

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, February 11, 2016
12:00 p.m.
Regular Meeting

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

THE MEETING WAS CALLED TO ORDER BY PRESIDENT FONG AT 12:11 P.M.

STAFF IN ATTENDANCE: John Rahaim – Planning Director, Veronica Flores, Kanishka Burns, Thomas Disanto, Rachel Schuett, Mathew Snyder, Andrew Perry, Marcelle Boudreaux, Chris Townes, Kimberly Durandet, Carly Grob, Nancy Tran, 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.

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. [2015-004164CUA](#) (V. FLORES: (415) 575-9173)
[2411-2415 19TH AVENUE](#) - located on the western side of 19th Avenue at Taraval Street; Lot 001 in Assessor's Block 2406 - Request for **Conditional Use Authorization**, pursuant to Planning Code Sections 303 and 741.27 to change hours of operation for existing limited restaurant (d.b.a. Seniore's Pizza) to operate from 11am-6am daily - The subject property is located within the Taraval Street NCD (Neighborhood Commercial District) and 65-A 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, Richards, Antonini, Hillis, Moore
 ABSENT: Johnson, Wu
 MOTION: 19563

C. COMMISSION MATTERS

2. Consideration of Adoption:
 - [Draft Minutes for January 21, 2016](#)
 (Continued from Regular Meeting of February 4, 2016)
 - [Draft Minutes for January 28, 2016](#)

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

3. 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:

I have a question regarding a memo we received regarding plan briefings on Transbay redevelopment. There were a number of dates and our schedule all of them potentially requiring a long time my question is, couldn't there be a special hearing by which we all

together, we hear each other, we ask questions and have a common understanding of what the changes are, and how we're going forward from here?

Commissioner Fong:

I don't know if we can have a dialogue but I think that's noted.

Jonas P. Ionin, Commission Secretary:

I mean, certainly at any time you can ask for something to be calendared and we can add it to your agenda.

Commissioner Moore:

I'd ask that we consider a special hearing an hour ahead, whatever it takes, ahead of the regular scheduled hearing so that the public or those who are also interested, can listen to us. It's an interesting subject matter and hasn't been in front of us for a long time and so I think that would be really convenient to do it that way.

Commissioner Antonini:

We're not meeting next week, so that may be one reason why we're looking for times to meet, but certainly I'm amenable to either doing it the way it was suggested or having a separate hearing for purposes of discussion, either way it works for me, as long as we do it in the near future because I think it is an important subject. Also, my other comment was in this month's San Francisco Magazine really, the whole issue is kind off the beat and path type of places in San Francisco, and there's a section on restaurants, but there is also an article on I think the 49 different spots in the City that are quite interesting and a number of them I've been to, and a number of them I never heard of it. So, it is worth to taking a look, because the author points out some very interesting locations in San Francisco of historical significance that a lot of people may not be aware of it, so I thought it was worth mentioning.

Commissioner Richards:

Several things, first, I think it is a great idea to potentially have a separate hearing for the OCII, give the public a time certain, time when they can come and hear the item rather than sit here and have it under the regular calendar, I think there is a part of a regular hearing, we are going to hear a report from OCII anyways, maybe schedule it an hour earlier, would make sense, I'd support that. A couple of other things, I sat last night with a journalist, some of you may know Kim-Mai Cutler from Tech Crunch, we had a great discussion on housing in general, the Affordable Housing Bonus Program, and kind of what is happening in the South Bay in terms of companies requiring an enormous amount of real estate, more square feet in Cupertino and San Jose, yet the plan for their housing they have for the workers only meets 10 percent of the need, and there was a letter to the editor from Janet Duncan this morning in the Chronicle that kind of sums it up saying, with these companies that are going to build 10 or 20 million square feet of office space, they are going to have to start providing some housing, and I think we are going to have to use whatever leverage we can to actually have that, because I don't think San Francisco can continue to absorb housing that is generating the demand from these large office projects in the South Bay. There just comes a point that you have to say, you have to take some more housing, and we'll help you with it in any way we can. Secondly, there was an article this morning in C.W. Nevius that caught my eyes, apparently, he went and interviewed some folks who were in the homeless tent camp on Division Street, and one of the guys

