

SAN FRANCISCO PLANNING COMMISSION

DRAFT Meeting Minutes

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

Thursday, December 5, 2013
12:00 p.m.
Regular Meeting

COMMISSIONERS PRESENT: Fong, Wu, Antonini, Borden, Hillis, Moore, Sugaya

THE MEETING WAS CALLED TO ORDER BY PRESIDENT FONG AT 12: 09 P.M.

STAFF IN ATTENDANCE: John Rahaim – Planning Director, Brittany Bendix, Kanishka Burns, Christine Lamorena, Sara Vellve, Elizabeth Watty, and Jonas P. Ionin – Commission Secretary.

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. 2012.1427E (K. ZUSHI: (415) 575-9036)
SHARP PARK SAFETY, INFRASTRUCTURE IMPROVEMENT, AND HABITAT ENHANCEMENT PROJECT - The project site is located within Sharp Park in the City of Pacifica, San Mateo County - **Appeal of Preliminary Mitigated Negative Declaration** for: 1) the construction of a perennial pond, approximately 1,600 sf in size, located approximately 400 to 500 feet southeast of Horse Stable Pond (HSP); 2) realignment of a portion of an existing golf cart path located west of the fairway for golf course hole number 14 and east of the tee box for golf course hole number 15; 3) removal of sediment and emergent vegetation within HSP and the connecting channel that links HSP with Laguna Salada (LS); 4) construction of steps and a maintenance walkway approximately 4.6 feet in width at the existing HSP pumphouse; and 5) replacement of a wooden retaining wall near the pumphouse with a concrete retaining wall at the existing HSP pumphouse. The proposed project is being

constructed in accordance with a Biological Opinion issued by the U.S. Fish and Wildlife Service (USFWS) and is separate and independent from the proposed Significant Natural Resource Areas Management Plan (SNRAMP), which is currently undergoing separate environmental review.

Preliminary Recommendation: Uphold Preliminary Mitigated Negative Declaration
(Proposed for Continuance to December 12, 2013)

SPEAKERS: + Lisa Villasenor - Support
ACTION: Continued to December 12, 2013
AYES: Fong, Wu, Antonini, Borden, Moore, Sugaya
ABSENT: Hillis

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.

2. [2013.0994C](#) (B. BENDIX: (415) 575-9114)
2848 23RD STREET - northeast corner of the intersection of Bryant and 23rd Streets; Lot 018 of Assessor's Block 4151 - **Request for Conditional Use Authorization**, pursuant to Planning Code Sections 182, 303, and 727.44 to convert a self-service laundry (d.b.a. Super Lavar) into a restaurant (d.b.a. Somos Café) within a RM-1 (Residential, Mixed, Low-Density) Zoning District and 40-X Height and Bulk District.
Preliminary Recommendation: Approve with Conditions
NOTE: This action constitutes the Approval Action for the project for the purposes of CEQA, pursuant to Section 31.04(h) of the San Francisco Administrative Code.

SPEAKERS: None
ACTION: Approved with Conditions
AYES: Fong, Wu, Antonini, Borden, Moore, Sugaya
ABSENT: Hillis
MOTION: 19030

3. [2013.0789C](#) (B. BENDIX: (415) 575-9114)
500-550 INDIANA STREET - west side, between Mariposa and 18th Streets; Lot 021 of Assessor's Block 3998 - **Request for Conditional Use Authorization**, pursuant to Planning Code Sections 181(i) and 303 to intensify a legal non-conforming self-storage use (d.b.a. City Storage) within a UMU (Urban Mixed Use) Zoning District and a 58-X Height and Bulk District. The project will convert 16 interior off-street parking spaces into an additional 4,102 square-feet of floor area dedicated to the self-storage use. The project does not include any expansion to the building envelope or alterations to the façade. This action constitutes the Approval Action for the project for the purposes of CEQA, pursuant to Section 31.04(h) of the San Francisco Administrative Code.
Preliminary Recommendation: Approve with Conditions

SPEAKERS: None

ACTION: Approved with Conditions
 AYES: Fong, Wu, Antonini, Borden, Moore, Sugaya
 ABSENT: Hillis
 MOTION: 19031

