

SAN FRANCISCO PLANNING COMMISSION

Meeting Minutes

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

Thursday, July 11, 2013
12:00 p.m.
Regular Meeting

COMMISSIONERS PRESENT:
COMMISSINER ABSENT:

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

THE MEETING WAS CALLED TO ORDER BY PRESIDENT FONG AT 12:10 PM.

STAFF IN ATTENDANCE: John Rahaim – Planning Director, Christine LaMorena, Elizabeth Watty, Brittany Bendix, Glen Cabreros, Casey Noel, Corey Teague, Kevin Guy, Sharon Lai, Sharon Young, and Jonas P. Ionin - Acting 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. 2013.0211C (K. GUY: (415) 558-6163)
524 HOWARD STREET - north side between First and Second Streets; Lot 013 in Assessor's Block 3721 - **Request for Conditional Use Authorization**, pursuant to Planning Code Sections 156 and 303, to allow the continued operation of an existing temporary surface parking lot within the C-3-O (SD) District, the Transbay C-3 Special Use District, the Transit Center C-3-O(SD) Commercial Special Use District, and the 450-S Height and Bulk District.
 Preliminary Recommendation: Approve with Conditions
(Proposed for Continuance to August 15, 2013)

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

- 2a. 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 May 9, 2013)
(Proposed for Indefinite Continuance)

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

- 2b. 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 May 9, 2013)
(Proposed for Indefinite Continuance)

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

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

3. [2013.0822C](#) (C. LAMORENA: (415) 575-9085)
1865 POST STREET - south side between Fillmore and Webster Streets; Lot 002 in Assessor's Block 0701 - **Request for Conditional Use Authorization**, pursuant to Planning Code Sections 249.31, 303, and 712.48, to add a new use size in excess of 4,000 square feet as an "Other Entertainment" use to an existing restaurant (d.b.a. Pa'ina Lounge and Restaurant) within a NC-3 (Neighborhood Commercial, Moderate-Scale) Zoning District, Japantown Special Use District and 50-X Height and Bulk District. The proposal would add live and amplified music during the restaurant's evening operating hours.

Preliminary Recommendation: Approve with Conditions

NOTE: On February 7, 2013, following public testimony, the Commission continued the matter to April 11, 2013; with the following direction: 1) For a mutually agreed upon sound engineer or independent sound engineers along with the Entertainment Commission's sound engineer; 2) To determine the maximum level of noise, to the point of no disturbance for the Spa or Cinema; 3) Costs to be shared proportionally, by a vote (+7 -0).

NOTE: On June 6, 2013, the Commission Adopted a Motion of Intent to Disapprove by a vote (+7 -0)

Note: On July 11, 2013, the Commission will consider a Draft Motion to Disapprove, prepared by staff.

(Continued from Regular Meeting of June 6, 2013)

SPEAKERS:

- + Mark Rene, Project Sponsor – requesting one last look
- + Jordan Reese Cowen – Pa'ina Lounge
- + Beth Krumbein – Loves Pa'ina diversity
- + Ruby Tsang – Pa'ina shows
- + Joanna Tan, Pa'ina G.M. – Citation compliance
- + Aimee Newman – Open to all ages with no cover charge, positive place
- + Leilani Chur – Wonderful place
- + Samantha, Owner - Pa'ina is not a nightclub
- Martin Fineman, Sundance Representative – multiple hearings, correct decision to disapprove
- Bob Hamaguchi, Japantown Taskforce – urge denial

ACTION: After being pulled off of Consent - Disapproved

AYES: Wu, Antonini, Borden, Moore, Sugaya

ABSENT: Hillis, Fong

MOTION: 18919

4. [2013.0023C](#) (C. LAMORENA: (415) 575-9085)
3141 CLEMENT STREET - south side of Clement Street between 32nd and 33rd Avenues; Lot 029 in Assessor's Block 1464 - **Request for Conditional Use Authorization** pursuant to Planning Code Sections 303, 710.27 and 710.48 to add an Other Entertainment use (a karaoke lounge) to the existing Limited Restaurant (d.b.a. Akiba) and to extend the hours of operation to 2 a.m. on weekends within a NC-1 (Neighborhood Commercial, Cluster) Zoning District and 40-X Height and Bulk District.

