

SAN FRANCISCO PLANNING COMMISSION

Meeting Minutes

Commission Chambers - Room 400
City Hall, 1 Dr. Carlton B. Goodlett Place

Thursday, May 9, 2013

12:00 PM

Regular Meeting

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

THE MEETING WAS CALLED TO ORDER BY PRESIDENT FONG AT 12:06 PM.

STAFF IN ATTENDANCE: John Rahaim – Planning Director, Omar Masry, Joy Navarrete, Sarah Dennis-Philips, Aaron Starr, Kimia Haddadan, Doug Vu, Sharon Young, Kate Conner, Brittany Bendix and Jonas P. Ionin - Acting 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. 2013.0020CE (M. WOODS: (415) 558-6315)
6333 GEARY BOULEVARD, entire frontage between 27th and 28th Avenues; Lot 037 in Assessor's Block 1517 - **Request for Conditional Use Authorization** pursuant to Sections 303(c), 303(i) and 703.4 of the Planning Code to allow a formula retail use (d.b.a. Grocery Outlet). The existing vacant building was formerly occupied by Cala Foods. Grocery Outlet proposes to occupy the entire one-story building, containing approximately 13,500 square feet. The existing 30-car surface parking lot will be reconfigured to a 28-car parking lot. The project site is located in a NC-3 (Moderate-Scale Neighborhood Commercial) District and 40-X Height and Bulk District.
Preliminary Recommendation: Pending
(Proposed for Continuance to June 6, 2013)

SPEAKERS: None
ACTION: Continued as Proposed
AYES: Fong, Wu, Antonini, Hillis Moore, Sugaya
ABSENT: Borden

2. 2010.1034C (O. MASRY: (415) 575-9116)
4216 CALIFORNIA STREET - on the north side of California between 4th Avenue and 5th Avenue, Lot 019 in Assessor's Block 1364 - **Request for Conditional Use Authorization** under Planning Code Sections 710.83 and 303 for a proposal to upgrade an existing wireless telecommunications services micro-site facility operated by AT&T Mobility. The facility would consist of removing an existing micro-site and installing nine panel antennas on the roof behind a new radio-frequency transparent screen wall with

equipment located within a ground floor storage area. The facility is proposed on a Location Preference 6 Site (Limited Preference Location Site) within a NC-1 (Neighborhood Commercial, Cluster) Zoning District and 40-X Height and Bulk District.
 Preliminary Recommendation: Approve with Conditions
 (Continued from Regular Meeting of April 25, 2013)
(Proposed for Continuance to June 6, 2013)

SPEAKERS: None
 ACTION: Continued as Proposed
 AYES: Fong, Wu, Antonini, Hillis Moore, Sugaya
 ABSENT: Borden

3a. 2009.0753CV (E. JACKSON: (415) 558-6363)
3155 CESAR CHAVEZ STREET - south side between Folsom and Harrison Streets; Lot 040 in Assessor's Block 5503 - **Request for Conditional Use Authorization** under Planning Code Sections 209.3(j) and 303 to allow the demolition and reconstruction of an existing church (Church of God) within a RH-2 (Residential, House, Two-Family) District, the Bernal Heights Special Use District, and 40-X Height and Bulk District. The proposal also includes a Variance request for Front Setback, Parking, and Rear Yard, which will be heard by the Zoning Administrator
 Preliminary Recommendation: Approval with Conditions
 (Continued from Regular Meeting of March 21, 2013)
(Proposed for Continuance to July 11, 2013)

SPEAKERS: None
 ACTION: Continued as Proposed
 AYES: Fong, Wu, Antonini, Hillis Moore, Sugaya
 ABSENT: Borden

3b. 2009.0753CV (E. JACKSON: (415) 558-6363)
3155 CESAR CHAVEZ STREET - south side between Folsom and Harrison Streets; Lot 040 in Assessor's Block 5503 - **Request for Variances** from 1) Planning Code Section 132 which requires a front setback of 9 feet where none is proposed, 2) Planning Code Section 151 which requires 12 off-street parking spaces where none are proposed, and 3) Planning Code Section 242(e) which requires a rear yard of approximately 78.75 feet where approximately 56 feet is proposed for the proposed demolition and reconstruction of an existing church (Church of God) within a RH-2 (Residential, House, Two-Family) District, the Bernal Heights Special Use District, and 40-X Height and Bulk District.
 (Continued from Regular Meeting of March 21, 2013)
(Proposed for Continuance to July 11, 2013)

