

# 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, September 24, 2015**  
**12:00 p.m.**  
**Regular Meeting**

**COMMISSIONERS PRESENT:** Fong, Wu, Antonini, Hillis, Johnson, Moore, Richards

**THE MEETING WAS CALLED TO ORDER BY PRESIDENT FONG AT 9:45 P.M.**

**STAFF IN ATTENDANCE:** John Rahaim – Planning Director, Wyne Farrens, Omar Masry, Anne Brask, Colin Clarke, Menaka Mohan, Jeff Speirs, Claudia Flores, Rich Sucre, Tina Chang, Natasha Kwiatkowska, 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.

Items 6 and 11.

## 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

1. [2015-006347CUA](#) (A. BRASK: (415) 575-9078)  
1030 WASHINGTON STREET – North side of Washington Street west of Powell Street; Lot 008A in Assessor's Block 0191 - Request for **Conditional Use Authorization** pursuant to Planning Code Sections 186 and 303 to reactivate a discontinued nonconforming Other Retail Sales and Services use located on the ground floor within an RM-3 (Residential Mixed, Medium Density) Zoning District and 65-A Height and Bulk District. The proposal is to establish a new Restaurant (dba "Mojie Café") at the ground floor of an existing building. This project was reviewed under the Community Business Priority Processing Program (CB3P). 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: + Stephan Safko – Project presentation  
 ACTION: After being pulled off of Consent; Approved with Conditions  
 AYES: Fong, Wu, Antonini, Hillis, Johnson, Moore, Richards  
 MOTION: 19476

2. [2015-007387CUA](#) (W. FARRENS: (415) 575-9172)  
2018 CLEMENT STREET - north side of Clement Street between 21<sup>st</sup> and 22<sup>nd</sup> Avenues, Lot 016 in Assessor's Block 1412 - Request for **Conditional Use Authorization** pursuant to Planning Code Sections 303 and 717.43, to establish a Limited Restaurant (dba "MonkeyBrains Café") within the Outer Clement Street Neighborhood Commercial District and a 40-X Height and Bulk District. The proposed business will also function as a customer service and technical support center for MonkeyBrains wireless internet service. This project has been reviewed under the Community Business Priority Processing Program (CB3P) that was adopted by the Planning Commission on February 12, 2015 under Resolution Number 19323. This action constitutes the Approval Action for the project for the purposes of CEQA, pursuant to San Francisco Administrative Code Section 31.04(h).  
 Preliminary Recommendation: Approve with Conditions

SPEAKERS: None  
 ACTION: Approved with Conditions  
 AYES: Fong, Wu, Antonini, Hillis, Johnson, Moore, Richards  
 MOTION: 19474

3. [2015-007903CUA](#) (C. CLARKE: (415) 575-9184)  
701 FILLMORE STREET - northwest corner of Hayes and Fillmore Streets, Lot 006A in Assessor's Block 0803 - Request for **Conditional Use Authorization** pursuant to Planning Code Sections [186](#), [303](#), [710.40](#), and [790.102](#), to reactivate a discontinued nonconforming Other Retail Sales and Service use (business name TBD) located on the ground floor within

an RM-2 (Residential Mixed, Moderate Density) Zoning District and 50-X Height and Bulk District. This project was reviewed under the Community Business Priority Processing Program (CB3P). This action constitutes the Approval Action for the project for the purposes of CEQA, pursuant to San Francisco Administrative Code Section 31.04(h).

Preliminary Recommendation: Approve with Conditions

SPEAKERS: + Kelley Melendez – Project presentation  
 ACTION: After being pulled off of Consent; Approved with Conditions  
 AYES: Fong, Wu, Antonini, Hillis, Johnson, Moore, Richards  
 MOTION: 19477

4. [2014.0194C](#) (J. SPEIRS: (415) 575-9106)  
290 DIVISION STREET - north side of Division Street between 10th and Dore Streets; Lot 016 in Assessor's Block 3526 - Request for **Conditional Use Authorization**, pursuant to Planning Code Sections 181 and 303, to allow the expansion of a non-residential nonconforming use by no more than 25%. The proposed project will expand the existing nonconforming office use by roughly 10%, by converting 1,886 square feet at the 4<sup>th</sup> floor. The property is within the PDR-1-G (Production, Distribution, and Repair - 1 - General) 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