Preliminary Recommendation: Approve with Conditions

SPEAKERS: None

ACTION: Approved with Conditions
 AYES: Wu, Antonini, Borden, Moore, Sugaya
 ABSENT: Hillis, Fong
 MOTION: 18915

- 5a. [2013.0209CV](#) (E. WATTY: (415) 558-6620)
 1019 MARKET STREET - south side between 6th and 7th Streets; Lot 076 in Assessor's Block 3703 – **Request for Conditional Use Authorization**, pursuant to Planning Code Sections 219(d) and 303, to allow professional and business offices that are not open to the public at and below the ground floor of the existing 7-story-over-basement building. The office space will be located at the rear of the building's ground floor, fronting Stevenson Street, and in the basement. Retail space will continue to front Market Street. The property is located within a C-3-G (Downtown General Commercial) Zoning District and 120-X Height and Bulk District.
 Preliminary Recommendation: Approve with Conditions

SPEAKERS: None
 ACTION: Approved with Conditions
 AYES: Wu, Antonini, Borden, Moore, Sugaya
 ABSENT: Hillis, Fong
 MOTION: 18916

- 5b. [2013.0209CV](#) (E. WATTY: (415) 558-6620)
 1019 MARKET STREET - south side between 6th and 7th Streets; Lot 076 in Assessor's Block 3703 - **Request for a Variance**, pursuant to Planning Code Section 145.1(c)(5), to allow a ground-floor active use that fronts Stevenson Street to be closed to the public during business hours. The property is located within the C-3-G (Downtown General Commercial) Zoning District, and 120-X Height and Bulk District.

ZONING ADMINISTRATOR INDICATED AN INTENT TO GRANT

6. [2012.1446C](#) (B. BENDIX: (415) 575-9114)
 1023 MISSION STREET - south side, between Sixth and Seventh Streets, Lot 110 in Assessor's Block 3726 - **Request for Conditional Use Authorization** under Planning Code Sections 157.1, 303, and 840.41 to legalize a commercial parking garage containing 39 off-street parking spaces (d.b.a. AY Parking), in an MUG (Mixed Use, General) Zoning District with a 45-X/85-X Height and Bulk designation.
 Preliminary Recommendation: Approve with Conditions

SPEAKERS: None
 ACTION: Approved with Conditions
 AYES: Wu, Antonini, Borden, Moore, Sugaya
 ABSENT: Hillis, Fong
 MOTION: 18917

7. [2013.0242C](#) (G. CABREROS: (415) 558-6169)
 711 VAN NESS AVENUE - west side between Turk and Larch Streets; Lot 203 in Assessor's Block 0743 - **Request for Conditional Use Authorization**, pursuant to Planning Code Sections 209.8 and 303, proposing a change of use of approximately 92,000 square feet of office use to medical service use above the ground floor of the existing five-story office building (owned and operated by the nonprofit group, *Pacific Vision Foundation*) in the RC-4 (Residential-Commercial Combined, High

Density) Zoning District, the Van Ness Special Use District, the Van Ness Automotive Special Use District and the 130-V Height and Bulk District.

Preliminary Recommendation: Approve with Conditions

SPEAKERS: None
 ACTION: Approved with Conditions
 AYES: Wu, Antonini, Borden, Moore, Sugaya
 ABSENT: Hillis, Fong
 MOTION: 18918

C. COMMISSION MATTERS

8. Consideration of Adoption:

- [Draft Minutes for June 13, 2013](#); and
- [Draft Minutes for June 20, 2013](#)

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

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.

9. 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:

On July 1st, I received an e-mail which most likely you all received from the Community Housing Partnership that they are opening a supportive home for youth and transitional age youth. That was, I think, extremely important on 5th and Harrison I am not sure if it's coming before the Commission, but since we are much struggling with that issue I was very, very pleased to hear it and full support of the Board of Supervisors and I look forward to hear more about the details of that particular project.

Commissioner Antonini:

