

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 26, 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 12:09 P.M.

STAFF IN ATTENDANCE: John Rahaim – Planning Director, Scott Sanchez – Zoning Administrator, Carly Grob, Kate Connor, Mathew Snyder, Doug Vu, Mary Woods and 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. [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 a Second; the matter was Continued to June 12, 2014 by a vote of +6 -1 (Sugaya against).
(Proposed for Continuance to August 14, 2014)**

SPEAKERS: None
ACTION: Continued to August 14, 2014
AYES: Wu, Fong, Antonini, Borden, Hillis, Moore
ABSENT: 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

2. [2014.0225C](#) (C. GROB: (415) 575-9138)
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.
Preliminary Recommendation: Approve with Conditions
(Continued from Regular Meeting of June 12, 2014)

SPEAKERS: None
ACTION: Approved with Conditions
AYES: Wu, Fong, Antonini, Borden, Hillis, Moore
ABSENT: Sugaya
MOTION: 19180

C. COMMISSION MATTERS

3. Consideration of Adoption:
 - [Draft Minutes for June 12, 2014](#)

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

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.

4. 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 Moore:

I would like to make a comment on the item we just approved on consent and that is the incredible transformation of value. The addition of this small one of a kind retail store has made to the building, which was very controversial when we approved it here. That particular store has almost transformed the building. It is amazing, because all of a sudden the attention goes to the ground floor, which is very active. It's a very nice store, I'm vegetarian, I don't shop there, that's another story, but it's quite beautiful and I'm extremely happy to see that as an addition to that particular neighborhood corridor.

Commissioner Antonini:

Unfortunately, some disappointing developments in the last few days, which many of you are familiar with. America's Cup, the Lucas Museum and today in the Chronicle mentioned that we may have a problem with funding for the park on the top of the Transbay Terminal. These are all very sad events and particularly with reference to the situation in the Presidio, although the Presidio Trust is entirely separate from the City and County of San Francisco, a lot of the attitudes may have rubbed off on them because obviously the kind of process that Lucas had to go through led to the fact that he's moving to Chicago now, and I don't quite really understand all of it. Seems like we were really good, we used to make something out of nothing. Now we make nothing out of something. This return to nature and all these concerns are sometimes overdone, but -- and then in regards to the park at Transbay, if the paper report is correct we're short in funding there and I know that there's quite a bit of money coming out of Mello-Roos already, they have a lot of needs that have to be met, but the numbers involved here as was the case with the America's Cup, in terms of a city that's got a budget of 7 or 8 billion dollars, it's not a lot. I mean, I think we've got to find a way out of our funding to get that park built at the same time the terminal is finished. Whatever can be worked out with the other parties there between the Transbay Authority and the individual builders and sponsors in the area who have obligations, that is also encouraged, but I think regardless of what happens, a city that spends 150 million a year on homeless situations without any noticeable improvement and spends 500 million with non-profits with -- I am not quite sure with what most of them are improving as far as the quality of life, we certainly can find 5 or 10 million to get some of these jobs done. It's just unfortunate that we often have an attitude that was maybe typified unfortunately by the Italian soccer team last, a few days ago. When you play to tie or play not to lose, you end up losing, and you know, we know that from prevent defenses in the NFL, prevent defenses end up causing -- it prevents you from winning and I think we've gotta have a little more positive attitude in San Francisco and go out after things and willing to spend the money to make things happen, so let's hope that we find people, like hopefully the Warriors, who have enough interest in being here that would put up with the process and put up with the cost to get to San Francisco, but we can't expect everybody to have that much perseverance.