SPEAKERS: + John Kevlin – Project presentation  
 ACTION: After being pulled off of Consent; Approved with Conditions  
 AYES: Fong, Wu, Antonini, Hillis, Johnson  
 NAYES: Moore, Richards  
 MOTION: 19478

5. [2014.0561C](#) (O. MASRY: (415) 575-9116)  
5226 MISSION STREET - along Mission Street, south of Niagara Avenue; Lot 002B in Assessor's Block 7031 - Request for **Conditional Use Authorization**, pursuant to Planning Code Sections 745.83 and 303 to modify an existing Sprint macro Wireless Telecommunications Services (WTS) Facility, and add three (3) screened panel antennas. The property line is within the Excelsior Outer Mission Street Neighborhood Commercial District, and 40-X Height and Bulk District. This action constitutes the Approval Action for the project for the purposes of CEQA, pursuant to Section 31.04(h) of the San Francisco Administrative Code.  
 Preliminary Recommendation: Approve with Conditions

SPEAKERS: None  
 ACTION: Approved with Conditions  
 AYES: Fong, Wu, Antonini, Hillis, Johnson, Moore, Richards  
 MOTION: 19475

6. [2014.0678C](#) (O. MASRY: (415) 575-9116)  
470 WEST PORTAL AVENUE - along West Portal Avenue, north of Sloat Boulevard; Lot 008 in Assessor's Block 2484A - Request for **Conditional Use Authorization**, pursuant to Planning Code Sections 209.1 and 303 to modify an existing Sprint macro Wireless Telecommunications Services (WTS) Facility, and add three (3) screened panel antennas.

The property is within a RH-1(D) (Residential-House, One-Family Detached) 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

SPEAKERS: None  
 ACTION: Continued Indefinitely  
 AYES: Fong, Wu, Antonini, Hillis, Johnson, Moore, Richards

## C. COMMISSION MATTERS

7. Consideration of Adoption:
- [Draft Minutes for September 10, 2015](#)

SPEAKERS: None  
 ACTION: Adopted with Corrections  
 AYES: Fong, Wu, Antonini, Hillis, Johnson, Moore, Richards

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 Moore:

With regards to an e-mail I received this morning, I want to clarify my comment that my comments have been taken out of context from a long conversation about architecture urban design and planning in this city. I want to make clear that my basic goal is, has been and always will be to support and further good urban design planning and architecture for San Francisco together with the department and director who are creating it. My intent was not to hurt or insult anybody and in the course of what was reported, I regret any misunderstanding. I'm turning to speak to the department at large and to the director and everybody else. Thank you.

### Commissioner Antonini:

Yeah. Thank you. Just in the process of clearing out a family home in the East Bay, where the last of my father's generation has gone into assisted living at 98<sup>th</sup>, found a lot of things that have been kept there for decades and among them were paper I wrote when I was a senior in high school on demographics in San Francisco. What was interesting is I had supporting material from the Planning Department when it was on Larken Street, from Spur and from Chamber of Commerce. The most interesting thing that I found that is appropriate for us today is to realize that we hear a lot about families moving away, we hear a lot about some of the effects of the presents time but a lot of these things were set up many years ago. In the 50s, there was a significant loss of population in San Francisco from its previous high of 775,000 in 1950, lost about 8% and another 8% in the 60s. This

was predominately families with children moving to suburbia and the nature of the city changed drastically and what it did set up is a lot of areas in the city, most notably the older neighborhoods where they had Victorians in Western Addition, Haight Ashbury in the Mission District, which drops significantly in value, became really difficult to rent. You know that kind of set up the situation we deal with today, I mean the causes of this whole thing have a long history and aren't something that just occurred since the year 2000. Now we see the opposite in affect, as the mayor has recorded the unemployment rate dropped to a very low level and there's been a huge increase in population. So we have the opposite kind of conditions in existence today as it was in San Francisco so naturally there's going to be conflict that are going to be development but it's important to look at these things in the long view and not a narrow view over a few years. Thank you.