A few items, first of all I think we are all very concerned with the situation regarding City College and I think it's, I would like to hear some report from staff, if possible, in the future regarding the issues because we constantly talk about the need to provide training for people with less than college educations in public safety fields and many other fields. The City has the largest community college in the State of California does, so I think it's really important to know a little bit more so we can have an informed opinion when asked about the situation there, and I defer to the other Commissioners on their opinions as it regards to that. Another item, I did read in today's Chronicle some proposed legislation and we might hear when we have the report on the Board of Supervisors. I believe it was from Supervisor Kim, to not only require a conditional use approval of any formula retail from 5th Street to Van Ness, I believe, on Market Street, but also have sort some of required economic impact report by the sponsor of the formula

retail and the effects it might have on existing businesses. And without commenting on the advisability of this legislation and not having seen it, I would say that was sort of interesting that the Chronicle superimpose this article around a couple others to talk about the urine soaked sidewalks in San Francisco and how street cleaning is a problem constantly, particularly in this part of Market, and also a vicious crime a woman attacked and kicked on the face on Muni, very close to this area during the pride celebrations. With respect to the Supervisor and her legislation, I think small businesses are more impacted by the feeling of an easiness and crime and other things that occur in that sector and I think we should be concentrating on that and I think, I'm not saying that there may not have to be some look at the formula retail situation, but it's been a trouble area for sixty years and most of the reasons the businesses struggle there is for factors or the other two rather than the fact, that there might be an additional Walgreen's there or some other thing. Finally, on the One Bay Area Plan, an interesting editorial in the Chronicle on the ninth by a gentleman, name of Charles Canaan, who was not in support of the One Bay Area Plan, I think his comments while well written, I think he's a little miss-informed, the one point he makes is that the authority of local governments would be usurped by ABAG and by MTC and that is not the case. This is recommendations by those agencies that we provide incentives to try to build housing near business and transit centers rather than despoiling more farm land, at distant locations that almost necessitate everyone traveling by automobile and I think that the other point he makes I do not think is part of the Plan, he says, it does not provide for single family homes, and there is no reason single family homes can't be built in or near San Francisco or any other major population centers, but the Plan is against building them in areas far distant from where business centers are where transit is, places like Emerald Hills, east of Sacramento where you drive for 45 minutes through empty fields before you come to any housing. I think the gentleman doesn't understand the Plan thoroughly in that particular article. He does make a couple of good points about the fact that all affordable housing is necessary. The way it's done it does drive up the cost of market rate housing. That's a factor we have to look at. It is how we address the making housing more affordable and whether incentives to builders to bring prices of market rate housing down might be a good solution to explore. Finally, I was a little bit upset when I went on Gough Street and saw a billboard from the North Lake Tahoe Chamber of Commerce showing a golfer hitting a golf ball, in what I perceived to be fog. And it said the good news it will burn off by October. Telling people they should go to Tahoe instead. I think first of all, our Chamber should put a billboard up either in Tahoe or in other parts of the Bay Area showing traffic jammed up during a snowfall and people taking 12 hours to get up to Tahoe and back. And this also happens during the summer many times. If they are going to go to that kind of advertising, negative advertising, I don't really appreciate it. As we know the warm weather we had a week ago it isn't always foggy in the summer in San Francisco.

Commissioner Sugaya:

Yes, it's more for the public than the Commission because the Commission will be getting their materials later today. But, a long standing process of the Japantown area has finally, not concluded, but the document, a document has been produced and has been released by the Planning Department at this point and is available to the public. It's the Japantown Cultural Heritage and Economic Sustainability Strategy. Better known as JCHESS and it will be presented before the Commission this month for an informational hearing and then adoption hearing will be held later in the fall.

Commissioner Wu:

I do have one request and sad to report that Jazzie Collins passed away early this morning. Jazzie was an amazing community advocate and really a strong woman who had been at the Planning Commission many times, so I ask that we adjourn in her honor today.

D. DEPARTMENT MATTERS

10. [Director's Announcements](#)

Director Rahaim:

Good afternoon, Commissioners. I wanted to first to announce that, as Commissioner Sugaya said, that the Japantown Plan is released for public comment. Commissioners should have their hard copies in your packet today and I think the first informational hearing is next week on your calendar. Secondly, there are a series of workshops