SPEAKERS: None
 ACTION: Continued as Proposed
 AYES: Fong, Wu, Antonini, Hillis Moore, Sugaya
 ABSENT: Borden

B. CONSENT CALENDAR

All matters listed hereunder constitute a Consent Calendar, are considered to be routine by the Planning Commission, and will 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

4. [2012.1341C](#) (G. CABREROS: (415) 558-6169)

2320 SUTTER STREET - north side between Scott and Divisadero Streets; Lot 034 in Assessor's Block 1051 - **Request for Conditional Use Authorization**, pursuant to Planning Code Sections 303, 121.2 and 712.21 for a use size 6,000 square feet or greater, to increase the use size of the existing two-story, 9,200 square-foot medical office building to 14,700 square feet by constructing a three-story rear horizontal addition within a NC-3 (Neighborhood Commercial, Moderate Scale) Zoning District and 40-X Height and Bulk District.

Preliminary Recommendation: Approval with Conditions

SPEAKERS: None
 ACTION: Approved with Conditions
 AYES: Fong, Wu, Antonini, Hillis Moore, Sugaya
 ABSENT: Borden
 MOTION: 18857

5. [2013.0025C](#) (S. YOUNG: (415) 558-6346)
1946 FILLMORE STREET - southeast corner of Fillmore and Pine Streets; Lot 023 in Assessor's Block 0660 - **Request for Conditional Use Authorization** pursuant to Planning Code Sections 303, 718.24, 718.44, 790.70, and 790.91 to allow the change of use from a Limited Restaurant (previously occupied by Johnny Rockets) to a Restaurant (d.b.a. Glaze Teriyaki) and to allow an 'Outdoor Activity Area' (dining patio) at the rear of the restaurant within the Upper Fillmore Street Neighborhood Commercial District and 40-X Height and Bulk District.

Preliminary Recommendation: Approval with Conditions

SPEAKERS: None
 ACTION: Approved with Conditions
 AYES: Fong, Wu, Antonini, Hillis Moore, Sugaya
 ABSENT: Borden
 MOTION: 18858

6. [2012.0231C](#) (O. MASRY: (415) 575-9116)
758 DIVISADERO STREET - at the southeast corner of Divisadero and Fulton streets, Lot 019 in Assessor's Block 1181 - **Request for Conditional use Authorization** under Planning Code Sections 710.83 and 303 for a proposal to install a wireless telecommunications services macro-site facility operated by AT&T Mobility. The proposed facility would consist of nine roof-mounted antennas in two sectors. The first sector (six antennas) would be located in a faux roof addition above the bay penthouse. The remaining sector (three antennas) would be located on the building roof and not be visible from adjacent public rights-of-way. Electronic equipment associated with the facility would be located within a third floor room. The facility is proposed on a Location Preference 5 Site (Preferred Location) within a NC-2 (Neighborhood Commercial, Small Scale) Zoning District and 65-A Height and Bulk District.

Preliminary Recommendation: Approve with Conditions
 (Continued from Regular Meeting of April 25, 2013)

SPEAKERS: Eric Lentz, Douglas Martin
 ACTION: After being pulled off of Consent, Approved with Conditions
 AYES: Fong, Wu, Antonini, Hillis Moore, Sugaya
 ABSENT: Borden
 MOTION: 18859

C. COMMISSION MATTERS

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.

7. Consideration of Adoption:

- [Draft Minutes for April 25, 2013](#)

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

8. 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:

I have a couple things. First of all, I wanted to report the Secretary Search Subcommittee continues to meet and is making good progress. We will be meeting again in a couple of weeks and ultimately, once we get down to the selection process, the entire Commission will be involved obviously in that, but we are doing well on that, I believe. A couple of other things -- is this on, can you hear me now? Sorry. I went to the Friends of City Planning event last night. I want to thank them; they always have a wonderful event. And there was a lot of, a huge attendance and a lot of jubilation as it should with the things that are going on in the City as far as we're seeing projects that were approved over a period of 10 years finally getting built, both housing and commercial, and a lot of interest in San Francisco, both for residential and for business. But we have problems, as you're all aware, and I think we can't get too self-congratulatory while things still exist, and I've spoken often about homelessness and street people and the fact that we're not meeting their needs and it's not helping our residents or tourists or visitors to our City on that issue. And also there was a very good article in the Examiner on, yesterday. It talks about people under the stairs and basically focuses on the Excelsior District in particular, where most of the homes are single-family residences, but there are a lot more than single families living in these homes and there are probably a lot of illegal units, perhaps many with kitchens and are certainly overcrowding situations. One of the reasons we see all the fires that have occurred and other issues sometimes where there are limits to the number of non-related people that can live in a residence, I think, and other things. And one of the article -- part of the article mentioned that they do have some periodic inspections, but if nobody's home they just pass it over. I would like to see a little more organized plan to inspect even single-family homes. I'm fine with that. I live in a single-family home. I have no problem with somebody coming by and making sure it's in compliance because many of the problems that we have in these areas, such as home prices going up astronomically, parking problems have their origin in the fact a lot more people are living in these structures than they're designed to hold. And many times the owners are not even present there. They're just renting it out to -- making it into a quasi-hotel and it's supposed to be a single-family home. So, I think we need to do some work on that. And finally, there was an article in The Chronicle on Saturday, and I was mentioned as part of the article had to do with the graffiti problem with particular reference to these stores that are operating at night and weekends and selling graffiti to graffiti vandals. I worked with staff a little bit to try to find out if there's ways we can close them down or at least restrict their operations. One of them may be formula retail, so that is one thing we are looking at because obviously none of them came before us for approval in that regard. I also I am going to either propose some legislation on my own through the Commission, of course. I found out how that can be done, or approach one of the members of the Board of Supervisors to look into a restriction on the sales of spray cans. We're all about the environment. We're always banning plastic bags and everything else and nothing can be more polluting

than spray paint, especially being used for vandalism. So, you know that might be something that some supervisors would be interested in. And also I understand the penalties for graffiti vandalism only involve community service. There are no fines involved in that, and many of the vandals are regulars into their 20s and 30s, and many of them have assets that certainly could be tapped to pay for some of the damage they've done. So, I'd like to see something a little tougher in our laws. So, that's one of the things I'm working on, and I thank you for your time.

D. DEPARTMENT MATTERS

9. Director's Announcements

Director Rahaim:

Good afternoon, Commissioners. Just wanted to mention an event that I think I sent you an announcement about, which is an event that I'm moderating next week with an organization called The Council of Tall Buildings and Urban Habitats, an unusual name. Actually an organization that's been around for, since the '60s, it's based in Chicago and there's a group of people trying to start a Chapter here in San Francisco. They are sponsoring this event that they've asked me to moderate to talk about future density and how to make it livable. And, so, there is a panel discussion. That will take place next Tuesday evening at Gensler's offices. And I will, as I said, be moderating that panel. And I think that's it for me today unless there are any questions.

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

LAND USE COMMITTEE:

- **BF 121019 & 130248 Supervisor Wiener & Kim's CEQA Procedures Ordinance.** Both items were called together again at the Committee on Monday. Only Supervisor Wiener's proposal could be considered for action because Supervisor Kim's proposal would affect the Historic Preservation Commission and that commission won't consider her proposal until May 15. You'll recall, both this Commission and the HPC supported Supervisor Wiener's proposal with 2 requested modifications which were addressed by Supervisor Wiener. This week at committee the following amendments were made:
 1. 31.04(i). Clarifies that when Planning identifies the Approval Action for a CEQA decision it shall post that information on its website, in addition to any other manner that we would choose. (Chiu)
 2. 31.08(d). Provides that departments other than Planning that issue exemptions shall inform Planning and provide Planning with copies and Planning shall make information about such exemptions available on its website to the same extent that it does for other exemptions. (Chiu)
 3. 31.08(i) and 31.19(b). Further clarifies that if an exempt project is modified, an additional CEQA decision is required if the modified project exceeds the scope of the original project for any aspect of the project regulated under the Planning Code or if a new use is introduced. (Chiu)
 4. 31.19(b). Adds a requirement that Planning provide notice when it determines that a project modification is sufficiently minor not to trigger a new CEQA decision. (Chiu)
 5. 31.11(j); 31.15(e). Provides that Planning is not required to file a notice of determination until the Project Sponsor has paid any required fees for such filing. (Wiener)
 6. 31/16(b)(3) Provides that once the Clerk has scheduled an appeal for hearing, other City bodies shall not take action or make approvals. (Chiu)
 7. 31.16(b)(2) Establishes procedures for Clerk & Planning for appeals: Requires that Planning advise the Clerk within three working days of a filed appeal as to whether the appeal is timely. Gives the Clerk seven days from the filing date to determine if the appeal complies with the requirements in the ordinance for filing an appeal. (Clerk proposed; committee included)

