

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, April 24, 2014
12:00 p.m.
Regular Meeting

COMMISSIONERS PRESENT: Wu, Fong, Antonini, Borden, Hillis, Moore
COMMISSIONERS ABSENT: 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, Sarah Vellve, Christine Lamorena, Aaron Starr, Michael Smith, Menaka Mohan, Kanishka Burns, 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. [2013.1651Q](#) (A. KIRBY: (415) 575-9133)
700 CABRILLO STREET – northwest corner of Cabrillo Street and 8th Avenue; Lot 005A in Assessor's Block 1636 – **Request for Condominium Conversion Subdivision** to convert a

two-story-over-basement, five-unit building into residential condominiums within a RH-2 (Residential, Housing, Two-Family) Zoning 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

(Proposed for Continuance to May 15, 2014)

SPEAKERS: None
ACTION: Continued to May 15, 2014
AYES: Wu, Fong, Antonini, Borden, Hillis, Moore
ABSENT: Sugaya

2. [2014.0363Q](#) (A. KIRBY: (415) 575-9133)
545 ASHBURY STREET – west side of Ashbury Street between Haight and Page Streets; Lot 008 in Assessor’s Block 1231 – **Request for Condominium Conversion Subdivision** to convert a two-story-over-garage, five-unit building into residential condominiums within a RH-3 (Residential, House, Three-Family) Zoning District and a 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
(Proposed for Continuance to May 15, 2014)

SPEAKERS: None
ACTION: Continued to May 15, 2014
AYES: Wu, Fong, Antonini, Borden, Hillis, Moore
ABSENT: Sugaya

- 3a. [2013.0205CEKV](#) (C. LAMORENA: (415) 575-9085)
395 26th AVENUE - northwest corner of Clement Street and 26th Avenue; Lot 017 in Assessor’s Block 1407 - **Request for Conditional Use Authorization** pursuant to Planning Code Sections 303 and 717.39 to allow the demolition of an existing two-story mixed-use building containing two dwelling units with ground floor commercial space and construct two buildings, a 45-foot tall, four-story mixed-use building fronting on Clement Street, containing three dwelling units, four residential parking spaces with ground floor commercial space and a 40-foot tall, four-story building fronting on 26th Avenue, containing three dwelling units and three residential parking spaces within the Outer Clement Street Neighborhood Commercial Zoning 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
(Continued from Regular Meeting of February 20, 2014)
(Proposed for Continuance to September 4, 2014)

SPEAKERS: None
ACTION: Continued to September 4, 2014
AYES: Wu, Fong, Antonini, Borden, Hillis, Moore
ABSENT: Sugaya

- 3b. 2013.0205CEKV (C. LAMORENA: (415) 575-9085)
395 26th AVENUE - northwest corner of Clement Street and 26th Avenue; Lot 017 in Assessor's Block 1407 - **Request for Rear Yard Modification** from Planning Code Section 134(e), which requires a 25-percent rear yard at all levels and a **Variance** from Planning Code Section 145.1, which establishes street frontage requirements in the NC Zoning District, including requirements that parking be set back 25 feet at the ground floor from any street frontage. The project proposes new construction of two buildings, each of which do not provide the required rear yard depth on the ground floor and propose parking that is not set back 25 feet from the street frontage. The property is located within the Outer Clement Street Neighborhood Commercial Zoning District and 40-X Height and Bulk District.

(Continued from Regular Meeting of February 20, 2014)

(Proposed for Continuance to September 4, 2014)

SPEAKERS: None
 ACTION: Continued to September 4, 2014
 AYES: Wu, Fong, Antonini, Borden, Hillis, Moore
 ABSENT: Sugaya

4. 2013.1529Z (A. STARR: (415) 558-6362)
904 22ND STREET - **Zoning Map Amendment** - Ordinance amending the Zoning Map, to re-zone the property located at 904-22nd Street (Assessor's Block No. 4106, Lot No. 015) from RH-3 (Residential, Housing, Three Family) to UMU (Urban Mixed Use); and making environmental findings, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

Preliminary Recommendation: Adopt a Recommendation for Approval

(Continued from Regular Meeting of February 13, 2014)