coming up next week on the Better Market Street Plan. The dates are Wednesday the 17th from 6:00 - 8:30 PM at the Park Fifty Five Hotel. There is a Webinar on Thursday the 18th from 12:00 -1:00 PM. I realize it's the first hour of the Planning Commission meeting. So you can't participate in that Webinar. And then Sunday July 20th, from 10:00 - 12:30 there is a workshop at the main library in the Corrette Auditorium from 10:00 to 12:30 on Sunday the 20th. Again those are all on Better Market Street Plan. I wanted to also let you know that per the recent discussion we had about CEQA legislation and notification, the Department has gone live with a new posting system for categorical and all sort of exceptions. It's a much more user friendly system; it is a map with all of the exemptions from each week having been posted on the map showing small icons on the map. By clicking on the icon you can be directed to the actual categorical exemption. All of those will be posted on weekly basis so people, so that is much useful friendly system, so people can look at the map, and the exemptions that have been created in their neighborhoods and they can look at those exemptions and the actual details of the actual exemption. Finally, I just wanted to take a few minutes to introduce some of the summer interns, many of whom are in the audience today. The Department has developed quite a robust summer internship program. There are actually 22 interns in the Department, 15 of those are Planning Interns, and several of those are in the audience today. I might just ask you all to stand up shortly to be recognized by the Commission and the audience. I will just run through a quick list of names and tell you the kind of projects they are working on. Aiden Tan, Alexandria Kirby, Andrea Cramer, Angela Lock, Andrew Perry, Ann Brask, Casey Hagerman, Abby Osheroff, Corwin Bell, David Mitchell, Forest Chamberlain, Hannah Clark, Jenny Wu, Joshua Ulger, and Julie Liu. We had over 300 applicants for the program. They come from all over the world with a broad range of experience. The broad range of projects they are working on include assisting the historic preservation team with data collection; identification of potential districts; completing the final task related to the bird safe building grant; performing research and analysis for the design guidelines project; collecting information and data related to the alternative traffic impact studies project; working on eco-districts in the central corridor; assistance on legislation with AnMarie and Sophie and Aaron; assisting with community outreach for the Market Street Plan; and continuing with the effort on the Urban Food Systems Project. It's a 12-week program. Each of the interns works with a planner who supervises and mentors them and their work, and then we will have presentations of their work in August on the final week of the program on a series of brown bag lunches. So, you are all welcome to join us. Thank you all for your work we welcome you to the City and to the Department. And also I would like to take the opportunity to thank Tina Tam, who is the coordinator for the program and has done a great job in organizing the entire effort.

Commissioner Wu:

Wonderful, Thanks for your time and your interest in the Planning Department.

Director Rahaim:

If I can just slip in one more announcements, I recently made an appointment in the Department that I think you would be interested to know about. Dan Sider is now Senior Advisor for Special Projects in the Department. We've been working on several special projects, helping on some high level work in the Department and will be a member of the Senior Management Team in that new role that he has. So we welcome him and congratulate him on his new appointment.

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

BOARD OF SUPERVISORS:**LAND USE COMMITTEE:**

- **Interim Zoning Controls for the Upper Market NCT (AnMarie Rodgers)**
This week the Land Use and Economic Development Committee held a public hearing on Interim Zoning Controls for the Upper Market Street Neighborhood Transit District. Supervisor Wiener is the sponsor. The proposed interim controls would require 1) Limited Financial Service and 2) Business or Professional Service

uses be considered as Conditional Uses. Supervisor Wiener opened the hearing with the following comments:

- There is significant new development along the Upper Market corridor, including an unprecedented amount of new ground-floor commercial space coming on-line in the next few years with a unique expansion of retail opportunity.
- The new development has the potential to be a thriving, pedestrian-oriented retail corridor or an assemblage of disconnected commercial spaces.
- Limited Financial Service and Business or Professional Service uses tend to be perceived as more desirable by developers, but a high concentration of these uses can adversely impact the corridor's viability.
- There are a number of other neighborhood commercial corridors that already consider these uses as a Conditional Use (e.g., Hayes-Gough NCT, North Beach NCD, Sacramento NCD).
- Approval of the interim controls will allow the Planning Commission and neighborhood to consider these uses in context with the existing housing and neighborhood character, whether it is necessary and desirable.
- The interim zoning controls will automatically sunset after 18 months and could be amended into the Planning Code at that point.

Planning Department commented at the hearing: "The quick nature of interim controls do not allow for a Commission hearing. That said, this proposal has been reviewed by the Planning Department senior staff. Department staff share the Supervisor's concerns about active land use in this area. Planning Code, Section 145.4, currently requires active uses for Market Street facing facades and certain side streets, but not for many other side streets in the area that are just as prominent and are visible from Market Street. Staff will work with the Supervisor and the Commission to develop appropriate permanent controls for the Upper Market area and recommends approval of the these zoning controls in the interim". One member of the public spoke in support of the interim zoning controls. **The Committee unanimously recommended approval to the Full Board.**

