

SAN FRANCISCO PLANNING COMMISSION



Meeting Minutes

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

Thursday, October 25, 2018
1:00 p.m.
Regular Meeting

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

THE MEETING WAS CALLED TO ORDER BY PRESIDENT HILLIS AT 1:13 PM

STAFF IN ATTENDANCE: Aaron Starr, Diego Sanchez, Esmeralda Jardines, Andrew Perry, Claudine Asbagh, David Winslow, John Rahaim – Planning Director, Jonas P. Ionin – Commission Secretary

SPEAKER KEY:

- + indicates a speaker in support of an item;
- indicates a speaker in opposition to an item; and
- = indicates a neutral speaker or a speaker who did not indicate support or opposition.

A. CONSIDERATION OF ITEMS PROPOSED FOR CONTINUANCE

The Commission will consider a request for continuance to a later date. The Commission may choose to continue the item to the date proposed below, to continue the item to another date, or to hear the item on this calendar.

1. 2014.0948ENX (E. JARDINES: (415) 575-9144)
344 14TH STREET/1463 STEVENSON STREET – north side of 14th Street between Stevenson and Woodward Street, Lots 013 and 021 in Assessor's Block 3523 (District 9) - Request for **Large Project Authorization** (LPA) pursuant to Planning Code Section 329, for the Project proposing a lot merger and new construction of a 78-foot tall, 7-story-over-basement residential building (measuring approximately 78,738 gross square feet (gsf)) with ground floor retail and a 40-foot tall 3-story-over basement SEW and PDR (Production, Distribution

and Repair) building (measuring approximately 19,360 gsf). The Project would construct a total of 56 dwelling units, 5,633 square feet of ground floor commercial, and 46 below-grade off-street parking spaces. The project would construct a 22,996 gsf below-grade garage to serve both buildings. The proposed project would utilize the State Density Bonus Law (California Government Code Sections 65915-65918) and proposes waivers for: 1) rear yard (PC 134), 2) and height (PC 260). Under the LPA, the Project is seeking an exception for vertical non-habitable architectural elements in the Eastern Neighborhoods Mixed Use Districts (PC 263.21). The project site is located within the UMU (Urban Mixed-Use) and PDR-1-G (Production, Distribution, and Repair-1-General) Zoning Districts, and 40-X and 58-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\(h\)](#).
(Proposed Continuance to November 15, 2018)

SPEAKERS: None
 ACTION: Continued to November 15, 2018
 AYES: Hillis, Johnson, Koppel, Richards
 ABSENT: Fong, Melgar, Moore

2. 2015-004297ENV (A. CALLAGY: (415) 575-8734)
271 UPPER TERRACE, 301-303 UPPER TERRACE, 4500 17TH STREET – 15,800-square-foot project site between Upper Terrace and Roosevelt Way/17th Street; Lots 32, 34, and 35 of Assessor’s Block 2628 (District 8) – **Appeal of Preliminary Negative Declaration** for the proposed project to subdivide three contiguous lots into five lots, demolish a single-family residence, remodel an existing two-unit residence, and construct eight new units. The proposed project would result in 15 off-street parking spaces. The project site is located in a RH-2 (Residential-House, Two Family) Use District in 40-X Height and Bulk District.
Preliminary Recommendation: Uphold Preliminary Negative Declaration
 (Continued from Regular hearing on June 28, 2018)
(Proposed Continuance to November 29, 2018)

SPEAKERS: None
 ACTION: Continued to November 29, 2018
 AYES: Hillis, Johnson, Koppel, Richards
 ABSENT: Fong, Melgar, Moore