4. [2013.0849C](#) (K. BURNS: (415) 575-9112)
343 (AKA 347) CLEMENT STREET - south side between Fourth and Fifth Avenues; Lot 047 in Assessor's Block 1436 - **Request for Conditional Use Authorization**, pursuant to Planning Code Sections 303, 716.44 and 790.91 to allow a change of use from a Limited-Restaurant to a Restaurant (d.b.a. Barley) which will operate as a Bona Fide Eating Place. The property is located within the Inner Clement 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 Section 31.04(h) of the San Francisco Administrative Code.
 Preliminary Recommendation: Approve with Conditions

SPEAKERS: None
 ACTION: Approved with Conditions
 AYES: Fong, Wu, Antonini, Borden, Moore, Sugaya
 ABSENT: Hillis
 MOTION: 19032

C. COMMISSION MATTERS

5. Consideration of Adoption:
- [Draft Minutes for November 14, 2013](#)
 - [Draft Minutes for November 21, 2013](#)

SPEAKERS: None
 ACTION: Adopted
 AYES: Fong, Wu, Antonini, Borden, Moore, Sugaya
 ABSENT: Hillis

Adoption of Commission Minutes – Charter Section 4.104 requires all commissioners to vote yes or no on all matters unless that commissioner is excused by a vote of the Commission. Commissioners may not be automatically excluded from a vote on the minutes because they did not attend the meeting.

6. Commission Comments/Questions
- Inquiries/Announcements. Without discussion, at this time Commissioners may make announcements or inquiries of staff regarding various matters of interest to the Commissioner(s).
 - Future Meetings/Agendas. At this time, the Commission may discuss and take action to set the date of a Special Meeting and/or determine those items that could be placed on the agenda of the next meeting and other future meetings of the Planning Commission.

Commissioner Antonini:

On Sunday, I took a break from almost constantly watching football, which was quietly interesting over the weekend both College and Pro, as most of you know who watched it, but I watched "60 Minutes", and I thought there were a couple of items that were instructive for us as San Franciscans. There was an item about the 150th Anniversary of the completion of the dome of the Capitol in Washington D.C., and incredibly, it was completed during the Civil War, which is even more amazing. And as you probably heard many times, the dome here in San Francisco, in this building is higher from ground to the top of the dome, than that dome is in Washington, but the point I was making is that buildings that are well-designed and particularly classic architecture, but it doesn't have to be, complimentary to the environment rather than detracting from the environment and you know – we've gotten the tendency where we are questioning certain projects or certain buildings as being detrimental to the natural setting. But I think the things like the Ferry Building, The Palace of Fine Arts, of course the City Hall, and many of -- the Legend of Honor – many of our classic buildings are a compliment to the environment, in fact, if we had no building at all, no habitants at all in San Francisco, it probably wouldn't be an interesting place. I think what makes San Francisco interesting as it is, is the built environment that we have. And in particular, I am interested in hearing - - I think we are going to have a presentation, although it is in the jurisdiction of the Presidio projects, and I am very favorable to the Lucas one, at looking at the design, sort of fits in to what my comments were. The second thing I want to talk about, which was also in that "60 Minutes" that night which was about Amazon and – most of the press has been about the drones that they were planning to be able to deliver their packages, but –we should take out the whole thing is that their growth has been astronomical, and if you notice the statistics from over the weekend, from Black Friday, and Cyber Monday, there was a huge increase in buying online and sort of flat at the stores where the brick and mortar stores. I think the lesson we need, is that, while we are concerned about formula retail and its competition with non-formula retail, independent stores of the same type or even not of the same type. I think their biggest threat to the small stores is probably comes from online buying. Not that there is anything wrong with it. Many of the companies here in the City support that type of thing. But, if we are trying to employ people and keep brick and mortar businesses, and particularly small ones in line. The important thing is to draw people out of their houses into the neighborhoods to actually shop. Because if everybody sits in front of their computer to do their shopping, then not only is the formula retail going to suffer, but also the small businesses. And it's my belief that well-designed and restricted architecturally formula retail businesses can often draw people into a neighborhood. Where they come to get a Starbucks Coffee and realize there are small stores around there. And so, but I think - as this discussion goes on, part of it is, what is the impact been of online shopping, which has to be discussed as part of the whole discussion that we have on the area of formula retail. And my third comment has nothing to do with "60 Minutes," but I did receive the memo that we got, regarding Senate Bill 743, and I think it's the elimination of LOS from what I understand and other measures that are used for matrixes. But it still deals with congestion and I believe we still will address the congestion both in terms of traffic, auto traffic and in terms of all other kind traffic on an area when we evaluate an environmental piece. And I think that we have to look at that, and look at the impact of parking garages and whether they help or don't help. Because, I think one of the reasons we have congestion, sometimes people are looking around for a place to park, rather than having easy access to a garage. Those are my thoughts.

