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 convenience, necessity, and welfare under Planning Code, Section 302.

Preliminary Recommendation: Approve

SPEAKERS: = Audrey Merlone – Staff report
 + Ian Fregosi, Aide to Sup. Fewer – Proposed legislation
 + Daisy Quan, Aide to Sup. Mar – Proposed legislation
 + Anabelle Ibanez – Support
 + Fernando Marti – Support
 + Kim Tavaglione – Support
 + Corey Smith – Support

+ Peter Cohen - Support
 ACTION: Approved
 AYES: Diamond, Johnson, Koppel, Melgar, Richards
 ABSENT: Fung, Moore
 RESOLUTION: [20570](#)

14. (J. SWITZKY: (415)575-6815)

PLAN BAY AREA – Informational Presentation on the Plan Bay Area 2050 process being conducted by the Association of Bay Area Governments (ABAG) and the Metropolitan Transportation Commission (MTC), including potential updates and revisions to San Francisco's designations of Priority Development Areas (PDAs), Priority Conservation Area (PCAs), and Priority Production Areas (PPAs). These non-regulatory designations, nominated by local legislatures (i.e. Board of Supervisors), are used by ABAG/MTC to guide the long-range regional plan and are implemented by the regional agencies through grant programs for planning and infrastructure investment.

Preliminary Recommendation: None – Informational

SPEAKERS: = Joshua Switzky – Staff presentation
 = Eileen Boken – Remove PDA's
 = Peter Cohen – Prop E
 = Rick Hall – Confused
 + Corey Smith – Sense of urgency
 = Speaker – Cannot continue wiping out communities
 = Fernando Marti – Communities of concern
 - Jake McGoldrick – Effect on children
 - Ozzie Rohm – Effect on children
 - Chris Monterossa – West side says no
 = Karolyn Kenady – Best plan
 = Bruce Bowen – Issues and concerns

ACTION: Reviewed and Commented

15a. (M. SMALL: (415) 575-9160)

DESIGN GUIDELINES – Informational Presentation – three sets of special area or topic design guidelines will be proposed for adoption by the end of 2019 in advance of SB 330: Calle 24, Retained Elements, and Japantown.

Preliminary Recommendation: None – Informational

SPEAKERS: = Maia Small – Staff presentation
 = John Francis – Staff report
 = Trent Greenan – Staff report
 = Luiz Barata – Staff report
 + Eric Arguello – Bottom up effort
 + Marie Sorenson – Support
 + Spike Khan – Racial and Social equity
 = Gabriela Lozano – Support
 + Maria Dela Borja – Support

ACTION: None – Informational

15b. [2018-003800CWP](#) (J. FRANCIS: (415) 575-9147)

CALLE 24 SPECIAL AREA DESIGN GUIDELINES – parcels within NC and NCT Zoning Districts, generally bounded by 22nd Street to the north, San Bruno Avenue to the east, Cesar Chavez Street to the south, and Bartlett Street to the west. **Adoption** of proposed Calle 24 Special Area Design Guidelines (SADGs), which are intended to supplement the City's Urban Design Guidelines and help ensure that new development and remodeled building facades complement existing neighborhood character and patterns of development. The proposed boundary for the SADGs roughly corresponds to the Calle 24 Special Use District (SUD), which was adopted by the City in 2017. The SUD created a unique set of commercial zoning regulations intended to preserve and enhance the unique character of the Calle 24 Latino Cultural District (established by the City in 2014) and recognize Latino cultural heritage. The Calle 24 SADGs will further the SUD's intent through guidelines that address architectural design, artwork, and other elements of the physical environment. They will be used by project sponsors, the community, Planning design review staff, and the Planning Commission to help evaluate proposed project designs to ensure preservation of defining neighborhood characteristics while accommodating new development.