(Proposed for Indefinite Continuance)

SPEAKERS: None
 ACTION: Continued Indefinitely
 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

5. [2013.1654C](#) (S. VELLVE: (415) 558-6263)
3201 CALIFORNIA STREET – at the southwest corner of California Street and Presidio Avenue; Lot 002 of Assessor's Block 1032 - **Request for Conditional Use Authorization**, pursuant to Planning Code Sections 303, 711.11, 711.21, and 711.49 to infill an *interior* atrium at the second floor of the existing financial service (SF Fire Credit Union) by approximately 2,300 square feet and to allow a use size in excess of 4,000 square feet on a lot in excess of 10,000 square feet within a NC-2 (Small-Scale Neighborhood Commercial District) and 40-X Height and Bulk District. A physical expansion of the existing building is

not proposed. This action constitutes the Approval Action for the project for purposes of CEQA, pursuant to Section 31.04(h) of the San Francisco Administrative Code.

Preliminary Recommendation: Approve with Conditions

SPEAKERS: None
 ACTION: Approved with Conditions
 AYES: Wu, Fong, Antonini, Borden, Hillis, Moore
 ABSENT: Sugaya
 MOTION: 19119

6. [2013.1693C](#) (C. LAMORENA: (415) 575-9085)
1701 OCTAVIA STREET – northwest corner of Octavia and Bush Streets; Lot 005 of Assessor’s Block 0663 – **Request for Conditional Use Authorization** pursuant to Planning Code Section 303(e) to amend the Conditions of Approval (Condition #7) of Motion No. 14889 to eliminate valet parking service on Sunday through Thursday evenings at the existing Restaurant (d.b.a. Baker and Banker) within a RH-2 (Residential, House, Two-Family) and 40-X Height and Bulk District. This action constitutes the Approval Action for the project for the purposes of CEQA, pursuant to Section 31.04(h) of the San Francisco Administrative Code.
 Preliminary Recommendation: Approve with Conditions

SPEAKERS: None
 ACTION: Approved with Conditions
 AYES: Wu, Fong, Antonini, Borden, Hillis, Moore
 ABSENT: Sugaya
 MOTION: 19120

C. COMMISSION MATTERS

7. Consideration of Adoption:
- [Draft Minutes for April 3, 2014](#); and
 - [Draft Minutes for April 10, 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.

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:

A few meetings I've had in the last couple of weeks: I met with -- a neighbor -- I attended a neighborhood meeting last night at Mission Station in regards to a project that will be coming before us in the future 490 South Van Ness. I met with project sponsor, and sponsor's architect in regards to a project we are hearing today, 2198 Market last week. I also met with project sponsor in regards to some future buildings that have just been proposed and are undergoing environmental analysis, will be on First Street, or Mission Street, near First or First and Mission. And then finally, I visited the DR requestor for the DR that's filed against 111 Ashbury, which is on our calendar for consideration in the near future. The other item I wanted to ask about, making comments. I realize that we have a ballot issue, but my question is not about a position on the ballot issue, but rather to inform me and inform the public in general about the origin of the existing height limits on the Waterfront. I mean, nobody seems ever bring up in any of these discussions, when was this passed? Who passed it? How were these various heights decided upon? Because it's not just waterfront, it's property that are inland from the Waterfront. I would assume that almost all of them are Port properties, but I think if we can have some sort of informative presentation about that, I think it would be something that the general public would find very informative too, some kind of history, where those height limits came from.

Commissioner Borden:

I guess the only question I have is, speaking of the Waterfront, the Warrior Stadium. I know they have announced they bought the Salesforce site, I wondered if they filed an application, at all, with the Planning Department or if you all have been in talks with them and their plans?

Director Rahaim:

I was going to address that under my Director's Report.

Commissioner Borden:

Perfect.

