

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, November 19, 2015
2:00 p.m.
Regular Meeting

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

THE MEETING WAS CALLED TO ORDER BY PRESIDENT FONG AT 2:10 P.M.

STAFF IN ATTENDANCE: John Rahaim – Planning Director, Jeffrey Spears, Paolo Ikezoe, Aaron Starr, Chris May, Rich Sucre, Alex Kirby, Laura Ajello, 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. [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 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: 13th and Division Streets to Mission Street, to Cesar Chavez Street, to Potrero Avenue, and back to 13th 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 24, 2015)
(Proposed for Continuance to January 21, 2016)

SPEAKER: + Georgia Schuttish – In favor of continuance, consider expanding the District
+ Larry Badiner – Continued
+ Tommy Avocado-Mecca – For staff to work on them more. Demo of rent-controlled units
+ (M) Speaker – Support for continuance
+ Maria – Support for continuance to January 21st.
+ Peter Papadoupoulos – Support, strengthen the controls
+ Susan Syntad – Support for continuance
+ Dairo Romero – Support for continuance. More affordable housing
+ Sean Kiegran – Outreach to the development community
+ Steve Vettel – Packet contains the same controls proposal for 9/24

ACTION: Continued to January 14, 2016

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

- 2a. 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.)
(Continued from Regular Meeting of September 24, 2015)

SPEAKER: - Chris Parks – Disapprove 24 Ord Court
 ACTION: Continued to December 3, 2016
 AYES: Fong, Wu, Antonini, Hillis, Johnson, Moore, Richards

- 2b. 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.)
 (Continued from Regular Meeting of September 24, 2015)
WITHDRAWN

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

3. [2015-006107CND](#) (J. SPEIRS: (415) 575-9106)
619 SHOTWELL STREET – east side of Shotwell Street between 20th and 21st Streets; Lot 057 in Assessor's Block 3611 - Request for **Condominium Conversion Subdivision** to convert a three-story, six-unit building into residential condominiums 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 the purposes of CEQA, pursuant to Section 31.04(h) of the San Francisco Administrative Code.
 Preliminary Recommendation: Approve

SPEAKER: None
 ACTION: Approved
 AYES: Fong, Wu, Antonini, Hillis, Johnson, Moore, Richards
 MOTION: 19511

C. COMMISSION MATTERS

4. Consideration of Adoption:
 • [Draft Minutes for November 5, 2015](#)

SPEAKER: None
 ACTION: Adopted
 AYES: Fong, Wu, Antonini, Hillis, Johnson, Moore, Richards

5. Commission Comments/Questions

- Inquiries/Announcements. Without discussion, at this time Commissioners may make announcements or inquiries of staff regarding various matters of interest to the Commissioner(s).
- Future Meetings/Agendas. At this time, the Commission may discuss and take action to set the date of a Special Meeting and/or determine those items that could be placed on the agenda of the next meeting and other future meetings of the Planning Commission.

Commissioner Antonini:

I want to compliment Commissioner Richards, who convened a meeting last Saturday at the Swedish American Hall on housing, and had many stakeholders present, with a variety of positions, probably 35, I don't know the exact number, but in that range and it was a very a good discussion, very interesting proposals brought up. I am sorry, I could only stay a little under two hours because I had to get back to my dental office to see some patients, but I thought it was extremely well done. I am glad he was able to do that. I think we have to do more of that in the future.

Commissioner Johnson:

I also appreciate that Commissioner Richards put together the event, I was not able to attend but certainly will be there for the next one, and since Commissioner Richards said it, I'll just continue my announcement, I was going to do it in January. I'm expecting, seven months along, and I will taking a leave from the Commission from the 21st to March 3rd, so the 21st is my last meeting is March 3rd will be my first meeting back, so, a little under five or six meetings I will be missing.