Commissioner Sugaya:

I have one question. On the minutes, it's not a question about the minutes. But it's the way that things are identified. On 111 California, which was on Monday -- not Monday but on November 14th, I recused myself and in the minutes I am identified along with Commissioner Borden as being absent. Technically I guess I am absent.

Jonas Ionin, Commission Secretary:

In that particular case, Commissioner Sugaya, I remember because you were requested to recuse yourself from the previous item. And if you'll note on the minutes it shows you actually being recused. But we never

actually officially recused you from the subsequent item. But, because you were absent that's how we identified - chose to identify. Because technically speaking, you were not officially recused from both of those items, and so that's why it appears that way.

Commissioner Sugaya:

All right. That's fine. On the second item that I have, the Governor of California has an Annual Historic Preservation Award Program. And I think the Director's memo indicated that the Twin Peaks Tavern landmark recognition was recognized by the Governor. That was not the only thing in San Francisco that the Governor recognized. He recognized the Alice Carey's posthumously for her achievements here in California, and in the State, and nationally, actually. The second thing is that the Tenderloin Neighborhood Development Corporation was recognized for their work at the Kelly Collin Community Rehabilitation Project, which is the old Central YMCA building. Thirdly, well, the Twin Peaks Tavern I just mentioned, and then lastly the -- this is a little bit of a side, but the City of Richmond Redevelopment Agency and Orton Development Inc., were recognized for their work at the Ford Assembly Building in Richmond, but Orton Development is one of the developers at Pier 70 for the historic buildings there so, if you haven't been to the Ford Assembly Building, I encourage you all to go out there, it's a fabulous project. So, we are looking for good things to come from Orton out at Pier 70.

Commissioner Moore:

Just triggered by the mention of Pier 70, for those who have not received the announcement, this coming weekend, there, as well as at Fort Mason there is a Christmas fair. Which I think will be very interesting, because San Francisco made, and all of the local artists and artisans will be exhibiting, and I think it will be, very much - important for us to support that, and let the public know.

Commissioner Sugaya:

I forgot. Also, I think beginning maybe today through the month, there is an exhibit also at the Fort Mason Center, Mr. Hillis knows about it, co-sponsored by a number of groups. Italian Embassy and Consulate, and non-profit, I don't know the historical name, but there is a photo exhibit of world heritage sites in Italy, that's taking place.

Commissioner Fong:

Anything else happening at Fort Mason you want to report?

Commissioner Hillis:

I will be doing my one-man show.

Commissioner Borden:

I just wanted to recognize that last Saturday was Small Business Saturday, and I did see Regina Dick-Endrizzi out, of the Small Business Commission, Women Impacting Public Policy and the Chamber out in the neighborhoods promoting it, and raising awareness. I do want to point that out, because there was a conversation early about our neighborhood commercial corridors and supporting them.

7.

(J. IONIN: (415) 558-6309)

[PLANNING COMMISSION RULES & REGULATIONS](#) - Consideration of proposed amendments to the Commission Rules and Regulations.

SPEAKERS: = Sue Hestor – Complicated cases
 = Linda Chapman – Notice
 = Paul Werner – Availability of information
 = Hiroshi Fukuda – Inform the public
 = Tess Welborn – Public notice

ACTION: Reviewed and commented; placed proposed amendments on the December 19, 2013 Agenda

D. DEPARTMENT MATTERS

8. [Director's Announcements](#)

Director Rahaim:

Thank you, Commissioners, just a couple of announcements today, I did want to reiterate as Commissioner Sugaya mentioned about the Governor's Award. I just, specifically thank Moses Corrette for his research to make that designation of Twin Peak Tavern happen and Tim Frye for their work on that, it was a nice honor for staff, that we got that award. And I will acknowledge the other awards also, that Commissioner Sugaya mentioned for Alice Carey and TNDC, and for Richmond. Just as a side comment, that the Richmond Plant, that Ford Plant was designed by Albert Kahn, which is a Detroit based firm that I worked at for two years in my first two years out of architecture school. So, it was nice to see that building be reused in that fashion. Secondly, we had an open house last night to release the final draft of Recreation Open Space Element of the General Plan and the Green Connections Plan. We had a nice turn-out to reveal - - to announce the final drafts. Those drafts are - I think are coming to you today or perhaps next week. We anticipate both of those projects to come to you next year, early in the year, in January for your consideration. I am very excited about both of those. It's been a long time coming. We have been working closely with the Recreation & Park Department on the final Draft of the Recreation and Open Space Element, which is - we believe now, in great shape. And the Green Connections Plan, which essentially implements a good chunk of the Element and an important set of policies of the ROSE. So, we are very excited about those moving forward. Thirdly, I wanted to just spend a couple of minutes on the legislation that Commissioner Antonini mentioned which is Senate Bill 743, which changes some of our CEQA rules and methodologies. In addition, the most, I think, substantive change was that the Level of Service will be replaced with a different metric to assess traffic impacts. The timing of when that goes into effect is still relatively uncertain. It will not go into effect until there are actually rules made at the State level, which is the Natural Resources Agency. We think that's not going to happen until early 2015 at this point. So, we still have a long way to go, to actually to implement what that change it might be, but it does set the stage for us to replace Level of Service, but frankly, we've wanted to do it for a very long time, anyway. And it does change our thinking about the Transportation Sustainability Program, which we have been working on to replace Level of Service anyway, but it does change how we have to do that and what kind of considerations we might make. But there are some other changes in the SB-743 that effect how we do CEQA analyses, as well. One specifically, is related to projects that are in, what are called the Transit Priority Area, which actually is most of San Francisco and a project on an in-fill site, which is also most of the City. In those cases, two areas will not be considered significant impacts anymore. One is aesthetics and one is parking. Now with respect to aesthetics we are still working on our own procedures to make sure that there are visual analyses that are included in the document. What this does is simple change whether - simply removes aesthetics as impact per CEQA. And the same with parking, as you may remember, there have been some back and forth of some court cases about parking impacts in recent years. This finally resolved that issue by removing parking as a significant impact under CEQA and that as I understand will go into effect immediately. So, those changes, are the changes that the Governor put forward and the Senate and the Legislature passed this past year. And we will keep you up to date on the Level of Service. That's an important part of analysis. It's probably the single most time consume aspect how we do our CEQA reviews. And a change will be welcome in looking at traffic and impacts in a more reasonable way, in the future. That concludes my report unless there are questions, thank you.

9. Review of Past Week's Events at the Board of Supervisors, Board of Appeals and Historic Preservation Commission

BOARD OF SUPERVISORS:

No Report

BOARD OF APPEALS:

No Report

HISTORIC PRESERVATION COMMISSION:

Good afternoon Commissioners, Tim Frye, Department staff, here to share with you a couple of items from yesterday's Historical Preservation Commission hearing. Before the regular hearing, the Architectural Review Committee met to review the proposal for the new Apple Store on Union Square. The Architectural Review Committee commended the design team on the proposed plaza and the incorporation of the Ruth Asawa fountain within the overall design. However, the Committee still raised some concerns about the overall design compatibility of the new store within the Kearny-Market-Mason-Sutter Conservation District. Specifically, their questions surrounded the lack of transparency at the pedestrian level along Stockton Street and the scale and proportion of the glass wall along Post Street. The Department will continue to work with the design team and the ARC members, and the hope is that we can bring something before the Commissions early next year. The Port Authority and Orton Development also gave a short informational presentation to the full Commission. The informational presentation surrounded the rehabilitation and reuse of 10 historic buildings that make up the historic core on Pier 70. The Commission responded favorably to the initial concepts proposed for the project. And has asked Orton and the Port to come back early next year to provide more detailed information and drawings on how they propose to approach each of those buildings and its adapted reuse. The HPC also recommended approval to the Board of Supervisors for eight Mills Act contracts. Seven of those Mills Act contracts will be - are coming from the newly designated Duboce Park Landmark District and one is for the Burr House at 1772 Vallejo Street. The Board of Supervisors will hear those items at a future hearing. And then finally, the HPC approved Permits to Alter for the San Francisco Furniture Mart Building, and 200 California Street in the Front-California Conservation District, the HPC also granted Certificates of Appropriateness for the projects in Alamo Square and the Liberty Hill Landmark Districts. I am happy to give you any details of those approvals if you'd like them. That concludes my comments today.