Commissioner Moore:

I see a lot of construction activity in all residential neighborhoods, I consider that to be a very positive sign. Sometimes, I only wonder as to whether or not all of these various activities have filed for the proper permitting. I question that because those builders and developers in the City, who are doing residential remodels, etc., typically post their signs and their permits somewhere on the construction site, but it could be not knowing how it works, but I see many places where that is not quite happening, so it's hard to trace when you don't know what is happening, does it have a permit or not. Going to the website is one way, but I am not here to police activities, but I would rather see us, perhaps have a discussion, perhaps together with DBI how, in these very active times, to flag the things, where to ask questions, etc. Because I am observing in my own vicinity something, which definitely requires a variance, despite the very nature of the project. On the other hand, since I don't see the permits posted on the building I have to assume the construction activities, which are going on in the building have also not been vetted properly. So, I am trying to ask as to whether or not it would make sense for the Director of the Department and the Commission to schedule a joint meeting with DBI and talk about this, among other things which we might all have in common.

D. DEPARTMENT MATTERS

9. [Director's Announcements](#)

Director Rahaim:

Good afternoon, Commissioners, a couple of announcements today, I just wanted to introduce you all to Mr. Gil Kelly, who is sitting to my left, who's the new Director of Citywide Planning. Gil has been with the Department for about two and a half weeks. Gil come to us with a wealth of experience, most recently from Portland, where he had his own firm. He was Planning Director for Portland for ten years and prior to that was Director in Berkley for nine. Among other things he has been very active with the American Planning Association. As many of you know, I have known Gil for a long time, and frankly we are thrilled to have him with the Department and to be part of our team, so we welcome you.

With respect to the Warriors proposal, as you know, the announcement was a made this week, that the Warriors have purchased – or are in the process of purchasing a good piece of the Salesforce property in Mission Bay to build the arena and to build some office space. The proposal will be to build the arena, an approximately 18,000 seat arena, as well as a certain amount of office space, the exact amount of office is not yet known. That site is, as you recall, a Salesforce site...that site was larger than that site actually had about 2 million square feet of office proposed. It's not exactly sure how much the Warriors will propose. That site is still governed by the Mission Bay Redevelopment Plan and the zoning for that plan. Therefore, the entitlement process is similar to what normally would happen in Mission Bay. There will likely need to be some changes to the environmental review, we do not know exactly the scope of that yet, we are working with OCIIS which still governs that, the redevelopment successor agency, and under an arrangement that started a year ago a year ago the Planning Department is actually doing the environmental reviews for the Redevelopment - - the former Redevelopment Agency. So we are working with them to scope that out right now and, as well as, we are working with them under contract with them also on the design review needs at OCIIS. The Department will be at the table, both formally and informally with the project. The Commission's role will not be the normal entitlement role, because it is in the Mission Bay Redevelopment Plan, however, you will formally see the office allocation as you always do in redevelopment areas and of course we'll be happy to bring the project to you, as needed, on an informational basis as the work proceeds. There has been no formal application filed yet, because it is so early in the process. They haven't even scoped fully what the full range of the project is at this point, so when it becomes better defined I'm happy to work with the President to figure out a good time for an informational hearing, to come to you to talk about the scope of the project at this site. You may recall that Salesforce had about 14 acres, this site is smaller than that. Part of the 14 acres were recently, came under an agreement with UCSF, who is going to be building on a portion of that site, along First Street, so this site doesn't include the entire 14 acres, but does include the portion of site that runs through Third Street to the water or to Terry Francois Boulevard, I should say, so it includes the biggest single piece of the site. With respect to Commissioner Antonini's comment on the Waterfront, we are working on, with several City Departments on an analysis of the ballot measure, and we are happy to share that when it is complete. It would include review of the kind of history of Waterfront zoning, how it came to be, which properties the Port controls and which parcels the Port does not control; the Port does not control all the properties in the Waterfront. That analysis should be done within the next two or three weeks.

Commissioner Moore:

I know this is not scheduled as a discussion item, but I would like to ask that some of the urban design ideas which the Department, relative to the connection with the previous design related to the Salesforce headquarters resolved many of the big connections which we're looking for in very, very ingenious way, I hope that sensitivity, which you all brought to that discussion can be transferred and somehow adapted to how we look at this larger building.

Director Rahaim:

I appreciate that comment we are very much looking forward to trying to work on this site as a way of making it a more pedestrian friendly and active environment in Mission Bay.

