

SAN FRANCISCO PLANNING COMMISSION



Meeting Minutes Remote Hearing via video and teleconferencing

**Thursday, July 16, 2020
1:00 p.m.
Regular Meeting**

COMMISSIONERS PRESENT: Chan, Diamond, Fung, Imperial, Johnson, Koppel, Moore
COMMISSIONERS ABSENT: None

THE MEETING WAS CALLED TO ORDER BY PRESIDENT KOPPEL AT 1:15 PM

STAFF IN ATTENDANCE: Aaron Starr, Claire Feeney, Audrey Merlone, Veronica Flores, Michelle Littlefield, Sveta Ambati, Shannon Ferguson, Christopher May, Rich Sucre, Scott Sanchez – Acting Zoning Administrator, AnMarie Rodgers – Director of Citywide Planning, 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. 2018-015239DRP (D. WINSLOW: (415) 575-9159)
1222 Funston Avenue – between Irving Street and Lincoln Way; Lot 040 in Assessor's Block 1738 (District 5) – Request for **Discretionary Review** of Building Permit 2018.1211.8001 to demolish an existing one-car garage at the front of the subject property and construct a new four 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
(Proposed for Continuance to July 23, 2020)

SPEAKERS: - Speaker – Continuance confusing
ACTION: Continued to July 23, 2020
AYES: Chan, Diamond, Fung, Imperial, Johnson, Koppel, Moore

- 2a. 2019-007159DRP (D. WINSLOW: (415) 575-9159)
145 MISSOURI STREET – east side of Missouri Street between 17th and Mariposa Streets; Lot 022 in Assessor's Block 3985 (District 10) – Request for **Discretionary Review** of Building Permit 2019.0503.9703 to legalize a first story garage horizontal addition and second story rear porch. The porch was built as a replacement of the previous porch, 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
(Proposed for Continuance to July 30, 2020)

SPEAKERS: None
ACTION: Continued to July 30, 2020
AYES: Chan, Diamond, Fung, Imperial, Johnson, Koppel, Moore

- 2b. 2019-007159VAR (A. WESTHOFF: (415) 575-9120)
145 MISSOURI STREET – east side of Missouri Street between 17th and Mariposa Streets; Lot 022 in Assessor's Block 3985 (District 10) – Request for Rear Yard **Variance**, proposing to legalize a rear porch that is 4 feet 7 inches by 17 feet 10 inches. The porch was built as a replacement of the previous porch within a RH-2 (Residential House Two Family) Zoning District and a 40-X Height and Bulk District. The proposal is subject to a rear-yard variance per Planning Code Section 134.
(Continued from Variance Hearing on May 27, 2020)
(Proposed for Continuance to July 30, 2020)

SPEAKERS: None
ACTION: Acting ZA continued to July 30, 2020

3. 2019-015984CUA (A. LINDSAY: (415) 575-9178)
590 2ND AVENUE – on east side of 2nd Avenue between Anza Street and Balboa Street, Lot 026 of Assessor's Block 1544 (District 1) – Request for a **Conditional Use Authorization**, pursuant to Planning Code Sections 303 and 209.2, to install a new AT&T Mobility Macro Wireless Telecommunications Services Facility at rooftop consisting of installation of ten (10) panel antennas, and ancillary equipment as part of the AT&T Mobility Telecommunications Network. Antennas and ancillary equipment will be screened within two (2) FRP enclosures. The subject property is located within a RM-2 (Residential-Mixed, Moderate Density) and 40-X Height and Bulk Districts. This action constitutes the Approval Action for the project for the purposes of CEQA, pursuant to San Francisco Administrative Code Section [31.04\(h\)](#).

