

SAN FRANCISCO PLANNING COMMISSION



Meeting Minutes

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

Thursday, December 6, 2018
1:00 p.m.
Regular Meeting

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

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

STAFF IN ATTENDANCE: Aaron Starr, Jeff Horn, Paolo Ikezoe, Rachel Schuett, Linda Ajello-Hoagland, Chris May, Alexandra Kirby, 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. 2017-016050CUA (J. HORN: (415) 575-6925)
49 HOPKINS AVENUE – located at the southeast corner of the intersection of Hopkins Avenue and Burnett Avenue; Lot 042 in Assessor's Block 2799 (District 8) – Request for **Conditional Use Authorization**, pursuant to Planning Code Sections 303 and 317 to legalize

the tantamount to demolition of a single-family home within a RH-1 (Residential House, One-Family) Zoning and 40-X Height and Bulk District.

Preliminary Recommendation: Approve with Modifications and Conditions
(Proposed Continuance to January 24, 2019)

SPEAKERS: - Joe Butler – Opposed to continuance
 - Jerry Dratler – Opposed to continuance
 - Stephanie Peak – Opposed to continuance
 - Ozzie Rohm – Opposed to continuance
 + Justin Zucker – Reason for continuance
 = Jeff Horn – Staff response to questions

ACTION: Continued to December 13, 2018

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

ABSENT: Richards

2. [2018-013861PCAMAP](#) (D. SANCHEZ: (415) 575-9082)

LARGE RESIDENCE SPECIAL USE DISTRICT – Planning Code and Zoning Map Amendment introduced by Supervisor Safai to create the District 11 Large Residence Special Use District (the area within a perimeter established by Brotherhood Way, Junipero Serra Boulevard, Holloway Avenue, Ashton Avenue, Holloway Avenue, Harold Avenue, Ocean Avenue, Geneva Avenue, Interstate 280, Tingley Street, Alemany Boulevard, Mission Street, Interstate 280, Stoneybrook Avenue, Cambridge Street, Stoneyford Avenue, Gladstone Drive, Sunglow Lane, Silver Avenue, Madison Street, Valmar Terrace, Peru Avenue, Burrows Street, western boundary of John McLaren Park, La Grande Avenue, western boundary of John McLaren Park, Brazil Avenue, Mansell Street, Persia Avenue, western boundary of John McLaren Park, La Grande Avenue, western boundary of John McLaren Park, Geneva Avenue, Carter Street, southeastern boundary of Census Tract 0263.02, Block 3005, and the southern boundary of San Francisco, Saint Charles Avenue, Interstate 280, straight-line extension northerly to Orizaba Avenue, Alemany Boulevard, and Brotherhood Way), to promote and enhance neighborhood character and affordability by requiring Conditional Use authorization for large residential developments in the district; 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: Disapprove

(Proposed Continuance to January 31, 2019)

SPEAKERS: None

ACTION: Continued to January 31, 2019

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

ABSENT: Richards

3a. 2016-007303PCA (E. TUFFY: (415) 575-9191)

5 THIRD STREET (HEARST BUILDING) – located on the east side between Market and Stevenson Streets, Assessor’s Block 3707, Lot 057 (District 6). Consideration of **Planning Code Amendment** to Planning Code Section 188 – Noncomplying Structures: Enlargements, Alterations and Reconstruction. The Historic Preservation Commission will consider the proposal from the Project Sponsor to adopt an Ordinance that would extend

the expiration date of Section 188(g) to allow Terrace Infill on a noncomplying structure designated as a Significant Building under Article 11 of the Code and would amend the text to allow for rooftop infill along the primary building frontage if obscured from view by existing parapet walls.

Preliminary Recommendation: Approve the resolution to recommend approval of the Planning Code amendments to the Board of Supervisors.

