

SAN FRANCISCO PLANNING COMMISSION



Meeting Minutes

Remote Hearing
via video and teleconferencing

Thursday, May 7, 2020

1:00 p.m.

Regular Meeting

COMMISSIONERS PRESENT: Diamond, Fung, Imperial, Johnson, Koppel, Moore

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

STAFF IN ATTENDANCE: Aaron Starr, Sylvia Jimenez, David Winslow, Rich Hillis – 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. 2019-007111CUA (X. LIANG: (415) 575-9182)
1400 17TH STREET – located on the north side of 17th Street between Connecticut Street and Arkansas Street; Lot 001A in Assessor's Block 3952 (District 10) – Request for **Conditional Use Authorization**, pursuant to Planning Code Sections 303, 303.1, 843.45, and 843.46, to establish an approximately 15,750 square-foot Formula Retail use (d.b.a. West Elm, a branch of Williams-Sonoma, Inc.) for a furniture showroom and retail store in a vacant one-story building within a UMU (Urban Mixed Use) Zoning District and 48-X Height and Bulk District. The Project includes interior and exterior improvements,

including a green wall on 17th Street facade, new windows, and a gate for the off-street customer loading area. The Project will also help improve the City's public realm by adding a large bulb out with sidewalk landscaping and street furniture at the northwest intersection of 17th and Connecticut Streets and providing new street trees and lighting on sidewalks. There will be no expansion of the existing 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

(Proposed for Continuance to June 18, 2020)

SPEAKERS: None
 ACTION: Continued to June 18, 2020
 AYES: Diamond, Fung, Imperial, Johnson, Koppel, Moore

2. 2018-002124CUA (C. ALEXANDER: (415) 575-8724)
54 04TH STREET – west side of 4th Street and between Market and Mission Streets; Lot 034 in Assessor's Block 3705 (District 13) – Request for a **Conditional Use Authorization** for hotel use pursuant to Planning Code Sections 210.2 and 303. The Project proposes a conversion of the 68 vacant residential hotel rooms (SROs) to tourist use. The subject property (Mosser Hotel) currently contains 81 residential hotel rooms and 87 tourist hotel rooms for a total of 168 rooms within a C-3-R (Downtown-Retail) Zoning District and 160-S Height and Bulk District. 13 tenants currently reside in the 81 residential hotel rooms, with 68 of them vacant. None of the existing tenants are proposed to be evicted. The Project Sponsor proposes to satisfy the one-for-one residential room replacement required by Administrative Code Section 41.13(a)(4) and (a)(5) by paying an in-lieu fee "to a public entity or nonprofit organization, which will use the funds to construct comparable units, an amount at least equal to 80% of the cost of construction of an equal number of comparable units plus site acquisition costs." 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 Canceled hearing on March 12, 2020)

(Proposed for Continuance to June 18, 2020)

SPEAKERS: None
 ACTION: Continued June 18, 2020
 AYES: Diamond, Fung, Imperial, Johnson, Koppel, Moore

3. 2019-016388CUA (J. HORN: (415) 575-6925)
1760 OCEAN AVENUE – located on the northeast side of the intersection of Ocean Avenue and Dorado Terrace Street; Lot 195 in Assessor's Block 3283 (District 7) – Request for **Conditional Use Authorization**, pursuant to Planning Code Sections 303 and 755, to establish Out-Patient Dialysis Center (DBA Fresenius Kidney Care), a Health Services (Retail Sales and Service) use within a currently vacant 15,100 square foot tenant space most recently used as an Formula Retail Pharmacy Use. The subject property is located within the Ocean Avenue Neighborhood Commercial Transit (NCT) District, Balboa Park Area Plan and 45-X Height and Bulk District. There will be no expansion or exterior modification of the existing 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

(Proposed for Continuance to June 25, 2020)

SPEAKERS: None
 ACTION: Continued June 25, 2020
 AYES: Diamond, Fung, Imperial, Johnson, Koppel, Moore