**Commissioner Richards:**

Yes I have 3 things, first, I guess to Commissioner Moore's commission comments. I have been interviewed by the press many times and gone on extemporaneously said things and I read the paper the next day and I kind of call up the reporter and say how did you get that and how did you piece this with that? Actually sometimes, I read it and I think "God if someone reads the comments you'll really look stupid Dennis." I completely understand how things happen. I did read the article this morning and I'm still learning as a commissioner on urban design and I'm not anywhere near where I need to be. I appreciate the comments in a constructive way and to err is human and to forgive is divine; I appreciate what you just said. Couple of other items, more serious then I'll go to a lighter item. There was an article in the chronicle on Wednesday, this Wednesday, about the amount of rent increases based on venture capital investment in any city, in billions, studied by Zumper. I'm going to have to go out and look at the data behind it. They're correlating for every billion dollars in venture capital that flows through a city, in San Francisco specifically, the increase in a one bedroom apartment is \$69 and a two bedroom apartment is \$99. We've had \$15 billion of venture capital and the conclusion of the reports drawn is that the rents have increased 35 to 55 percent as a result. I think the point of this is, it's a double-edged sword. We have this great economic boom but there's a cost to it, it seems like we are looking back and playing catch up a lot on this. So now, next time you read in the Business Times another billion dollars gets invested, imagine \$69 more for a one bedroom is going up because these rents have been going up every month. I've been reading how they're going up; it is really correlated with the amount of venture capital. San Francisco is a small town with very limited resources in terms of housing given the onslaught of venture capital money and the influx of population that is causing everybody wants to come here because it's a large economy and is where you want to be pretty much globally. That's a very good article. It also said that the other local that aren't even known known for the rent increases are experiencing the same thing: San Diego is up 10%, Boston up 10%, San Jose up 25% as a result. It's a good read if you want to take a look at it; it's the Zumper report in Wednesday chronicle. On a lighter note there was an article, I believe it was Sunday, called From Paradise to Parody San Francisco Surreal detour. I don't know if anyone, I see some smiles in the audience, it actually talks about some of the kind of out there things that are happening as a result of a lot of money being in the city from doggy spas to the kind of you know people paying \$40 for a hamburger and things like that, is a really interesting article. Kind of tongue and cheek but there is an element of truth to it. If you get a chance take a look at it. It's really well written and graphically it's well depicted as well. It was written by John King and Heather Knight. Thank you.

**Commissioner Moore:**

I'd like to add a comment to what was said the phenomena steep rent increase is not just only happening in this country, it's happening abroad but there is an interesting byline to it that many cities, not only from the US but also from abroad, are looking at what we're doing. I think we have in the dialogue which is somewhat ahead of institutional structure the city gives us the ability to discuss and bring on measures to address the issues at a much faster ways than other cities have.

**D. DEPARTMENT MATTERS****9. Director's Announcements**

Good afternoon, Commissioners, just two items today that I would like to mention, one is the memo in our packet that I wrote to ABAG and MTC regarding this potential merger of certain functions and their two agencies, I both wrote this memo and attended a hearing and testified at the hearing on Wednesday as well, what is under consideration quickly as a matter of fact, is a potential merger of – I should say a shifting of ABAG planning functions into MTC, the MTC staff is proposed this and proposed a new structure, and proposed shifting resources they now give to ABAG to shift those resources to MTC there was a lot of testimony there was a lot of concern our position has been that a merger having a single regional planning function it is actually quite a good idea, to combine land use and transportation, resiliency planning and all the very issues we deal with, our concern was the way it was being handled and how fast it was being proposed, because the initial proposal was in fact that this will happen he by the end of this year, and there is a lot of discrepancies, on how this two organization are run, a lot of overlap, so our testimony and letter specific speaks to the idea that we will support them and help them in their thinking, but they should take more time to get it right and make sure that whatever planning function is left is comprehensive in nature and covers all planning issues, not just transportation, there were a lot of other folks including SPUR and Supervisor Wiener and Supervisor Campos that were there who supported that idea, as well as well as Mayor S -- of Oakland, who I would recommend if you have a chance to hear her comments on this – was quite eloquent on the issue, there were quite good. Secondly, related to some other Commissioners comments I know in light of last week's hearing and in hearings of last few weeks, some media coverage, lately there has been a lot of angst and tension, around of some the issues, the changes in the City and our staff is under a tremendous amount of pressure from us – from our side, from the community, from the development, the community feels strong pressure, I really, I'm anxious about what is happening, and I know the Commission is as well, I just want to reiterate my support to staff, and to the Commission and thank you all for your amazing work, I believe we have a tremendous group of people in Department, I think we have an incredible dedicated Commissioners both here and at the HPC, and I just want to thank you for that, I know that I'm available to anyone that want to talk though how we can do better in terms of easing the tension and recognizing that we in fact all I think agree more than we realize on those issues thank you that concludes my report