3. 2013.0655CUA (D. VU: (415) 575-9120)
1513A-F YORK STREET – east side of York Street between Cesar Chavez Street and Peralta Avenue; Lots 011, 012 & 020 in Assessor’s Block 5513 (District 9) – Request for **Conditional Use Authorization**, pursuant to Planning Code Sections 209.1, 242 and 303, to allow up to one dwelling unit per 1,500 square feet of lot area for the construction of four two-family, two- to three-story (30-ft tall) dwellings (between 1,383 sq. ft. and 1,552 sq. ft. each) with underground parking on Lots 011 & 012 in the center of Block 5513, one two-family, three-story (30-ft tall) dwelling (between 1,040 sq. ft. and 1,208 sq. ft. each) on Lot 020 at York Street. The project will provide access to all ten dwellings through a driveway at 1513 York Street. The project site is located within a RH-2 (Residential – House, Two-Family) Zoning District, Bernal Heights Special Use District, and 40-X Height and Bulk District.
Preliminary Recommendation: Approve
(Proposed Continuance to November 29, 2018)

SPEAKERS: None
 ACTION: Continued to November 29, 2018
 AYES: Hillis, Johnson, Koppel, Richards
 ABSENT: Fong, Melgar, Moore

4. 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\(h\)](#).
 (Continued from Regular hearing on May 17, 2018)
Preliminary Recommendation: Approve
(Proposed Continuance to January 10, 2019)

SPEAKERS: None
 ACTION: Continued to January 10, 2019
 AYES: Hillis, Johnson, Koppel, Richards
 ABSENT: Fong, Melgar, Moore

5. 2017-012484DNX (E. SAMONSKY: (415) 575-9112)
150 EXECUTIVE PARK BOULEVARD – west side of Thomas Mellon Drive between Executive Park Blvd North and Harney Way, Lot 086 in Assessor’s Block 4991 (District 10) - Request for **Design Review** in the Executive Parking Special Use District, pursuant to Planning Code Sections 309.1 and 309.2, for construction of a six-story, 68-foot tall, residential building (measuring approximately 124,501 gross square feet) containing up to 74 dwelling units, 84 class 1 bicycle parking spaces, 4 class 2 bicycle parking spaces and up to 88 basement level off-street parking spaces within a RC-3 (Residential-Commercial, Medium-Density) Zoning District and 65/240-EP Height and Bulk District. This action constitutes the Approval Action for the project for the purposes of CEQA, pursuant to San Francisco Administrative Code Section [31.04\(h\)](#).
Preliminary Recommendation: Approve with Conditions
 (Continued from Regular hearing on October 4, 2018)
(Proposed Indefinite Continuance)

SPEAKERS: None
 ACTION: Continued indefinitely
 AYES: Hillis, Johnson, Koppel, Richards
 ABSENT: Fong, Melgar, Moore

12. [2017-012001PCA](#) (S. NICKOLOPOULOS: (415) 575-9089)
DESIGNATED CHILD CARE UNITS – **Planning Code Amendment** introduced by Supervisor Yee to permit an affordable dwelling unit with a State-licensed Small Family Child Care

Home on the ground floor on certain commercial streets; excluding certain Child Care units from the calculation of maximum density permitted on the site; making environmental findings; and making findings of consistency with the General Plan and the eight priority policies of Planning Code, Section 101.1, and findings of public necessity, convenience, and welfare under Planning Code, Section 302.

Preliminary Recommendation: Approve

SPEAKERS: None
 ACTION: Continued to November 29, 2018
 AYES: Hillis, Johnson, Koppel, Richards
 ABSENT: Fong, Melgar, 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. [2018-005800CND](#) (L. AJELLO: (415) 575-9142)
1050 BAKER STREET – southeast corner of Baker Street and Terra Vista Avenue; Lot 001 in Assessor's Block 1117 (District 2) - Request for **Condominium Conversion Subdivision** to convert a three-story, six-unit building into residential condominiums within a RM-2 (Residential-Mixed, Moderate Density District and 25-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

SPEAKERS: None
 ACTION: Approved
 AYES: Hillis, Johnson, Koppel, Richards
 ABSENT: Fong, Melgar, Moore
 MOTION: [20322](#)