8. Adds back to Section 31.16(b)(4) language requiring the Clerk to schedule the appeal hearing no less than 30 days after the time for filing an appeal has expired. With the revision, the Clerk must schedule an appeal hearing no less than 30 and no more than 45 days after the time for filing an appeal has expired. (Chiu)

Supervisor Chiu moved to amend the ordinance as described above and Supe. Wiener seconded that motion. Supervisor Kim asked that the item be continued for two weeks so that her ordinance could also be considered. Supervisor Chiu stated that he is considering the ideas in her ordinance and believes that a one week continuance is sufficient. The Committee then continued Supe. Wiener's Ordinance with Chiu's amendments to next week. Supervisor Kim's Ordinance is expected to be heard in two weeks.

FULL BOARD OF SUPERVISORS:

- **Appeals of the CPC decision to certify the Final EIR for 706 Mission Street – The Mexican Museum and Residential Tower Project.** This Commission certified the final EIR for this project on March 21, 2013. Three appeals were filed. The appellants included:
 - (Lippe Gaffney Wagner) on behalf of the 765 Market Street Residential Owners Association .
 - (Brandt-Hawley Law Group) on behalf of TODCO and the Yerba Buena Neighborhood Coalition.
 - (Lippe Gaffney Wagner) on behalf of Friends of Yerba Buena and five individuals.

The project is proposed as a 550-ft-tall residential tower at 3rd and Mission Streets. The project would include space for the Mexican Museum in the lower floors of both buildings, up to 215 residential units, and ground floor restaurant or retail. The Aronson Building would be rehabilitated and restored as part of the project. The existing Jessie Square Garage would be reconfigured for additional parking spaces: of the 470 parking spaces, 210 would remain publically available.

Appellants disagreed with the Department that the proposed project would not result in a significant impact to cumulative pedestrian conditions in the area. Appellants state this should have been identified in the EIR with appropriate mitigation measures to address pedestrian capacity and safety.

Appellants believed that the EIR is inadequate in the following areas: traffic and circulation including pedestrian traffic and safety, shadow on city parks, mitigation measures and alternatives with respect to shadow, historic resources, air quality, greenhouse gas emissions, noise, and recreation.

At the Board hearing, staff explained that the EIR appeal letters raised a number of issues that are the same as or similar to those addressed in the FEIR.

At Tuesday's hearing, the Board members focused their discussion on shadow impacts, pedestrian impacts analysis and traffic analysis, and project alternatives. The proposed project is in Supervisor Jane Kim's District and she led the discussion and questioning.

With respect to shadow, the Supervisors were particularly interested in the basis for the significance determinations, and in the treatment of parks protected under Section 295 versus non-Rec Park properties. Questions were also raised with respect to the role of mitigation measures as compared to that of alternatives. Both mechanisms are intended to address (that is, reduce or eliminate) significant environmental impacts of the project. With respect to the proposed project's considerable contribution to the significant cumulative shadow impact, two alternatives that reduce shadow impacts were fully analyzed in the EIR.

Supervisor asked questions regarding the financial feasibility of a building that would not shade Union Square. Information regarding the financial feasibility of a project that would not shade Union Square will be provided during the consideration of the project entitlements.

With respect to pedestrian analysis, the Board questioned how the baseline analysis is assessed¹. Staff clarified that the Department's transportation impact analyses use typical baseline conditions in the project area². The Department believes that using typical baseline conditions results in a fairer assessment of the project's impacts. However, the Supervisors expressed concern regarding this approach for an area already experiencing crowded conditions such as around the project site.