(Proposed Continuance to March 14, 2019)

SPEAKERS: None
 ACTION: Continued to March 14, 2019
 AYES: Fong, Hillis, Johnson, Koppel, Melgar, Moore
 ABSENT: Richards

- 3b. 2016-007303DNXCUA (E. TUFFY: (415) 575-9191)
5 THIRD STREET (HEARST BUILDING) – located on the east side between Market and Stevenson Streets, Assessor’s Block 3707, Lot 057 (District 6). Request for **Downtown Project Authorization** with an exception to off-street freight loading requirements; **Conditional Use Authorization** pursuant to Planning Code Sections 210.2 and 303 to establish a hotel use; and a Planning Code Text Amendment to Section 188(g) that would allow terrace infill on an existing nonconforming structure designated under Article 11 as a Significant Building and located on Block 0316 and 3707. The Hearst Building occupies a 13,333sf lot and includes structures identified under three building addresses: Five 3rd St., 17-29 3rd St. and 190 Stevenson St. The project proposes rehabilitation of the existing 13-story, 161,108 sf building for use as a 170-room hotel with retail on the ground floor and basement level, offices on floors two and three, and rooftop terraces at the 4th and 13th floors. The historic lobby will be retained and a new passenger loading area and hotel entrance will be created on Stevenson Street.
Preliminary Recommendation: Approve with Conditions
(Proposed Continuance to March 14, 2019)

SPEAKERS: None
 ACTION: Continued to March 14, 2019
 AYES: Fong, Hillis, Johnson, Koppel, Melgar, Moore
 ABSENT: Richards

10. [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\(h\)](#).

Preliminary Recommendation: PENDING

(Continued from Regular hearing on November 29, 2018)

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

14. [2018-002409DRP](#) (D. WINSLOW: (415) 575-9159)
1973 BROADWAY STREET – between Laguna & Octavia; Lot 016 in Assessor’s Block 0578 (District 2) - Request for **Discretionary Review** of Building Permit Application No. 2018.0606.1101 for documentation of existing work that exceeded the scope of building permit application 2015.0415.3728 within a RM-2 (Residential -Mixed, Moderate 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: None
 ACTION: Continued to January 31, 2019
 AYES: Fong, Hillis, Johnson, Koppel, Melgar, Moore
 ABSENT: Richards

B. COMMISSION MATTERS

4. Commission Comments/Questions

Commissioner Moore:

I’m sure all of us have been watching the papers and there is SB50 coming up. I want to ask the Department and Ms. Rodgers, is not in the room, I would like to see the Department do an analysis update, just as it successfully did when comparing A-27 which basically looks at the effects of that particular bill on San Francisco. Is there support from the rest of the Commission?

President Hillis:

Yeah. I think that's a great idea. We will do that.

C. DEPARTMENT MATTERS

5. Director’s Announcements

Director John Rahaim:

I was just going to let the Commissioners know that we are doing that very thing. There is actually several bills that we are looking at that are related to housing that were introduced this week. There’s a process in Sacramento where some of them are introduced

at kind of at a conceptual level so they're not really detailed yet but we are looking at all of them and we will be prepared to try to bring them to you probably right after the first of the year with our analysis.

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

Aaron Starr:

Land Use Committee

- [180645](#) Planning Code, Zoning Map - Rezoning, Preservation Designation - 175 Golden Gate Avenue. Sponsor: Kim. Staff: Butkus. Continued to call of the chair due to a problem with the GPA referral.
- [181031](#) Planning Code - Permit Review Procedures for Uses in Neighborhood Commercial Districts. Sponsors: Tang; Safai. Staff: D. Sanchez.

Next the Committee heard the Permit Review Procedures for Uses in NC Districts Ordinance, introduced by Supervisors Tang and Safai. This Ordinance proposes to make permanent a two-year pilot program that exempted certain uses from neighborhood notification in the NCDs in Supervisorial Districts 4 and 11.

Commissioners you heard this Ordinance on November 29 and voted unanimously to approve the Ordinance with the modification. The modification was to include a two-year report back on the effects of making the pilot program permanent.