Preliminary Recommendation: Approve with Conditions
(Continued from Regular hearing on July 9, 2020)
(Proposed for Indefinite Continuance)

SPEAKERS: - Speaker – Wants to discuss it now
ACTION: Continued to July 23, 2020
AYES: Chan, Diamond, Fung, Imperial, Johnson, Koppel, Moore

- 14a. [2019-000634DRP-02](#) (D. WINSLOW: (415) 575-9159)
876 ELIZABETH STREET – between Hoffman and Douglass Streets; 022 in Assessor's Block 2806 (District 8) – Request for **Discretionary Review** of Building Permit 2019.0114.0265 to expand below grade at basement level to the rear of an existing non-conforming structure. The proposal also includes and a vertical and horizontal addition on an existing single-family home 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 June 18, 2020)
Note: On June 18, 2020, after hearing and closing public comment, continued to July 16, 2020 with direction from the Commission by a vote of +5 -0 (Chan and Johnson absent).

SPEAKERS: None
ACTION: Withdrawn

- 14b. [2019-000634VAR](#) (D. WINSLOW: (415) 575-9159)
876 ELIZABETH STREET – north side of Hoffman Avenue and Douglass Street; Lot 022 in Assessor's Block 2806 (District 8) – Request for Rear Yard **Variance**, proposing to expand below grade at basement level to the rear of an existing noncomplying structure. The proposal is also to construct a vertical and horizontal addition on the existing single-family home 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.
(Continued from Regular hearing on June 18, 2020)

SPEAKERS: None
ACTION: Acting ZA continued to variance hearing July 22, 2020

15. [2018-011031DRP-03](#) (D. WINSLOW: (415) 575-9159)
219-223 MISSOURI STREET – between Mariposa and 18th Streets.; Lot 022 in Assessor's Block 4002 (District 10) – Request for **Discretionary Review** of Building Permit Application No. 2018.0730.5884, proposing expansion of two dwelling units; a 3-story vertical addition and the addition of two off-street parking spaces to an existing 1-story, four-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 June 18, 2020)

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

5. [2019-012206CUA](#) (S. YOUNG: (415) 558-6346)
1430 VAN NESS AVENUE – northeast corner of Van Ness Avenue and Austin Street; Lot 011 in Assessor's Block 0667 (District 3) – Request for **Conditional Use Authorization** pursuant to Planning Code Sections 303, 303.1, and 209.3 to establish a Formula Retail Use (d.b.a. Orangetheory Fitness) in an approximately 3,787 square foot vacant ground floor commercial space within a RC-4 (Residential-Commercial, High Density) Zoning District, Van Ness Special Use Subdistrict, and 130-V Height and Bulk District. The project site is also located within the Van Ness Corridor. 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: Chan, Diamond, Fung, Imperial, Johnson, Koppel, Moore
MOTION: [20757](#)

C. COMMISSION MATTERS

6. Commission Comments/Questions

Commissioner Moore:

I would like to ask that we acknowledge the difficulty of people calling in and not being quite familiar with some of our terminology i.e: the word Continuances. I got the feeling from reading a lot of emails coming in that the 1222 Funston Street project seems to be of concern to quite a few people but I am not certain that your explanation about it being continued for next week and should be taken off Consent next week would not even be heard. If there's any way of helping people to really understand the subtleties a little better I think we would be doing many people and the public a great favor.

D. DEPARTMENT MATTERS

7. Director's Announcements

AnMarie Rodgers:

Good afternoon, Commissioners. AnMarie Rodgers, Citywide Policy, here for Director Hillis who is out of the office this week. There were a couple of items that I wanted to share with you that the Department is engaged on and related to post COVID work. The first is that Director Hillis has told you about the role that he is playing in relation to the Mayor's

Recovery Task Force. He is co-chairing an Economic Development policy working group with Ann Taupier from the Office of Economic Development and Workforce. And this group has been developing policy recommendations focused on housing production and small business recovery. I wanted to let you know that they are planning on presenting ideas to the Economic Recovery Task Force in early August. So that is something that we can all look forward to seeing the benefits of that work.