The Supervisors expressed support for the Mexican Museum. Supervisors Kim and Campos [possibly others] requested that the Project Sponsor continue to work with appellants to address their concerns, particularly with respect to shadow and traffic. The Supervisors look forward to hearing more about the project at the time of project approvals.

While Supervisor Kim had many questions for the Planning Staff, she ultimately agreed with the decision and analysis of the Department. The Board voted unanimously to uphold the Commission's decision to certify the final EIR.

- **Items that were adopted this week on Final Read include:**
 - Upper Market Zoning Amendments

INTRODUCTIONS:

- **130441. Avalos.** Hearing on proposed uses of Affordable Housing Fund Stabilization Program to support San Francisco homeowners to preserve affordable housing options and upgrade habitability of secondary units.
- **130437 Mar.** Hearing to look at how parklets have spread in certain parts of the City, examine their impact, and consider the benefits they may provide to merchant corridors.

BOARD OF APPEALS:

The Board of Appeals met last night and considered four items that may be of interest to the Commission.

- 125 Crown Terrace (Rehearing Request) - On March 20, 2013, the Board of Appeals upheld the Planning Commission's decision to approve the subject alteration permit. Last night, the Board unanimously denied the Appellant's request for a rehearing of the item.
- 5234 Mission Street (Jurisdiction Request) - On February 16, 2012, the Planning Commission approved a permit to allow an MCD at the subject location. On February 14, 2013, the building permit was issued; however, no appeals were filed on the permit issuance. On April 22, 2013, a Jurisdiction Request was filed to reopen the 15-day appeal period. Last night, the Board unanimously denied the Jurisdiction Request.
- Piers 27-29 - Appeal of the Entertainment Commission's issuance on April 3, 2013 of a Place of Entertainment Permit for the "Live Nation/America's Cup Pavilion." Last night the Board unanimously upheld the entertainment permit.
- 349 Banks Street - Appeal of a release of suspension related to a building permit to legalize a deck on the subject property. On March 7, 2013, the Planning Commission heard a DR on the matter and voted unanimously to not take DR. Last night, the Board heard the matter and unanimously upheld the Planning Commission.

HISTORIC PRESERVATION COMMISSION:

No meeting

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

¹ including what other projects are considered in the baseline, and what time of day and what day of the week were the baseline counts taken

² and not conditions representing maximum volumes as was suggested by the Appellants.

afforded when the item is reached in the meeting. Each member of the public may address the Commission for up to three minutes.

SPEAKERS: Dino Adelfio, Linda Chapman

F. REGULAR CALENDAR

11. [2012.0718E](#) (J. NAVARRETE: (415) 575-9040)
EVENT CENTER AND MIXED-USE DEVELOPMENT AT PIERS 30-32 AND SEAWALL LOT 330 - Blocks/Lots: Piers 30-32 - 9900/030 & 9900/032, Seawall Lot 330 - 3770/002 & 3771/002 - **Informational Item/Updated Project Design**, GSW Arena LLC (GSW) proposes to construct a multi-purpose event center, public open space, maritime uses, a parking facility and visitor-serving retail uses on Piers 30-32. The event center would host the Golden State Warriors NBA basketball team during the NBA season, as well as provide a year-round venue for a variety of other uses, including concerts, cultural events, family shows, conferences and conventions. The project would include substantial repair and structural upgrades to Piers 30-32. GSW also proposes to construct a mixed-use development including residential, hotel and retail uses on Seawall Lot 330, located directly across The Embarcadero from Piers 30-32.
 Preliminary Recommendation: None - Informational

SPEAKERS: Jen Metz, Craig Geibers, Dennis McKenzie, Jacqueline Flin, Fred Jordan, Jim Lazarus, Bob Graham, Patrick Balentino, Shamann Walton, Buffy Martin Tarbox, Gayle Cahill, Kellie Seringer, Myron Lee, Sue Hestor, Peter Albert, Jesse Blout

ACTION: None - Informational

12. (S. DENNIS-PHILIPS: (415) 558-6314)
PLAN BAY AREA - The draft Plan Bay Area, the region's draft Sustainable Community Strategy, was released on March 22, 2013, and is out for public review and comment until May 16, 2013. Planning Department and Transportation Authority staff will provide an overview of the plan and what it means for San Francisco.
 Preliminary Recommendation: None - Informational

