SAN FRANCISCO PLANNING COMMISSION



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

Thursday, March 22, 2018 1:00 p.m. Regular Meeting

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

COMMISSIONERS ABSENT: Fong

THE MEETING WAS CALLED TO ORDER BY PRESIDENT HILLIS AT 1:07 PM

STAFF IN ATTENDANCE: John Rahaim – Director of Planning, AnMarie Rodgers, Steve Wertheim, Linda Hoagland, Jacob Bintliff, Maia Small, David Winslow, Mat Snyder, Nick Foster, Andrew Perry, David Lindsay, Corey Teague, Tim Frye, 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. 2014-003160CUA (D. VU: (415) 575-9120) 3314 CESAR CHAVEZ STREET – north side between Mission Street and South Van Ness Avenue - Lot 012 in Assessor's Block 6571 (District 9) - Request for **Conditional Use Authorization**, pursuant to Planning Code Sections 121.1 and 303 for the demolition of an existing 13,000 sq. ft. light industrial building and construction of a 65-ft. tall, six-story

and 49,475 sq. ft. mixed-use building that includes approximately 11,430 sq. ft. of ground floor commercial retail and 48,365 sq. ft. of residential use for 58 dwelling units. The proposed project would also include a total 9,020 sq. ft. of private and common residential open space, 62 Class 1 bicycle parking spaces, and an approximately 6,300 sq. ft. basement-level garage for 27 accessory automobile and 1 car-share parking spaces. The subject properties are located within a Mission Street Neighborhood Commercial Transit (NCT) Zoning District and 65-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 Meeting on February 8, 2018)

Note: On February 8, 2018, after hearing and closing public comment, continued to March 22, 2018 by a vote of +5 -0 (Johnson and Hillis absent).

(Proposed Continuance to April 26, 2018)

SPEAKERS: None

ACTION: Continued to April 26, 2018

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

ABSENT: Fong

2. 2017-001283CUA

(M. CHRISTENSEN: (415) 575-8742)

<u>792 CAPP STREET</u> – west side of Capp Street, between 22nd and 23rd Streets; lot 019B of Assessor's Block 3637 (District 9) - Request for **Conditional Use Authorization** pursuant to Planning Code Sections 209.4, 303, and 317, proposing to demolish the existing two-story single-family home and construct a new four-story (40 foot tall) residential structure containing four dwelling units within a Residential Transit Oriented - Mission (RTO-M) Zoning 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: Disapprove

(Continued from Regular hearing on December 21, 2017)

Note: On October 12, 2017, after hearing and closing public comment; Continued to December 21, 2017 by a vote of +4 -2 (Johnson, Melgar against; Moore absent).

On December 21, 2017, after a Motion to Continue failed by a vote of +3 -4 (Fong, Melgar, Moore, Hillis against); and a Motion to Approve with Conditions failed +3 -4 (Koppel, Melgar, Moore, Richards against); Adopted a Motion of Intent to Disapprove and Continued the matter to March 22, 2018 by a vote of +4 -3 (Hillis, Moore and Richards against).

(Proposed for Continuance to May 3, 2018)

SPEAKERS: + Brett Gladstone – Continuance

- Damian Contreras - Keep kicking this down the road

ACTION: Continued to May 3, 2018

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

ABSENT: Fong

3a. 2015-014876CUA

(J. HORN: (415) 575-6925)

749 27TH STREET – south side of 27th Street between Douglas and Diamond Streets; lot 012 of Assessor's Block 6588 (District 8) – Request for a **Conditional Use Authorization**,

Meeting Minutes Page 2 of 19

pursuant to Planning Code Sections 303 and 317, to allow the tantamount to demolition of an existing two-story detached one-unit dwelling at the front of the property and the alteration of a detached single-family one-unit dwelling at the rear of the property. The project also requests a Variance from the Planning Code for front setback requirements, pursuant to Section 132. The subject property is located within a RH-1 (Residential – House, One Family) Zoning District and 40-X Height and Bulk District. This action constitutes the Approval Action for the project for the purposes of CEQA, pursuant to San Francisco Administrative Code Section 31.04(h).

Preliminary Recommendation: Pending

(Continued from Regular hearing on February 22, 2018)

Note: On January 11, 2018, after hearing and closing public comment, Continued to February 22, 2018 by a vote of +6 -0 (Johnson absent). On February 22, 2018, without hearing, continued to March 22, 2018 by a vote of +6 -0.

(Proposed for Continuance to May 3, 2018)

SPEAKERS: None

ACTION: Continued to May 3, 2018

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

ABSENT: Fong

3b. 2015-014876VAR

(J. HORN: (415) 575-6925)

<u>749 27TH STREET</u> – south side of 27th Street between Douglas and Diamond Streets; lot 012 of Assessor's Block 6588 (District 8) – Request for a **Variance** from the Planning Code for front setback requirements, pursuant to Section 132. The project is to allow the tantamount to demolition of an existing two-story detached one-unit dwelling at the front of the property and the alteration of a detached single-family one-unit dwelling at the rear of the property. The subject property is located within a RH-1 (Residential – House, One Family) Zoning District and 40-X Height and Bulk District.

(Continued from Regular hearing on February 22, 2018)

Note: On January 11, 2018, after hearing and closing public comment, ZA Continued to February 22, 2018. On February 22, 2018, without hearing, continued to March 22, 2018 by a vote of +6 -0.

(Proposed for Continuance to May 3, 2018)

SPEAKERS: None

ACTION: ZA Continued to May 3, 2018

4a. 2015-003800CUA

(D. VU: (415) 575-9120)

1100 POTRERO AVENUE – southwest corner of Potrero Avenue and 23rd Street; lot 001 in Assessor's Block 4211 (District 9) – Request for **Conditional Use Authorization**, pursuant to Planning Code Sections 207, 209.1 and 303, to construct up to one dwelling unit for every 1,000 square feet of lot area for the project proposing a new four-story, 49-feet tall building containing four dwelling units adjacent to a limited commercial nonconforming use on the 3,500 square-foot lot. The subject property is located within a RH-3 (Residential – House, Three Family) Zoning District and 55-X Height and Bulk District. This action constitutes the Approval Action for the project for the purposes of CEQA, pursuant to San Francisco Administrative Code Section 31.04(h).