**10. Review of Past Events at the Board of Supervisors, Board of Appeals and Historic Preservation Commission****LAND USE COMMITTEE:**

• **150496 Planning Code - Inclusionary Housing Requirements in the Eastern Neighborhoods.**  
Sponsor: Kim. Staff: Starr. This ordinance would eliminate the Rental Incentive program from the

Eastern Neighborhood Urban Mixed Use Districts that permits project sponsors to lower their Inclusionary Affordable Housing requirements and applicable Eastern Neighborhood Public Benefit Fee by agreeing to maintain the units as rental for 30 years. The Planning Commission heard this item on August 6, 2015 and voted unanimously to recommend approval to the Board of Supervisors. At the Committee hearing, there was no public comment and no comments from the committee members except Supervisor Kim who spoke about why she introduced the ordinance. The Committee voted unanimously to recommend the Ordinance to the Full Board.

• **150790 Planning Code - Establishing a New Citywide Transportation Sustainability Fee.** Sponsor: Mayor; Wiener, Breed and Christensen. Staff: Chen. This item was continued for one week.

#### **FULL BOARD OF SUPERVISORS:**

• **150586 Planning Code, Zoning Map - Rezoning a Portion of Daggett Street to Public Use/Open Space Zoning.** Sponsor: Cohen. Staff: Wertheim. Passed its first read.

#### **INTRODUCTIONS**

• NONE

#### **UPDATE ON THE 2015 CODE CORRECTIONS ORDINANCE**

The 2015 Code Corrections Ordinance is scheduled to be heard at the Board of Supervisors Land Use Committee on October 5. You will recall that the Commission authorized additional non-substantive corrections to be made that are discovered **Summary of Board Activities Week September 21-25, 2015** Planning Commission Report: September 24, 2015 subsequent to the Commission's referral of the Ordinance to the Board. So far we have identified four non-substantive changes that I have asked the City Attorney to add to a revised ordinance.

We also identified an additional control that was inadvertently removed as part of the Article 2 ordinance. As you may remember the intention with the Article 2 Ordinance was to not make any substantive changes; therefore, the Department is requesting that this item also be added into the 2015 Code Corrections Ordinance. However, the City Attorney's office has determined this to be a substantive change because it was removed from the Code by an ordinance, and its addition back into the Code was not discussed as part of the Code Corrections ordinance.

The proposed change would add a footnote and corresponding reference to Section 209.3, which is the Zoning Control Table for the RC Districts under the Group Housing Controls to require Conditional Use authorization if the Group Housing is affiliated with and operated by a Hospital or an Institutional Educational Use. This is the same language required for the RM Zoning Districts in Table 209.2.

Today I'm here to ask if any of the Commissioners have any questions or objections, or would like further information on this proposed addition to the Code Corrections Ordinance. If not, we can proceed at the Board with this additional correction. If so, this item can be scheduled for discussion by the Commission at a later date, but it would not be able to be included in the Code Corrections ordinance and would require its own separate ordinance.

#### **BOARD OF APPEALS:**

No Report

#### **HISTORIC PRESERVATION COMMISSION:**

No Report

### **E. GENERAL PUBLIC COMMENT – 15 MINUTES**

At this time, members of the public may address the Commission on items of interest to the public that are within the subject matter jurisdiction of the Commission except agenda items. With respect to agenda items, your opportunity to address the Commission will be afforded when the item is reached in the meeting. Each member of the public may address the Commission for up to three minutes.

SPEAKERS: John Elberling – Eastern Neighborhoods Plan  
(M) Speaker – 790 Pennsylvania Street Project, Potrero Hill Design process standards  
Allison Heath – Potrero Hill Area Plan

## F. REGULAR CALENDAR

The Commission Hearing Procedures provide for presentations by staff; followed by the project sponsor team; followed by public comment for and against the proposal. Please be advised that the project sponsor team includes: the sponsor(s) or their designee, lawyers, architects, engineers, expeditors, and/or other advisors.