7. [2018-007959CUA](#) (M. CHANDLER: (415) 575-9048)
1011 MARKET STREET – southside between 7th and 6th Streets, Lot 056 in Assessor's Block 3703 (District 6) - Request for **Conditional Use Authorization**, pursuant to Planning Code Sections 303, 303.1 and 210.2 to establish a Formula Retail establishment that will offer 4,500 square feet of General Retail Sales, including apparel and accessories (d.b.a Supreme) at an existing vacant tenant space within a C-3-G Zoning District and 120-X Height and Bulk District. This project was reviewed under the Community Business Priority Processing Program (CB3P). This action constitutes the Approval Action for the project for the purposes of CEQA, pursuant to San Francisco Administrative Code Section [31.04\(h\)](#).
Preliminary Recommendation: Approve with Conditions

SPEAKERS: None
 ACTION: Approved with Conditions
 AYES: Hillis, Johnson, Koppel, Richards

ABSENT: Fong, Melgar, Moore
MOTION: [20323](#)

C. COMMISSION MATTERS

8. Consideration of Adoption:
- [Draft Minutes for October 11, 2018](#)

SPEAKERS: None
ACTION: Adopted
AYES: Hillis, Johnson, Koppel, Richards
ABSENT: Fong, Melgar, Moore

9. Commission Comments/Questions

Commissioner Richards:

I'll ration my comments over the next 6 or 8 weeks. I've been out for a week and I've been reading quite a bit, but I have three things today. The first one it's really interesting there was a study by Harvard economist named Raj Chetty, and he talks about the impact of jobs and social mobility, economic mobility, where those jobs are added in the report that he did, which I think are really interesting read. And I'll quote is "Job growth is not sufficient by itself to create upward mobility. It's almost as if racial disparities have been amplified by the job growth." So, as we look at like the Central SoMa plan and other, you know, areas where we're developing, just adding jobs isn't the panacea that lists all boats. In fact, it actually sinks a few more boats I think than we realize, at least according to this study.

Secondly, I really found this an interesting article by Joel Engardio. I've never met the man but about talking about hey kind of like a block in the Sunset and the Richmond where people can band together and they can decide to have their single family homes demolished and build, I think three units in each parcel and they get a unit themselves for later in life and they kind of be taken care of. It's really, really, really interesting article and it compares that type of activity to Barcelona and Paris where you have these five story buildings, a really interesting article. At the end of the article, I thought, oh how can we create 10,000 new homes? We can just build the homes we have already entitled as well. So, let's just kind of put that in our hat.

And lastly, we hear from Discretionary Review a lot and we hear from people saying light isn't a big deal and shade isn't a big deal. In the New York Times this weekend, there's a whole article about darkness and shade and how people are not buying apartments that are dark and shady. There's now a map or an app that somebody invented that actually says if I live in this building, this is how much light I get during the day, almost like a shadow study. And it's a really, really interesting app. I took a look at it and I don't know how they did it, but it really goes to the fact that light – sunlight and air is a big deal and buyers are actually, are recognizing that as well. So it's an interesting read. There will be more next week.

D. DEPARTMENT MATTERS

10. Director's Announcements

None

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

Aaron Starr:

Land Use Committee

- [180803](#) Planning Code - Mission Alcoholic Beverage Special Use District and Mission Street Neighborhood Commercial Transit District. Sponsor: Ronen. Staff: D. Sanchez.

First on the Land Use agenda was Supervisor Ronen's ordinance that would amend the Mission Alcoholic Beverage SUD and Mission Street NCT District controls. Commissioners you heard this Ordinance on October 18, 2018 and voted unanimously to recommend approval with modifications.

The modifications you recommended were

1. to allow non-retail professional services at the third floor and above within the Mission St NCT as long as those uses can demonstrate active non-profit status; and
2. to provide an exemption from the prohibition on commercial storefront mergers that result in a merger 1,500 sq. ft. or larger if the project was submitted to Planning Dept. on or before July 31, 2018.