Commissioner Richards:

A couple things, just to elaborate on the thank you, and kudos from Commissioner Antonini, conversation we started on Twitter and after strings of hundreds 140 characters messages back and forth, I finally in August to September, said let's all stand in a room, everybody has an stake on this, it kept shifting and you know we can only have three Commissioners in a room discussing policy so some of you were not aware of it, and would love to rotate you in and out. We had 30 some people there, we had journalists, Planning Commissioners, such as Commissioner Antonini, we had former Planning Commissioner Ron Miguel, we had SF GROW, SF BARF, Mission Plaza 16 Coalition folks. We had developers such as Oz Erickson, Eric Tao, Michael Yarne was there. We had a lot of neighborhood leaders so it was a really good discussion and all but one person actually wanted to continue the conversation so I look forward to having other commissioners interested, cycling in out of the conversation. I'll send out some notes and you'll see kind of what was accomplished. The main goal was people got in the room and didn't beat each other up. There was a conversation going on, it was a good conversation. Couple things, additional things first, since I have been on the Commission we have done a Housing Element Inventory, we have a Commerce and Industry Inventory and now we have eight other elements in the General Plan and I just want to kind of understand, or at least throw it out there, when we have the other eight elements kind inventoried and discussed and kind of understand the interplay between all them will be very important for me. Second, third thing, any update on the Short Term Rental Registration numbers? One other thing, I know when we talk about the calendar for the next year, I would ask we consider when we schedule next year calendar we meet an hour later so we can have lunch and we don't have to take a break and make the public wait in the future. I ask that we consider that when we have that discussion.

D. DEPARTMENT MATTERS**6. [Director's Announcements](#)****Director Rahaim:**

Commissioners, just to answer a couple questions. The Short Term Rental Registration, the last time staff gave the numbers were I think around 750, but more importantly the - - well I know the more importantly the Office of Short Term Rental is staffing up, they have been hiring staff so they will be up to a full complement of six people, most of which time, we think will be spent on enforcement at this point, since registration is probably reaching its maximum, that we think it might be possible at this point. Secondly, just if I could about the reports, the reports that you are referring to, really aren't related to elements of the general plan. We don't really -- part of our regular cycle is not to issue a report in every element of the General Plan, it is on specific topics that are required: the Commerce and Industry Report, the Housing Report, the Downtown Plan Report and many other plan reports. I think what I would like to suggest, this has come up several times, is staff to do a memo to the Commission outlining the array of reports and monitoring that we have to do because it is much more extensive than I think people realize and there are a lot of overlapping reports and requirements and schedules so like you to be aware of them, and maybe at some point we can have a discussion about it. I do think there could be some legislation that would help coordinate the reports better and be less of a burden on staff, but that is something that we would like to work on, until then I think we'll have staff prepare a memo outlining the schedule of our normal reports.

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

- **150271 Ocean Ave Rezoning. Sponsor: Yee Staff: D Sanchez.** This Ordinance proposes to rezone properties facing Ocean Avenue from Phelan Avenue to Howth Street from RH-2 and RM-1 to the Ocean Avenue NCT. The Planning Commission heard this Ordinance on June 18 of this year and voted unanimously to recommend approval. At the Land Use Committee hearing the Supervisors heard from the Executive Director of the Ocean Avenue CBD, who spoke in favor of the Ordinance, because it would help create retail opportunities for this stretch of Ocean Avenue, which is currently devoid of any such opportunities. After public comment, the Committee moved unanimously to recommend the Ordinance to the Full BOS.
- **150456 Rooftop Appurtenances. Sponsor: Mayor. Staff: Starr.** Continued to December 14, 2015

FULL BOARD OF SUPERVISORS:

- **150866 Planning Code - Landmark Designation - 350 University Street (aka University Mound Old Ladies' Home. Sponsor: Campos. Staff: Ferguson.** Passed Second Read

- **150790 Planning Code - Establishing a New Citywide Transportation Sustainability Fee.** Sponsor: Mayor, Wiener, Breed, Christensen and Cohen. Staff: L. Chen. Passed Second Read
- **150587 Building and Planning Codes - Notice to All Tenants of Dwelling Unit Merger or Demolition.** Sponsor: Wiener, Tang. Staff: D. Sanchez. Passed First Read.
- **150622 Administrative, Planning Codes - Preferences in Affordable Housing Programs.** Sponsor: Mayor; Christensen, Cohen, Breed and Wiener. Staff: Mohan.