- **Urban Agriculture Program (Diana Sokolove)**

The Supervisors discussed a resolution acknowledging receipt of the Office of the City Administrator's recommendations regarding the establishment of an Urban Agriculture Program; supporting the Recreation and Park Department as the location for the new Urban Agriculture Program to coordinate the City's urban agriculture activities; and setting reporting goals related to Urban Agriculture. Supervisor Chiu added an amendment related to interagency coordination. **The LU Committee recommended approval to the Full Board.**

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- **Board hearing on Streetscape Clutter. 7/8/13.** Supervisor Wiener called a hearing on clutter in the streetscape, particularly elements that congest sidewalk right-of-way, such as newsracks, transit shelters, utility boxes, and advertising kiosks. Planning staff presented relevant policies and design guidelines from the Better Streets Plan relating to streetscape clutter, and discussed the Planning Department's role in reviewing streetscape elements for consistency with the General Plan. Supervisor Wiener asked about how the Department would be involved in review of AT&T utility boxes. Staff responded that the Planning and DPW Directors would be meeting to discuss a process for review of these items. Staff from DPW and MTA made presentations regarding permitting, guidelines, and contract requirements for pedestal-mounted newsracks, transit shelters, transit operator restrooms, and traffic signal control boxes in the public right-of-way. **This hearing was informational, the Committee voted to file the hearing.**

FULL BOARD OF SUPERVISORS:

- **909 Tennessee.** This rezoning would change the district of this property from "Public" to "Urban Mixed Use" as the property is now privately owned. This new designation is consistent with adjacent parcels. The PC

considered this rezoning on March 7 and the HPC considered it on Feb. 6. Both Commissions recommended approval. **This week the Full Board passed the Ordinance on Final Reading.**

- **Mission Bay South Redevelopment Plan Amendments:** The Planning Commission found, on June 13th, that the proposed amendments are in conformity with the General Plan. The Land Use Committee on Monday forwarded the amendments with recommendation to the full Board. **This week the Full Board passed the Ordinance on Final Reading.**
- **CEQA Ordinances.** Both Supervisor Wiener's and Supervisor Kim's CEQA ordinances were to be before the Full Board but both items were continued one week.
- **130263 Castro Street NCD Use Size.**
The proposed ordinance would allow a neighborhood-serving nonprofit institution with a use size over 4,000 sq.ft. to apply for a Conditional Use Authorization in the Castro NCD. There would be no numerical cap or a sunset clause; rather it would permit these uses to be approved by the Planning Commission on a case-by-case basis. The regular CU criteria and processes apply
- **1230369 Building, Health, Public Works Codes - Soil and/or Groundwater Testing Requirements] 130225 Administrative Code - Bayview Hunters Point Citizens Advisory Committee] Appeal of the Historic Preservation Commission's Decision on a Major Permit to Alter - 706 Mission Street** This appeal was continued to July 23, 2013.

FINAL READING

- **CPMC:** On Tuesday, the Board of Supervisors heard the proposed Development Agreement and the associated amendments for the CPMC Hospital Rebuild Project; this Commission approved the revised project for CPMC on May 23, 2013.
The revised Development Agreement and associated amendments were approved this week on Final reading. The mayor is scheduled to sign the Development Agreement Ordinance and the associated amendments today.

INTRODUCTIONS:

June 25th

- **130677 Interim Controls for Upper Market NCT (CU for LFS & Bus/Pro Services). Wiener.**

July 9th

- **Supervisor Kim:** BF 130712. Resolution imposing interim zoning controls requiring conditional use authorization for formula retail uses, as defined, on Market Street, from 6th Street to Van Ness Avenue, subject to specified exceptions, for 18 months.

BOARD OF APPEALS:

I would like to give the Board of Appeals report and also thank Dan for his 3 years working as assistant Zoning Administrator and very much enjoyed working with him, and definitely wish him the best of luck in his new position with the Department. The Board of Appeals did meet last night, I don't think there are any items of interest to report. But, next week's hearing there will be two items of interest and I will report back to you next week. One is the appeal of 70 Crestline, which was a development project the Planning Commission approved under DR. That was appealed by the neighbors of the project and also the other item, our first appeals of parklets to the Board of Appeals that will be heard next week, so, I will report back to you on those items after the hearing.