Preliminary Recommendation: Approve with Conditions

(Proposed for Continuance to May 3, 2018)

Meeting Minutes Page 3 of 19

SPEAKERS: None

ACTION: Continued to May 3, 2018

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

ABSENT: Fong

4b. 2015-003800VAR

(D. VU: (415) 575-9120)

<u>1100 POTRERO AVENUE</u> – southwest corner of Potrero Avenue and 23rd Street; lot 001 in Assessor's Block 4211 (District 9) – Request for a **Variance** to the rear yard requirement pursuant to Planning Code Section 134, to allow the construction of a new building containing four dwelling units to encroach 11-feet 6-inches into the rear yard. The subject property is located within a RH-3 (Residential – House, Three Family) Zoning District and 55-X Height and Bulk District.

(Proposed for Continuance to May 3, 2018)

SPEAKERS: None

ACTION: ZA Continued to May 3, 2018

5. 2015-009163CUA

(A. PERRY: (415) 575-9017)

77 GEARY STREET - southeast corner of Geary Street and Grant Avenue; Lot 008 in Assessor's Block 0312 (District 3) - Request for **Conditional Use Authorization** pursuant to Planning Code Sections 303 and 210.2 to establish a Non-Retail Sales and Service general office use with approximately 24,159 square feet of total space at the second and third floors of the existing building. This application seeks to abate Planning Enforcement Case No. 2015-009163ENF for unauthorized office use in the subject space. The space is currently occupied for office use by a software company (d.b.a. MuleSoft) and by an existing ground floor retailer in the building (d.b.a. Nespresso). The project is located within a C-3-R (Downtown – Retail) District, Downtown Plan Area, 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). (Proposed for Continuance to May 17, 2018)

SPEAKERS: None

ACTION: Continued to May 17, 2018

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

ABSENT: Fong

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. 2017-006169CUA

(A. LINDSAY: (415) 575-9178)

<u>513 VALENCIA STREET</u> – southeast corner of the 16th Street and Valencia Street intersection, Lot 049 of Assessor's Block 3569 (District 8) - Request for a **Conditional Use Authorization**, pursuant to Planning Code Sections 303(c) and 762, to modify a T-Mobile

Meeting Minutes Page 4 of 19

Macro Wireless Telecommunications Facility consisting of the removal of (2) omni antennas; installation of (3) new panel antennas within (3) new 18-inch diameter FRP radomes; installation of (3) new RRUs; installation of (6) new TMAs adjacent to antennas; relocation of (1) existing equipment cabinet; replacement of (1) existing cabinet; relocation of (1) GPS antenna; removal and replacement of ancillary equipment; and painting of RF striping at antenna locations as part of the T-Mobile Telecommunications Network. The subject property is located within the NCT (Valencia Street Neighborhood Commercial Transit District), and 55-X Height and Bulk Districts.

Preliminary Recommendation: Approve with Conditions

SPEAKERS: None

ACTION: Approved with Conditions

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

ABSENT: Fong MOTION: 20140

7a. 2009.0753C

(L. HOAGLAND: (415) 575-6823)

<u>3155 CESAR CHAVEZ STREET</u> – south side of Cesar Chavez Street – Lot 040 in Assessor's Block 5503 (District 9) – Request for **Conditional Use Authorization**, pursuant to Planning Code Sections 209.1 and 303, to construct a second-story horizontal addition to an existing religious institution (d.b.a. Church of God) within a RH-2 (Residential-House, Two-Family) Zoning District, 40-X Height and Bulk District, and the Bernal Height Special Use District. This action constitutes the Approval Action for the project for the purposes of CEQA, pursuant to San Francisco Administrative Code Section <u>31.04(h)</u>.

Preliminary Recommendation: Approve with Conditions

SPEAKERS: = Linda Hoagland – Staff report

+ Sergio – Project presentation

= Jeremy Cooper - Noise

= Speaker

+ Juan Segurand - Project needs

+ Speaker – Noise issues + Russell Thomas – Support + Sonja DeLau - Support

ACTION: After being pulled off of Consent, Approved with Conditions

AYES: Richards, Koppel, Johnson, Melgar, Moore

ABSENT: Fong, Hillis MOTION: 20141

7b. 2009.0753V

(L. HOAGLAND: (415) 575-6823)

3155 CESAR CHAVEZ STREET – south side of Cesar Chavez – Lot 040 in Assessor's Block 5503 – Request for **Variance**, pursuant to Planning Code Sections 132 and 134 to construct a horizontal second story addition within the front and rear yards to an existing church (Church of God) 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: Same as item 7a

Meeting Minutes Page 5 of 19

ACTION: After being pulled off of Consent, acting ZA indicated an intent to Grant

C. COMMISSION MATTERS

8. Consideration of Adoption:

Draft Minutes for March 1, 2018

SPEAKERS: None ACTION: Adopted

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

ABSENT: Fong

9. Commission Comments/Questions

Commissioner Richards:

I have two items today. I'm going to request or I'm going to at least float the idea -- and the reason is, we're getting it from all angles around why things are not being constructed. I actually ran into Brian Spears, who is a developer who developed the Lumina Building at Market and Buchanan in the Upper Market area on the street on Saturday. He's now building the Flat Iron at the corner of Church and Market, and I said, "Brian, hey what's going on? How's the market?" and he said, "Oh, my God. You can't believe it. Cost of construction is going through the roof." He said "I'm getting calls from people who have entitled projects, some of which are kind of infamous here, one that was DR'd because of a shadow issue on a beer garden because they can't pencil the numbers out" and I said, "So what's the deal?" "The cost of concrete has gone up. Everything has gone up." Then I read in the paper here The Bay City Beacon everybody has got an opinion on this. We heard from the folks from HAC1, Housing Action Coalition One, public testimony or public comment that it was the inclusionary affordable that was killing everything and then I came across this in the Bay City Beacon which really floored me. I'll read it, it's an article by Cathy Reisenwitz, her opinion is "San Francisco's Discretionary Review process is the single largest contributing factor to the high home building costs. Most of the country permit construction "by-right" meaning if a project meets local Zoning and Code regulations, the developer gets to get build it. San Francisco insists on an individualized approval process for each project." What I'm trying to get to is I would hope that maybe when we have the Building Inspection Commission joint hearing meeting we have an informational on why things are not getting built. Is it an inclusionary issue? Is it construction issue? Is it the fact that DR is driving everything? I just wanted to throw that out there and I will talk with the officers about that later.

I have one other item, Secretary Ionin. So I was sitting at restaurant called Squat and Gobble at 16th Market and Noe. I was talking to an individual and this individual was actually part of a nonprofit and they were interested in acquiring a site in the Upper Market. I said to him, how many square feet do you need etc. and we started looking at properties that still had development potential and I said to him, "Well, the parcel that you are interested in is 65 feet right now." Then I started talking about the density bill and these different things and so they were trying to do a mixed-use project, as a part of the nonprofit mission and I looked across the street and I said to him, "You see that building with the kind of turret and cupola on top? From the street to the top of the roof, is 57 feet. When you take that cupola, the kind of hat that sits on top, it makes 63 feet." This

Meeting Minutes Page 6 of 19

individual was having a hard time understanding what 57 feet or 65 feet or 85 feet is and actually when I showed him, pointed it out, he's like, "oh, my God. Okay I get it." So I actually thought a lot of people have a hard time understanding what height is. You say 85 feet is conceptual; it's like 10-8 feet people you know what is that? So I actually went online and said you know "Give me a representation of height that I think people can get their arms around and the one that I found here was on a website from a locality in Southern California. It actually has a sample height change potential for SB-827. It has, as you can see on the 3D representational, the little kind of pinkish color boxes are the existing buildings that are one quarter of a mile away from bus stop, but also representation also shows the potential. You can see the kind of translucent red on top and I think this is something that maybe Ms. Rogers we have the capability to do looking down certain streets in the city and actually looking at different height limits based on what we might see coming with the SB 827 in next generation. I will show you where I got this and maybe we can produce it. I think it gets people's minds wrapped around the now and the later, the potential. This one doesn't even have density bonus on it this is just the minimums. Thanks.

D. DEPARTMENT MATTERS

10. Director's Announcements

Director John Rahaim:

There's just two points that I wanted to bring up. One was some process improvements that we're doing as a result of the Executive Director from last year and some internal procedures that we're going to change. I just figure for your benefit and the community, wanted to give you a sense of what that is. We are proposing what we're calling a consolidated development application process. Right now, the Department, unusual for most of California, accepts environmental applications separate from an entitlement application. What that does is create a situation where for large projects they come in with the E environmental applications sooner than the entitlement applications because the entitlement requires more detail. That creates a sort of an unfortunate feedback loop because the project actually changes, the sequence changes then we're on this delay cycle, so we are proposing to change that and require both a single application for both. What it does mean for project sponsors is that there will be more detail required up front. We think that, in and of it-self helps the process because from the beginning we'll have more knowledge of the project. We're also changing the PPA process slightly. If you recall, when the PPA was first instituted several years ago, we issued a letter in 60 days and a couple of years ago we extended that to a 90-day period in light of our backlog, but also allowed project sponsors to submit their E application at the same time. We are now going back to the original version and saying, we will issue the letter in response to a PPA in 60 days and then when that is complete we will then accept your joint, consolidated application right after that. In other words, it's going back to the original concept of the PPA with the 60day turn-around on our letter, but then there's a consolidated application that both the entitlement and the environmental application have to be submitted at the same time. We think that will help our processes in terms of that unfortunate feedback problem that happens between environmental review and the zoning review.

The second thing I wanted to mention is related to – and you will have a memo from Teresa Ojeda in your packet this afternoon related to the pipeline issue that keeps coming

Meeting Minutes Page 7 of 19

up in these hearings. Teresa has done her due diligence and I have to say, I trust her numbers practically more than anyone else in the city on this issue. In fact, what has actually happened is that while there was a drop in applications in 2016, there was actually a substantial rise in applications in 2017 and the third quarter of 2017, which was the quarter that has been cited in some testimony there were actually applications for 3,400 units that quarter. So, in fact, in 2017 in total, we had applications for about 2,000 more units than in 2016. So, I mean, Teresa's advice on this is that we need to make sure we look at an entire year and not a single quarter, because one project or less in a quarter can totally throw off the quarterly numbers and it's important to look at the entire year. And also, she thinks the discrepancy had to do with the data set that was used to come up with the numbers because it's simply a snapshot in time, the data set that was used to come up with the numbers that you heard about in testimony. So anyway, there will be a memo in your packet this afternoon that gives you more detail on that. I just wanted to let you know that we're in fact, since 2016, we're actually seeing a rise in new applications in our pipeline. Thank you. That concludes my report.

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

LAND USE COMMITTEE:

Aaron Starr:

At this week's Land Use hearing the Committee considered three ordinances that will enable the San Francisco Conservatory of Music to construct the mixed-use project at 200 Van Ness Avenue. These ordinances included a development agreement, amendments to the planning code and zoning map and general plan amendments. This Commission heard these items on February 8th of this year and unanimously voted to approve both the ordinances and the project. At Land Use hearing public comment was generally in favor of the project although there were some members of the public who requested more time to vet the development agreement to ensure that the residents of the rent-controlled units were protected. All Committee members spoke very highly of the project and the need for institutions to provide housing for their students, thereby freeing up housing for others. At the end the Committee voted to unanimously forward the item to the Full Board with a positive recommendation.