Preferences in the City's Affordable Housing Program received its first read at the Full Board this week. During the Board hearing, Supervisor Tang made a motion to reduce the neighborhood preference from 40% back to 30%, but this motion failed to get a second. Supervisor Tang then made a second motion to add an amendment that would require MOHCD to conduct annual reporting on the impact of the legislation, in particular how many units filled by residents who use the Displaced Tenant preference and the Neighborhood Preference. This amendment passed unanimously. Supervisor Tang then made another amendment to expand the Displaced Tenant preference to include Owner Move In. The preference percentage remains at 20 percent but now includes the Ellis Act and Owner Move In. This amendment passed on a 6-5 vote. At the end of the hearing, the ordinance passed its first read on a 9 to 2 vote with Supervisors Mar and Tang voting against the ordinance.

- **Various BF #s. 5M Project, LLC - Fifth and Mission Project.** Sponsor: Mayor. Staff: Sider.

Next on the agenda was the 5M project. As you probably remember, this large project is located at 5th and Mission Streets and involves about 700 new dwellings, 800,000 square feet of offices, and an acre of new public open space. On September 17 of this year, this Commission made 16 separate approval actions in connection with the project. This week the Appeal of the Final Environmental Impact Report, Conditional Use Authorization, and Office Allocation was heard by the Board in addition to the General Plan, Planning Code, and Zoning Map Amendments, and the Development Agreement. Unsurprisingly, this resulted in a 6-1/2 hour hearing, with more than a hundred speakers that ended with a 'civil disobedience' act similar to that at the Planning Commission hearing. Since the Planning Commission saw this project, the number of affordable units has increased from 33% to 40%, although at somewhat higher AMIs, and the number of parking spaces was decreased. At the full board, by a vote of 8-3 (Campos, Avalos and Mar dissenting) all of the projects components were either upheld or approved. Further changes to the proposal included:

- Requirement that the sponsor use all 'good faith efforts' to establish on-site child care, and related amendments to the SUD and DA, and
 - An additional payment of \$1.5M to address increased shadow to Yerba Buena Gardens.
- **151015 Public Hearing - Appeal of Final Environmental Impact Report Certification - 75 Howard Street.** This project proposes the demolition of an existing 90' tall 550 spaces parking garage and the construction of a 220' tall, 20-story, residential tower with 133 units, ground floor retail, and 102 parking spaces. This Commission hears this project on September 3 and voted to approve the project

with a 5-1 vote. At the Full Board, the appellant of the EIR raised issues concerning a variety of topics, including the adequacy of the shadow analysis, the range of alternatives presented in the EIR, and the methodology of the traffic analysis. At the hearing, the project sponsor announced a commitment to pay an additional sum of over \$6 million to the City for use in the Inclusionary Affordable Housing Program. The Board of Supervisors upheld the Planning Commission's certification of the Final EIR for the 75 Howard Street project unanimously with a vote of 11-0.

INTRODUCTIONS:

None

HISTORIC PRESERVATION COMMISSION:

Good afternoon Commissioners, Tim Frye Department staff here to share with you, a few items from yesterday's Historic Preservation Commission hearing. The Commission started with unanimous approval of a Certificate of Appropriateness for 135 Townsend Street, the project involved a conversion of a retail structure to office use, and the Planning Commission will be seeing the request for office development authorization in the near future. The subject property is located within the South End Landmark District as a contributor. The Commission then also provided - - or the Recreation and Park Department provided an overview of the phase project for Geneva Car Barn Office Complex. This is a two phase project. The first certificate of appropriateness involved some exterior alterations to the office building structure. The remainder of the project will be phased based on financial contributions and will be before the HPC at a future hearing. The main component of the project is to convert the existing building into a community facility and that approval will also require review by this Commission at a future hearing. The commission granted a Certificate of Appropriateness with additional conditions or modified conditions for the Van Ness BRT project and this is just for the section that runs within the Civic Center Landmark District. The Commission has asked for the project to come back to them for an additional Certificate of Appropriateness, in particular, related to design of the new bus shelters and the retention of up to four historic trolley poles, that are currently along Van Ness Avenue, and their desire to see some sort of rehabilitation of those trolley poles, and their inclusion somewhere within the district. The remainder of the project was approved as condition, this includes instead of sort of a cut in replacement of a portion of the sidewalk in front of City Hall in the Landmark District that DPW and MTA replace the entire sidewalk, and all existing historic granite curbs be retain a new use, and where the granite curbs are missing, the new granite curbs be install, to match the character of the district. Finally, the Commission provided - - the Commission reviewed and commented and endorsed the LGBTQ Citywide Historic Context Statement, there are number of folks in support of the adoption, one member of the public felt, that more time should be allotted to the public for review of the document; however, there was a very robust public outreach endeavor associated with the document, the Historic Preservation Fund Committee provided most of the funding for the Context Statement and staff - - Planning Department staff provided technical assistance. The document was unanimously approved and will be forwarded to the State Historic Preservation Commission Office, and will be use by the Department as a planning tool in the future. That concludes my comments unless you have any questions. Thank you.

BOARD OF APPEALS:

Good afternoon President Fong, Commissioners, Corey Teague, Planning Department for a report at last night Board of Appeals hearing. I was going to touch on a question that

Commissioner Antonini had about 75 Howard, just to provide a little more of information. As was reported the EIR was upheld this week by the Board of Supervisors. The downtown project authorization for that project was appealed, that is scheduled to be heard in December at Board of Appeals. The variance is also just issued today and the appellant has indicated they would likely appeal that as well so both of those will be heard at the Board of Appeals in December at the earliest so we'll report back to you on that when the outcome is complete. As to last night the Board of Appeals had a meeting and they considered one item that may be of interest to this Commission, it was an appeal of the garage door whip variance and rear modification for the properties at 1364 and 1370 Pacific Avenue. The project proposes the construction of 2 mixed use buildings that are single family units over ground floor commercial on two sub-standards lot that back onto Lynch Street. The project was also the subject of a discretionary review that was heard in a joint hearing with the Zoning Administrator, by this Commission in August of this year. At that hearing the Planning Commission took DR and imposed conditions requiring a 3 foot set back from Lynch Street, additional landscaping, a reduction on the size of commercial windows, facing on Lynch Street, and a limitation on the conversion of commercial to residential. The Board of Appeals heard the appeal and unanimously upheld the variance and the rear yard modification. Thank you.

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: Carol Broderick – Development in Noe Valley
John Broderick – Noe Valley development
Charles Defini – Affordable Division
Calvin Welch – Re-zoning Divisadero Street, increased densities with no increase in affordability. Correct the error
Richard Kay – Walking tour with a planner days past. No effort to reach out to the community today regarding NCT re-zoning
Gus Hernandez – not involved in the process
Tess Welbourn – Community voice re: development in the neighborhood

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.

8. (P. IKEZOE: (415) 575-9137)
[COMMERCE AND INDUSTRY INVENTORY 2014](#) - **Informational presentation** - This 21st Inventory is one of the Department's reports on the economy and land use. It contains a 10-year time-series of data for calendar years 2005-2014, including population, labor force, employment, establishments, wages, retail sales, government expenditures and

revenues, and building activity. The Inventory is available for the public at the Planning Department and can be downloaded from the website at [http://commissions.sfplanning.org/cpcpackets/2014 Commerce and Industry Inventory FINAL.pdf](http://commissions.sfplanning.org/cpcpackets/2014%20Commerce%20and%20Industry%20Inventory%20FINAL.pdf)

Preliminary Recommendation: None - Informational

SPEAKER: None
ACTION: None - Informational

9. [2015-011449PCA](#) (A. STARR: (415) 558-6362)
RE-DEFINE FORMULA RETAIL TO INCLUDE SUBSIDIARIES - Planning Code Amendment to revise the definition of formula retail to include subsidiaries or affiliates of formula retail meeting certain criteria; affirming the Planning Department's determination under the California Environmental Quality Act; making Planning Code, Section 302, findings; and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.
Preliminary Recommendation: TBD
(Continued from Regular Meeting of October 1, 2015)