The Supervisor only include the Commission's second proposed amendment in the final ordinance.

At the Land Use hearing the Committee heard public testimony that was in support of the proposed Ordinance. The multiple speakers all mentioned that the Ordinance was a result of a City-Community partnership to address the gentrification concerns in the Mission neighborhood. After public testimony, the Committee moved unanimously to accept the second modification and move the Ordinance to the Full BOS.

- [180914](#) Planning Code - Modifying Better Streets Plan Requirements and Curb Cut Restrictions. Sponsor: Kim. Staff: Chasan.

Next on the agenda was Supervisor Kim's proposed modifications to the Better Streets ordinance. You heard this item last week on October 18 and voted unanimously to approve the ordinance with modifications. Those amendments included:

- Modify the change Use Size Trigger from 10,000 sq. ft. to 25,000 sq. ft.;
- Expand Definition of Protected Streets on the Bike Network;
- Eliminate Minimum Parking Requirements Citywide;
- As well as two other clerical amendments.

Public Comment at the Land Use Committee was overwhelmingly positive. Four

comments representing advocacy organizations (Livable City, Walk SF, The Bike Coalition, YIMBY Action and the SF Housing Coalition) spoke favorably of the legislation and in support of the Commission's recommendation to eliminate minimum parking requirements Citywide. One member of the public spoke out against the legislation.

The bulk of the comments from the Committee Members focused on eliminating minimum parking requirements, and how doing so would support the Vision Zero and Transit First Policies, and potentially reduce the cost of housing.

During the hearing, Supervisor Kim split the file so that the amendments to eliminate minimum parking requirements could be drafted. The duplicated ordinance will come back to the land use committee in about two weeks.

In the file that is moving forward to the Board, she included the Planning Commission's proposed amendments, except for increasing the change of use trigger from 10,000 to 25,000.

- [151258](#) Planning Code - Affordable Housing Requirement and Fee in Divisadero and Fillmore Neighborhood Commercial Transit Districts] Sponsor: Brown. Staff: Bintliff.

Next on the agenda was Supervisor Brown's ordinance that would establish specific inclusionary housing requirements in the Divisadero Street NCT district. Commissioners you heard this item on June 30, 2016 and voted to approve with modifications.

At the hearing, Supervisor Brown introduced amendments to the ordinance that included the following:

- For current pipeline projects, the on-site requirement would be 20% for rental projects or 23% for ownership projects, and the affordability levels would be consistent with the citywide inclusionary program.
- Future projects would be subject to the on-site requirement for HOME-SF Tier One projects, which is currently 23% for projects that have received no increase in height. The fee and off-site requirement for all projects in the district would be the same as the citywide inclusionary program; and
- The Fillmore NCT district would remain subject to the citywide inclusionary housing requirements.

The Land Use Committee voted unanimously to accept the amendments, and to continue the ordinance to the November 5 Land Use Committee meeting to allow time for the fee change to be properly noticed.

- [180911](#) Planning Code - Inclusionary Housing Ordinance. Sponsor: Mayor. Staff: Grob.

Next, the Committee heard the Mayor's Ordinance that would modify the date by which projects that are eligible for lower on-site and off-site Inclusionary

housing rates must obtain a site permit. Commissioners, you heard this on October 11, 2018 and voted to recommend approval.

At the Land Use hearing, there were approximately 20 speakers; About 2/3 of the speakers were in opposition and considered the proposed extension a “giveaway” to developers. They felt that the ordinance went against the will of the voters, and many referenced Mission projects specifically.

Speakers in support of the ordinance commented on the impact of uncertainty of the development process and rising construction costs.