4. 2018-001662DRP (D. WINSLOW: (415) 575-9159)
2476 DIAMOND STREET – between Moreland and Moffit Streets; 032 in Assessor’s Block 6700 (District 8) – Request for **Discretionary Review** of Building Permit 2019.1205.8713 to legalize and modify rear yard retaining walls and fencing structures located within the required rear yard of a single-family home under construction 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
(Proposed for Continuance to June 25, 2020)

SPEAKERS: None
 ACTION: Continued to June 25, 2020
 AYES: Diamond, Fung, Imperial, Johnson, Koppel, Moore

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. [2019-022072CUA](#) (C. FEENEY: (415) 575-9174)
855 BRANNAN STREET – southeast side of Brannan Street between 7th and 8th Streets, Lots 011-014 of Assessor’s Block 3783 (District 9) – Request for **Conditional Use Authorization** pursuant to Planning Code Sections 303, 303.1, and 843.46, to establish a formula retail, retail-sales and service use (d.b.a. Trek Bicycle) in a vacant ground floor tenant space (measuring 2,818 square feet) in a newly-constructed six-story, mixed-use building within a UMU (Urban Mixed use) Zoning District and 68-X Height and Bulk District. The project includes no expansion of the existing building envelope or storefront modifications. 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, Fung, Imperial, Johnson, Moore
 ABSENT: Koppel
 MOTION: 20699

C. COMMISSION MATTERS

7. Consideration of Adoption:
- [Draft Minutes for April 23, 2020](#)

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

8. Commission Comments/Questions

Commissioner Imperial:

I just would like to thank the staff, Planning Department in coming up with a COVID-19 physical distance public participation guide and I think overall, it's a satisfactory guide. I may need some -- a little bit of suggestion but thank you for doing this. Greatly appreciated.

D. DEPARTMENT MATTERS

9. Director's Announcements

Rich Hillis, Planning Director:

Good afternoon, Commissioners. Just a couple of quick items. One, I want to let you know, you may already know this, that President Yee of the Board of Supervisors has nominated Deland Chan to fill Commissioner Richard's vacant seat. She has to go to the Committee and then to the Full Board. So, I think as early as two weeks, she may be able to sit on the Commission. She currently works at Stanford as an educator and a researcher in urban planning and had formally been a senior planner at CCDC. So obviously well qualified and familiar with our work. So, we look forward to that working its way through the process. Also want to let you know Eric Shaw was appointed as the Director of the Mayor's Office of Community Development. He started last week. Dan Adams had been the acting director. He's got experience and background in Planning with DC and Economic Development with Salt Lake City. Most recently he was working for the State of California recovery efforts related to the fires. So, you'll no doubt see him in the coming weeks.

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

Aaron Starr:

At this week's Land Use hearing, Supervisor Ronen's ordinance that would prohibit office uses in the UMU District was continued to May 11th of this year. Also, in the agenda was Supervisor Mandelman's ordinance that would remove the demonstrably unaffordable provision from Planning code section 317. Commissioners, you heard this item on April 23rd and voted to recommend approval with a modification to add a grandfathering clause. At the Land Use hearing, Supervisor Mandelman added the grandfathering clause and another minor clarifying amendment. In addition, Supervisor Peskin also proposed two amendments of his own to section 317 which would significantly expand the definition of what is considered a de facto demolition. That amendment would strike the