11. [2015-003049CUA](#) (C. CLARKE: (415) 575-9184)  
2406 BRYANT STREET - southwest corner of Bryant and 22<sup>nd</sup> Streets, Lot 039 in Assessor's Block 4150 - Request for **Conditional Use Authorization** pursuant to Planning Code Sections [186](#), [710.44](#), [790.91](#), and [790.142](#), for a change of use from a Limited Restaurant to a Restaurant (d.b.a. El Metate Con Sabor A Mexico) within an RH-3 (Residential House, Three Units) Zoning District and 40-X Height and Bulk District. This project has been reviewed under the Community Business Priority Processing Program (CB3P) that was adopted by the Planning Commission on February 12, 2015 under Resolution Number 19323. This action constitutes the Approval Action for the project for the purposes of CEQA, pursuant to San Francisco Administrative Code Section 31.04(h).  
Preliminary Recommendation: Approve with Conditions

SPEAKERS: None  
ACTION: Continued to October 1, 2015  
AYES: Fong, Wu, Antonini, Hillis, Johnson, Moore, Richards  
MOTION: 19478

12. (K. DISCHINGER: (415) 558-6284)  
HOUSING POLICY - Informational Presentation - in May staff provided an informational presentation related to the ongoing challenges and future housing policy work. This hearing will provide more detail on the existing affordable housing supply, existing policy tools, and ongoing work to develop and improve these tools. Planning Staff will be joined by staff from the Mayor's Office of Housing and Community Development (MOHCD).  
Preliminary Recommendation: None - Informational

SPEAKERS: + Kate Hartley, Deputy Director of MOH – Mayors's Office of Housing efforts  
+ Sophie Hayward, MOH  
= Charles Het – Affordable housing density program  
- Mary Eliza – Opposed to the way City officials are handling the housing crisis  
- Hiroshi Fukuda – Comprehensive reports  
= Peter Cohen – 21% of affordable housing over the past ten years



ACTION: = (M) Speaker – AMI production  
None - Informational

13. [2015-008208PCA](#) (M. MOHAN: (415) 575-9141)  
CLARIFYING/CREATING PREFERENCES FOR AFFORDABLE HOUSING UNITS - Ordinance amending the Administrative Code to clarify existing preferences in allocating City affordable housing units first to Certificate of Preference holders and second to tenants evicted under the Ellis Act, create a third preference for residents in the neighborhood where the affordable housing is located, create additional categories of eligible displaced tenants, and make conforming amendments to provisions of the Administrative and Planning Codes; to affirm the Planning Department’s determination under the California Environmental Quality Act; and to make findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.  
Preliminary Recommendation: Adopt a Recommendation of Approval with Modifications

SPEAKERS: + Sophie Hayward, MOHCD – Preference alternatives  
= Cathy Davis – “neighborhood” definition  
= Gen Fujioka – Neighborhood vs district preference, displacement  
= Tommy Mecca – 2,000 evictions, waiting list, false expectations  
- Tony Robles – Putting groups against one another  
- Zach McCray –  
= Peter Cohen – Popular idea, reject one portion  
= Diego Romero – Mission neighborhood  
+ Sonja Transs – Approve a flawed system on preserve a worse system  
= Robert Collins, SF Rent Board – Response to questions  
ACTION: After hearing and closing public comment; Continued to October 22, 2015  
AYES: Fong, Wu, Antonini, Hillis, Moore, Richards  
NAYES: Johnson

