

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, June 12, 2014
12:00 p.m.
Regular Meeting

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

THE MEETING WAS CALLED TO ORDER BY PRESIDENT WU AT 12:10 P.M.

STAFF IN ATTENDANCE: John Rahaim – Planning Director, Scott Sanchez – Zoning Administrator, Diego Sanchez, Omar Masry, Casey Noel, Eilish Tuffy, Kearstin Dischinger, Mathew Snyder, Lily Langlois, Steve Wertheim, 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. 2014.0225C (C. GROB: (415) 558-6372)
1998 POLK STREET - located between Pacific and Jackson, Assessor's Block 0596, Lot 024.
Request for Conditional Use authorization to allow a change of use from a Limited Restaurant to a Restaurant (d.b.a. Belcampo), which will operate as a Bona Fide Eating Place, pursuant to Planning Code Sections 303, 723.44, and 790.91 The property is located in the Polk Street Neighborhood Commercial District, and a 65-A Height and Bulk District.
(Proposed for Continuance to June 26, 2014)

SPEAKERS: None
 ACTION: Continued to June 26, 2014
 AYES: Wu, Fong, Antonini, Borden, Hillis, Moore, Sugaya

- 2a. [2013.0627BC](#) (R. SUCRE: (415) 575-9108)
660 3RD STREET - located between Brannan and Townsend Streets, Lot 008 in Assessor's Block 3788 - **Request for an Office Development Authorization** under Planning Code Section 321 to establish up to 80,000 gsf of office space within the South End Landmark District, SLI (Service/Light Industrial) 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 Section 31.04(h) of the San Francisco Administrative Code.
 Preliminary Recommendation: Approve with Conditions
 (Continued from Regular Meeting of May 1, 2014)
NOTE: On May 1, 2014, After being pulled off of Consent, closing public comment and a Motion to Approve with Conditions failed to receive Second; Continued to June 12, 2014 by a vote of +6 -1. Commissioner Sugaya voted against.
(Proposed for Continuance to June 26, 2014)

SPEAKERS: None
 ACTION: Continued to June 26, 2014
 AYES: Wu, Fong, Antonini, Borden, Hillis, Moore, Sugaya

- 2b. [2013.0627BC](#) (R. SUCRE: (415) 575-9108)
660 3RD STREET - located between Brannan and Townsend Streets, Lot 008 in Assessor's Block 3788 - **Request for a Conditional Use Authorization**, pursuant to Planning Code Sections 303, 803.9(a), and 817.48, for a change in use of 80,000 gsf from PDR (Production, Distribution and Repair) to office use. 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. The subject property is located within the South End Landmark District, SLI (Service/Light Industrial) Zoning District, and 65-X Height and Bulk District.
 Preliminary Recommendation: Approve with Conditions
 (Continued from Regular Meeting of May 1, 2014)
NOTE: On May 1, 2014, After being pulled off of Consent, closing public comment and a Motion to Approve with Conditions failed to receive Second; Continued to June 12, 2014 by a vote of +6 -1. Commissioner Sugaya voted against.
(Proposed for Continuance to June 26, 2014)

SPEAKERS: None
 ACTION: Continued to June 26, 2014
 AYES: Wu, Fong, Antonini, Borden, Hillis, Moore, Sugaya

3. 2014.0434T (D. SÁNCHEZ: (415) 575-9082)
APPLICATION INFORMATION ON ANTI-DISCRIMINATION HOUSING POLICIES [BOARD FILE 14-0235] - The Planning Commission **consideration of a proposed Ordinance** requiring the Planning Department to include certain informational questions regarding anti-discriminatory housing policies based on sexual orientation and gender identity on a project sponsor's application for residential and mixed-use projects proposing at least 10 dwelling units, requiring an annual report from the Human Right Commission on the data collected from such applications and affirm the Planning Department's determination

under the California Environmental Quality Act, and make findings of consistency with the General Plan and priority policies of Planning Code Section 101.1.

Preliminary Recommendation: Adopt a Recommendation for Approval with Alternatives
(Continued from Regular Meeting of May 15, 2014)

(Proposed for Continuance to July 10, 2014)

SPEAKERS: None
ACTION: Continued to July 10, 2014
AYES: Wu, Fong, Antonini, Borden, Hillis, Moore, Sugaya