At the Full Board this week there were only two items. The first was the landmark designation for 2117 Market Street, also known as the New Era Hall that passed its second read and the second was the landmark designation for the Diamond Heights Safety Wall and that passed its first read. There were two introductions of note this week. The first was an ordinance introduced by Supervisor Tang that would amend our accessory dwelling unit controls, presumably to make them easier to approve. The second was a prohibition on hotel uses in the Telegraph Hill-North Beach Residential Special Use District and North Beach Commercial District. That concludes my remarks. Thanks.

HISTORIC PRESERVATION COMMISSION:

Tim Frye, Preservation Officer:

I'm here to share with you a few items from yesterday's Historic Preservation Commission hearing. Most of my comments will be to compliment Steve Wertheim's presentation to you on the Central SOMA Plan. However there are a few actions items the Commission took yesterday that we did want to make you aware of. Can we get the overhead please?

Meeting Minutes Page 8 of 19

The Commission initiated Article 10 Landmark Designation on three properties within the area plan area. The first is the New Pullman Hotel, located at 228-248 Townsend Street. This is one of the last remaining examples of the numerous residential hotels built in the South of Market area and this was also the primary lodging venue for African-American railroad workers including Pullman Porters and Maids in San Francisco. And the Pullman Porters and Maids are nationally significant for establishing the first All-Black Union in the country and contributing to the development of the African-American Middle Class and laying important foundations for the Civil Rights Movement.

The Commission also initiated local landmark designation on the on Piledrivers, Bridge, and Structural Ironworkers Local 77 Union Hall located here in the middle. The former Union Hall was located at 457 Bryant Street and is significant as one of the early remaining extent Union Hall in San Francisco which played an important role in the growth of organized labor in the City. It is also associated with the 1906 Post-Earthquake and Fire Redevelopment.

Finally, the Commission initiated local landmark designation on the Hotel Utah at 500-504 4th Street as a representative of the pattern of development South of Market that began in the 19th century when the area became the center of industrial production in San Francisco. The property is a rare remaining example of the numerous residential hotels that were built largely to house seasonal workers employed by the nearby factories and waterfronts. However, during the mid to late 20th century, most of these residential hotels were removed by redevelopment. The Hotel Utah is also significant as a Legacy Business. There's a Legacy Business bar located at the ground floor and it's a great example of the Edwardian Style architecture from hotels of this period.

I will point out there are two additional individual landmark designations that are still currently pending. One is for The Grand Oriente Complex. We're working directly with the SOMA Filipino Cultural Heritage District representatives on that individual designation and that will come before the Commission at a future date. They're also working directly with the property owners of 645 Harrison, a large streamline moderne industrial building that is also proposed for redevelopment into a complex of hotel, office and residential. We're working closely with them to make sure that the designation complements and aligns with their proposal for the property.

Then, finally, the Commission initiated the designation of two districts which will be before this Commission at a future date, as required by the Planning Code. The first is the Clyde and Crook Warehouse District. This district is near South Park and abuts the existing South End Landmark District. It's known for its small collection of very small-scale, light industrial buildings from the early 20th century that are distinctive from the broader South End District, which as you know, is represented by more mid-to large-scale brick and masonry buildings. The second was a small change to the Kearny Market Mason Sutter Conservation District, which is our largest conservation district in the downtown C-3 area to pick up three parcels that were likely overlooked or skipped due to the proximity to the redevelopment area in the early 1980s. These properties will be reclassified as Category 4 contributing structures to the larger KMMS that are directly across the street from the Old Mint. I will point out there is one more district that this Commission will provide review and comment at a future hearing and that's the Mint Mission Conservation District. There's one more sort of horseshoe-shaped district that buffers around the Old Mint and that will

Meeting Minutes Page 9 of 19

be also initiated by the Commission under Article 11 of the Planning Code. Steve Wertheim does have the HPC's comments on the overall plan and he will be present those to you when he presents the full plan. That concludes my comments unless you have any questions. Thank you.

Commissioner Richards:

I have a question on the industrial building in the Central SOMA Plan. Is that an Article 11 local Historic District or State or National?

Tim Frye, Preservation Officer:

That's Article 10.

Commissioner Richards:

Article 10.

Tim Frye, Preservation Officer:

Yes.

Commissioner Richards:

Okay. Are the other proposed districts yet to be named; are they in the UDG map of the historic districts that we have in our packet?

Tim Frye, Preservation Officer:

That's a very good question. I don't believe they are.

Commissioner Richards:

We might want to note them with a hash mark or something.

Tim Frye, Preservation Officer:

That's a good point. Thank you.

Jonas Ionin, Commission Secretary:

I will only add that the Historic Preservation Commission added a new Commissioner finally, their seventh Commissioner. They've been without a full Commission for about a year. Kate Black, former Planning Director of the City of Piedmont joined the Historic Preservation Commission. If there is nothing further, commissioners...

BOARD OF APPEALS:

Corey Teague, Acting Zoning Administrator:

The Board did meet last night and heard two cases of interest to the Planning Commission. However, before hearing those cases, there was substantial public comment at the beginning of the hearing that heaped praise onto the Board's outgoing Executive Director Cynthia Goldstein who is retiring at the end of March. Most of the comments were based on the seemingly unanimous opinion that Ms. Goldstein has been the model civil servant, serving with both the Human Rights Commission and the Board of Appeals for the last 30 years. This included comments from Scott Sanchez, who briefly reappeared solely to provide some very moving comments about his opinions of Ms. Goldstein. It also included comments from Mayor Farrell who thanked Ms. Goldstein for all her service and presented her with a certificate declaring March 30th as Cynthia Goldstein Day in San Francisco. It was

Meeting Minutes Page 10 of 19

all actually very touching. The Board then announced the hiring of Julie Rosenberg as the newly Executive Director of the Board of Appeals and she has served as the Hearing Section Manager at SFMTA since 2005.