14. [2015-000988CWP](#) (C. FLORES: (415) 558-6473)  
PROPOSED COMMISSION-SPONSORED INTERIM CONTROLS RELATED TO THE MISSION ACTION PLAN (MAP) 2020 - Pursuant to Planning Code Section 306.7(e), on July 9, 2015 the Planning Commission initiated **Interim Controls in the Mission District**. The interim controls are intended to make explicit the Commission’s expectation for a dialogue about affordability; allow time for analysis of affordable housing needs; assess sites for affordable housing production; and stem the loss of existing income protected units while maintaining production, distribution, and repair (PDR) capacity in PDR zoned lands and preserving vital community resources. The proposed controls would require a Conditional Use authorization for certain projects which result in any of the following: 1) the loss of one or more rent-controlled dwelling units; or 2) the net addition or new construction of more than 25,000 gross square feet or the net addition of less than 25,000 that would displace a tenant or includes less than 10 residential units but has sufficient lot area to trigger section 415 of the Planning Code; or 3) demolition or conversion of certain assembly, recreation, arts and entertainment, PDR or institutional uses. The area proposed for interim controls is generally defined by the following boundaries: 13<sup>th</sup> and Division Streets to Mission Street, to Cesar Chavez Street, to Potrero Avenue, and back to 13<sup>th</sup> and Division Streets—except that the Mission Street boundary would include any parcel with a property line on either side of Mission Street. The interim controls would be proposed for a period of nine months. At this hearing the Commission may amend and adopt the interim controls.

Preliminary Recommendation: Adopt with Modifications  
(Continued from Regular Meeting of September 3, 2015)

SPEAKERS: + Tony Mecca – Appreciate the attention  
= Jon Schwark – Ballot measue  
= Steve Vettel – Concerns about density policy  
- Sean Kiegran – Grandfathering provision  
- (M) Speaker – We asked for something good for our community. This is not enough

ACTION: After hearing and closing public comment; Continued to November 19, 2015

AYES: Wu, Johnson, Moore, Richards

NAYES: Antonini, Hillis, Fong

15a. [2013.0159TZ](#) (R. SUCRE: (415) 575-9108)  
AMENDMENTS TO THE GENERAL PLAN, PLANNING CODE AND ZONING MAP FOR 525 HARRISON STREET - located on the east side of Harrison Street between 1<sup>st</sup> and 2<sup>nd</sup> Streets, Assessor's Block 3764, Lot 063. Request to Adopt a Recommendation for a **General Plan Amendment**, Planning Code Text Amendment and Zoning Map Amendment, pursuant to Planning Code Sections 302 and 306, to amend Policies 3.3 and 3.4 of the Rincon Hill Area Plan, amend Planning Code Section 270(e), and amend the height and bulk designation of Block 3764 Lot 063 on San Francisco Height and Bulk District Map No. 1 (HT01). On May 28, 2015, the Commission initiated the proposed amendments, per Planning Commission Resolution No. 19382. Currently, the subject lot is located within the RH-DTR (Rincon Hill Downtown Residential) Zoning District and 65-X and 65/400-R Height and Bulk District.  
Preliminary Recommendation: Adopt a Recommendation of Approval  
(Continued from Regular Meeting of August 13, 2015)

SPEAKERS: + (M) Speaker – Project introduction  
+ Ben Wrigley – Project design presentation  
+ (M) Speaker – Signature in favor  
+ Robert Poole – Support for more housing  
+ (M) Speaker –  
+ Dany Yadezar – Aide to Supervisor Kimj

ACTION: Adopted a Recommendation for Approval as amended by staff

AYES: Fong, Wu, Antonini, Johnson, Moore, Richards

ABSENT: Hillis

RESOLUTION: 19479

15b. [2013.0159X](#) (R. SUCRE: (415) 575-9108)  
525 HARRISON STREET - located at the south side of Harrison Street between Essex and 1<sup>st</sup> Streets, Lot 063 in Assessor's Block 3764 - Request for a **Downtown Project Authorization (DPA)**, pursuant to Planning Code Section 309.1, for the new construction of an 17-story residential tower with 179 dwelling units, 97 off-street parking spaces, 790 square feet of ground floor café, 120 Class 1 bicycle parking spaces, and 20 Class 2 bicycle parking spaces. Under the DPA, the project is seeking exceptions to the requirements for dwelling unit exposure (Planning Code Section 140) and tower bulk, upper tower sculpting, and tower spacing (Planning Code Section 270(e)(5)-Pending Legislation, See Case No. 2013.0159TZ). The subject property is located within the RH-DTR (Rincon Hill-Downtown Residential) Zoning District, and 65-X and 65/400-R Height and Bulk District.