4. 2011.0919C (O. MASRY: (415) 575-9116)
1010 BUSH STREET - at the northwest corner of Bush and Jones Streets, Lot 007 in Assessor's Block 0276 - **Request for Conditional Use Authorization** under Planning Code Sections 209.6(b) and 303 to allow a wireless telecommunications services (WTS) facility operated by AT&T Mobility. The proposed macro WTS facility would feature nine (9) panel antennas on the roof of the existing four-story tall, mixed-use building. Three (3) of the antennas would be mounted behind two (2) new screening enclosures attached to the east facing wall of an existing rooftop penthouse. The remaining six (6) antennas would be mounted on the roof of the existing rooftop penthouse. Related electronic equipment would be located on the roof and in a basement room. The facility is proposed on a Location Preference 5 Site (Preferred Location; Mixed-Use Buildings in High Density Districts) within a RC-4 (Residential-Commercial, High Density) Zoning District, and 65-A 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
(Continued from Regular Meeting of May 22, 2014)
(Proposed for Indefinite Continuance)

SPEAKERS: None
ACTION: Continued Indefinitely
AYES: Wu, Fong, Antonini, Borden, Hillis, Moore, Sugaya

B. CONSENT CALENDAR

All matters listed hereunder constitute a Consent Calendar, are considered to be routine by the Planning Commission, and may be acted upon by a single roll call vote of the Commission. There will be no separate discussion of these items unless a member of the Commission, the public, or staff so requests, in which event the matter shall be removed from the Consent Calendar and considered as a separate item at this or a future hearing.

5. [2013.1584Q](#) (C. NOEL: (415) 575-9125)
219 CUMBERLAND STREET - at the south side of Cumberland between Sanchez and Church Streets on Assessor's Block 3600, Lot 042 - **Request for Condominium Conversion Subdivision** to convert a two-story-over-garage, six-unit building within a RH-2 (Residential, House, Two-Family) Zoning District, 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

SPEAKERS: None
 ACTION: Approved
 AYES: Wu, Fong, Antonini, Borden, Hillis, Moore, Sugaya
 MOTION: 19168

6. [2013.1506Q](#) (C. NOEL: (415) 575-9125)
1609-1617 NOE STREET - at the east side of Noe between 29th and Day Streets on Assessor's Block 6631, Lot 048 - **Request for Condominium Conversion Subdivision** to convert a three-story, six-unit building within a RH-2 (Residential, House, Two-Family) Zoning District, 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

SPEAKERS: None
 ACTION: Approved
 AYES: Wu, Fong, Antonini, Borden, Hillis, Moore, Sugaya
 MOTION: 19169

7. [2013.1656C](#) (D. HARRIS: (415) 575-9102)
722 SOUTH VAN NESS AVENUE - westside between 18th and 19th Streets; Lot 003 in Assessor's Block 3590 - **Request for Conditional Use Authorization**, pursuant to Planning Code Sections 209.3(f), 303, and 317 to convert a single-family dwelling that served as the former parish house of the adjacent Korean Presbyterian Church into an approximately 4,000 square foot child-care facility for a maximum of 50 children within a RTO-M (Residential, Transit-Oriented - Mission Neighborhood) Zoning District, the Mission Alcoholic Beverage Special Use Subdistrict, Fringe Financial Service Restricted Use District, and 50-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.
 (Continued from Regular Meeting of May 15, 2014)
 Preliminary Recommendation: Approve with Conditions

SPEAKERS: None
 ACTION: Approved with Conditions
 AYES: Wu, Fong, Antonini, Borden, Hillis, Moore, Sugaya
 MOTION: 19170

8. [2014.0176C](#) (E. TUFFY: (415) 575-9191)
2200B MARKET STREET - northwest corner of Market Street and Sanchez Street; Lot 054 in Assessor's Block 3560 - **Request for Conditional Use Authorization**, pursuant to Planning Code Sections 303, 733.41 and 733.48 to establish a Bar use (d.b.a. Project 22) with a Type 42 ABC license and install up to 10 arcade games (mechanical amusement devices) in a ground floor commercial space. The subject property is located within the Upper Market Street Neighborhood Commercial Transit (NCT) Zoning District, 40-X and 60/65-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: Wu, Fong, Antonini, Borden, Hillis, Moore, Sugaya
 MOTION: 19171

9. [2014.0647Z](#) (D. SÁNCHEZ: (415) 575-9082)
ZONING MAP AMENDMENT – MCCOPPIN PLAZA [BOARD FILE14-0283] - Zoning Map Amendment, to re-zone the McCoppin Plaza property, located on McCoppin Street from Valencia Street to its terminus on Market Street, from NCT-3/85-X, 40-X (Moderate Scale Neighborhood Commercial Transit) to P/OS (Public Use); and making environmental findings, Planning Code Section 302 findings and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.
 Preliminary Recommendation: Adopt a Resolution Recommending Approval

SPEAKERS: None
 ACTION: Adopted a Resolution Recommending Approval
 AYES: Wu, Fong, Antonini, Borden, Hillis, Moore, Sugaya
 RESOLUTION: 19172

C. COMMISSION MATTERS

10. 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.