During the hearing, Supervisors Peskin and Kim proposed a few ideas on how to modify the ordinance including:

- Reduce the extension time to 12 months;
- Require projects to prove that their developments will no longer pencil;
- Provide a process by which the ZA can authorize an extension;
- Applying the existing fee on density bonus units to the affected projects (which are currently not subject to the fee); and
- Exclude the non-entitled projects from any extension provided

In the end the Commission did not amend the ordinance but voted to continue to the item until next week.

- [180910](#) Planning Code - Affordable Housing Projects on Undeveloped Lots in Service/Arts/Light Industrial Districts. Sponsor: Kim. Staff: Butkus. Item 5
- [180490](#) General Plan Amendments - Central South of Market Area Plan. Sponsor: Planning Commission. Staff: Chen. Item 8
- [180185](#) Planning Code, Zoning Map - Central South of Market Special Use District. Sponsors: Mayor; Kim. Staff: Chen. Item 9
- [180453](#) Business and Tax Regulations, Planning Codes - Central South of Market Housing Sustainability District. Sponsors: Mayor; Kim. Staff: Chen. Item 10
- [180184](#) Administrative, Planning Codes - Central South of Market Area Plan. Sponsors: Mayor; Kim. Staff: Chen.

Last on the land use agenda was the package of ordinances for the Central SoMa Plan. These items were continued from October 15 so that more amendments could be made. This week, there were 5 public comments, calling for affordable housing and neighborhood stabilization policies, and for a supplemental EIR to further evaluate the impacts of TNCs.

During the hearing, Supervisor Kim signaled at the start of the hearing that she intended to introduce additional amendments and continue the hearing to October 29th. Supervisors Safai and Tang both stated that they would like to restore the funding for the Old Mint to \$20 million, the figure recommended by the Planning Commission, with the additional \$5 million coming from regional transportation capacity enhancement.

Some of Supervisor Kim’s proposed amendments include:

1. Language encouraging POPOS to include green walls and family-friendly

- design considerations and encouraging projects subject to the living-roofs requirement to include green walls.
2. A requirement that Key Sites building office or hotel uses satisfy its child care fee obligation by building child care facilities on-site, unless they can demonstrate that it is infeasible.
 3. A required CU for cannabis retail and medical cannabis dispensary uses; and
 4. Finally lowering the threshold of projects subject to the CFD from 40,000 GSF to 25,000 GSF, which corresponds with the trigger for the small-cap office allocation under Prop M.

Because this last amendment would expand the scope of projects subject to the CFD, it requires referral back to the Planning Commission for review. However, Staff would recommend that you waive your opportunity to hear this again, given the limited number of projects that would be impacted by this change. You of course have full discretion to request a hearing; however, if I don't hear from you today that you would like to hear this amendment, we will let the Clerk know that you have opted not to rehear this item.

In the end the Committee voted to amend the ordinance as proposed by Supervisor Kim and continue the item to the October 29th LU hearing.

Full Board

- [180720](#) Planning Code - Landmark Designation - 228-248 Townsend Street (aka New Pullman Hotel). Sponsor: Historic Preservation Commission. Staff: Smith. PASSED Second Read
- [180721](#) Planning Code - Landmark Designation - 457 Bryant Street (aka Piledrivers, Bridge, and Structural Ironworkers Local No. 77 Union Hall). Sponsor: Historic Preservation Commission. Staff: Ferguson. PASSED Second Read
- [180722](#) Planning Code - Landmark Designation - 500-504-4th Street (aka Hotel Utah). Sponsor: Historic Preservation Commission. Staff: McMillen. PASSED Second Read
- [180723](#) Planning Code - Clyde and Crooks Warehouse Historic District. Sponsor: Historic Preservation Commission. Staff: McMillen. PASSED Second Read
- [180724](#) Planning Code - Mint-Mission Conservation District. Sponsor: Historic Preservation Commission. Staff: McMillen. PASSED Second Read
- [180725](#) Planning Code - Designation of Various Properties as Significant and Contributory in the C-3 District Based on Architectural, Historic and Aesthetic Value Sponsor: Historic Preservation Commission. Staff: McMillen. PASSED Second Read
- [180726](#) Planning Code - Amending Kearny-Market-Mason-Sutter Conservation District and Article 11 Designation of 55-5th Street. Sponsor: Historic Preservation Commission. Staff: McMillen. PASSED Second Read
- [180861](#) Planning Code - Fire-Damaged Liquor Stores in North Beach Neighborhood Commercial District. Sponsor: Peskin. Staff: D. Sanchez. PASSED Second Read
- [180816](#) General Plan - India Basin Mixed-Use Project. Sponsor: Planning Commission. Staff: Snyder. PASSED Second Read
- [180680](#) Planning Code, Zoning Map - India Basin Special Use District. Sponsor:

Cohen. Staff: Snyder. PASSED Second Read

- [180681](#) Development Agreement - India Basin Investment LLC - India Basin Project - Innes Avenue at Griffith Street Sponsor: Cohen. Staff: Snyder. PASSED Second Read

Jonas P. Ionin, Commission Secretary:

The Board of Appeals met last night and considered one item that may be of interest to the Planning Commission. On behalf of the Zoning Administrator, 891 Carolina Street. The Commission heard this item last year as a discretionary review and voted unanimously to approve the permit with modifications. Last night the Board heard five appeals on this permit with concerns about the design of the project and the use of the adjacent property at 897 Carolina Street to determine the rear yard requirement for the project. The Board voted unanimously to deny the appeals and uphold the permit as approved by the Commission.

Commissioner Richards:

Yes, I don't know how to handle this, but I have no desire to rehear the Central SoMa changes sent to the Commission.

President Hillis:

Yes.

E. GENERAL PUBLIC COMMENT

SPEAKERS: Michael Musleh – Cannabis Dispensaries

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.

- 13a. [2018-007507MAP](#) (A. STARR: (415) 558-6362)
[1650-1680 MISSION STREET \[BF 180474\]](#) – **Zoning Map Amendment**, sponsored by the Department of Real Estate, to rezone 1650, 1660, and 1670 Mission Street, Assessor's Parcel Block No. 3512, Lot Nos. 005, 006, and 008, from their current designation as NCT-3 (Moderate-Scale Neighborhood Commercial Transit District) to C-3-G (Downtown General Commercial), and to rezone 1680 Mission Street, Assessor's Parcel Block No. 3512, Lot Nos. 009 and 010, from its current designation as P (Public) to C-3-G; 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 making findings of public necessity, convenience, and general welfare under Planning Code, Section 302.
 (Continued from Regular hearing on September 27, 2018)
Preliminary Recommendation: Approve

SPEAKERS: = Aaron Starr – Staff report

= Sue Hestor – Automatic routing of all BPA's
 ACTION: Approved
 AYES: Hillis, Johnson, Koppel, Melgar, Richards
 ABSENT: Fong, Moore
 RESOLUTION: [20324](#)

- 13b. [2018-007507GPA](#) (A. STARR: (415) 558-6362)
MARKET AND OCTAVIA PLAN AMENDMENT FOR 1650-1680 MISSION STREET – General Plan Amendment to amend the San Francisco General Plan to revise Map 1 of the Downtown Plan to include 1650, 1660, 1670 and 1680 Mission Street, Assessor's Block No. 3512, Lot Nos. 005, 006, 008, 009, and 010 in the C-3-G (Downtown General) zoning area; and making environmental findings, findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1, and findings of public necessity, convenience and welfare under Planning Code, Section 340.
Preliminary Recommendation: Approve

SPEAKERS: Same as item 13a.
 ACTION: Approved
 AYES: Hillis, Johnson, Koppel, Melgar, Richards
 ABSENT: Fong, Moore
 RESOLUTION: [20325](#)