Preliminary Recommendation: Adopt

SPEAKERS: Same as item 15a.
 ACTION: Adopted
 AYES: Diamond, Johnson, Koppel, Melgar, Richards
 ABSENT: Fung, Moore
 RESOLUTION: [20571](#)

- 16a. [2008.0586E](#) (A. PERRY: (415) 575-9017)
MULTIPLE PROPERTIES OWNED OR LEASED BY THE ACADEMY OF ART UNIVERSITY – The proposed Project involves 34 properties owned or leased by the Academy of Art University ("Academy") and seeks to establish or legalize uses at these properties, consolidate single room occupancy units regulated under Chapter 41 of the Administrative Code into two buildings and provide at least 8 new Chapter 41 units, and perform or legalize building modifications to these properties in order to implement said uses and to generally abate all Planning Code violations. A full list of the 34 properties may be found at sfplanning.org/academy. Request for **Adoption of Findings** pursuant to the California Environmental Quality Act (CEQA) and the CEQA guidelines, including Findings of Fact, Findings Regarding Significant and Unavoidable Impacts, evaluation of Mitigation Measures and Alternatives, the adoption of a Mitigation, Monitoring and Reporting Program and the adoption of a Statement of Overriding Considerations in connection with approvals for the Academy project, consistent with the proposed Development Agreement and the Term Sheet and Supplement to the Term Sheet for Global Resolution between the City and the Academy.

Preliminary Recommendation: Adopt Findings

(Continued from Regular hearing on November 7, 2019)

SPEAKERS: = Scott Sanchez – Staff presentation
 = Andrew Perry – Staff report
 + Jim Abrams – Project presentation
 = Speaker – People in the building, students
 = Chris Martin – Cannery land use change
 = Marlene Morgan – Van Ness corridor
 = Peter Clark – Signage

- = Terry McGuire – Issues and concerns
- Jake McGoldrick – Get the \$20 million
- Bobby Coleman – Issues and concerns
- Kathleen Courtney – Is this the best?
- Marie Sorenson – Getting away with number
- Spike Khan – Bad message, larger fine
- Ozzie Rohm – Real estate holding company
- Sue Hestor – AAU

ACTION: Adopted CEQA Findings
 AYES: Diamond, Johnson, Koppel, Melgar, Richards
 ABSENT: Fung, Moore
 MOTION: [20572](#)

16b. [2019-012970PCADVA](#) (A. PERRY: (415) 575-9017)

MULTIPLE PROPERTIES OWNED OR LEASED BY THE ACADEMY OF ART UNIVERSITY – The proposed Project involves 34 properties owned or leased by the Academy of Art University (“Academy”) and seeks to establish or legalize uses at these properties, consolidate single room occupancy units regulated under Chapter 41 of the Administrative Code into two buildings and provide at least 8 new Chapter 41 units, and perform or legalize building modifications to these properties in order to implement said uses and to generally abate all Planning Code violations. A full list of the 34 properties may be found at sfplanning.org/academy. Consistent with the Term Sheet and Supplement to the Term Sheet for Global Resolution, the Project requests a resolution recommending that the Board of Supervisors approve an ordinance approving **Planning Code Amendments** to provide review procedures for large noncontiguous post-secondary educational institutions and waive conflicting provisions in the Planning and Administrative codes; and approving a **Development Agreement** between the City and County of San Francisco and the Stephens Institute (Academy of Art University) and its affiliated entities, as to the Academy’s properties, which agreement provides for various public benefits, including, among others, an “Affordable Housing Payment” of \$37,600,000 and payment of approximately \$8,200,000 to the City’s Small Sites Fund.

Preliminary Recommendation: Adopt a Resolution Recommending Approval
 (Continued from Regular hearing on November 7, 2019)

SPEAKERS: Same as item 16a.
 ACTION: Adopted a Recommendation for Approval
 AYES: Diamond, Johnson, Koppel, Melgar, Richards
 ABSENT: Fung, Moore
 RESOLUTION: [20573](#)

16c. [2019-012970CUA](#) (A. PERRY: (415) 575-9017)

MULTIPLE PROPERTIES OWNED OR LEASED BY THE ACADEMY OF ART UNIVERSITY – The proposed Project involves 34 properties owned or leased by the Academy of Art University (“Academy”) and seeks to establish or legalize uses at these properties, consolidate single room occupancy units regulated under Chapter 41 of the Administrative Code into two buildings and provide at least 8 new Chapter 41 units, and perform or legalize building modifications to these properties in order to implement said uses and to generally abate all Planning Code violations. A full list of the 34 properties may be found at sfplanning.org/academy. Request for a **Master Conditional Use Authorization**, as allowed

by the proposed Planning Code Amendment, to authorize the proposed uses and building modifications across all 34 properties and to grant exceptions from Code requirements that might otherwise be required under the Code to authorize all scopes of work contemplated by the Academy Project, consistent with the proposed Development Agreement and the Term Sheet and Supplement to the Term Sheet for Global Resolution between the City and the Academy.