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. 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: Robert Davis - Bayview homeless shelter
 Anonymous (M) - 480 Potrero Street Continuance
 Dino Adelfio - 450 O'Farrell Church service, Stan's Community Center
 Linda Chapman, Nob Hill Neighbors - Developer community benefit, before the Land Use Committee
 Lorraine Lucas - In Support of Linda Chapman's comments

F. REGULAR CALENDAR

12. [2013.0292C](#) (C. NOEL: (415) 575-9125)
16 WEST PORTAL AVENUE - west side between Ulloa and Vicente Streets; Lot 002 in Assessor's Block 2931 - **Request for Conditional Use Authorization**, pursuant to Planning Code Sections 303, 729.44 and 703.4 to allow a formula retail use operating as a restaurant (d.b.a. La Boulange) within the West Portal Avenue Neighborhood Commercial District and 26-X Height and Bulk District.
 Preliminary Recommendation: Approve with Conditions

SPEAKERS: + J. P. LaChance, La Boulange Representative – West Portal is the type of neighborhood La Boulange targets
 + Richard Kinaurd, Project Architect – design
 + Aurum Shepard – Space in need of renovation
 + Emmett Miller – Great anchor store
 + Ted Bowie – Fills a need for a neighborhood bakery
 + Stephanie Lima – Longtime resident of West Portal, in need for anchor store neighborhood
 + Tammy Scott Riggins, neighborhood resident, future merchant

ACTION: Approved with Conditions
 AYES: Fong, Wu, Antonini, Borden, Moore, Sugaya
 ABSENT: Hillis
 MOTION: 18920

13. [2013.0477C](#) (C. TEAGUE: (415) 575-9081)
435-437 POTRERO AVENUE - east side between 17th and Mariposa Streets; Lot 022 of Assessor's Block 3974 - **Request for Conditional Use Authorization**, pursuant to Planning Code Sections 179.1, 227(r), 303, and 303(h), to legalize approximately 10,000 gross square feet of Internet Services Exchange on the entirety of both floors of the existing two-story building within a UMU (Urban Mixed Use) Zoning District and 58-X Height and Bulk District.
 Preliminary Recommendation: Approve with Conditions
 (Continued from Regular Meeting of June 13, 2013)

SPEAKERS: + Jim Reuben, Reuben, Junius & Rose, - Internet services exchanges, air quality, back up generators
 + Matt Novak, Sponsor Team - S.F. based business, local data center, adaptive re-use of an existing warehouse, proximity to downtown S.F.
 + Paul Larson – Ran an internet exchange adjacent to a residence w/o issue
 + Mehrdad Saberi – Internet and Broadband industry, technological improvements
 + Charles Kung – Small businesses need a small data center in the immediate vicinity
 + Arman Kalidi, Owner – Responding to Commission's questions
 - Dorothy Dinelli – Smoke, noise
 - Dean Dinelli – Smoke, noise from previous tenant, generator noise

- Darius Contractor – Generator issues
- Mica Ringel - Owners vs. Occupant notification, RCN – fiberoptics company, Internet Service Exchange

ACTION: Approved with Conditions as amended to include:
 1. A report to the Commission in six months, in the form of a memo from staff

AYES: Fong, Wu, Antonini, Borden, Moore

NAYES: Sugaya

ABSENT: Hillis

MOTION: 18921

- 14a. [2012.0081CV](#) (K. GUY: (415) 558-6163)
450 HAYES STREET - north side between Octavia Boulevard and Gough Street, Lot 039 of Assessor's Block 0808 - **Request for Conditional Use Authorization** to allow development on a lot exceeding 10,000 square feet, pursuant to Planning Code Sections 121.1 and 303, within the Hayes-Gough Neighborhood Commercial Transit District and the 40-X Height and Bulk District. The proposal is to demolish an existing surface parking lot and construct a new four-story building containing approximately 41 dwelling units, 3,700 square feet of ground-floor commercial uses, and 20 off-street parking spaces.
 Preliminary Recommendation: Approve with Conditions

SPEAKERS: + Mark McDonald, Project Sponsor Representative, Improve a surface parking lot to a new landmark building
 + Huseh Koyoba, Project Architect – Design
 + Jason Henderson, Hayes Valley Neighborhood Association – Enthusiastic and pleased with project
 + Robert Poole, Housing Action Coalition – Example of good land use, transit oriented development
 + Michael Adler – Developer interest in Hayes Valley, urban infill at its best
 + Martha Fry, Landscape Architect – Open space improvements to Ivy Street
 + Lorn Dittfield, Propeller Owner – Impressed with quality and integrity of developer
 + Dan Simms – Hayes Valley positive energy
 + Alan Mark – Great addition to the neighborhood and City
 + Juan Riscalvo, Project Architect – Responded to Commission's questions
 + Craig Hemberg, Project Sponsor - Responded to Commission's questions
 - Bryan O'Nan – Gentrification of Hayes Valley, affordable housing