Regarding the specific cases the Board heard a rehearing request for an appeal of a building permit at 2650 Hyde Street, which the Board unanimously denied on February 7th. The proposal was to flatten the gable roof of an existing two-unit building, add roof deck and construct an addition at the third floor. The Planning Commission and the Zoning Administrator held a joint hearing for Discretionary Review and Variance case for this project last April. The Planning Department recommended at the time that the proposed roof deck be set back five feet from the property lines. The Commission agreed and voted 4-1 to take DR and require their setbacks. The Zoning Administrator subsequently granted the Variance with the same condition. The DR Requestor did not appeal the Variance but they did appeal the issued building permit. At its February 7th hearing again, the Board voted unanimously to deny that appeal and last night they again voted unanimously to deny the re-hearing request.

The Board also heard an appeal of the building permit for 100 Gate Street, which proposed a third-story addition to an existing single-family home in Bernal Heights. The Planning Commission held a Discretionary Review hearing on this permit on October 19th of last year. The Commission found no exceptional or extraordinary circumstances at that time and voted 4-0 to not take DR and approve the project as proposed. The DR Requestor appealed the issued building permit and made the same arguments to the Board of Appeals, which were directly related to the potential impacts to the morning light to his adjacent home and how that would impact his photography studio. The Board found that the Residential Design Guidelines do not protect access to light for particular businesses or artistic activities and voted unanimously to deny the appeal. I'm available for any questions you may have.

E. GENERAL PUBLIC COMMENT

At this time, members of the public may address the Commission on items of interest to the public that are within the subject matter jurisdiction of the Commission except agenda items. With respect to agenda items, your opportunity to address the Commission will be afforded when the item is reached in the meeting. Each member of the public may address the Commission for up to three minutes.

SPEAKERS: Rose Hillson – Request for record. USB's \$14.00

Steven Buss – Pipeline numbers Georgia Schuttish – BIC, demolition Danny Campbell – Modular housing Todd David – Setting the record straight Laura Clark – Entitled but not built

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

Meeting Minutes Page 11 of 19

the project sponsor team includes: the sponsor(s) or their designee, lawyers, architects, engineers, expediters, and/or other advisors.

12. (S. WERTHEIM: (415) 558-6612)

<u>CENTRAL SOMA PLAN</u> – **Informational Presentation**. This presentation is part of the process leading to eventual adoption of the Central SoMa Plan. This is an opportunity to continue the discussion of the legislative package, introduced February 27th by Mayor Farrell and Supervisor Kim (Planning Code and Zoning Map amendments) and March 1st by the Planning Commission (General Plan amendments). The hearing will focus on housing, as well as other areas of interest and/or concern raised previously by Planning Commissioners and members of the public. The Planning Commission is expected to act on this legislative package on April 12th or thereafter. For more information on the Central SoMa Plan, go to http://centralsoma.sfplanning.org.

Preliminary Recommendation: None - Informational

SPEAKERS: = John Rahaim – Introduction

= AnMarie Rodgers - Central SOMA Presentation

= Steve Wertheim - Central SOMA Plan

= Laura Clark – Yimby housing

= Juan Castillo - Housing affordability

= Gay Martin - Affordable housing

= Kevin Adams - Cost of living

= Angelo Ferraro – 6th Street corridor

= Dana Delaura – SF Flower Mart

= Cindy Weaver – Flower Mart relocation

= Gordon Mar - We are SOMA

= Peter Cohen – Jobs-housing fit analysis

= Speaker – We Are SOMA

= Speaker - SOMA Filipinas

= Kathrin Petrin – Old Mint public dollars

= Steven Buss – Up zone west side

= Speaker - SOMCAM

= David Wu - Additional interior controls

= Clare - Eviction and displacement premium

=Susan Sugee - Small office buildings

+ Matt Skinis - More housing

= Speaker - TODCO jobs-housing balance

- John Elberling – This year's ballot proposal

+ Speaker - Flower Mart

+ Mike Grisso - Kilroy Realty, Piers 19 & 23

+ Jonathan Gomez - Security

+ Speaker - Thank you

+ Taylor George - Video SF Flower Mart

+ Susan Parsons

= Todd David - SB 73

= Steve Vettel - The weeds

+ Amy Chen

+ Jon Lau

ACTION: None – Informational

Meeting Minutes Page 12 of 19

13. (J. BINTLIFF: (415) 575-9170)

<u>Presentation</u> by the Office of the Controller of an Economic Feasibility Study regarding inclusionary housing requirements in the Divisadero and Fillmore Neighborhood Commercial Transit (NCT) districts. This study was prepared jointly by the Planning Department and Office of the Controller in accordance with Section 415.6 of the Planning Code.