said he was Ed Lee's friend in college, Nevius was skeptical, so he went back to Ed Lee, and this guy was a nuclear engineer from Olympia, Washington, found himself here in San Francisco. Apparently, his skill set may have not have been needed, he didn't get retrained and somethings happened, but C.W. Nevius went back to Ed Lee and asked him, did you know this guy? He is a very talented individual, he is 61 years old, and remembered him, I think, it is interesting that a lot of the people that we have on the streets of San Francisco, we tend to think, they talk to themselves, they might have drug addiction problems and things like that, but when you read this article, you say wow, it can happen pretty much to anybody. I know 73 percent of the homeless people on the street in the last census were from San Francisco. I think the question I have would be, how long have they been here and how did they get onto the street? I said a few weeks ago, we need to look at housing stabilization, building more housing and stopping illegal conversions and illegal evictions, and I think that's the whole solution, not everything lies in our bailiwick here from planning and zoning point of view, but I think, I'm looking for someone to step forward and take this bull by the horns and actually work on those three things all at once in concert. There was a nice article in Sunday's paper speaking on housing and homelessness, on the cost what it takes to try to solve the homeless problem each year, \$241 million we're spending, \$85 million more than when this mayor took office, which is an admirable step forward, however, the population doesn't seem to be going down, it seems to be just stabilizing. There was some quotes from Supervisor Farrell about what he thinks it's going take actually make a dent it, and in order to get serious, I think, we are going to have really look at this, in terms of improving the current system, which it identified any flaws, but also, trying to treat and house the current population so we can actually having it go down. I think those were really good comments and it will really help -- actually affect housing, even though we are talking about homelessness. Thank you.

D. DEPARTMENT MATTERS

4. Director's Announcements

Director Rahaim:

Good afternoon Commissioner, just one announcement today. Public hearings that will happen before your next meeting, which is on February 23. We are having a public meeting on the work the railyard, the Caltrain Railyard, I-280 study. A public meeting is happening February 23 at 6:00 P.M. That's a Tuesday evening at Potrero Hill Recreation Center. Again, to look at our work today, on the Railyard I-280 Boulevard Study, that concludes my presentation.

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

LAND USE COMMITTEE:

- **151257 Planning Code - Increasing Transportation Sustainability Fee for Nonresidential Projects. Sponsor: Avalos. Staff: Chen.**

At Monday's Land Use hearing, the Committee heard Supervisor's Avalos's ordinance that would increase the new Transportation Sustainability Fee rates that large non-residential projects¹ pay by \$2, bringing the total to \$21.04 per

¹ Project above 99,999 GSF
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gross square foot. The ordinance would also reduce the grandfathering discount² for nonresidential projects in the development pipeline. This is the second duplication of this ordinance that the Board has heard.

The first TSF ordinance was heard by the Planning Commission on September 10th, 2015 and the Commission recommended Approval with Modifications³. At the land use hearing, Committee members deliberated on the findings of the financial feasibility analysis and whether Non-Residential projects could support a higher fee. Both Supervisor Wiener and Cohen were skeptical. Supervisor Peskin introduced, and then withdrew an amendment that would add language allowing MTA to use TSF revenues for capital and operating expenses. He withdrew the amendment after a statement from the MTA that the TSF Expenditure Plan provides sufficient flexibility to support transit services.

There were four public commenters, expressing both support and opposition against the proposal. In the end, no amendments were made and because of opposition from Supervisors Cohen and Wiener to the ordinance, the item was forwarded to the full Board with negative recommendation on a 2 to 1 vote.

- **150494 Planning, Building Codes - Conditional Use Required to Remove Any Residential Unit; Mandatory Legalization of Illegal Units; Permeable Surfaces and Landscaping Requirements. Sponsor: Avalos. Staff: Haddadan.**

Next on the agenda, the Committee heard Supervisor Avalos's ordinance that would require conditional use authorization for the removal of any dwelling unit. This item was continued from the previous week's hearing, where the Committee continued the item in order to provide additional time to review the entirety of this legislation including a second hearing at the Building Inspection Commission.

Several member of the public spoke in favor of the ordinance, and how it would help protect the tenants and stop displacement. Many tenants emphasized the urgency to move the entire Ordinance through the adoption process. There were also speakers in opposition to the ordinance including the Small Apartments Association.

After public comment, the Committee duplicated the file and amended it so that it only applied to the C-3 District. This amendment was passed unanimously. This was done in order to address the impending expiration of interim controls that Supervisor Kim had sponsored in 2013. These interim controls directly impact tenants at 1049 Market, which is located in a C-3 District, who were in danger of being evicted from their unwarranted units. Avalos's ordinance would create

² Rather than pay the TIDF, these projects would pay 50% of the difference in rates between the TIDF and the TSF.