Commissioner Antonini:

It seems to me, on Mission Bay projects in the past, the Commission has approved the design as a matter of the hearing I'm not sure if this is true of the Warrior facility or not.

Director Rahaim:

Commissioners, the way that Mission Bay works is that you approve the design only --I don't understand the history of the site, but you approve design only on office uses, the office component, because of the Prop M allocation. Having said that, the Department will be at the table and we will be happy to come here as often as need be to actually update you and get your comments on the project.

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

LAND USE COMMITTEE:**4/14/14 Committee Hearing**

- **140122 Tang: Small Business Month in May 2014.** This is the duplicated file for this Ordinance, which includes the Planning Commission Recommendation to make this fee waiver permanent. If you recall the Ordinance was duplicated so that the Small Business fee waiver could go forward for this May without any further procedural delays. With little discussion and comment this item was sent to the full board with a positive recommendation.

4/21/14 Committee Hearing

140097 Supervisor Yee: Medical Cannabis Dispensaries – Ocean Avenue NCT District. This would require Conditional Use authorization for an MCD to locate within 500 feet of an existing MCD in the Ocean Avenue NCT District. This Commission heard this Ordinance on April 3, 2014 and voted unanimously to recommend that Board of Supervisors approve the proposed Ordinance. There was little public comment and no questions from the Committee members about his Ordinance. The Land Use Committee voted to send the Ordinance to Full Board with Positive Recommendation

FULL BOARD OF SUPERVISORS:**4/15/14 Hearing**

- **131063 Supervisor Weiner.** Castro Accessory Dwelling unit Ordinance Passed its second read.

4/22/14 Hearing

- **140312 Supervisor Tang.** Small Business Month Fee Waiver, duplicated file passed its first read.

Mayor's Signature:

- On Thursday of last week the Mayor held a signing signature for both Supervisor Chiu's Ordinance that grants Legal Status to Illegal Units and Supervisor Wiener's Ordinance that allows the addition of a unit in the Castro. The Ordinances will be effective on May 19.

INTRODUCTIONS:**4/15/14**

- **140382 Supervisor Kim: Planning Code - Designation of 1007 Market Street (aka James G. Walker Building).** Ordinance amending the Planning Code to change the designation of 1007 Market Street (aka James G. Walker Building), Assessor's Block No. 3703, Lot No. 078, from Category V (Unrated) to Category III (Contributory) under Planning Code. Article 11.
- **140381 Administrative, Planning Codes - Amending Regulation of Short-Term Residential Rentals and Establishing Fee.** Ordinance amending the Administrative Code to provide an exception for permanent residents to the prohibition on short-term residential rentals under certain conditions; to create procedures, including a registry administered by the Department of Building Inspection, for tracking short-term residential rentals and compliance; to establish an application fee for the registry; amending the Planning Code to clarify that short-term residential rentals shall not change a unit's type as residential.

4/22/14

- There were not new Ordinances introduced at the Board this week.

Board of Appeals Report:

None

Historic Preservation Commission Report:

None

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: Bernie Choden – Waterfront Federal review

F. REGULAR CALENDAR

11. [2007.1275E](#) (S. SMITH: (415) 558-6373)
San Francisco 2004 and 2009 Housing Element – Rescind Planning Commission Motion 18307 and Certification of the Final Environmental Impact Report. The proposed project is the 2004 and 2009 Housing Elements. The Housing Element is a policy document that consists of goals and policies to guide the City and private and non-profit developers in providing housing for existing and future residents to meet projected housing demand, as required under Government Code section 65580 *et seq.* The San Francisco Planning Commission certified the Environmental Impact Report for the 2004 and 2009 Housing Element on March 24, 2011. However, pursuant to a court order, this certification must be set aside. In addition, pursuant to a court order, the Planning Department has revised and recirculated Chapter VII Alternatives of the EIR and published a Responses to Comments document addressing comments received on the revised EIR.

Please Note: The public comment period for the revised portions of the Draft EIR was from December 18, 2013 to February 18, 2014. The Commission will take public comment on this item when it is called; however, because the public comment period on the revised portions of the Draft EIR closed on February 18, 2014, any comments received after that date, including any comments provided orally or in writing at this hearing, will not be responded to in writing.