Preliminary Recommendation: Approve with Conditions

(Continued from Regular hearing on November 7, 2019)

SPEAKERS: Same as item 16a.
 ACTION: Approved with Conditions
 AYES: Diamond, Johnson, Koppel, Melgar, Richards
 ABSENT: Fung, Moore
 MOTION: [20574](#)

18. [2016-003994CUA](#) (L. HOAGLAND: (415) 575-6823)
55 BELCHER STREET – east side of Belcher Street between 14th Street and Duboce Avenue; Lots 098, 099, 100 in Assessor’s Block 3537 (District 8) – Request for **Conditional Use Authorization** pursuant to Planning Code Sections 121.7, 207(a), 209.4, 303, 303(r) to merge three lots into one lot (10,603 square foot) for the construction of an approximately 27,406 square foot, four-story building, up to 40 feet tall with 25 residential dwelling units, 12 off-street parking spaces, and 25 bicycle parking spaces. The subject property is located within a RTO (Residential Transit Oriented) 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 October 3, 2019)

SPEAKERS: = Linda Ajello-Hoagland – Staff report
 + John Kevlin – Project presentation
 + Brian Kemlar – Neighborhood support
 + Corey Smith – Support
 ACTION: Approved with Conditions as amended by Staff, including:
 1. Make the top more pronounced;
 2. No more than two furnished units may be rented at any one time;
 3. All units to hold a minimum six-month lease;
 4. No corporate tenants, with exception to non-profit corporations; and
 5. If pending Peskin legislation passes, it would supersede these conditions.
 AYES: Diamond, Johnson, Koppel, Melgar, Richards
 ABSENT: Fung, Moore
 MOTION: [20575](#)

22. [2018-012642CUA](#) (X. LIANG: (415) 575-9182)
552-554 CAPP STREET – west side of Capp Street between 20th and 21st Streets; Lot 037 in Assessor’s Block 3610 (District 9) – Request for a **Conditional Use Authorization**, pursuant to Planning Code Sections 209.4, 303, and 317, for conversion of the single-family residence and rear residential cottage to a Community Facility Use within the RTO-M (Residential Transit Oriented-Mission) Zoning District. The proposal also includes

approximately 1,280-square-foot horizontal and vertical additions to the front building, renovation of the rear cottage, reconfiguration of front courtyard to include a new ADA-compliant entry, and a second-story connecting bridge to the adjacent building at 544 Capp Street in the second phase. The proposal would expand the operation of Community Music Center to increase enrollment and course offerings. 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 canceled hearing on November 14, 2019)

SPEAKERS: = Xinyu Liang – Staff report
 + Julie Rulyak Steinberg – Project presentation
 + Lisa Gelfin – Project presentation
 + Patricia Lee – Support
 = Speaker – Evicted from property
 + Ashley Alvarado Cepeda – Song
 + Cindy Cepeda – Support
 + Grace Heineman – Support
 + Maria Aldas – Support
 + Estela Moreno – Choir director
 + Sylvano Colombano – Support
 + Deborah Rieker – Support
 + Susan Pena – Support
 + Howard Fallon – Support
 + Emmalena Quesada – Support
 + Secoya Canela – Support

ACTION: Approved with Conditions
 AYES: Diamond, Johnson, Koppel, Melgar
 ABSENT: Fung, Moore, Richards
 MOTION: [20576](#)

20. [2019-004849CUA](#) (L. AJELLO: (415) 575-9142)
2406 BUSH STREET – north side of Bush between Scott and Pierce Streets; Lot 004 in Assessor's Block 0657 (District 5) – Request for **Conditional Use Authorization**, pursuant to Planning Code Sections 303 and 317, to legalize a residential merger of two dwelling units into one dwelling unit. The proposed project would legalize the merger of two flats approximately 1,060 sq. ft. and 1,202 sq. ft. each in a two-story-over-garage residential building within a RH-3 (Residential, House, Three-Family) Zoning District and 40-X Height and Bulk District. The Project is not defined as a project under CEQA Sections 15378 and 15060(c)(2) because it does not result in a physical change in the environment.