At the Land Use Committee hearing, two members of the public requested that the Supervisors delay the Ordinance until the new Board is seated. Supervisors Tang and Safai both emphasized the NCDs in their supervisorial districts need more small business activity. They both mentioned that the reduction in permitting timeframes would help attract more small business activity to their districts.

The Land Use Committee unanimously to recommend the Ordinance to the Full BOS as a committee report.

- [180915](#) Planning Code - Residential Care Facilities. Sponsors: Mandelman; Yee. Staff: Butkus.

Next the Committee heard Supervisor Mandelman's ordinance that would allow Residential Care Facilities as of right in more zoning districts. Commissioners, you heard this item last week on November 29 and voted to recommend the item.

During the hearing a few members of the public spoke in favor of the ordinance. Supervisor Mandelman spoke about the need for the ordinance, and then the committee voted to recommend the item to the Full Board as a committee report.

- [180916](#) Planning, Administrative Codes - Zoning Controls and Fees in the C-3-R (Downtown Retail) District. Sponsor: Peskin. Staff: Butkus. Continued to January 7, 2019
- [180777](#) Planning Code - Prohibiting Employee Cafeterias within Office Space. Sponsors: Safai; Peskin. Staff: D Sanchez. Continued to December 10, 2018

Full Board

- [180935](#) Planning Code, Zoning Map - 1550 Evans Avenue Special Use District. Sponsor: Cohen. PASSED First Read
- [180915](#) Planning Code - Residential Care Facilities. Sponsors: Mandelman; Yee. Staff: Butkus. Passed First Read
- [181031](#) Planning Code - Permit Review Procedures for Uses in Neighborhood Commercial Districts. Sponsors: Tang; Safai. Staff: D. Sanchez. Passed First Read
- [181028](#) Planning Code - Off-Street Parking Requirements. Sponsors: Kim; Peskin and Brown.

The Board also passed on first read Supervisor Kim's ordinance that would eliminate minimum parking requirements city-wide. There was quite a lot of comment from the Supervisors on this item. Supervisor Yee, Safai, and President Cohen made statements against the proposal, citing the need for more dialog, and the lack of reliable public transit in their districts. Supervisor Kim gave a very thorough defense of the proposed ordinance, and was joined by Supervisors Mandelman, Brown, and Peskin. Supervisor Cohen proposed removing her district from the proposed ordinance; however, this proposed amendment was withdrawn. In response, Supervisor Yee duplicated the file with the intention of carving out District 10. This duplicated ordinance will be sent back to the Land Use Committee for a public hearing.

In the end the ordinance passed first read on a 6-4 vote with Supervisor Fewer absent. The dissenting Supervisors were Cohen, Yee, Stefani, and Safai.

Jonas P. Ionin, Commission Secretary:

There is no report from the Board of Appeals. The Historic Preservation Commission did meet yesterday and the only item of interest was they considered the preservation alternatives for 3333 California Street, and their adequacy, and that item will be before you next week with their comment letter.

D. GENERAL PUBLIC COMMENT – 15 MINUTES

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. When the numbers of speakers exceed the 15-minute limit, General Public Comment may be moved to the end of the Agenda.

SPEAKERS:

- Corey Smith – Parking legislation
- Kathleen Courtney – Willis Polk residence
- Georgia Schuttish – Fake email account
- Speaker – Large Residence SUD
- Ozzie Rohm – 49 Hopkins
- Patricia Vaughey – Middle class population
- Jeremy Paul – Mayes Oyster House

E. 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.

7. [2018-014996PCA](#) (P. IKEZOE: (415) 575-9137)
HOME-SF PROJECT AUTHORIZATION [BOARD FILE NO. 181046] – **Planning Code Amendment** for HOME-SF project authorizations; amending the fee for Affordable Housing Bonus Program projects; 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 welfare under Planning Code, Section 302.
Preliminary Recommendation: Approve with Modification

SPEAKERS: = Paolo Ikezoe – Staff report
 ACTION: Approved with Modifications
 AYES: Fong, Hillis, Johnson, Koppel, Melgar, Moore
 ABSENT: Richards
 RESOLUTION: [20349](#)