D. DEPARTMENT MATTERS

5. Director's Announcements

Director Rahaim:

Good afternoon, Commissioners, if I may, on the issue of the park, I was a bit surprised to see that in the paper as well, we are looking into the specifics of that that was clearly not the intent. The intent was the park open with the terminal, clearly the surrounding property owners were also -- had that expectation, so we are looking into the details on that. Secondly, Commissioners, I wanted to, when, I will put Kate on the spot right now, I wanted to announce that I will be selecting Kate Conner as our new Housing Implementation Specialist, as you know this was a position that was placed in the budget at your request to talk for a person who does all things housing all the time. Kate has shown a lot of experience dealing with housing issues. She'll be working on a number of housing issues - - policy issues and also project issues to move projects through the process across departments working in a number of different housing related projects, so we welcome Kate to her new position. And that concludes my report, thank you.

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

LAND USE COMMITTEE:

140036 Dwelling Unit Density Bonus for Affordable Housing. Sponsor: Wiener. The Committee considered Supervisor Wiener's legislation that adjusts density calculations and exempts affordable units from density limits when projects have 20% or more affordable units on site. This Commission heard this item on June 12, and unanimously recommended that the Board adopt the proposed ordinance. The committee made some minor amendments to the administrative process, after which the item was passed unanimously by Committee. Both Supervisors Kim and Cohen added their names as co-sponsors. Item will be considered by the BOS on July 8th and 15th.

FULL BOARD OF SUPERVISORS:

- **140414 General Plan - Adoption of 2009 Housing Element.** Passed on Second Read
- **140413 General Plan - Amendments Related to the 2014 Update of the Recreation and Open Space Element. Sponsor: Department/Commission.** Continued to July 8.
- **140236 Planning Code - Mission Alcoholic Beverage Special Use District. Sponsor: Campos.** This Ordinance would amend the Mission Alcoholic Beverage SUD to allow Other Entertainment Uses 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 modifications. This Ordinance passed its first read without any discussion.

INTRODUCTIONS:

- **140736. Interim Zoning Controls - Formula Retail Uses in the Castro Street Neighborhood Commercial District.** Resolution imposing interim zoning controls for an 18-month period in the Castro Street Neighborhood Commercial District to require a Conditional Use authorization by the Planning Commission for a proposed use that has been determined to be Formula Retail even if a project sponsor subsequently removes one or more distinguishing Formula Retail Use features from the project proposal. Since this item is imposing interim zoning controls it is not required to be reviewed by this Commission. Introduced by Supervisor Wiener.
- **140724. Planning Code - Uses Greater than 25,000 Square Feet in the Regional Commercial District and Nighttime Entertainment Uses in Western SoMa.** Ordinance amending the Planning Code to

delete the prohibition against a non-residential use exceeding 25,000 square feet in the Regional Commercial District; to authorize a nighttime entertainment use in the WMUO District within 200 feet of any property within a Residential Enclave or Residential Enclave-Mixed District where a nighttime entertainment use existed within five years prior to an application to re-establish the use. Sponsored by Kim, Campos, and Wiener.

- **140735. Interim Zoning Controls - Office Conversion in Landmark Buildings in PDR-1-D and PDR-1-G District.** Resolution imposing interim zoning controls requiring conditional use authorization for office conversion in landmark buildings in PDR-1-D and PDR-1-G Districts for an 18-month period. Kim

Reintroductions

Supervisor Chiu reintroduced portions of the NE Legislation based on Planning Commission Recommendations and community feedback. The introduction of these Ordinances leaves just the sign control changes left from the NE Ordinance not yet reintroduced. The items were heard by this commission, way back in 2012. The reintroduced Ordinances do not substantially differ from what was before this commission; therefore these items will, thankfully, not be coming back for your review.