SPEAKERS: Liz Bryson, Sue Hestor, Gary Virginia

ACTION: None - Informational

13. [2013.0402U](#) (K. HADDADAN: (415) 575-9068)
BAYVIEW HUNTERS POINT CITIZENS ADVISORY COMMITTEE - The Planning Commission will consider a proposed Ordinance [BF 130225] introduced by Supervisor Cohen. This Ordinance would amend the Administrative Code to establish the Bayview Hunters Point Citizens Advisory Committee to provide policy advice to the City and County of San Francisco on planning and land use matters for Zone 2 of the Bayview Hunters Point Redevelopment Project Area.
 Preliminary Recommendation: Approve with Modifications
 (Continued from Regular Meeting of May 2, 2013)

SPEAKERS: Dan Dodt, Andrea Bruss

ACTION: Adopted a Recommendation for Approval

AYES: Fong, Wu, Antonini, Moore, Sugaya

ABSENT: Borden, Hillis

RESOLUTION: 18861

14. [2013.0324T](#) (A. STARR: (415) 558-6362)
AMENDMENTS TO THE PLANNING CODE, SECTION 313, TO REQUIRE PRE-APPLICATION MEETINGS FOR CERTAIN PROJECTS IN PDR-1-B DISTRICTS [BOARD FILE NO. 13-0180]. Ordinance amending the Planning Code, by adding

Section 313, to require pre-application meetings for certain projects in the PDR-1-B (Production, Distribution and Repair - Light Industrial Buffer) District; and making environmental, General Plan, and Planning Code, Section 101(b), findings.

Preliminary Recommendation: Adopt a Recommendation for Approval

SPEAKERS: Dan Dodt, David Troup, Andrea Bruss
 ACTION: Adopted a Recommendation for Approval
 AYES: Fong, Wu, Antonini, Hillis Moore, Sugaya
 ABSENT: Borden
 RESOLUTION: 18860

15. [2011.1404C](#) (D. VU: (415) 575-9120)
2201 MARKET STREET - southwest corner of Market and Sanchez Streets; Lot 001 in Assessor's Block 3559 - **Request for Conditional Use Authorization**, pursuant to Planning Code Sections 303(i) and 703.4, to establish a Formula Retail Limited-Restaurant (d.b.a. Starbucks) in an existing commercial space within the Upper Market Neighborhood Commercial Transit (NCT) District and 60/65-X Height and Bulk District.
 Preliminary Recommendation: Disapprove

SPEAKERS: Phil Burnett, Hut Landon, Pat Tura, Kimberley Jones, Justin Jackson, John Mattingly, Salvador Flores, Adam Warmerden, Anne Yuen, Patrick Santana, Mykell Mogg, Miguel Garcia, Terrance Allen, Tom Andrews, Judith Penland, Josh Schlessler, Mark Leach, Wendy Mogg, J.D. Petrus, David Adams, Demarco Crum, Mary Hilton, Denise Greenberg, Michael Colter, David Troup, Courtney Sheraba, Emily Queliza, Tina Yesegen, Samir Morgaden, Manny Torres, Katrina Torres, David Prewett, Alan Harnett, Karen Lee, Chris Holmes, Andy Newman, Peter Cohen, Ari Warmerdam, Steven Gard, Stephanie Longstruck, Stephanie Sly, Craig Tomaselo, Kevin Mogg
 ACTION: Disapproved
 AYES: Fong, Wu, Hillis Moore, Sugaya
 NAYES: Antonini
 ABSENT: Borden
 MOTION: 18862

16. [2013.0158C](#) (S. YOUNG: (415) 558-6346)
1785 FULTON STREET - south side between Masonic and Central Avenues; Lot 018A in Assessor's Block 1186 - **Request for Conditional Use Authorization** pursuant to Planning Code Sections 303 and 710.27 to allow a new restaurant use (d.b.a. Barrel Head Brewhouse) to operate until 2 a.m. in a NC-1 (Neighborhood Commercial Cluster) District and 40-X Height and Bulk District.
 Preliminary Recommendation: Approve with Conditions

SPEAKERS: Ivan Hopkinson, Amy Ellis, Lee Ellison, Andrew Kingsdale
 ACTION: Approved with Conditions
 AYES: Wu, Antonini, Hillis Moore, Sugaya
 ABSENT: Borden, Fong
 MOTION: 18863