Preliminary Recommendation: Approve with Conditions  
(Continued from Regular Meeting of August 13, 2015)

SPEAKERS: Same as Item 15a.  
 ACTION: Adopted a Recommendation for Approval as amended by staff  
 AYES: Fong, Wu, Antonini, Johnson, Moore, Richards  
 ABSENT: Hillis  
 MOTION: 19480

16. [2015-005723CUA](#) (C. CLARKE: (415) 575-9184)  
 3995 ALEMANY BLVD - southwest corner of the Oceanview Village PUD between Saint Charles Ave & Worcester Ave, Lot 012 in Assessor's Block 7126A - Request for **Conditional Use Authorization** pursuant to Planning Code Sections [178\(c\)\(3\)](#), [303](#), [303.1](#), [703.3](#), [703.4](#), [713.43](#), [713.52](#), for a change of ownership and occupancy from a Formula Retail - Personal Service (d.b.a. Bally Total Fitness) to a Formula Retail - Personal Service (d.b.a. 24 Hour Fitness, with a maximum 458-person capacity) and to allow a Formula Retail - Limited Restaurant (d.b.a. 24 Hour Fitness juice bar) within the gym, located within the Neighborhood Commercial Shopping Center (NC-S) 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 San Francisco Administrative Code Section 31.04(h).  
 Preliminary Recommendation: Approve with Conditions  
(Continued from Regular Meeting of September 17, 2015)

SPEAKERS: (F) Speaker – Project presentation  
 ACTION: Approved with Conditions  
 AYES: Wu, Antonini, Hillis, Johnson, Moore, Richards  
 ABSENT: Fong  
 MOTION: 19481

17. [2015-07413CUA](#) (W. FARRENS: (415) 575-9172)  
 1981 SUTTER STREET - south side between Fillmore and Webster Streets; Lot 040 in Assessor's Block 0684 - Request for **Conditional Use Authorization**, pursuant to Planning Code Sections 249.31, 303, 303.1, 703.3, and 703.4, to establish an approximately 1,318 square-foot Formula Retail instructional art studio with wine service (dba "Pinot's Palette") at the ground floor of an existing mixed-use building. The project includes minor tenant improvements and new signage. The property is within the Fillmore Street NCT (Neighborhood Commercial Transit District) Zoning District, the Japantown Special Use District, and a 50-X Height and Bulk District. This action constitutes the Approval Action for the project for the purposes of CEQA, pursuant to Section 31.04(h) of the San Francisco Administrative Code.  
 Preliminary Recommendation: Approve with Conditions

SPEAKERS: + Ebon Marsh – Project presentation  
 ACTION: Approved with Conditions  
 AYES: Wu, Antonini, Hillis, Johnson, Moore, Richards  
 ABSENT: Fong  
 MOTION: 19482

- 18a. [2013.1521CUAV](#) (T. CHANG: (415) 575-9197)

22 ORD COURT - north side of Ord Court; Lot 067 in Assessor's Block 2619 - Request for **Conditional Use Authorization** pursuant to Planning Code Sections [303](#) and [306.7](#) establishing interim zoning controls imposed by Resolution 76-15 on March 9, 2015 to permit lot coverage of a parcel to exceed 55% and an increase to the existing square footage in excess of 3,000 square feet and/or more than 100% by constructing a new +/- 3,110 gross square foot, two-story dwelling at the rear of the existing through lot. The Project is located within an RH-2 (Residential House, Two Family) Zoning and 40-X Height and Bulk District. This project also includes the vertical and horizontal addition to the existing single-family dwelling at the front of the property. This action constitutes the Approval Action for the project for the purposes of CEQA, pursuant to San Francisco Administrative Code Section 31.04(h).

Preliminary Recommendation: Approve with Conditions

(Note: This item was previously brought before the Planning Commission as public initiated Discretionary Review and continued from February 12, 2015, May 24, 2015, June 25, 2015 and August 13, 2015. After the item was continued, interim zoning controls were established in March 2016, requiring Conditional Use authorization for the project as proposed.)