Jonas Ionin, Commission Secretary:

Commissioners, I just want to follow up on the matter that was raised at last week's hearing by Commissioner Moore regarding Conditions of Approval at 1433 Bush Street. Specifically, I went back and re-reviewed that hearing tape and indeed the staff presenter, Glenn Cabrerros, did indeed read the amendment regarding the on-site affordability component into the record during his presentation, so I just wanted to follow up with all you and members of the viewing audience.

Commissioner Antonini:

Yeah, interesting article that will be pertinent, I think, for our discussion that follows and it was in the New York Times on Sunday, June 8th and it dealt with affordable housing in New York City and the system there is different than what we have here. It's a voluntary system. If the builder/sponsor does agree to it, they have to provide 20 percent affordable and in return they get 33 percent more square footage. It appears to not be very popular because only 3,000 units have been built in New York City between 2005 and 2013. I guess, only 2,000 or 3000 affordable units. There's a state law in New York on density, so that's another factor, but one of the reasons that it was felt there hasn't more built, that it too expensive to build those units at that high affordability level and that most sponsors opt not to do it. So anyway, just interesting we'll be discussing similar matters later on today.

Commissioner Sugaya:

Yes, to staff, could we get a report I don't know if action was taken, but the City was considering selling property at the 100 Folsom project and I was wondering whether there was any increase in the affordability percentage associated with that, since it was City property, that's going to a private developer.

D. DEPARTMENT MATTERS

11. Director's Announcements

No Report

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

LAND USE COMMITTEE:

- **140236 Planning Code - Mission Alcoholic Beverage Special Use District. Sponsor: Campos.** This Ordinance would amend the Mission Alcoholic Beverage SUD to allow mini-golf courses that are functionally and/or physically integrated with a Restaurant use to obtain liquor licenses. This Commission heard this item on May 22, 2014, and recommended approval of the proposed Ordinance with the following modifications:
 - Modifying subsection (b)(1)(C) so that the uses "bowling alleys" and "mini-golf courses" are replaced with "Other Entertainment uses that do not require a Place of Entertainment Permit."
 - Clarifying that the uses listed under subsection (b)(1), which includes bona-fide eating establishments, are allowed new, original ABC licenses

Supervisor Campos did not amend the Ordinance to include the Commission's first recommendation, because of community concerns over the proliferation of alcohol establishment in the district; however, Supervisor Wiener felt that that Commission's recommendation was appropriate and would allow other entertainment uses to open in the Mission District without having to introduce another Ordinance. The Committee voted to include the Commission's first recommendation, which meant that the Ordinance had to be continued for one week before it could be voted on and sent to full Board for adoption.

140414 General Plan - Repealing Ordinance No. 108-11 - Adoption of 2009 Housing Element (Mohan, Dischinger) The 2009 Housing Element was heard at the Land Use Committee. The 2009 Housing Element is currently under litigation as a result of a lawsuit by San Franciscans for Livable Neighborhoods, an association of neighborhood groups, who challenged the 2004 and 2009 Housing Element EIR and the adoption of the 2009 Housing Element in the San Francisco Superior Court. The Court ordered the City to set aside its certification of the EIR and reconsider the approval of the 2009 Housing Element. The commission heard this item on March 27, 2014 at its initiation and again at the April 24, 2014 hearing to recommend its adoption. The item was forwarded to the full board to be heard on June 17, 2014 without recommendation due to the pending CEQA appeal filed by the Petitioners. (I think the CEQA appeal prevents the board from making a recommendation)

FULL BOARD OF SUPERVISORS:

5/27/14

- **Designation of 1007 Market Street (aka James G. Walker Building).** This item proposes to change the Article 11 designation for 1007 Market Street from a Category V (Unrated) building to a Category III (Contributory) building. The Board passed this item on the first read without any significant comment from the Supervisors. It will receive its second reading next week.
- **Calle 24 Latino Cultural District.** The Board voted on the revised Resolution that removed Precita Park from the Cultural District.