- **120473. Planning Code - Accessory Uses; Conformity of Uses.** Ordinance amending the Planning Code to allow exceptions from Code requirements for historic buildings or when converting a nonconforming use in an existing building to a permitted residential use; modify the requirements for surface parking lots; modify conformity, accessory use, streetscape and public open space requirements in specified use districts; and remove references to deleted sections of the Code.
- **110548. Planning Code - Automotive Uses; Parking Requirements - Washington-Broadway, Waterfront, Van Ness, and Jackson Square Special Use Districts.** Ordinance amending the Planning Code to: 1) delete minimum parking requirements for specified zoning districts and make maximum parking requirements in specified zoning districts consistent with the requirements in NCT Districts; 2) remove conditional use requirements for higher residential densities in specified zoning districts; 3) make surface parking lots a nonconforming use in the Washington-Broadway Special Use District; 4) make Automotive Use definitions consistent and delete references to deleted sections of the Code; and 5) amend the Zoning Map to consolidate the two Washington-Broadway Special Use Districts and revise the boundaries.

Civil Grand Jury.

- **“The Port of San Francisco, Caught Between Public Trust and Private Dollars” of June 24.** The Jury investigated whether there are other options for the use and development of Port property that better meets the desires and needs of the City's residents, and whether there is sufficient public input in determining the best ways to meet Public Trust requirements. The report makes 10 recommendations and the Planning Department is asked to respond to 4 recommendations. We are required to respond within 60 days, and we anticipate responding in mid-August.

BOARD OF APPEALS:

Good afternoon, President Wu and Commissioners, Corey Teague, Planning Department staff. The Board of Appeals did hold a hearing last night and there were two items on their agenda that may be of interest to this Commission. Both of those cases were extremely similar. They were both situations where a single family home had an illegal unit on the ground floor. There were building permits applied for and approved

by the Planning Department and the Building Department and those permits were issued to do the necessary work to remove those illegal units. Both of the appellants claimed that the Mayor's Executive Directive regarding affordable housing and the removal of units, both legal and illegal, should apply in their situation, however, that directive only requires the DR process in that scenario, if the existing building contains three or more dwelling units and that was not the scenario for either of these cases, and the Board of Appeals upheld both building permits. Those are the only cases at the Board of Appeals last night that were relevant to the Planning Commission.

HISTORIC PRESERVATION COMMISSION:

No Report

7. [2008.1971CEKX](#) (C. GROB: (415) 575-9138)
942 MISSION STREET – **Informational Item** – Presentation of the 1% Public Art Requirement for a newly constructed hotel. The hotel was approved on December 16, 2010.

SPEAKERS: + (M) Speaker – Art installation proposal introduction
 + K.P. – Artist's presentation

ACTION: Reviewed and Commented

8. [2008.0762EMZC](#) (K. CONNER: (415) 575-6914)
835-845 JACKSON STREET- CHINESE HOSPITAL - **Informational Item** - Final design for the proposed hospital. The hospital was approved by the Planning Commission on July 12, 2012.

SPEAKERS: + Linda Schumaker – Project overview
 + David Wilson – Design enhancements

ACTION: Reviewed and Commented

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.

SPEAKERS: Patricia Vaughey – Chinese Hospital

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.

9. [2007.0168C](#) (M. SNYDER: (415) 575-6891)
THE 22.5-ACRE HUNTERS VIEW PUBLIC HOUSING DEVELOPMENT: Middle Point and West Point Roads and Wills and Hare Street, Lots 003, 004, and 009 in Block 4624 and an adjacent vacant property, a portion of Keith Street, Lot 027 in Block 4720 - **Informational**

Presentation on Phase II Block 10 for the proposed project approved under Planned Unit Development / Conditional Use Case No. 2007.0168C. The Project in its entirety consists of demolishing and replacing all of the existing Housing Authority units and constructing additional units resulting in approximately 800 dwelling units, 6,400 square feet of resident-serving commercial uses, 21,600 square feet of residential care and other supportive services, along with new streets, parks, and other open space. Phase II includes the build out of two additional development blocks, about six blocks of new roadway, along with other public improvements. Block 10 would include 72 dwelling units and 18-off street parking spaces, and a child care center. This informational presentation is required as a Condition of Approval, Planning Commission Motion No. 17621. The subject site is within a RM-1 (Residential, Mixed, Low-Density) District, the Hunters View Special Use District, and 40/65-X Height and Bulk District.