And number two, I know that you are familiar with the City's Shared Spaces program that Mayor Breed launched in May. I wanted to give you a little update on this one. This is the program that helps support neighborhood – particularly neighborhood businesses by providing additional public space for those business and community activities. This is the re-allocation of the public right of way – sidewalks, streets or part of streets in nearby public spaces, so that we can conduct neighborhood activities in a safe distance and with fresh air. You have probably seen restaurants pick up and other neighborhood activities that are occurring across the city. And at this point, we are very pleased to share that we have seen over 800 applications for these permits. Many city agencies are collaborating to make this program work to quickly adjust to the need. And also, I just want to let you know that Planning Department staff from both Current Planning and Citywide Policy are planning a key role on this work. Robin Abad of the Citywide Design Group is managing and coordinating the program for the city-at-large. And we also have Planning Department staff with the Office of Economic Workforce Development that are putting together an equity component for this program to ensure that there is full participation from people in all communities. So far, we have given some updates to the Small Business Commission and the Entertainment Commission. And if this Commission is interested, we could share more with you about these efforts in the future. That concludes my updates for you.

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

Aaron Starr:

This week, the Land Use Committee considered the legislative amendment associated with the Market-Octavia Area Plan, also called The Hub. Commissioners, you heard this item on May 21st and recommended approval with modifications. The Commission's modification directed the Department and the Board to pursue a Nexus study to establish community facility fees. In response to the Commission's action, the Mayor introduced substitute legislation on June 9th with the new community facilities fee. During the Land Use hearing, there were only two sentiments expressed during public comment. The first was in support of the plan as approved by the Commission and encouraging supervisors to move forward with the legislation. The other was a request to put the legislation on hold until further equity work is complete. After public comment, there was not significant discussion on the proposed plan by the committee members. Instead, the Committee continued the item for one week to July 20th. This week, the Rules Committee held a hearing on the Mayor's November ballot initiative called Save our Small Businesses or SOS. The initiative would, among other things, relax controls on certain destination type uses or uses not impacted by online competition such as general entertainment, movie theatres and art activities. It would also remove 311 neighborhood notification for any principally permitted use. This controls would have to stay in place for 3 years after which time the Board could change them. The Board would be able to make the controls less restrictive within the 3-year time

period but not more restrictive. Supervisor Ronen had the most questions for staff who included representatives from the Mayor's office, the Planning Department and OEWD. Supervisor Ronen stated her support for the proposed – for most of the items in the ordinance. The question why the changes were not being done through the legislation process as all the changes could be done legislatively. She also said that the Mayor worked at the Board – had the Mayor worked with the Board, they would have been able to finetune the legislations that it was more community focused. Public comment was fairly split. Some callers supported having this done legislatively or through an emergency ordinance. Others supported the initiative and expressed skepticism that the Board could actually get such a far-reaching change like these through. I would note that it is not clear if any of the changes in the initiative could be done through an emergency ordinance as those are usually reserved for more restrictive controls. As it is just post hearing, the Mayor complaints initiative on the ballot without Board approval. At the end of the hearing the Committee filed the item and did not take any further action. And then finally this week, the Board considered Supervisor Peskin's ordinance that would allow the expansion of the central police station in the North Beach and that passed its first read. And that's all I have for you today.

Jonas P. Ionin, Commission Secretary:

There is no report from the Board of Appeals. The Historic Preservation Commission did meet yesterday remotely where they adopted a resolution centering preservation planning on Racial and Social Equity similar to what the Planning Commission had previously done. They also adopted a recommendation for approval for the Planning Code amendment on your agenda later today regarding continuation of certain non-conforming parking lots in the Mission Street Neighborhood Commercial Transit District. Finally, they adopted the resolution supporting the nomination of 1315 Waller Street.

E. GENERAL PUBLIC COMMENT

SPEAKERS: Katie – Prop E support
Georgia Schuttish – Section 317 demolition
Ozzie Rohm – Affordable family housing
Gabby Ruiz – Prop E
Yonathan Randolph – Section 317
Kim Cavaleri – Prop E
Jennifer Heggie – Lack of retraining opportunity after COVID

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.