SPEAKERS:       + (M) Speaker – Project presentation  
                       - Chris Sparks – Opposition  
                       - Chris Folsom – Opposition  
                       - Maryanne Dresner – Opposition  
                       - Joseph Butler – Alternatives  
                       - Rick Oldman – Trees  
                       - Derrick Aguillar – Opposition  
                       - Tony Schmidt - Trees, opposition  
                       - Judith Hoyen – Alternatives  
                       - (M) Speaker – Opposition  
                       - Grace Gellerman – Opposition  
                       - Kimberly Odansky – Opposition, BoS appeal  
                       - (M) Speaker – Opposition  
                       - (F) Speaker – Opposition, alternative proposal  
                       - Gary Weiss – Variance perception  
                       - Sonja Reiner – Follow interim controls

ACTION:       Approved with Conditions

AYES:         Fong, Wu, Antonini, Hillis, Johnson, Moore, Richards

ABSENT:       Hillis

MOTION:       19483

18b.       [2013.1521CUAV](#) (T. CHANG: (415) 575-9197)

22 ORD COURT - north side of Ord Court; Lot 067 in Assessor's Block 2619 - Request for **Variance** from Planning Code Sections 134 for the new construction of a single family home in the required rear yard. The project is located within an RH-2 (Residential House, Two Family) Zoning and 40-X Height and Bulk District.

(Note: This item was continued from February 12, 2015, May 24, 2015, June 25, 2015 and August 13, 2015.)

SPEAKERS:       Same as Item 18a.

ACTION:       ZA indicated an intent to Grant

- 19a. [2013.1522CUAV](#) (T. CHANG: (415) 575-9197)  
24 ORD COURT - north side of Ord Court; Lot 066 in Assessor's Block 2619 - Request for **Conditional Use Authorization** pursuant to Planning Code Sections [303](#) and [306.7](#) establishing interim zoning controls imposed by Resolution 76-15 on March 9, 2015 to permit lot coverage of a parcel to exceed 55% and an increase to the existing square footage in excess of 3,000 square feet and/or more than 100% by constructing a new +/- 2,500 gross square foot, two-story dwelling at the rear of the existing through lot. The Project is located within an RH-2 (Residential House, Two Family) Zoning and 40-X Height and Bulk District. This action constitutes the Approval Action for the project for the purposes of CEQA, pursuant to San Francisco Administrative Code Section 31.04(h).  
 Preliminary Recommendation: Approve with Conditions  
 (Note: This item was previously brought before the Planning Commission as public initiated Discretionary Review and continued from February 12, 2015, May 24, 2015, June 25, 2015 and August 13, 2015. After the item was continued, interim zoning controls were established in March 2016, requiring Conditional Use authorization for the project as proposed.)

SPEAKERS: Same as Item 18a.  
 ACTION: Adopted a Motin of intent to Disapprove and Continued to November 19, 2015  
 AYES: Fong, Wu, Hillis, Johnson, Moore, Richards  
 NAYES: Antonini

- 19b. [2013.1522CUAV](#) (T. CHANG: (415) 575-9197)  
24 ORD COURT - North side of Ord Court; Lot 066 in Assessor's Block 2619 - Request for **Variance** from Planning Code Sections 134 for the new construction of a single family home in the required rear yard. The project is located within an RH-2 (Residential House, Two Family) Zoning and 40-X Height and Bulk District.  
 (Note: This item was continued from February 12, 2015, May 24, 2015, June 25, 2015 and August 13, 2015.)

SPEAKERS: Same as Item 18a.  
 ACTION: ZA indicated an intent to Deny

## 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.

20. [2014-001190DRP](#) (N. KWIATKOWSKA: (415) 575-9185)  
2847 GOUGH STREET - west side between Filbert and Greenwich Streets; Lot 001B in Assessor's Block 0520 - Request for **Discretionary Review** of Building Permit Application No. 2014.10.10.8692, proposing to construct a one-story horizontal addition with a roof deck at the rear of the existing building, two new bay windows at the rear, infill of an existing lightwell along the south property line, and a one-story vertical addition to a two-story over garage, two-unit residential building within a RH-3 (Residential, House, Three-Family)

Zoning District and 40-X Height and Bulk District. 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.

Staff Analysis: Abbreviated Discretionary Review

Preliminary Recommendation: Do Not take Discretionary Review and Approve

**SPEAKERS:** - DR Requestor – DR presentation  
- (M) Speaker –  
+ Ben Levine – Project presentation

**ACTION:** No DR and Approved with agreement(s) between Sponsor and neighbors

**AYES:** Fong, Wu, Antonini, Hillis, Johnson, Moore, Richards

**DRA No:** 0433

## 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 – 8:47 P.M.