Staff Recommendation: None - Informational

SPEAKERS: + Catherine Edsel – Project presentation
+ David Simons
ACTION: None – Informational

10. [2005.0694U](#) (M. SNYDER: (415) 575-6891)
2558 MISSION STREET In-Kind Agreement - Approving an impact fee waiver for 2558 Mission Street in the amount of \$520,000 to provide streetscape improvements on Bartlett Street between 21st and 22nd Streets for streetscape pergola structures based on the completion of an **In-Kind Agreement** between the Project Sponsor and the City; making environmental finding and findings of consistency with the General Plan and the eight priority policies of the Planning Code Section 101. These improvements were identified in the Mission District Streetscape Master Plan and would be provided to satisfy a portion of project's impacts fees, subject to the Eastern Neighborhoods Area Plan.
Preliminary Recommendation: Approve

SPEAKERS: None
ACTION: Withdrawn

- 11a. [2011.0477CV](#) (D. VU: (415) 575-9120)
1900 19th AVENUE - east side of 19th Avenue at Ortega Street; Lot 028 in Assessor's Block 2116, and north side of Ortega Street between 18th and 19th Avenues; Lot 019A in Assessor's Block 2055 - **Request for Conditional Use Authorization**, pursuant to Planning Code Sections 157, 303, 703.4, 710.21, and 710.56 to establish a Formula Retail pharmacy store (d.b.a. CVS Pharmacy) by expanding the existing vacant building from 16,682 gross square feet to 17,920 gross square feet, and to convert the existing vacant lot directly across Ortega Street to an automobile parking lot, all within a NC-1 (Neighborhood Commercial, Cluster) 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: + Andrew Junius – Project introduction
+ Holly Jovac – Project presentation
+ Ron Greenspan – Owner presentation
- Loretta Wood – Blighted building, bad project

- Lilly Schilldeis – Project timing
- Steve Sageman – Pedestrian protection
- Anastasio Papadapolous – Not neighborhood serving, traffic
- Adriana Lahl – Lycee Francais continuance request
- Elizabeth Shapiro – Lycee Francais issues
- (M) Speaker – parking, size, not neighborhood serving
- + Milton Won – Walking distance to many residences
- + Vivian Ko – CVS will improve the neighborhood
- + (M) Speaker – Overwhelming support
- + Michael – Can't wait for it to open
- Adrian Simi, Local 22 – No CVS agreement, carpenter wages
- + Elyanda Comond – Elderly would like a pharmacy within walking distance
- Mary Liz Dijon – Major retailer does not expect significant pedestrian customers on 19th Avenue, supports a continuance
- + Claudia Barsonce – Would like to have a pharmacy within walking distance
- Song Tsun – Safety for children
- + Steven LeBount – CVS response to questions

ACTION: Approved with Conditions as amended to include the additional conditions submitted by the Project Sponsor

AYES: Wu, Fong, Antonini, Borden, Hillis, Moore, Sugaya

MOTION: 19181

- 11b. [2011.0477CV](#) (D. VU: (415) 575-9120)
1900 19th AVENUE - east side of 19th Avenue at Ortega Street; Lot 028 in Assessor's Block 2116, and north side of Ortega Street between 18th and 19th Avenues; Lot 019A in Assessor's Block 2055 - **Request for a Variance** from the required off-street freight loading space (Planning Code Section 152) for the proposed 17,920 gross square foot Formula Retail pharmacy store (d.b.a. CVS Pharmacy) within a NC-1 (Neighborhood Commercial, Cluster) District and 40-X Height and Bulk District.