8. [2015-004568ENV](#) (R. SCHUETT: (415) 575-9030)
10 SOUTH VAN NESS AVENUE – **Draft Environmental Impact Report** – The project site is located at the southwest corner of South Van Ness Avenue and Market Street, Assessor’s Block 3506, Lots 003A and 004 (District 6). The proposed project would involve demolition of the existing two-story, 30- to 45-foot-tall, 91,088 gross-square-foot (gsf) building, which most recently operated as the San Francisco Honda auto dealership and is a historic resource built in 1927, and construction of up to 984 residential units, in a mixed-use residential building with either two 41-story, 420-foot-tall towers over podiums, or one 55-story, 590-foot-tall tower over a single podium. Up to 518 parking spaces and 336 bicycle parking spaces would be provided within a two-level subterranean parking garage, accessible from 12th Street. The project site is located in the Downtown General Commercial (C-3-G) Use District and 120-R-2/120/400-R-2 Height and Bulk Districts.
Preliminary Recommendation: Review and Comment

SPEAKERS: = Rachel Schuett – Staff report
 + Jim Abrams – Project presentation
 = Jim Haas – Pedestration safety at Market and Van Ness
 + Aaron Tavakovsky – Wastewater recycling
 + Joe Lopez – 10 SVN event space
 = Larry Mousbacht – Superior alternative, retention of the ballroom
 + Jordan Langer – Cultural significance of 10 SVN
 + Corey Smith – 950 total homes
 ACTION: Reviewed and Commented

9. [2015-018150CUA](#) (C. MAY: (415) 575-9087)
137 CLAYTON STREET – west side of Clayton Street, between Grove and Hayes Streets, Lot 006 in Assessor’s Block 1194 (District 5): Request for **Conditional Use Authorization**

pursuant to Planning Code Sections 303 and 317 to demolish an existing two-story, single-family dwelling and construct a new four-story, 3-unit residential building 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 November 15, 2018)

Note: On September 13, 2018, after hearing and closing public comment, continued to November 15, 2018 with direction from the CPC by a vote of +7 -0. On November 15, 2018, without hearing, continued to December 6, 2018 by a vote of +6 -0 (Moore absent).

SPEAKERS: = Chris May – Staff report
+ Ryan Patterson – Project presentation
+ Kevin Kearny – Cost estimate
+ Corey Smith – Housing Accountability Act
- Speaker – Conditions

ACTION: Approved with Conditions and Staff Recommendations

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

ABSENT: Richards

MOTION: [20350](#)

11. [2017-015810CUA](#) (L. HOAGLAND: (415) 575-6823)
830 RHODE ISLAND STREET – located on the west side, between 20th and 22nd Streets, Lot 006 in Assessor’s Block 4094 (District 10) – Request for **Conditional Use Authorization** pursuant to Planning Code Sections 303 and 317, to demolish an existing two-story single-family dwelling and construct a new four-story structure with three dwelling units. The subject property is located within a RH-3 (Residential-House, Three-Family) Zoning District and 40-X Height and Bulk District. This action constitutes the Approval Action for the project for the purposes of CEQA, pursuant to San Francisco Administrative Code Section [31.04\(h\)](#).

Preliminary Recommendation: Approve with Conditions

(Continued from Regular Meeting of November 8, 2018)

SPEAKERS: = Linda Ajello-Hoagland – Staff report
+ Charles Ma – Project presentation

ACTION: Approved with Conditions

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

ABSENT: Richards

MOTION: [20351](#)