4. [2019-021084CUA](#) (C. FEENEY: (415) 575-9174)
355 BAY SHORE BOULEVARD – east side of Bay Shore Boulevard between Flower and Waterloo Streets; Lot 030 in Assessor's Block 5598 (District 10) – Request for **Conditional Use Authorization** pursuant to Planning Code Sections 249.65, 303, and 303.1, to establish a General Grocery Formula Retail use (d.b.a. Grocery Outlet) measuring approximately

14,792 gross square feet, within a PDR-2 (Core Production, Distribution, and Repair) Zoning District, Bayshore Boulevard Home Improvement Special Use District, and 65-J 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 June 11, 2020)

SPEAKERS: = Claire Feeney – Staff presentation
+ John Kevlin – Project sponsor
ACTION: After being pulled off of Consent; Approved with Conditions as Amended by Staff
AYES: Chan, Diamond, Fung, Imperial, Johnson, Koppel, Moore
MOTION: [20758](#)

- 9a. [2020-001411PCA](#) (A. MERLONE: (415) 575-9129)
100% AFFORDABLE HOUSING AND EDUCATOR HOUSING STREAMLINING PROGRAM [BOARD FILE NO. 191249] – **Planning Code Amendment** – Ordinance amending the Planning Code to require that in Educator Housing projects at least 10% of residential units have three or more bedrooms; affirming the Planning Department’s determination under the California Environmental Quality Act; making findings that the Ordinance furthers the purpose of Planning Code, Section 206.9; 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 presentation
+ Jen Low, Sup. Yee’s Aide – Project sponsor
+ Ken Tray – United Educator of SF, educator housing
+ Peter Cohen – Feasibility of development
+ Ozzie Rohm – Support changes except dropping size
+ Ian Fregosi, Sup. Fewer’s Aide – Project sponsor
ACTION: Approved
AYES: Chan, Diamond, Fung, Imperial, Johnson, Koppel, Moore
RESOLUTION: 20759

- 9b. [2020-003036PCA](#) (A. MERLONE: (415) 575-9129)
100% AFFORDABLE HOUSING AND EDUCATOR HOUSING STREAMLINING PROGRAM [BOARD FILE NO. 200213] – **Planning Code Amendment** – Ordinance amending the Planning Code to allow extra height, exceeding otherwise applicable height limitations, for 100% Affordable Housing and Educator Housing projects, and to allow such projects to be constructed on parcels greater than 8,000 square feet or which contain only surface parking lots and do not demolish any existing buildings; making findings that the Ordinance furthers the purpose of Planning Code, Section 206.9; making findings under the California Environmental Quality Act, 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 with Modifications

SPEAKERS: Same as item 9a.
 ACTION: Approved as Proposed
 AYES: Chan, Diamond, Fung, Imperial, Johnson, Koppel, Moore
 RESOLUTION: 20760

10. [2020-005179PCA](#) (V. FLORES: (415) 575-9173)
CONTINUATION OF USE FOR CERTAIN NONCONFORMING PARKING LOTS - MISSION STREET NEIGHBORHOOD COMMERCIAL TRANSIT DISTRICT [BOARD FILE NO. 200421] – **Planning Code Amendment** – Ordinance amending the Planning Code to allow in the Mission Street Neighborhood Commercial Transit District the continuance of a nonconforming parking lot that is on the site of a designated City landmark; 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

SPEAKERS: = Veronica Flores – Staff presentation
 + Amy Reinhart, Sup. Ronen’s Aide – Project sponsor
 - Lea Colbert – Not benefitting the community as parking lot
 ACTION: Approved
 AYES: Chan, Diamond, Fung, Imperial, Johnson, Koppel, Moore
 RESOLUTION: 20761

11. [2018-004047CWP-02](#) (S. AMBATI: (415) 575-9183)
HOUSING INVENTORY REPORT AND UPDATE ON MONITORING REPORTS – **Informational Presentation** – Announcing the publication of the 2019 Housing Inventory. This report is the 50th in the series and describes San Francisco’s housing supply. Housing Inventory data accounts for new housing construction, demolitions, and alterations in a consistent format for the analysis of housing production trends. Net housing unit gains are reported citywide, by zoning classification, and by planning district. Other areas covered include affordable housing production, condominium conversions, and changes to the residential hotel stock. In addition, a list of major housing projects completed and approved for construction in 2019 is provided. Report is available for the public at the Planning Department and on the website. An update will also be provided on the estimated completion of various monitoring reports.
Preliminary Recommendation: None – Informational