word “and” in Sections 317(b)(2)(b) and (c) and replace them with an “or”. This seemingly simple change would have tremendous impact on the number and types of projects that this commission would see. For example, the de facto demolition would now be the removal of more than 50% of the sum of the front facade and rear facade or the removal of more than 65% of the sum of all exterior walls. Previously a project had to meet both of these criteria to be considered de facto demolition. The impact to this Commission, the Department and future projects would be significant. Staff estimates that this change would put an additional 445 projects that are currently pending at the Department on the Commission's docket. While this amendment was not debated by the Planning Commission, Peskin was able to make this amendment because this idea was clearly stated at the hearing. In this case, it was proposed by a Planning Commissioner. Since it was mentioned at the hearing, giving the Planning Commission an opportunity to discuss the concept, the amendment could be made. Staff pushed back on Supervisor Peskin's proposed amendment because of the impact it would have, not only on staff time but also on the commission's calendar, and on small businesses seeking a CU approval post shelter in place. We also don't believe this is the right fix for 317 and will likely make the process worse with few benefits. There was some significant back and forth between staff and the committee members mainly Supervisor Peskin. He felt that we are being inconsistent on our analysis. We attempted to better explain our position. Supervisor Safai expressed reservations about pushing something like this through without Planning staff analyzing the impacts and thought a more wholistic approach to revising 317 was warranted. He mentioned his legislation that set a limit on home size and encourages density as a possible approach. There were about 50 members of the public that commented on this item. Many were opposed that Peskin proposed amendments and a good number have spoken in favor of Supervisor Mandelman's original ordinance. In the end, the Committee voted to amend Supervisor Mandelman's original ordinance as he had proposed. They then duplicated the ordinance and voted to add Supervisor Peskin's amendments that he sent the original ordinance to the Full Board with a positive recommendation and then continue Peskin's duplicative ordinance to the call of the chair.

And at the Full Board this week, Supervisor Peskin and Fewer's ILO ordinance pass its first read.

Jonas P. Ionin, Commission Secretary:

The Board of Appeals did meet last night and considered one item that may be of interest to the Planning Commission. 3426–3432 22nd Street, the Board of Appeals heard the appeal of the revocation request issued by the Department of Building Inspection for multiple permits of the subject property. The Board initially heard this item on December 4, 2019 and at that hearing, the Board continued the item to allow the appellant additional time to resolve the outstanding enforcement issues with the Department of Building Inspection and the Planning Department. Since that time, the appellant has augmented their project team and provided plans that accurately reflect the scope of work that was performed on the subject building. The appellant has also provided the materials for the required neighborhood notification and variance hearing. At the hearing last night, the parties jointly requested that the Board of Appeals grant the appeal and overturn the revocation of the permit to allow time for the appellant to cancel their permits and submit revised permits and plans that accurately reflect the scope of work on the subject property.

The Historic Preservation Commission did meet yesterday for the second time remotely. Among a variety of items, they heard the Certified Local Government Program annual report. They approved the landmarking of the New Royal Bakery on Mission Street and also received an informational presentation related to the Small Business Commission and Legacy Business Program.

E. GENERAL PUBLIC COMMENT

SPEAKERS: Sue Hestor – Ignoring District 6 residents
 Planning Department/Commission ignores effect of current lockdown on District 6 residents. District which has large concentrations of **Residential Hotels** and **homeless. Low income workers** who have lost jobs.
 South of Market, Filipino communities being overrun with large projects at Commission **NOW**. Projects at boundary of areas designed to protect Filipino families/low-income residents.
469 Stevenson - 500 unit mostly MARKET RATE housing. **ENTIRE DEIR** comment period during lockdown.
701 Harrison new OFFICE building approved 4/30.
NEXT Thursday - MAJOR Area Plan ADOPTION. **The HUB**. Rezones part Districts 5 & 6. Abuts Districts 9 & 8.
 South of Market subjected to FOUR Area Plans in past 18 years: Eastern Neighborhoods, Western SoMa, Central SoMa. Transit Center.
 Now The Hub. Plus scheduled approval of 3 towers: 10 Van Ness. 30 South Van Ness. 98 Franklin.
 6/18 - convert **54 4th RESIDENTIAL HOTEL** to Tourist Hotel.
 SoMa residents deserve time to meet, including with Supervisor Haney. **SLOW DOWN**
 Georgia Schuttish – Tenure and occupancy
 Ozzie Rohm – Take a break from approving
 Theodore Randolph – Not making very good use of time
 Anastasia Yovanapolous – HUB project

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.