Preliminary Recommendation: Rescind Motion No. 18307 and Certify the Final EIR

SPEAKERS: - Bernie Choden – State Court of Appeals, programmatic scenarios, alternative analysis
 - Kathy DeVecenzi – Alternatives analysis conclusory
 - Rose Hillson – Alternative language
 - Robert Gee – Miraloma Park
 - Karen Breslin – Support for prior speaker
 - Judy Berkowitz – Japantown, feasible alternatives
 + Sarah Karlinsky – 15 member panel, urges certification and adoption

ACTION: Certified
 AYES: Wu, Fong, Antonini, Borden, Hillis, Moore
 ABSENT: Sugaya
 MOTION: 19121

12a. [2007.1275EM](#) (M. MOHAN: (415) 558-6284)
2009 HOUSING ELEMENT UPDATE - Adopting CEQA Findings on approval of the 2009 Housing Element Update of the General Plan - and associated actions.
 Preliminary Recommendation: Adopt

SPEAKERS: None
 ACTION: Adopted CEQA Findings
 AYES: Wu, Fong, Borden, Hillis, Moore
 NAYES: Antonini
 ABSENT: Sugaya
 MOTION: 19122

12b. [2007.1275EM](#) (M. MOHAN: (415) 558-6284)
2009 HOUSING ELEMENT UPDATE - Consideration of Adopting a Resolution Amending the General Plan - Pursuant to Planning Code Section 340 (c), the Commission will consider adopting amendments to the General Plan, including repealing the existing Housing Element of the General Plan, adopting the 2009 Housing Element update, and related actions, making Planning Code Section 101.1 findings, and recommending that the Board of Supervisors adopt an Ordinance approving the amendments. The 2009 Housing Element Update is required by State Law, and includes Part 1: Data and Needs Analysis, which contains a description and analysis of San Francisco's population, household and employment trends, existing housing characteristics, and housing needs; Part 2: Objectives, Policies; and a series of Appendices including Implementing Programs, which sets forth actions to help address the City's needs.
 Preliminary Recommendation: Adopt

SPEAKERS: None
 ACTION: Adopted

AYES: Wu, Fong, Borden, Hillis, Moore
 NAYES: Antonini
 ABSENT: Sugaya
 RESOLUTION: 19123

13. [2013.0963U](#) (K. BURNS: (415) 575-9112)
FORMULA RETAIL CONTROLS TODAY AND TOMORROW - Informational Presentation – The final information item of the Formula Retail Controls series. This item was first heard by the Commission on July 25, 2013. On January 23, 2014 staff presented preliminary citywide analysis and a draft timeline of project deliverables, opportunities for public participation, and Planning Commission hearings to report results. On February 27, 2014, staff presented the draft Phase 1 report with revisions based upon the last hearing and four preliminary issue briefs. Today’s hearing will be a presentation of the draft final economic study commissioned by the Planning Department focused on analyzing economic and land use impacts of formula retail establishments and controls on San Francisco’s neighborhoods and an opportunity for public comment and Commissioner feedback on the draft report. The economic study commissioned by the Department will provide data, analysis, and data visualization that will inform the Department’s policy recommendations to the Commission. The Commission is tentatively scheduled to consider policy recommendations for formula retail controls on May 8, 2014.
 Preliminary Recommendation: None – Informational

SPEAKERS: = Richard Ow – In favor of nationwide chains
 = Ilene Dick – On behalf of BOMA. Van Ness – 6th Street moratorium, limit vacancies
 = Meka Brown – Senior access to services
 = Paul Wermer – Upper Fillmore observations, highly desirable street
 = Karima Pierce – Jobs, small businesses do not provide enough youth employment opportunities
 = Tasha Rahm – Jobs, senior access, low income impact
 = Jay Chang – Walkable, exciting neighborhood, vacant large spaces
 = Dawn Saunders – Chains provide jobs for homeless youth
 = Angel Lee – Seniors prefer one stop shopping in larger stores, reasonable prices
 = Bobby – In support for more chain stores. Resident hiring
 = Owen O’Donnell – Shopping by foot on Divisadero, tough restrictions on formula retail encourages people to drive
 = Matt Holmes – Vacancy is the scourge of all retail neighborhoods. Administrative over kill
 = Shirley Chan – No over restrictions on small or larger businesses
 = Judy Berkowitz
 + Dee Dee Workman – One size fits all policy not feasible