Preliminary Recommendation: None - Informational

SPEAKERS: = Jacob Bintliff – Staff presentation

= Ted Egan – Controller's report

= Laura Clark – Data, affordable housing= Todd David – Data driven policy accuracy

- Steve Vettel – Transparency

- Jim Chappel – Academics vs reality

= Corey Smith – HAND- Gus Hernandez – Concerns

= Tes Welbourn – Use pipeline projects

ACTION: None - Informational

14a. 2007.0946

(M. SNYDER: (415) 575-6891)

(M. SNYDER: (415) 575-6891)

CANDLESTICK POINT HUNTERS POINT SHIPYARD PHASE II DEVELOPMENT PROJECT - The Candlestick Point Hunters Point Phase II development project consists of Candlestick Point, which generally encompasses the former Candlestick Park Stadium and parking lot, the Candlestick Point State Recreational Area, the Alice Griffith Housing development site and a Assessor's Block 4991 / Lot 276 above the stadium site. The Hunters Point Shipyard Phase II site encompasses roughly 402 acres and includes all of Hunters Point Shipyard except for the portions referred to as "Hilltop" and "Hillside". Informational Presentation on proposed revisions to the Project including the re-envisioning of the Hunters Point Shipyard and Design for Development document. The resultant Project would consist of approximately 10,672 units, 4,265,000 of R&D/Office use, 790,000 gsf of regional retail, 432,000 gsf of neighborhood retail and maker space, along with new schools, public facilities, artist studios, and visitor uses. The Project also includes establishing new streets and development blocks along with approximately of 338 acres of parks and open space. The Candlestick Point portion of the project is within the Bayview Hunters Point Redevelopment Project Area, the Candlestick Point Activity Node Special Use District, and the CP Height and Bulk District; the Hunters Point Shipyard portion of the site is within the Hunters Point Shipvard Redevelopment Project Area, the Hunters Point Shipvard Special Use District and the HP Height and Bulk District.

Preliminary Recommendation: None – Informational

SPEAKERS: = Matt Snyder – Staff presentation

+ Speaker – Project presentation + Speaker – Project presentation

= Amy Brownell - Response to guestion

ACTION: None - Informational

14b. 2007.0946GPA-02

Meeting Minutes Page 13 of 19

CANDLESTICK POINT HUNTERS POINT SHIPYARD PHASE II DEVELOPMENT PROJECT -INITIATION OF GENERAL PLAN AMENDMENTS – The Candlestick Point Hunters Point Phase II development project consists of roughly 281 acres at Candlestick Point and generally encompasses the former Candlestick Park Stadium and parking lot, the Candlestick Point State Recreational Area, the Alice Griffith Housing development site and a Assessor's Block 4991/Lot 276 above the stadium site. The Hunters Point Shipyard Phase II site encompasses roughly 402 acres and includes all of Hunters Point Shipyard except for the portions referred to as "Hilltop" and "Hillside". Request to Initiate Amendments to the General Plan by (1) amending the boundaries of the Candlestick Point Sub-Area Plan of the Bayview Hunters Point Area Plan by removing Assessor's Block 4991 / Lot 276 from the Sub-Area Plan; (2) amending the Hunters Point Area Plan by removing discussion of the previously proposed stadium; and (3) and making conforming changes to Maps throughout the General Plan to be consistent with the new Candlestick Point Sub-Area Plan boundaries. These amendments are to align with and accommodate proposed changes to the Candlestick Point Hunters Point Phase II development Project such that the resultant project would consist of approximately 10,672 units, 4,265,000 of R&D/Office use, 790,000 gsf of regional retail, 432,000 gsf of neighborhood retail and maker space, along with new schools, public facilities, artist studios, and visitor uses. The Project also includes establishing new streets and development blocks along with approximately of 338 acres of parks and open space. The Candlestick Point portion of the project is within the Bayview Hunters Point Redevelopment Project Area, the Candlestick Point Activity Node Special Use District, and the CP Height and Bulk District; the Hunters Point Shipyard portion of the site is within the Hunters Point Shipyard Redevelopment Project Area, the Hunters Point Shipyard Special Use District and the HP Height and Bulk District.

Preliminary Recommendation: Initiate and schedule a public hearing on or after April 26, 2018

SPEAKERS: Same as item 14a.

ACTION: Initiated and scheduled a hearing on or after April 26, 2018

AYES: Richards, Koppel, Johnson, Melgar, Moore

ABSENT: Fong, Hillis RESOLUTION: 20143

14c. 2007.0946MAP-02

(M. SNYDER: (415) 575-6891)

CANDLESTICK POINT - INITATION OF PLANNING CODE MAP AMENDMENT - Candlestick Point is part of the Candlestick Point Hunters Point Phase II development project and consists of roughly 281 acres and generally encompasses the former Candlestick Park stadium and parking lot, the Candlestick Point State Recreational Area, the Alice Griffith Housing development site and a Assessor's Block 4991 / Lot 276 above the stadium site. Request to Initiate Amendments to the Planning Code Maps by amending Sectional Map SU10 be removing Assessor's Block 4991 / Lot 276 from the boundaries of the Special Use District; and (2) amend Sectional Map HT10 by redesignating Assessor's Block 4991 / Lot 276 from a CP Height and Bulk designation to 40-X Height and Bulk Designation. These amendments are to align with and accommodate proposed changes to the Candlestick Point Hunters Point Phase II development Project such that the resultant project would consist of approximately 10,672 units, 4,265,000 gsf of R&D/office use, 790,000 gsf of regional retail, 432,000 gsf of neighborhood retail and maker space, along with new schools, public facilities, artist studios, and visitor uses. The Project also includes establishing new streets and development blocks along with approximately of 338 acres of parks and open space. The Candlestick Point portion of the project is within the Bayview

Meeting Minutes Page 14 of 19

Hunters Point Redevelopment Project Area, the Candlestick Point Activity Node Special Use District, and CP Height and Bulk District.

Preliminary Recommendation: Initiate and schedule a public hearing on or after April 26, 2018

SPEAKERS: Same as item 14a.

ACTION: Initiated and scheduled a hearing on or after April 26, 2018

AYES: Richards, Koppel, Johnson, Melgar, Moore

ABSENT: Fong, Hillis RESOLUTION: 20144

15. 2016-000162CWP

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

<u>URBAN DESIGN GUIDELINES</u> – **Adoption**: Require projects subject to design review in Neighborhood Commercial (NC), Mixed-Use (MU), and Downtown Commercial (C) Districts, as well as non-residential uses or projects that have either twenty-five units or more or a frontage longer than 150' feet in Residential (R) Districts, to comply with the proposed Urban Design Guidelines. The Urban Design Guidelines are an implementation document for existing urban design policy found in the General Plan that guides site design, architecture, and public space. They work with all existing guidelines where they apply, including the proposed Special Area Guidelines, to support high quality design and neighborhood compatibility.