5. [2018-014766CUA](#) (S. JIMENEZ: (415) 575-9187)
1043-1045 CLAYTON STREET – west side of Clayton Street at the intersection of Ashbury Street, Lots 131, 132, and 133 in Assessor’s Block 1279 (District 5) – Request for **Conditional Use Authorization**, pursuant to Planning Code Sections 303 and 317 to alter and demolish portions of an existing two-unit residential building that spans across three separate parcels and construct two additional residential buildings for a total of three buildings 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: = Sylvia Jimenez – Staff report
 + Jeremy Shaw – Project presentation
 - Lela Branson – Plans not available for review, request continuance
 - Steven Barrabee – Concerns with notice, size, light and privacy
 - Dave Ryan – Add condition to CUA
 - Steve Larson – Concerns with massive construction
 - Sarah Franco – Concerns with light, need adequate study
 + Speaker – Support
 + Speaker – Support
 + Theodore Randolph – Support
 = Georgia Schuttish – Demo calcs, find out tenure and occupancies
 + Chris Durkin – Support, well designed

ACTION: After being pulled off of Consent; Approved with Conditions as amended, to provide three-foot setbacks from southern property lines for second floor balcony decks.

AYES: Diamond, Fung, Imperial, Johnson, Koppel, Moore

MOTION: [20700](#)

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.

11. [2015-014170DRP](#) (D. WINSLOW: (415) 575-9159)
804 22ND STREET – between Tennessee and Minnesota Streets; 010 in Assessor's Block 4107 (District 10) – Request for **Discretionary Review** of Building Permit 2018.0813.7232 for the construction of a one-story horizontal addition at the rear to expand the first-story commercial space and a one-story vertical addition (approximately 1,250 square feet) to create a new third floor with a roof deck above within a NCT-2 (Neighborhood Commercial, Transit - 2) Zoning District and 45-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: Take Discretionary Review and Approve with Modifications
 (Continued from Regular hearing on April 30, 2020)

SPEAKERS: = David Winslow – Staff report
 - Annette Carrier – DR presentation
 - Mike Garavaglia – DR presentation
 - Sarah Hoffman – DR presentation
 + Craig Peters – Project presentation
 - Bob Mielke – Support DR
 - Hillary Henson – Support DR
 - Ozzie Rohm – Support DR
 - Patricia Watson – Support DR
 - Susan Fahey – Support DR

+ Mark Topetcher – Project sponsor rebuttal
 ACTION: Took DR and Approved with a five-foot reduction in depth at the rear ground level.
 AYES: Diamond, Fung, Imperial, Johnson, Koppel, Moore
 DRA: [693](#)

12. [2018-017375DRP-02](#) (D. WINSLOW: (415) 575-9159)
3627 DIVISADERO STREET – between Beach and North Point Streets; 001E in Assessor's Block 0919 (District 2) – Request for **Discretionary Review** of Building Permit 2018.1227.9267 to construct a one-story horizontal and a 3rd and 4th story vertical addition to an existing 2-story, single-family dwelling including façade alterations and front and rear roof decks 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
 - Shelly Meneghetti – DR 1 presentation
 - Richard Miller – DR 2 presentation
 + Micky Pucko – Project presentation
 - Cathi Dennehy – Opposed
 - Speaker – Opposed
 - Anne Haskel – Opposed
 - Rose – Opposed
 - Brent McDonald – Opposed, does not meet design guidelines
 ACTION: Did Not Take DR, Approved as proposed
 AYES: Diamond, Fung, Johnson, Koppel
 NAYS: Imperial, Moore
 DRA: [694](#)

ADJOURNMENT 3:58 PM
 ADOPTED MAY 21, 2020