SPEAKER: + Paul Webber – Subsidiaries, continue to January
+ Peter Cohen – Real issue
ACTION: Continued to January 21, 2015
AYES: Fong, Wu, Antonini, Hillis, Johnson, Moore, Richards

- 10a. [2005.0911C](#) (C. MAY: (415) 575-9087)
616 DIVISADERO STREET AND 1282 HAYES STREET - an L-shaped parcel located on the east side of Divisadero Street and the north side of Hayes Street, Lot 002J in Assessor's Block 1202 - Request for **Conditional Use Authorization** pursuant to Planning Code Sections 303, 746.11, and 746.69B to permit the repurposing of the existing Harding Theater building (last used as a church) for use as a bar, amusement game arcade, retail, other entertainment and movie uses and general retail sales uses (d.b.a. Emporium) and the construction of a 7-unit, 5-story residential building fronting Hayes Street within the Divisadero NCT (Neighborhood Commercial Transit) District, Fringe Financial Services Restricted Use District and 65-A 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

SPEAKER: + David Silverman – Project presentation
+ Daniel Marx – Emporium venue presentation
+ Mark Topetcher – Design presentation
+ Vallie Brown – Aid to Supervisor Breed – Support
+ Michael Smithwick – Reactivating the space
= Kevin Ware – Neighbor concerns, traffic
+ ___ Posner – Front setback variances seem reasonable
- Greg Stevens – Displacing SF theater culture
- Christina Komano – Support for local artistic talent
ACTION: Approved as Amended eliminating Condition No. 22 restricting hours of operation; adding:

1. Sponsor must work with the neighbors on the operation of the use; and

2. Six month update in the form of a memo.

Also, adding a finding that the Sponsor try to promote food to be provided as a part of the business model.

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

MOTION: 19512

10b. [2005.0911V](#) (C. MAY: (415) 575-9087)

616 DIVISADERO STREET AND 1282 HAYES STREET - an L-shaped parcel located on the east side of Divisadero Street and the north side of Hayes Street, Lot 002J in Assessor's Block 1202 - Request for **Variations** pursuant to Planning Code Sections 134, 746.13 and 746.94 to permit a reduction in the required rear yard and to permit the location of two off-street parking spaces within 25 feet of the main front wall of the proposed 7-unit, 5-story residential building fronting Hayes Street, and to allow no off-street freight loading space, where one is required for the proposed bar, amusement game arcade, retail, other entertainment and movie uses and general retail sales uses (d.b.a. Emporium) within the Divisadero NCT (Neighborhood Commercial Transit) District, Fringe Financial Services Restricted Use District and 65-A Height and Bulk District.

SPEAKER: Same as Item 10a.

ACTION: ZA Closed the PH and indicated an intent to grant

11. [2015-008510CUA](#) (A. KIRBY: (415) 575-9133)

403 IRVING STREET - southwest corner of Irving Street and 5th Avenue; Lot 001 in Assessor's Block 1760 - Request for **Conditional Use Authorization** pursuant to 303, and 730.41 to legalize the establishment of a Bar use (d.b.a. Shindig) in an approximately 1,400 square foot ground floor commercial space within the Inner Sunset 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 San Francisco Administrative Code Section 31.04(h).

Preliminary Recommendation: Approve with Conditions

SPEAKER: + Shleno Franco – Project presentation

+ John Avesai – Support

+ Reginald Grayson – Support

+ Jack – Support

+ Jim Angelos - Support

ACTION: Approved with Conditions

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

MOTION: 19513

12. [2015-008233CUA](#) (S. YOUNG: (415) 558-6346)

2157 UNION STREET - south side between Fillmore and Webster Streets, Lot 022 in Assessor's Block 0540 - Request for **Conditional Use Authorization** pursuant to Planning Code Sections 303, 303.1, 703.3, and 703.4 to establish a Formula Retail Use (d.b.a. Jo Malone London) in a vacant approximately 1,500 square foot ground floor commercial space (previously occupied by "Paparazzi,") within the Union 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 San Francisco Administrative Code Section 31.04(h).