Preliminary Recommendation: Adoption

SPEAKERS: + Maia Small – Staff presentation

- + David Winslow Staff presentation
- = Lee Hepner, Aide to Sup. Peskin
- + Greg Martai Support
- + Stan Hayes Support
- + John Manascalvo Support

Rose Hillson – Vague UDGs orchestrate future changes to Planning Code (PCODE) as they violate them today. PCommission = enforces of PCODE, why then pass UDGs today that don't follow PCODE & is illegal? UDG ideas crafted to change existing/future design guidelines & much of PCODE to align. To fix illegality of UDGs not following PCODE today, amendments to PCODE to legitimize its existence will come before the commission & Board of Supervisors to remedy. UDGs = written as a force of law without the review of law. Without having the PCODE amendments in hand, though Planning stated murky UDGs supposed to give greater certainty to neighborhoods but contrary, can't make fully informed decision to pass today. If Commission & Planners review projects based on flawed & illegal UDGs, anything in it not following PCODE needs to be rejected or you'll have made illegal land use decisions.

+ Paul Webber – Excluding historic districts + Chris Schulman – Special Area Guidelines

+ Michael Robbins - Support

ACTION: Adopted as amended

AYES: Richards, Koppel, Johnson, Melgar,

NAYS: Moore
ABSENT: Fong, Hillis
RESOLUTION: 20142

Meeting Minutes Page 15 of 19

16. 2017-005992CUA

(J. HORN: (415) 575-6925)

<u>48 SATURN STREET</u> – north side of Saturn Street between Temple Street and Upper Terrace, Lot 005 in Assessor's Block 2627 (District 8) – Request for **Conditional Use Authorization**, pursuant to Planning Code Sections 249.77 and 303(c), to construct a new 39-foot tall, foot two-family dwelling on a vacant lot. The project site is located within a RH-2 (Residential House, Two-Family) Zoning District and 40-X Height and Bulk District. This action constitutes the Approval Action for the project for the purposes of CEQA, pursuant to San Francisco Administrative Code Section 31.04(h).

Preliminary Recommendation: Disapprove

(Continued from Regular hearing on March 8, 2018)

Note: On December 21, 2017, Adopted a Motion of Intent to Disapprove, Continued to March 8, 2018 by a vote of +6 -0 (Richards recused). On March 8, 2018, without hearing, Continued to March 22, 2018 by a vote of +7 -0.

SPEAKERS: + John Kevlin - Continuance ACTION: Continued to March 29, 2018

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

ABSENT: Fong

17a. 2016-007593CUA

(N. FOSTER: (415) 575-9167)

229 ELLIS STREET – south side of Ellis Street, between Mason and Taylor Streets, Lot 001A in Assessor's Block 0331 (District 6) – Request for Conditional Use Authorization to allow a one-story vertical addition to the existing 4-story-over-basement building, resulting in a 5story-over basement building reaching a finished roof height of 55'-1" (up to 73'-8" for the elevator penthouse). The vacant building previously contained approximately 17,400 square feet of uses, including Residential Use (five Dwelling Units) on the upper floors, unauthorized Office Uses within the middle floors, and a former bathhouse (Personal Service Use) (d.b.a. "Burns Hammam" and "San Francisco Turkish Baths") on the lower floors. The Project would include a change of use, converting non-residential uses into residential uses, resulting in approximately 27,500 gross square feet of Group Housing (a Residential Use), for a total of 52 Group Housing rooms. The Project would provide 850 square feet of common useable open space via a roof deck, in addition to several common and private open spaces on the lower floors of the building. The Project would also provide 38 Class 1 and 4 Class 2 bicycle parking spaces, with no off-street vehicular parking provided. 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

Note: On February 22, 2018, without hearing, Continued to March 22, 2018 by a vote of +6 -0 (Johnson absent).

SPEAKERS: = Nick Foster – Staff report

+ Speaker – Star City presentation+ Honey Mahogany – Support

+ Speaker – Support

ACTION: Approved with Conditions AYES: Koppel, Johnson, Melgar, Moore

ABSENT: Fong, Hillis, Richards

MOTION: 20145

Meeting Minutes Page 16 of 19

17b. 2016-007593VAR

(N. FOSTER: (415) 575-9167)

<u>229 ELLIS STREET</u> – south side of Ellis Street, between Mason and Taylor Streets, Lot 001A in Assessor's Block 0331 (District 6) – Request for **Rear Yard Modification** pursuant to Planning Code Sections 134(g) and 249.5. This action constitutes the Approval Action for the project for the purposes of CEQA, pursuant to San Francisco Administrative Code Section 31.04(h).

Note: On February 22, 2018, without hearing, Acting ZA Continued to March 22, 2018.

SPEAKERS: Same as item 17a.

ACTION: Acting ZA indicated an Intent to Grant

18a. <u>2016-003836CUA</u>

(L. AJELLO: (415) 575-9142)

114 LYON STREET – east side of Lyon Street between Oak and Page Streets; Lot 020 in Assessor's Block 1220 (District 5) - Request for **Conditional Use Authorization**, pursuant to Planning Code Sections 303 and 317 to legalize the merger of four dwelling units into two dwelling units. The proposed project would legalize the merger of four dwelling units into a 3,096 sq. ft. dwelling and a 341 sq. ft. studio unit behind the garage in a four-story residential building. The subject property is 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: Disapprove

(Continued from Regular hearing on March 8, 2018)

Note: On October 19, 2017, after hearing and closing public comment, Continued to December 21, 2017 by a vote of +4-0 (Johnson, Melgar, Moore absent). On December 21, 2017, without hearing, Continued to February 8, 2018 by a vote of +6-0 (Johnson absent). On February 8, 2018, without hearing, Continued to March 8, 2018 by a vote of +7-0.