- 13c. [2018-007507GPA-2](#) (A. STARR: (415) 558-6362)
MARKET AND OCTAVIA PLAN AMENDMENT FOR 1650-1680 MISSION STREET – General Plan Amendment to amend the San Francisco General Plan to revise Map 1 of the Market and Octavia Plan to include 1650, 1660, 1670 and 1680 Mission Street, Assessor's Block No. 3512, Lot Nos. 005, 006, 008, 009, and 010 in the C-3-G, Downtown General zoning area; and making environmental findings, findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1, and findings of public necessity, convenience and welfare under Planning Code, Section 340.
Preliminary Recommendation: Approve

SPEAKERS: Same as item 13a.
 ACTION: Approved
 AYES: Hillis, Johnson, Koppel, Melgar, Richards
 ABSENT: Fong, Moore
 RESOLUTION: [20326](#)

14. [2018-010552PCA](#) (D. SANCHEZ: (415) 575-9082)
PROHIBITING EMPLOYEE CAFETERIAS WITHIN OFFICE SPACE – Planning Code Amendment introduced by Supervisors Safai and Peskin to prohibit Employee Cafeterias, as defined in the Health Code, within Office space, except for existing Employee Cafeterias; 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 welfare under Planning Code, Section 302.
Preliminary Recommendation: Approve with Modifications
 (Continued from Regular hearing on October 11, 2018)

SPEAKERS: = Diego Sanchez – Staff report
 + Sup. Safai – Proposed amendment
 - Marcus Mack – Food service workers, UAW
 - Dante Ballard – Employment opportunities
 - Speaker – Opposition
 - Todd Reuben – Opposition
 - Matt Olbrook – Airbnb cafeteria employees
 - Jason Creech – Issues and concerns
 - Jackie Costollo – Employment stability
 - Jen Strikovitch – Employment opportunity
 - Alejandra Ponce – Opposition, careers, health insurance
 - Ricardo Benitez – Opposition, employment opportunities, health insurance
 - Ian Lewis – Hospitality industry
 = Speaker – Golden Gate Restaurant Assoc. supports legislation intent
 - Martha Bustos – Cafeteria employment benefits
 - Speaker – Opposition, flexibility
 - Justin Mann – Impact to local communities
 = Harry O’Brien – Grandfathering existing
 - Zach Gerrelich – Opposition

ACTION: Disapproved, recommending the BoS explore alternatives
 AYES: Hillis, Johnson, Koppel, Melgar, Richards
 ABSENT: Fong, Moore
 RESOLUTION: [20327](#)

- 15a. [2016-012474MAP](#) (E. JARDINES: (415) 575-9144)
118-134 KISSLING STREET – **Zoning Map Amendment** to San Francisco Zoning Map Sheet No. ZN07 to rezone (District 6) Block No. 3516 and Lot Nos. 039 (118-120 Kissling Street), 040 (124 Kissling Street), 041 (130 Kissling Street), and 042 (134 Kissling Street) from RED (Residential Enclave) to RED-MX (Residential Enclave-Mixed) Zoning District; the Planning Commission hearing will be advisory to the Board of Supervisors who has final approval authority; 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 making findings of public necessity, convenience, and general welfare under Planning Code, Section 302.
Preliminary Recommendation: Adopt

SPEAKERS: = Esmeralda Jardines – Staff report
 + John Kevlin – Project presentation

ACTION: Adopted
 AYES: Hillis, Johnson, Melgar, Richards
 ABSENT: Fong, Koppel, Moore
 RESOLUTION: [20328](#)

- 15b. [2016-012474CUA](#) (E. JARDINES: (415) 575-9144)
118-134 KISSLING STREET – north side of Kissling Street; Lots 039, 040, 041, and 042 in Assessor’s Block 3516 (District 6) - Request for **Conditional Use Authorization** pursuant to Planning Code Sections: 303, 823, and 847.58 to permit construction of vehicle storage stackers for 96 spaces serving an existing automotive repair use (DBA Royal Automotive