SPEAKERS: = Michelle Littlefield – Staff presentation
 = Svetha Ambati – Staff presentation
 = AnMarie Rodgers – Introduction
 + Peter Cohen – More balance with affordable and market rate
 + Corey Smith – Valuable information
 ACTION: Reviewed and Commented

12. [2019-014033CUA](#) (A. KIRBY: (415) 575-9133)
800 MARKET STREET – north side of Market Street at the intersection of Ellis Street; Lot 001 in Assessor’s Block 0329 (District 4) – Request for **Conditional Use Authorization** pursuant to Planning Code Sections 303 and 210.2 to establish 5,800 square feet Non-Retail Sale and

Service Use (General Office) at the third floor within a C-3-R (Downtown – Retail) Zoning District and 80–130-F 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: = Alexandra Kirby – Staff presentation
 + David Penn – Project presentation
 ACTION: Approved with Conditions
 AYES: Diamond, Fung, Imperial, Johnson, Koppel, Moore
 ABSENT: Chan
 MOTION: [20762](#)

13. [2019-005176CUA](#) (S. FERGUSON: (415) 575-9074)
722 STEINER STREET – southeast corner of Steiner and Grove streets; Lot 023 in Assessor's Block 0803 (District 5) – Request for **Conditional Use Authorization**, pursuant to Planning Code Section 303, 317, and 209.1 for a Residential Merger of Two Dwelling Units into a Single-Family Residence within a RH-2 (Residential-House, Two 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
 (Continued from Regular hearing on May 21, 2020)

SPEAKERS: = Shannon Ferguson – Staff presentation
 + Come Lague – Project sponsor
 + Tess Wilborn – Support deny merger
 + Ozzie Rohm – Support staff recommendation
 - Speaker – Support merger
 ACTION: Disapproved
 AYES: Chan, Diamond, Imperial, Johnson, Koppel, Moore
 NAYS: Fung
 MOTION: [20763](#)

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.

16. [2017-002545DRP-03](#) (C. MAY: (415) 575-9087)
2417 GREEN STREET – south side of Green Street, between Pierce and Scott Streets; Lot 028 in Assessor's Block 0560 (District 2) – Request for **Discretionary Review** of Building Permit Application No. 2017.0428.5244 proposing to construct one- and three-story horizontal rear additions, construct 3rd and 4th floor vertical additions, and lower all floor plates in the existing single-family dwelling by approximately two feet. The floor area would increase from approximately 4,118 square feet to approximately 5,115 square feet and would include a one-bedroom accessory dwelling unit measuring approximately 1,023 square

feet on the first floor. The project also proposes the partial excavation of the rear yard for a sunken terrace, façade alterations, and interior modifications including the expansion of the existing basement level garage to accommodate another vehicle 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: Take Discretionary Review and Approve with Modifications
(Continued from Regular hearing on June 18, 2020)

Note: On January 9, 2020, after hearing and closing public comment, continued to April 16, 2020 with directions by a vote of +6 -0 (Richards absent). On April 16, 2020, without hearing, continued to May 28, 2020 by a vote of +6 -0. On May 28, 2020, without hearing, continued to June 18, 2020 by a vote of +7 -0. On June 18, 2020, without hearing, continued to July 16, 2020 by a vote of +5 -0 (Chan and Johnson absent).

SPEAKERS: = Chris May – Staff presentation
 + Richard Drury – Representing DR requestors Kauffman and Bea
 + Deborah – DR requestor 3
 + Susan Byrd – DR presenter
 - Chris Durken – Project sponsor
 + Christine Pelosi – Protect the old home
 + Paul – Oppose the project
ACTION: Took DR and Approved as Revised with reference to the Mitigation Measure(s)
AYES: Chan, Diamond, Fung, Imperial, Johnson, Koppel, Moore
DRA: [708](#)

ADJOURNMENT 5:10 PM
ADOPTED JULY 30, 2020