12. [2018-005694CUA](#) (C. MAY: (415) 575-9087)
3060 FILLMORE STREET – southeast corner of Fillmore and Filbert Streets, Lot 040 in Assessor’s Block 0533 (District 2) – Request for **Conditional Use Authorization** pursuant to Planning Code Sections 303(c), 303(l), 303(o) and 725 to allow a change in use from a General Grocery use (currently vacant, formerly d.b.a. Real Food Company) to a Formula Retail/Restaurant use (d.b.a. Shake Shack) measuring approximately 3,650 square-foot, a Gym use (d.b.a. Rumble Fitness) measuring approximately 6,583 square feet, and a Specialty Grocery use measuring approximately 900 square feet within the Union Street Neighborhood Commercial 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: = Chris May – Staff report
 + John Paul – Project presentation
 + Speaker – Outreach
 - Jennifer Robbins – Grocery store
 - May Russell – Neighborhood service needs
 + Kelly Sterling – Vacant retail spaces
 + Keith Howell – Union St needs traffic
 + Speaker – Grocery store tenant

ACTION: Approved with Conditions
 AYES: Fong, Hillis, Johnson, Koppel, Melgar, Moore
 ABSENT: Richards
 MOTION: [20352](#)

13. [2018-010482CUA](#) (A. KIRBY: (415) 575-9133)
[3509 CALIFORNIA STREET](#) – south side of California Street between Spruce and Laurel Streets, Lot 008 in Assessor’s Block 1034 (District 2). – Request for **Conditional Use Authorization** pursuant to Planning Code Sections 303, 303.1, and 713 to authorize a Formula Retail Store (d.b.a. “SusieCakes”) within the Laurel Heights Shopping Center and NC-S (Neighborhood Commercial Shopping Center District) and 40-X Height and Bulk District. No interior or exterior alterations and no signage alterations are proposed as a part of this project. The project is not defined as a project under CEQA Guidelines Sections 15060(c)(2) and 15378 because it does not result in a physical change in the environment.
Preliminary Recommendation: Approve with Conditions

SPEAKERS: = Ali Kirby – Staff report
 + Chloe Angeles – DR presentation
 + Susan – DR presentation

ACTION: Approved with Conditions
 AYES: Fong, Hillis, Johnson, Koppel, Melgar, Moore
 ABSENT: Richards
 MOTION: [20353](#)

F. 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.

15. [2018-006613DRP](#) (D. WINSLOW: (415) 575-9159)
[610 EL CAMINO DEL MAR](#) – between 30th Ave & Seacliff Dr.; Lot 001X in Assessor’s Block 1307 (District 2) - Request for **Discretionary Review** of Building Permit Application No. 2018.0425.7347 for a rear horizontal expansion of an existing terrace above a solarium within a RH-1(D) (Residential-House, One-Family- Detached) 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
 - Dennis Shanagher – DR presentation
 - Pam Baer – DR presentation
 + Jeremiah Armstrong – Project presentation
 + Mark Hang – Project presentation
 ACTION: Took DR, Denied the BPA
 AYES: Fong, Hillis, Johnson, Koppel, Melgar, Moore
 ABSENT: Richards
 DRA: [0629](#)

16. [2017-011478DRP](#) (D. WINSLOW: (415) 575-9159)
 463 DUNCAN STREET – between Noe & Sanchez; Lot 030 in Assessor’s Block 6602 (District 8) - Request for **Discretionary Review** of Building Permit Application No. 2017.0815.4881 for a horizontal front and rear expansion to an existing 2-story over basement single-family residence. The proposal also includes excavation to add a new basement level, façade alterations, and a roof deck 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

SPEAKERS: = David Winslow – Staff report
 - Paul Sheard – DR No. 1 presentation
 - Georgia Schuttish – DR No. 2 presentation
 - Jim Lynch – Opposition
 + William Pashelinsky – Project presentation
 + Sharon – Support
 + Sean Keegan – Support
 ACTION: Took DR and Approved with Conditions:
 1. Provide a privacy screen on the east side of the second-floor roof deck;
 and
 2. Reduce the depth of the second-floor roof deck to approximately 8.5 feet.
 AYES: Fong, Hillis, Johnson, Koppel, Melgar
 NAYS: Moore
 ABSENT: Richards
 DRA: [0630](#)

ADJOURNMENT – 4:29 PM
 ADOPTED DECEMBER 20, 2018