ACTION: None – Informational

14. [2013.1610C](#) (M. SMITH: (415) 558-6322)
2175 MARKET STREET - southeast corner of Market and 15th Streets; Lot 011 in Assessor’s Block 3543 - **Request for Conditional Use Authorization**, pursuant to Planning Code Sections: 303, 733.21 (use size), 145.4(d) (for an individual ground floor nonresidential use that occupies more than 75 contiguous linear feet along the Market Street façade); 733.41 (bar use) and 733.44 (restaurant use), for a project proposing to amend motion No. 18715 as it applies to the ground floor retail spaces only, to combine the retail spaces and add

additional restaurant and bar uses. The goal is to create an approximately 6,300 square-foot “marketplace” retail concept within the ground floor retail space of a mixed-use building that is currently under construction. The “marketplace” concept is designed to create a one stop market place featuring multiple local businesses in a shared space. The project site is located within the Upper Market Street NCT (Neighborhood Commercial Transit) District and 40-X/60/65-X Height and Bulk Districts and within the Market and Octavia Area Plan. This action constitutes the Approval Action for the project for purposes of CEQA, pursuant to Section 31.04(h) of the San Francisco Administrative Code.

Preliminary Recommendation: Approve with Conditions

SPEAKERS: + Kate O’Brien – Project description
 + Ted Olsen – Compliments Forest City
 + Ryan Patterson – DTNA support
 + David Troupe – If market hall concept fails the larger space should be subdivided

ACTION: Approved with Conditions

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

ABSENT: Sugaya

MOTION: 19124

15a. [2012.1362CEV](#) (M. SMITH: (415) 558-6322)
2198 MARKET STREET - northeast corner at Sanchez Street; Lot 039 in Assessor’s Block 3542 - **Request for Conditional Use Authorization**, pursuant to Planning Code Sections: 303, 155 (new curb cut along Sanchez Street, an official City bike route), 733.11 (to develop a lot exceeding 9,999 square feet), 733.44 (to establish a restaurant), and 145.4(d) (for an individual ground floor nonresidential use that occupies more than 75 contiguous linear feet along the Market Street façade), for a project proposing to construct a new 4- to 6-story (40’ to 65’ in height) mixed use building, containing approximately 107,409 gross square feet on a vacant, 18,626 square-foot lot. The proposed building would have 87 dwelling units, 36 off-street parking spaces and 89 “class 1” bicycle parking spaces within a basement level garage, and 5,115 sq. ft. of ground floor commercial space along Market St., a portion of which would be occupied by a yet to be determined restaurant use as defined in Section 790.91 of the Code. The proposed building would provide approximately 7,165 square feet of common usable open space. The project also requires variances from the Planning Code for rear yard, dwelling unit exposure, bay window width, and ground floor ceiling height. The project site is located within the Upper Market Street NCT (Neighborhood Commercial Transit) District and 40-X and 60/65-X Height and Bulk Districts, within the Market and Octavia Area Plan. CEQA (California Environmental Quality Act) Findings will also be adopted as part of the project approvals. 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: + Victor Gonzalez – Project description
 + Clark Mannus – Project design
 + Ted Olsen – Welcomes the new development
 + Rob Poole – Welcomes the new development
 + Joel Bobeck – Welcomes the new development
 + Enrique Landard – Café D’nord
 + David Troupe - Support

ACTION: Approved with Conditions
 AYES: Wu, Fong, Antonini, Borden, Moore
 ABSENT: Hillis, Sugaya
 MOTION: 19125