SPEAKERS: None

ACTION: Continued to March 29, 2018

AYES: Richards, Koppel, Johnson, Melgar, Moore

ABSENT: Fong, Hillis

18b. <u>2016-003836VAR</u>

(L. AJELLO: (415) 575-9142)

<u>114 LYON STREET</u> – east side of Lyon Street between Oak and Page Streets; Lot 020 in Assessor's Block 1220 (District 5) - Request for **Variance**, pursuant to Planning Code Section 134(c), to legalize the construction of a deck and stair located the rear yard of the 4-story four-unit residential building. The subject property is within a RH-3 (Residential, House, Three-Family) Zoning District and 40-X Height and Bulk District.

(Continued from Regular hearing on March 8, 2018)

Note: On October 19, 2017, after hearing and closing public comment, ZA Continued to December 21, 2017. On December 21, 2017, without hearing, Acting ZA Continued to February 8, 2018. On February 8, 2018, without hearing, Acting ZA Continued to March 8, 2018.

SPEAKERS: None

ACTION: Acting ZA Continued to March 29, 2018

Meeting Minutes Page 17 of 19

19. 2016-010348CUA

(A. PERRY: (415) 575-9017)

1233 POLK STREET – west side of Polk Street between Sutter and Bush Streets, on the northwest corner of Polk and Fern Streets; Lot 004 in Assessor's Block 0670 (District 3) – Request for Conditional Use Authorization, pursuant to Planning Sections 303 and 723, proposing to permit and legalize the operation of a Nighttime Entertainment use with electronic amplification seven days per week until 2 a.m., and to modify the existing conditions of approval of Planning Commission Motion No. 13572, within an existing business (d.b.a. "Mayes Oyster House) authorized for Restaurant and Other Entertainment uses; however per Motion 13572, electronic amplification is currently only permitted on Fridays and Saturdays until midnight. The subject application also seeks to abate Planning Enforcement Case No. 2016-000434ENF. The subject property is located within the Polk Street Neighborhood Commercial District (NCD), the Lower Polk Street Alcohol Restricted Use District, and 65-A Height and Bulk District. Per CEQA Section 21065 and CEQA Guidelines Section 15378, the proposed legalization of the existing use is not a "project" under CEQA, as it would not result in a direct physical change, or a reasonably foreseeable indirect physical change in the environment.

Preliminary Recommendation: Approve with Conditions

Note: On February 22, 2018, without hearing, Continued to March 22, 2018 by a vote of +6 -0 (Johnson absent).

SPEAKERS: = Andrew Perry – Staff report

+ Jeremy Paul – Project presentation + Charles Saulter – Acoustical issues

Robert Lesko – High density and clubs do not mix
 + Chris Schulman – Re-hearing in six months

+ Speaker – Support + James Hansel – Support

+ Lee - Support

ACTION: Approved with Conditions as amended to include a six month update

AYES: Richards, Koppel, Johnson, Melgar, Moore

ABSENT: Fong, Hillis MOTION: 20146

20. 2015-012729CUA

(B. BENDIX: (415) 575-9114)

600 VAN NESS AVENUE — east side of Van Ness Avenue between Golden Gate Avenue and Elm Street; Lots 006-009 in Assessor's Block 0763 (District 6) — Request for **Conditional Use Authorization**, pursuant to Planning Code Sections 253, 253.2, 303, and 304 to construct an approx. 130-foot tall building of approx. 185,670 gross square feet and containing 168 dwelling units, approx. 6,200 square feet of ground floor retail, and up to 89 accessory off-street parking spaces. The project is seeking exceptions as a Planned Unit Development to the Planning Code's requirements for floor area ratio (Section 124), rear yard (Section 134), and architectural obstructions over the public right-of-way (Section 136). The subject property has split zoning and is located within a RC-4 (Residential-Commercial, High Density) and NC-3 (Moderate-Scale Neighborhood Commercial) Zoning Districts, Van Ness Special Use District, and 130-V and 130-E 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

Meeting Minutes Page 18 of 19

SPEAKERS: + John Kevlin – May 10

Paul Hogarth – No comment

ACTION: Continued to May 24, 2018

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

ABSENT: Fong

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, expediters, and/or other advisors.

21. 2015-001542DRP

(S. VELLVE: (415) 558-6263)

<u>2514 BALBOA STREET</u> – north side of Balboa Street between 26th and 27th Avenues; Lot 015 in Assessor's Block 1569 (District 1) - Request for **Discretionary Review** of Building Permit Application No. 2015.01.28.6899, proposing to construct two-story horizontal and vertical additions to the existing two-story, single-family dwelling within a RH-2 (House, Two-Family) District and 40-X Height and Bulk District. The project includes interior modifications and addition of one dwelling unit. This action constitutes the Approval Action for the project for the purposes of CEQA, pursuant to San Francisco Administrative Code Section <u>31.04</u>(h).

Staff Analysis: Abbreviated Discretionary Review

Preliminary Recommendation: Do Not Take Discretionary Review and Approve as Revised

Note: On February 8, 2018, after hearing and closing public comment, the Commission Continued the matter to March 22, 2018 by a vote of +5 -0 (Hillis, Johnson absent).

SPEAKERS: = David Lindsay – Staff report

+ Speaker – Project presentation

ACTION: Did NOT take DR and Approved as proposed AYES: Richards, Koppel, Johnson, Melgar, Moore

ABSENT: Fong, Hillis DRA: 0586

ADJOURNMENT – 7:55 PM ADOPTED APRIL 12, 2018

Meeting Minutes Page 19 of 19