ACTION: Approved with Conditions

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

ABSENT: Hillis

MOTION: 18922

- 14b. [2012.0081CV](#) (K. GUY: (415) 558-6163)
450 HAYES STREET - north side between Octavia Boulevard and Gough Street, Lot 039 of Assessor's Block 0808 - **Request for Rear Yard Modification**, pursuant to Planning Code Section 134(e), within the Hayes-Gough Neighborhood Commercial Transit District and 40-X Height and Bulk District. The proposal is to demolish an existing surface parking lot and construct a new four-story building containing approximately 41 dwelling units, 3,700 square feet of ground-floor commercial uses, and 20 off-street parking spaces.

ZONING ADMINISTRATOR INDICATED AN INTENT TO GRANT

15. [2013.0266C](#) (S. LAI: (415) 575-9087)
2224 UNION STREET - north side, between Fillmore and Steiner Streets, Lot 011 in Assessor's Block 0534 - **Request for Conditional Use Authorization** pursuant to Planning Code Sections 303, 703.3 and 703.4, to establish a new formula retail establishment (d.b.a. Sur La Table), within the Union Street NCD (Neighborhood Commercial District) and 40-X Height and Bulk District.
 Preliminary Recommendation: Approve with Conditions

SPEAKERS: + Bonnie Osaidi, Sur La Table Representative – Project attributes
 + Ken Raymond, Sur La Table Manager – Welcomes everyone
 + Joe Murdock, Sur La Table Manager – Positive experience to work at Sur La Table
 + Michael Williams, Rep. Union Street Association - Consensus Study, Appropriate mix
 + Richard Garcia, Sur La Table Manager – Great place to work
 + Terri Brumbaugh – jewelry store owner, competition is good
 - Sam Black – Chain store not needed

ACTION: Approved with Conditions
 AYES: Fong, Wu, Antonini, Borden, Moore, Sugaya
 ABSENT: Hillis
 MOTION: 18923

16. [2012.0397D](#) (S. YOUNG: (415) 558-6346)
205 FREDERICK STREET - southwest corner of Ashbury and Frederick Streets; Lot 001 in Assessor's Block 1269 – **Request for Discretionary Review** of Building Permit Application No. 2012.10.05.1468 proposing to legalize the change of use of commercial space previously occupied by a retail grocery store's delicatessen section to a Limited Restaurant use (d.b.a. Bacon Bacon) on the first and mezzanine floors of the two-story mixed-use building. The proposal includes tenant improvements for the installation of an odor abatement system into the existing kitchen hood exhaust system and a new dining service counter. The proposed Limited Restaurant use will also include accessory food preparation for their mobile food truck during business hours when the establishment is in operation for meal service. The project site is located within a RH-3 (Residential, House, Three-Family) Zoning District, a ¼ mile of the Haight Street Neighborhood Commercial District (NCD) and 40-X Height and Bulk District. The property's commercial use is considered to be a Limited Commercial Use pursuant to Planning Code Section 186.
 Staff Analysis: Full Discretionary Review
 Preliminary Recommendation: Do Not Take Discretionary Review and Approve

SPEAKERS: - Ryan Patterson, DR Requestor representative – Negative impact on residential neighborhood
 - Lorraine Lucas, Haight Ashbury Neighborhood Improvement Association – Planning Department precedence for illegal business, then legitimization
 - Inge Nevins – should not be a popularity contest, odor
 - David Nevins – Negative impacts, Wall Street Journal article
 - Laura Gilcky – Read a letter into the record on behalf of a residential tenant
 - John Unger – Smell problem, concerned residential neighborhood will be transformed into a commercial neighborhood
 + Jeremy Paul, Project Sponsor Representative – Former Ashbury Market space, kitchen unchanged, subject of BPA – improved ventilation system
 + Jim Angelus, Bacon Bacon Owner – Project benefits
 + Arnold Wong, Project Owner – Former market and deli operator
 + Phyllis Johnson Silk – Local small business affordable, family friendly, neighborhood gem
 + Renee Picasso – Former blighted store front revitalized