Group) with a new screen wall along Kissling Street at 118-134 Kissling Street, within a RED-MX Zoning District, 40-X Height and Bulk District, and Western SoMa Special Use 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 15a.
 ACTION: Approved with Conditions
 AYES: Hillis, Johnson, Melgar, Richards
 ABSENT: Fong, Koppel, Moore
 MOTION: [20329](#)

16. 2017-015181CUA (A. PERRY: (415) 575-9017)
412 BROADWAY – north side of Broadway between Montgomery and Kearny Streets, on Lot 033 in Assessor’s Block 0144 (District 3) – Request for a **Conditional Use Authorization**, pursuant to Planning Code Sections 303 and 714, to permit an extension of operating hours until 4 a.m. daily, for an existing Restaurant and Nighttime Entertainment use (d.b.a. The Penthouse Club & Restaurant). No other changes are proposed. The proposed project is located within a Broadway Neighborhood Commercial District (NCD) and 65-A-1 Height and Bulk District. The Project is not subject to the California Environmental Quality Act (CEQA) as the extension of hours is not considered a “project” under CEQA.
Preliminary Recommendation: Disapprove
 (Continued from Regular hearing on September 13, 2018)
Note: On September 13, 2018, after hearing and closing public comment, continued to October 25, 2018 with direction from the CPC by a vote of +7 -0.

SPEAKERS: = Andrew Perry – Staff report
 + Jeremy Paul – Project presentation
 - Kyle Plesco – Bombing my building, bad business
 - Stan Hayes – Opposed, police reports
 - Judy Irving – Nuisances
 - Diana Taylor – Opposed, concerns remain unaddressed
 + Daniel – Absorb street traffic after 2am
 + Marianne – Support for extra work hours
 + Markel Kagan - No rolling garbage cans
 + Speaker – Employment opportunities
 +Terrance Allen – Intoxication levels
 + Guy Carson – 2am melee, staggering of establishments closure
 = Paul Webber – One year trial period for all eight clubs, continue
 = Officer Steve Mathias – Response to questions

ACTION: Approved with Conditions as amended requiring:

1. Establish metrics with Community Members;
2. Initiate 4 am closing one month from the date of authorization;
3. Schedule a revocation hearing one year after the date of 4 am closing;
4. Hold two Community Meetings during the first year of 4 am closing hours; and
5. Send notices to the neighborhood of extended hours.

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

ABSENT: Fong, Moore
 MOTION: [20330](#)

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.

17. [2017-001456DRP](#) (D. WINSLOW: (415) 575-9159)
1100 FULTON STREET – at the corner of Pierce; Lot 005 in Assessor’s Block 0777 (District 5) - Request for **Discretionary Review** of Building Permit Application No. 2017.0126.7999, for construction of 3 accessory dwelling units within a multi-family house within a RM-1 (Residential - Mixed, Low Density) 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
 + Serina Calhoun - Project presentation
 ACTION: Did NOT take DR and Approved
 AYES: Hillis, Johnson, Koppel, Melgar
 ABSENT: Fong, Moore, Richards
 DRA: [0621](#)

18. [2017-009282DRP](#) (D. WINSLOW: (415) 575-9159)
136 PALM AVENUE – between Geary and Euclid; Lot 042 in Assessor’s Block 1062 (District 2) - Request for **Discretionary Review** of Building Permit Application No. 2017.0628.0596, for construction of a one-story vertical addition to an existing 3-story two-family house within a RM-1 (Residential - Mixed, Low Density) 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
 - Vera Poon – DR presentation
 + Kelly Popora – Project presentation
 + Ben Farrell – Design presentation
 ACTION: Did NOT take DR and Approved
 AYES: Hillis, Johnson, Koppel, Melgar, Richards
 ABSENT: Fong, Moore
 DRA: [0622](#)

ADJOURNMENT – 4:31 PM
 ADOPTED NOVEMBER 8, 2018