- 17a. [2011.0702EXC](#) (K. CONNER: (415) 575-6914)
101 POLK STREET - northwest corner of the intersection of Polk Street and Hayes Street, Lots 002 & 003 of Assessor's Block 0811 - **Request for Conditional Use Authorization**, pursuant to Planning Code Sections 124(f), 215(b) and 303, to allow floor area to be developed above the 6:1 base floor area ratio in a C-3-G district for area dedicated to the on-site Inclusionary Units (Section 124(f)) and to allow a residential density ratio that is greater than one unit per 125 square feet of lot area in a C-3-G Zoning District (Section 215(b)). The proposed project is the construction of a 13-story,

162-unit residential building with 51 subgrade parking spaces on a site that currently contains a surface parking lot. The site is approximately 13,200 square feet and contains three street frontages – Polk Street, Hayes Street and Lech Walesa Alley. The street frontages along Polk and Hayes Streets would consist of walk-up residential units, as well as the building's lobby and leasing area. Off-street parking would be accessed from Lech Walesa Alley. The subject property is located within a C-3-G (General, Downtown Commercial) and 120-X Height and Bulk District.

Preliminary Recommendation: Approve with Conditions

SPEAKERS: Oz Erickson, Tim Colen, Joy Lam, Judy Heyman, John Manning, Nathan Randel, Donald Savoy, Jerry Bernstein, Jill Manton, Steve Vettel, Mark Babson
 ACTION: Approved with Conditions as Corrected; with a Suggestion to take another look at the design
 AYES: Wu, Antonini, Hillis Moore, Sugaya
 ABSENT: Borden, Fong
 MOTION: 18864

17b. [2011.0702EXC](#) (K.CONNER: (415) 575-6914)
101 POLK STREET - northwest corner of the intersection of Polk Street and Hayes Street, Lots 002 & 003 of Assessor's Block 0811 - **Request for a Determination of Compliance** under Planning Code Section 309 (Permit Review in C-3 Districts), with exceptions to the requirements for Rear Yard (Planning Code Section 134(d)), to the Limitation on Residential Accessory Parking in C-3 Districts (Section 151.1(e)), and Reduction of Ground-Level Wind Currents in C-3 Districts (Section 148). The proposed project is the construction of a 13-story, 162-unit residential building with 51 subgrade parking spaces on a site that currently contains a surface parking lot. The site is approximately 13,200 square feet and contains three street frontages – Polk Street, Hayes Street and Lech Walesa Alley. The street frontages along Polk and Hayes Streets would consist of walk-up residential units, as well as the building's lobby and leasing area. Off-street parking would be accessed from Lech Walesa Alley. The subject property is located within a C-3-G (General, Downtown Commercial) and 120-X Height and Bulk District.
 Preliminary Recommendation: Approve with Conditions

SPEAKERS: Oz Erickson, Tim Colen, Joy Lam, Judy Heyman, John Manning, Nathan Randel, Donald Savoy, Jerry Bernstein, Jill Manton, Steve Vettel, Mark Babson
 ACTION: Approved with Conditions
 AYES: Wu, Antonini, Hillis Moore, Sugaya
 ABSENT: Borden, Fong
 MOTION: 18865

18. [2012.1294C](#) (B. BENDIX: (415) 575-9114)
2833 24TH STREET - south side, between Bryant and York Streets, Lot 030 in Assessor's Block 4267 - **Request for Conditional Use Authorization** under Planning Code Sections 145.2, 303 and 727.24 to legalize an outdoor activity area located at the rear of an existing restaurant (d.b.a. La Torta Gorda) in the 24th Street - Mission NCT (Neighborhood Commercial Transit) Zoning District and 55-X Height and Bulk designation.
 Preliminary Recommendation: Approve with Conditions

SPEAKERS: Aramando Pepel, Joseph Wale, Richard Segovia, Albert Downing, Eric Arguello, Jose Raffish, John Mendoza, Jelos Savir, Cuban Marengo, Cecilia Chacon
 ACTION: Approved with Conditions
 AYES: Wu, Antonini, Hillis Moore, Sugaya
 ABSENT: Borden, Fong
 MOTION: 18866

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))

None

Adjournment **8:11 PM**

DRAFT