- 15b. [2012.1362CEV](#) (M. SMITH: (415) 558-6322)
2198 MARKET STREET - northeast corner at Sanchez Street; Lot 039 in Assessor's Block 3542 - **Request for Variances** from Planning Code Sections: 134, for rear yard; 145.1, for ground floor non-residential ceiling height that is less than 14-feet in height; 136, for the width of five bay windows; and 140, for dwelling unit exposure, for a project proposing to construct a new 4- to 6-story, (40' to 65' in height) mixed use building containing approximately 107,409 gross square feet, on a vacant 18,626 square-foot vacant lot. The proposed building would have 87 dwelling units, 36 off-street parking spaces and 89 "class 1" bicycle parking spaces within a basement level garage, and 5,115 sq. ft. of ground floor commercial space along Market St., a portion of which would be occupied by a yet to be determined restaurant use as defined in Section 790.91 of the Code. The proposed building would provide approximately 7,165 square feet of common usable open space. The project site is located within the Upper Market Street NCT (Neighborhood Commercial Transit) District and 40-X and 60/65-X Height and Bulk Districts, within the Market and Octavia Area Plan.

SPEAKERS: + Victor Gonzalez – Project description
 + Clark Mannus – Project design
 + Ted Olsen – Welcomes the new development
 + Rob Poole – Welcomes the new development
 + Joel Bobeck – Welcomes the new development
 + Enrique Landard – Café D'nord
 + David Troupe - Support
 ACTION: ZA closed the PH; and indicated an inclination to Grant

G. DISCRETIONARY REVIEW CALENDAR

The Commission Discretionary Review Hearing Procedures provide for presentations by staff; followed by the DR requestor team; followed by public comment opposed to the project; followed by the project sponsor team; followed by public comment in support of the project. Please be advised that the DR requestor and project sponsor teams include: the DR requestor and sponsor or their designee, lawyers, architects, engineers, expeditors, and/or other advisors.

16. [2013.1765D](#) (C. LAMORENA: (415) 575-9085)
1264 6TH AVENUE – east side between Hugo and Irving Streets; Lot 019 in Assessor's Block 1754 - **Request for Discretionary Review** of Building Permit Application No. 2013.06.26.0594, proposing to construct a two-to-three-story horizontal addition with a roof deck above the second story portion of the addition (approximately 4 feet deep by 16 feet wide) at the rear of the existing two-story-over-garage, single-family dwelling within the RH-1 (Residential, House, One-Family) Zoning 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.
 Staff Analysis: Abbreviated Discretionary Review
 Preliminary Recommendation: Do not take Discretionary Review and Approve

SPEAKERS:

- Kristen Kern – DR requestor presentation, neighbor impacts
- Morgan Benz - Reduced light, quality of life, view
- Regina Carson – Opposed to project
- Dillon Ryder – Opposed to project
- Brendan Sweeney – Light and air
- Dr. Patricia Weiss – Negative impacts
- Randall Schiller – Opposed
- Marilyn Coin – Precedent
- Julie McKenzie – Rebuttal, light
- Cynthia Smith – Rebuttal
- + David Silverman – Project description
- + Leslie Arnold – Project design
- + Joh Camp – Support
- + Shelley Mettigete – Support
- + Catherine Rossum – Support

ACTION: Did Not take DR, Approved as proposed
AYES: Wu, Fong, Antonini, Moore
ABSENT: Borden, Hillis, Sugaya
DRA No: 0361

17. [2013.1009D](#) (D. VU: (415) 575-9120)
1257 ULLOA STREET – south side between 14th and Forest Side Avenues; Lot 010 in Assessor’s Block 2410 – **Request for Discretionary Review** of Building Permit Application No. 2011.03.08.1595, proposing to construct a new basement, rear horizontal and vertical additions to an existing two-story single-family dwelling within a RH-1 (Residential, House – One-Family) Zoning 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.
 Staff Analysis: Full Discretionary Review
 Preliminary Recommendation: Take Discretionary Review and Approve with Modifications

SPEAKERS:

- James Pam – Neighborhood character
- + Alan Toma – Project description

ACTION: Took DR, Approved with staff modifications including the elimination of the roof deck at the front.

AYES: Wu, Fong, Antonini, Moore
ABSENT: Borden, Hillis, Sugaya
DRA No: 0362

H. 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 – 5:16 P.M.