Preliminary Recommendation: Disapprove

SPEAKERS: = Laura Ajello – Staff report
 + Derrick Thompson – Project presentation

ACTION: Disapproved
 AYES: Diamond, Johnson, Koppel, Melgar, Richards
 ABSENT: Fung, Moore
 MOTION: [20577](#)

19. [2008.0023CUA](#) (B. HICKS: (415) 575-9054)
461 29TH STREET – south side of 29th Street between Noe Street and Sanchez Street; Lot 033 of Assessor's Block 6631 (District 8) – Request for **Conditional Use Authorization**, pursuant to Planning Code Section 303 and 317 to demolish an existing, two-story, 750 square foot, single family residence and construct a new four-story, 6,459 square foot, two-dwelling unit building up to 40-feet tall and including two parking spaces, and two Class 1 bicycle parking spaces. Per Planning Code Section 317, any application for a permit that would result in the removal of one or more residential units shall require a Conditional Use Authorization for the removal and replacement of the units. The subject property 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

(Continued from Regular hearing on November 7, 2019)

Note: On August 29, 2019, after hearing and closing public comment, continued to November 7, 2019 with direction from the Commission by a vote of +6 -0 (Johnson absent). On November 7, 2019, without hearing, continued to November 21, 2019 by a vote of +5 -1 (Moore against).

SPEAKERS: = Bridget Hicks – Staff report
 + Tom Tunny – Project presentation
 + Earle Weiss – Project presentation
 - Andy Levine – Organized opposition
 + Rick Hills – Support
 - Mark Norton – Opposition
 + Alexander Molderon – Support
 - Ozzie Rohm – Opposition
 - Olga Milan-Howells – Opposition
 - Speaker – Out of place

ACTION: Approved with Conditions as amended, to continue working with staff on:
 1. Eliminating the fourth floor;
 2. Extending the lightwell to grade;
 3. Reducing the parking to one space; and
 4. Providing bicycle parking.

AYES: Johnson, Koppel, Melgar, Richards

ABSENT: Fung, Moore

RECUSED: Diamond

MOTION: [20578](#)

21. [2018-009157CUA](#) (S. JIMENEZ: (415) 575-9187)
2175 HAYES STREET – south side of Hayes Street between Cole and Shrader Streets; Lot 022 in Assessor's Block 1212 (District 5) – Request for **Conditional Use Authorization**, pursuant to Planning Code Sections 207, 209.1, and 303, to allow the demolition of an existing one-story dental office building and new construction of a four-story four-unit residential building with an Accessory Dwelling Unit at the ground and basement floor. The Project proposes a dwelling unit density of one dwelling unit per 1,000 square feet 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: Approve with Conditions

SPEAKERS: = Sylvia Jimenez – Staff report
+ Earl Weiss – Project presentation

ACTION: Approved with Conditions

AYES: Diamond, Johnson, Koppel, Melgar

ABSENT: Fung, Moore, Richards

MOTION: [20579](#)

23a. [2019-000745CUA](#) (M. CHRISTENSEN: (415) 575-8742)

1100 THOMAS STREET – northwest corner of Thomas Avenue and Griffith Street; Lot 001B in Assessor's Block 4793 (District 10) – Request for **Conditional Use Authorization**, pursuant to Planning Code Sections 210.3 and 303, to allow an Industrial Agriculture use (cannabis cultivation) measuring approximately 4,762 square feet in an existing one-story warehouse within a PDR-2 (Production, Distribution & Repair-Core) 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: = Michael Christensen – Staff report
+ Suheil Shatara – Project presentation

ACTION: Approved with Conditions

AYES: Diamond, Johnson, Koppel, Melgar, Richards

ABSENT: Fung, Moore

MOTION: [20580](#)

23b. [2019-000745VAR](#) (M. CHRISTENSEN: (415) 575-8742)

1100 THOMAS STREET – northwest corner of Thomas Avenue and Griffith Street; Lot 001B in Assessor's Block 4793 (District 10) – Request for a **Variance** from the Planning Code to address the minimum clear ceiling height requirements of Planning Code Section 145.5 to legalize a second floor within an existing one-story warehouse within a PDR-2 (Production, Distribution & Repair-Core) Zoning District and 40-X Height and Bulk District.