- + Anonymous (F) – Agrees w/previous speaker
- + Mike Shell – Support small business waste of tax payer money
- + Anonymous (M) – In full support
- + Molly Brandis – Great place to meet neighbors
- + Tia Barnard – Appreciate the service they provide
- + Robert Dawson – Ashbury Market was the cause and effect of the neighborhood
- + Eddie Carra – Business supporter
- + Steven Furer – Great addition to the neighborhood
- + Colby Moore – Owner’s brother-in-law, great place for kids
- + Steven Evans – Has brought the neighborhood together
- + Lauren Daly – Friend in support
- + Michael Stern – Small number of people opposed to a small business
- + Jonathan Griffin – Bacon Bacon builds community
- + Greg Robinson – Great addition to the neighborhood
- + Michael Fleischner – Full support
- + Anonymous (M) – Great place
- + Anonymous (M) – Great community location, smells from other establishments
- + Padra Morrison – Positive change to neighborhood
- + Tina Smith – Enjoys the activity
- + Ben Robinson, Ashbury Market Owner – Knows Jim, understands neighborhood opposition, amicable solution

ACTION:

Took DR and Approved the Project as proposed with the following:

1. Install an exhaust with filtration system equivalent to or better than a “Molitron” odor abatement system;
2. Kitchen may not be used as the commissary to the food truck(s); and
3. No overnight parking of the food truck(s) at the subject site.

AYES:

Fong, Wu, Antonini, Moore, Sugaya

ABSENT:

Borden, Hillis

DRA-#:

0326

17. [2013.0434D](#)

(S. YOUNG: (415) 558-6346)

1855 - 1857 GREENWICH STREET - south side of Greenwich Street between Laguna and Octavia Streets; Lot 038 in Assessor’s Block 0519 - **Mandatory Discretionary Review** pursuant to Planning Code Section 317, requiring the review of Loss of Residential Units Through Merger, of Building Permit Application No. 2013.04.10.4198 proposing to merge residential units, changing the building’s unit count from two units to one unit within a RH-2 (Residential, House, Two-Family) Zoning District and 40-X Height and Bulk District.

Staff Analysis: Full Discretionary Review

Preliminary Recommendation: Take Discretionary Review and Disapprove

SPEAKERS:

+ Stephen Antanaros, Project Sponsor Representative – Department’s density methodology

+ Kimberly Dudoh – read a letter on behalf of husband

ACTION:

After closing public comment; Continued to August 8, 2013

AYES:

Fong, Wu, Moore, Sugaya

NAYES:

Antonini

ABSENT:

Borden, Hillis

18a. [2011.0896DV](#)

(A. PUTRA: (415) 575-9079)

225 SANTA ANA AVENUE - east side between Monterey Boulevard and Darien Way; Lot 018 in Assessor’s Block 3254 - **Request for Discretionary Review** of Building Permit Application No.

2011.03.17.2277, proposing to raise the height of an existing single-family building by approximately 2'-0" to create a habitable level below the existing first floor and to construct a two-story horizontal addition at the rear (southeast corner) of the building that would not extend beyond the depth of the existing rear wall within a RH-1(D) (Residential, House, Single-family, Detached) Zoning District and 40-X Height and Bulk District.

Staff Analysis: Abbreviated Discretionary Review

Preliminary Recommendation: Do Not take Discretionary Review and Approve

SPEAKERS: None
 ACTION: Continued to September 26, 2013
 AYES: Wu, Antonini, Borden, Moore, Sugaya
 ABSENT: Hillis, Fong

- 18b. [2011.0896DV](#) (A. PUTRA: (415) 575-9079)
225 SANTA ANA AVENUE - - east side between Monterey Boulevard and Darien Way; Lot 018 in Assessor's Block 3254 - **Request for Variance**, pursuant to Planning Code Sections 133 and 134, to maintain side yards of approximately 1'-0" on the south side and 3'-0" on the north side, where two side yards of approximately 4'-0" each is required; and to maintain a rear yard of approximately 17'-6", where a rear yard of approximately 24'-0" is required within a RH-1(D) (Residential, House, Single-family, Detached) Zoning District and 40-X Height and Bulk District.

SPEAKERS: None
 ACTION: Continued to September 26, 2013
 AYES: Wu, Antonini, Borden, Moore, Sugaya
 ABSENT: Hillis, Fong

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: Kimberly Dudoh – Family housing

ADJOURNMENT – 6:25 P.M – In eternal memory of Jazzie Collins.