Preliminary Recommendation: Approve with Conditions

SPEAKER: +Taylor Jordan – Project presentation
 + (F) Speaker – Joe Malone
 + Jonathan – Design presentation
 ACTION: Approved with Conditions
 AYES: Fong, Wu, Antonini, Hillis, Johnson, Moore, Richards
 MOTION: 19514

13a. [2013.1511OFA](#) (R. SUCRE: (415) 575-9108)

360 SPEAR STREET, located on the northwest corner of Spear and Harrison Streets, Lot 009 in Assessor's Block 3745 – Request for an **Office Development Authorization** under Planning Code Sections 321, 322 and 827.26 for a change in use from Internet Services Exchange (ISE) to office use on the third and fourth floors, and authorize up to approximately 49,992 gross square feet from the Office Development Annual Limit. The subject property is located within the Rincon Hill DTR (Downtown Residential) Zoning District and 105-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

SPEAKER: + (M) Speaker – Project presentation
 = Sue Hestor – Building permit processing
 ACTION: Approved with Conditions as amended to include: the Department work with DBI to note and/or flag the property for any future tenant improvement to be routed to the Planning Department.
 AYES: Fong, Wu, Antonini, Hillis, Johnson, Moore, Richards
 MOTION: 19515

13b. [2013.1511CUA](#) (R. SUCRE: (415) 575-9108)

360 SPEAR STREET, located on the northwest corner of Spear and Harrison Streets, Lot 009 in Assessor's Block 3745 - Request for **Conditional Use Authorization** under Planning Code Sections 303 and 827.21 for establishment of a non-residential use larger than 25,000 gross square feet. The proposal includes a change in use of 49,992 square feet from Internet Services Exchange (ISE) to office use on the third and fourth floors. The subject property is located within the Rincon Hill DTR (Downtown Residential) Zoning District and 105-X Height and Bulk District.

Preliminary Recommendation: Approve with Conditions

SPEAKER: Same as Item 13a.
 ACTION: Approved with Conditions
 AYES: Fong, Wu, Antonini, Hillis, Johnson, Moore, Richards
 MOTION: 19516

14. [2014.1315OFA](#) (R. SUCRE: (415) 575-9108)

135 TOWNSEND STREET - located on the south side of Townsend Street between 2nd and 3rd Streets, Lot 022 in Assessor's Block 3794 - Request for an **Office Development**

Authorization under Planning Code Sections 321, 322 and 842.66 for a change in use from self-storage facility to office use, and authorize up to approximately 49,995 gross square feet from the Office Development Annual Limit. The proposal would also establish a new ground floor retail space measuring approximately 1,395 gsf. The subject property is located within the South End Landmark District, MUO (Mixed-Use Office) Zoning District and 105-F 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 October 22, 2015)

SPEAKER: + John Kevlin – Project presentation
+ (M) Speaker – Owner presentation
ACTION: Approved with Conditions
AYES: Wu, Antonini, Hillis, Johnson, Moore, Richards
ABSENT: Fong
MOTION: 19517

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.

15. [2013.1884DRP](#) (L. AJELLO: (415) 575-9142)
5435 ANZA STREET – south side between 45th and 46th Avenues; Lot 001L in Assessor's Block 1588 - Request for **Discretionary Review** of Building Permit Application No. 2012.11.19.4543 proposing to construct a vertical addition above and a horizontal addition at the rear of the two-story single-family house within a RH-1 (Residential House, One-Family) 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

SPEAKER: - DR Requestor – Presentation
- (F) Speaker – Engineering issues, privacy
- Johanna Calabria – Neighborhood character
- Scott Scherer – Huge hill, engineering issues
- Kathleen Friedlander – Support for concerned neighbors
- Ernest Friedlander – Potential to convert to 3-units
+ Amy Lee – Project presentation
+ Michelle Lee – Sponsor presentation
ACTION: No DR, Approved as proposed
AYES: Fong, Wu, Antonini, Hillis, Johnson, Moore, Richards
DRA No: 0441

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))

None

ADJOURNMENT - 6:53 P.M.