- SPEAKERS:
- + Andrew Junius – Project introduction
 - + Holly Jovac – Project presentation
 - + Ron Greenspan – Owner presentation
 - Loretta Wood – Blighted building, bad project
 - Lilly Schilldeis – Project timing
 - Steve Sageman – Pedestrian protection
 - Anastasio Papadapolous – Not neighborhood serving, traffic
 - Adriana Lahl – Lycee Francais continuance request
 - Elizabeth Shapiro – Lycee Francais issues
 - (M) Speaker – parking, size, not neighborhood serving
 - + Milton Won – Walking distance to many residences
 - + Vivian Ko – CVS will improve the neighborhood
 - + (M) Speaker – Overwhelming support
 - + Michael – Can't wait for it to open
 - Adrian Simi, Local 22 – No CVS agreement, carpenter wages
 - + Elyanda Comond – Elderly would like a pharmacy within walking distance
 - Mary Liz Dijon – Major retailer does not expect significant pedestrian customers on 19th Avenue, supports a continuance
 - + Claudia Barsonce – Would like to have a pharmacy within walking distance

- Song Tsun – Safety for children
 + Steven LeBount – CVS response to questions
 ACTION: ZA Closed the PH and took the matter under advisement

12. [2012.0903CEK](#) (K. CONNER: (415) 575-6914)
580 HAYES STREET - northeast corner of Hayes and Laguna Streets; Lot 010 in Assessor's Block 0807 - **Request for Conditional Use Authorization**, pursuant to Planning Code Sections 121.1 and 303 to allow development of a lot larger than 10,000 square feet in the Hayes-Gough Street Neighborhood Commercial Transit District. The project includes the demolition of an existing single-story, 6,345 square-foot commercial building and a 1,160 square-foot parking lot with four spaces. The project includes the construction of a new 5-story mixed-use building with 29 residential units, 8,000 square feet ground floor retail space including up to three Restaurant uses, and a basement-level parking garage for 20 parking spaces. The project site is located within the Hayes-Gough NCT (Hayes-Gough Street Neighborhood Commercial Transit) District Zoning District and 55-X Height and Bulk District. This action constitutes the Approval Action for the project for the purposes of CEQA, pursuant to Section 31.04(h) of the San Francisco Administrative Code.
 Preliminary Recommendation: Approve with Conditions

SPEAKERS: + Architect – Project design
 + Speaker – In favor of the restaurant
 + Jim Marshal – Outreach, design
 ACTION: Approved with Conditions as amended to include: Minimize the bulk on the roofscape, by reducing the size of the rooftop stairs, use common stairs or personal hatches
 AYES: Wu, Fong, Antonini, Borden, Hillis, Moore, Sugaya
 MOTION: 19182

13. [2012.0453CE](#) (M. WOODS: (415) 558-6315)
2322 LOMBARD STREET - north side between Pierce and Scott Streets; Lot 010 in Assessor's Block 0489 - **Request for Conditional Use Authorization** pursuant to Planning Code Sections 121.2, 303(c), 303(g), 307(i), 317, 712.21 and 712.55 to allow the conversion of use from a motel to a tourist hotel (d.b.a. America's Best Value Inn and Suites Golden Gate), to allow a use size exceeding 6,000 square feet, to legalize the conversion of two dwelling units to guest rooms, and to reduce the off-street parking requirement. The proposal includes horizontal and vertical additions to the existing three-story building. The gross floor area would increase from approximately 17,800 square feet to 26,800 square feet. The number of guest rooms would increase from 36 to 60 rooms. The project would provide up to 42 parking spaces while a total of 48 spaces are required within a NC-3 (Moderate-Scale Neighborhood Commercial) Zoning District, and 40-X Height and Bulk District. A Planning Commission approval at the public hearing would constitute 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: + Neepak Patel – Project introduction
 + Bret Gladstone – Project description
 + Koni Reckelia – Support
 + Patricia Vaughey – New owner cleaned up the motel, improved architecture

+ Pam Squires – Good first step to improving Lombard
ACTION: Approved with Conditions as amended to include: Sponsor continues to work with staff and the neighborhood on the design of the ground floor
AYES: Wu, Fong, Antonini, Borden, Hillis, Moore, Sugaya
MOTION: 19183

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 – 3:45 P.M.