INTRODUCTIONS:

- None

BOARD OF APPEALS:**Jonas Ionin, Commission Secretary:**

Commissioners, Zoning Administrator, Scott Sanchez is not in attendance, but he did forward his Board of Appeals report to me. There are two items that maybe of interest to the Planning Commission. The first is 740 Bay Street. The appeal was related to the addition of features to a previously approved roof deck including fire pit, barbeque and planters. The appellant argued that they did not receive notice of the roof-deck, however, the roof-deck was the subject of a DR filed by the appellant that was heard by the Planning Commission in January of 2013. At that hearing the Commission modified the project to require opaque windows on a proposed 3rd floor addition, but did not modify or restrict the roof deck. The Board of Appeals voted to deny the appeal and uphold the permit. The second is 518 Castro Street. This appeal was related to a lease of suspension for permit that authorized a pharmacy and medical service use. The pharmacy had previously been identified as the Aids Health Care Foundation Pharmacy, which is a formula retail use. The permit holder subsequently revised the project to identify the use as the Castro Pharmacy, which does not maintain two or more standardized features and is not categorized as a formula retail use. The Planning Code states that the permit holder bears the burden of proof to the City that they are not a formula retail use. The Board of Appeals continued the item to August 20, 2014, and required the permit holder submit additional information to justify their claim, that they would not operate as a formula retail use. During this time, the permit holder could still seek a CU for formula retail use to allow the AHF Pharmacy at the property.

HISTORIC PRESERVATION COMMISSION:

No Report

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. 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.

None

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.

16. [2014.0348TE](#) (K. DISCHINGER: (415) 558-6284)
AFFORDABLE HOUSING UNIT DENSITY EXCLUSION – Planning Code Amendment to exclude Affordable Housing Units from density calculations under certain conditions (File No. 140036)]. Ordinance introduced by Supervisor Weiner amending Planning Code Section 207 to revise some of the existing rules for calculating dwelling unit densities, and exclude affordable housing units from density calculations under certain conditions; and adopting findings, including environmental findings, Planning Code Section 302 findings, and findings of consistency with the General Plan and the priority policies of Planning Code Section 101.
 Preliminary Recommendation: Adopt a Resolution Recommending Approval

SPEAKERS: + Supervisor Weiner – Amendment description
 = Jim Meko – Mayor’s Office working group review of affordable housing issue should be considered prior to this legislation moving forward
 ACTION: After being called out of order; Adopted a Resolution Recommending Approval as Amended
 AYES: Wu, Fong, Antonini, Borden, Hillis, Moore, Sugaya
 RESOLUTION: 19173

13. (J. RAHAIM: (415) 558-6411)
THE CANDLESTICK POINT DEVELOPMENT PROJECT - Information Presentation on the update of the implementation of the Candlestick Point Development Project and the Project’s proposed street designs and widths. The Candlestick Point development project was originally approved by the Planning Commission and Board of Supervisors in 2010 along with Hunters Point Shipyard Phase II, both within active Redevelopment Project Areas under the jurisdiction of the Office of Community Investment and Infrastructure (OCII). The Project Sponsor has applied Subdivision Map approval for the entire Candlestick portion of the project as one of the first steps to its implementation. As a part of that process, DPW, OCII, SFMTA, the San Francisco Fire Department, and Planning, have been in discussions regarding the appropriate widths and design of streets.
 Preliminary Recommendation: None – Informational

SPEAKERS: = Tyler Frisbee, Bicycle Coalition – Concerned about street widening negative impact to pedestrians and bicycle safety
 ACTION: None – Informational

14. [2014.0556U](#) (L. LANGLOIS: (415) 575-9083)
VISION ZERO – Consideration of a Resolution supporting Vision Zero and help the City to reduce traffic fatalities to zero by the year 2024.
 Preliminary Recommendation: Adopt

SPEAKERS: + Megan Wier, DPH – Pedestrian safety
 + Tyler Frisbee, – Critical issue
 = Sue Hestor – Market Street traffic control
 + Nicole Schneider – Project coordination, Planning Department role and responsible

+ John Elberling, TODCO – Strong support mitigations
 ACTION: Adopted
 AYES: Wu, Fong, Antonini, Borden, Hillis, Moore, Sugaya
 RESOLUTION: 19174

15. (S. WERTHEIM: (415) 558-6162)
PRODUCTION, DISTRIBUTION, AND REPAIR IN SAN FRANCISCO - Informational presentation
 on the state of Production, Distribution, and Repair (PDR) uses in San Francisco, including
 the types and locations of PDR jobs, their economic and demographic characteristics, and
 the strengths, weaknesses, opportunities, and threats to this sector.
 Preliminary Recommendation: None – Informational

SPEAKERS: = Ken Rich, OEWD – PDR economic growth
 - Jim Meko – Inconsistency of the Planning Department’s approach on PDR,
 conversion and office
 + Sonja Kos – Planning Department work
 = Sue Hestor – PDR
 + Kate Cypress - Enforcement
 ACTION: None – Informational

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))

SPEAKERS: Sue Hestor – Environmental review and long term planning, request for hearing

ADJOURNMENT – 3:31 P.M.