SPEAKERS: Same as item 23a.

ACTION: Asst. ZA closed the PH and indicated an intent to Grant

24. [2019-001143CUA](#) (M. CHRISTENSEN: (415) 575-8742)

1465 DONNER AVENUE – located on the south side of Donner Avenue between Jennings and Ingalls Streets; Lot 024 in Assessor's Block 4910 (District 10) – Request for **Conditional Use Authorization**, pursuant to Planning Code Sections 210.3 and 303, to allow an Industrial Agriculture use (cannabis cultivation) measuring approximately 10,000 square feet in an existing one-story warehouse within a PDR-2 (Production, Distribution & Repair-Core) Zoning District, Third Street Alcohol Restricted 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

SPEAKERS: = Michael Christensen – Staff report
 + Speaker – Project presentation
 ACTION: Approved with Conditions
 AYES: Diamond, Johnson, Koppel, Melgar, Richards
 ABSENT: Fung, Moore
 MOTION: [20581](#)

25. [2019-005500CUA](#) (M. CHRISTENSEN: (415) 575-8742)
2934 CESAR CHAVEZ STREET – northeast corner of Cesar Chavez and Bryant Streets; Lot 0031 in Assessor’s Block 4335 (District 9) – Request for **Conditional Use Authorization**, pursuant to Planning Code Sections 202.2, 249.59, 249.60, 303, and 712 to allow a 171 square foot Cannabis Retail use in the ground floor of an existing two-story mixed use building within a NC-3 (Neighborhood Commercial, Moderate Scale) Zoning District, Mission Alcoholic Beverage Special Use District, Calle 24 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 October 3, 2019)

SPEAKERS: = Michael Christensen – Staff report
 + Mubasher Choudhery – Project presentation
 - Michael Chan – Negative impacts
 + Speaker – Support
 - Speaker – Opposition
 - Speaker – Opposition
 - Speaker – Opposition
 + Juacqari – Support
 + Heidi Hanley – Support
 + Brian Morrow – Support
 = Kevin Ortiz – Racial & Social equity, oversaturation of dispensaries
 + Spike Khan – Support
 + Speaker – Support
 + Speaker – Support
 + Edward – Support
 + Paul Chavez - Support
 ACTION: Approved with Conditions
 AYES: Diamond, Johnson, Koppel, Melgar, Richards
 ABSENT: Fung, Moore
 MOTION: [20582](#)

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.

27. [2018-003910DRP](#) (R. SUCRE: (415) 575-9108)

3252 19TH STREET – located at northwest corner of 19th and Shotwell Streets; Lot 025 in Assessor’s Block 3591 (District 9) – Request for **Discretionary Review** of Building Permit Application No. 2018.08.16.7612, to legalize a change in use of approximately 2,849 square feet on the first floor and an associated mezzanine from automotive repair to amusement game arcade/restaurant (dba. Redemption) within an existing two-story building in an UMU (Urban Mixed-Use) Zoning District and 58-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 canceled hearing on November 14, 2019)

SPEAKERS: = Ella Samonsky – Staff report
 - Kevin Ortiz – DR Presentation
 - Marie Sorenson – Opposition
 - Spike Khan – Opposition
 - Bruce Livingston – Opposition
 - Speaker – Opposition
 - Speaker – Opposition
 + Phil Lesser – Project presentation
 + Raquel Rangel – Support
 + Steve Fox – Support
 + Joe Garvey – Support
 + Vincent Sacko – Support
 + Matthew Samish– Support
 + Dan Bowin – Support
 + Josh Morris – Support
 + Ryan Matsick – Support
 + Pete Glitchtern – Support
 + Steven Buss – Support
 + Joe – Support
 + Dan Muschel – Support
 + Jeremy – Support

ACTION: No DR, Approved as proposed
AYES: Diamond, Johnson, Koppel, Melgar
NAYS: Richards
ABSENT: Fung, Moore
DRA: [0672](#)

ADJOURNMENT 9:58 PM

ADOPTED AS CORRECTED DECEMBER 5, 2019