E. 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. However, for items where public comment is closed this is your opportunity to address the Commission. With respect to all other 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: Lisa Chapman – Deals
Sue Hestor – Area Plan presentation information request

F. REGULAR CALENDAR

10. (C. LAMORENA: (415) 575-9085)
CONDOMINIUM CONVERSION SUBDIVISION - Informational Presentation to discuss recent legislation to condominium conversion procedures and processes.

SPEAKERS: Bruce Sterns – DPW, Presentation

ACTION: None – Informational

11. [2012.0518I](#) (S. VELLVE: (415) 558-6263)
KAISER PERMANENTE'S INSTITUTIONAL MASTER PLAN (IMP) - Public Hearing to review and receive comments on Kaiser Permanente's **Institutional Master Plan (IMP)**, pursuant to Planning Code Section 304.5. The IMP contains information on the nature and history of the institution, the location and use of affiliated buildings, and future development plans. The IMP is available for viewing on the Planning Department's website (from www.sfplanning.org click "Resource Center", then "Department Publications" and scroll to "Institutional Master Plans").
 Preliminary Recommendation: None. This item is to provide information and to receive comments.

SPEAKERS: + Randy Wittard – Kaiser IMP

ACTION: Reviewed and commented

- 12a. [2012.0605BEKUX](#) (E. WATTY: (415) 558-6620)
300 CALIFORNIA STREET - at the northwest corner Battery Street and California Street; Lot 002 in Assessor's Block 0238 - **Request for Determination of Compliance** pursuant to Planning Code Section 309, with exceptions to the requirements for "Reduction of Ground-Level Wind Currents in C-3 District", "Upper Level Setbacks", and "Off-Street Loading." The proposed project is to construct a four-story, 56,459 gsf vertical addition to an existing eight-story office building with ground floor retail space. The project site is located within a C-3-O (Downtown Office) Zoning District and 400-S Height and Bulk District. This action constitutes the Approval Action for the project for the purposes of CEQA, pursuant to Section 31.04(h) of the San Francisco Administrative Code.
 Preliminary Recommendation: Approve with Conditions

SPEAKERS: + John Kevlin – Project description
 + Steve Marshall – Project architecture
 + Alex Walker – Reasonable review of exemptions
 + John Rabu – Alternative designs

ACTION: Approved with Conditions as amended to include that the Project Sponsor continue to work with staff on the final design and that it be presented to the Commission as a future informational item.

AYES: Wu, Antonini, Borden, Hillis, Sugaya

NAYES: Moore

ABSENT: Fong

MOTION: 19033

- 12b. [2012.0605BEKUX](#) (E. WATTY: (415) 558-6620)
300 CALIFORNIA STREET - at the northwest corner of Battery Street and California Street; Lot 002 in Assessor's Block 0238 - **Request for Allocation of Square Footage** pursuant to Planning Code Sections 321 and 322 (the Annual Office Development Limitation Program). The proposed project is to construct a four-story vertical addition containing approximately 56,459 gsf of office uses, to an existing eight-story office building with ground floor retail space. The project site is located within a C-3-O (Downtown Office) Zoning District and 400-S Height and Bulk District.
 Preliminary Recommendation: Approve

SPEAKERS: + John Kevlin – Project description
+ Steve Marshall – Project architecture
+ Alex Walker – Reasonable review of exemptions
+ John Rabu – Alternative designs
ACTION: Approved with Conditions
AYES: Wu, Antonini, Borden, Hillis, Sugaya
NAYES: Moore
ABSENT: Fong
MOTION: 19034

G. 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 with one exception. When the agenda item has already been reviewed in a public hearing at which members of the public were allowed to testify and the Commission has closed the public hearing, your opportunity to address the Commission must be exercised during the Public Comment portion of the Calendar. Each member of the public may address the Commission for up to three minutes.

The Brown Act forbids a commission from taking action or discussing any item not appearing on the posted agenda, including those items raised at public comment. In response to public comment, the commission is limited to:

- (1) responding to statements made or questions posed by members of the public; or
- (2) requesting staff to report back on a matter at a subsequent meeting; or
- (3) directing staff to place the item on a future agenda. (Government Code Section 54954.2(a))

ADJOURNMENT – 4:07 P.M.