³ 1. Grandfathering residential project before July 1, 2014 with a 50% fee waiver and residential projects after July 1, 2014 with a 25% fee waiver;

2. Remove the secondary institutions from exemptions and add hospitals;

3. Request the Board consider graduated fee rates up to 33% of nexus by neighborhoods and/or consider eliminating the area plan fee credit;

4. Require economic analysis updates every three year rather than five, and include the Planning Commission as an entity that may request analyses sooner.

permanent controls that would require Conditional Use authorization for the removal of the unwarranted units at 1049 Market Street.

Supervisor Wiener then proposed an amendment to the original file to maintain administrative approvals for the demolition of unaffordable single-family homes in single-family districts. The Residential Builders Association specifically requested this amendment. This amendment was passed unanimously by the Committee.

The Committee sent the amended ordinance applying only to the C-3 Districts to the Full Board with a positive recommendation.

There were still some outstanding concerns around the implementation of this ordinance including securing funding for low income homeowners to aide in legalizing unwarranted units. The Building Inspection Commission is also scheduled to hear this item on February 17. Therefore the Committee continued the duplicated ordinance to February 22nd in order to allow Supervisor Avalos's Office additional time to address the funding issue and to allow the Building Inspection Commission to hear and act on the item.

- **160084 Hearing - Interagency Plan Implementation Committee Annual Progress Report and the Development Impact Fee Report. Sponsor: Cohen. Staff: Snyder, Varat.**

Last on the Land Use agenda was a presentation by Planning Department staff on the Annual Report for the Interagency Plan Implementation Committee. This same presentation was given to this Commission on January 7 of this year. At the hearing, the only question was from Supervisor Peskin who asked about the nature of IPIC's make-up, who was on it, and how formal were the proceedings. There was no public comment.

FULL BOARD OF SUPERVISORS:

- **150914 Eliminate CU for 100% Afford. Housing. Sponsor: Wiener. Staff: Mohan.**
At the Full Board, Supervisor Wiener's ordinance that would remove Conditional Use and other required Commission approvals for 100% affordable housing project passed its second read on a unanimous vote.
- **151281 Interim Zoning Controls - Additional Design Standards for Large Projects Within the Showplace Square, Potrero Hill, and Central Waterfront Area Plans.** Sponsor: Cohen. Staff: Not Staffed. And Supervisor Cohen's Interim Design Standards for Large Projects within the Showplace Square, Potrero Hill, and Central Waterfront Area Plans was adopted on a unanimous vote.
- **151269 Public Hearing - Appeal of Categorical Exemption from Environmental Review - Proposed Commuter Shuttle Permit Program. Staff: Jones, Navarrete.**
Next, the Board heard the appeal of the categorical exemption for SFMTA's Proposed Commuter shuttle program. The Board first considered this appeal on January 26, 2016. At that time, they continued the hearing to February 9. This week, they again continued the appeal hearing two weeks until February 23.

Later in their hearing, Supervisor Campos introduced a resolution, co-sponsored by six other supervisors, asking MTA's Board of Directors to consider changes to the Commuter Shuttle Program. These changes would include a cap on the number of stop zones⁴, and a limit on the program to a term of one year, with a six month review. The Board of Supervisors also asked MTA to study converting the system to a more concentrated set of shuttle "hub" stops, and that the Board's Budget and Legislative Analyst study the effect of commuter shuttle buses on housing costs and evictions.

The MTA Board cannot take action on the program until the CEQA appeal is resolved, but they will be considering the Board of Supervisors' requests at their hearing on February 16. Under Chapter 31 of the Administrative Code, the Board is required to make a decision on the CEQA appeal within 30 days of the original hearing date.

- **150494 Planning, Building Codes - Conditional Use Required to Remove Any Residential Unit; Mandatory Legalization of Illegal Units; Permeable Surfaces and Landscaping Requirements.** Sponsor: Avalos. Staff: Haddadan. And lastly, the Board passed Supervisor Avalos's amended ordinance that would require CU for the removal of any unit in C-3 Districts on its first read with a unanimous vote

INTRODUCTIONS:

- **160122 Interim Zoning Controls - Upper Market Street Neighborhood Commercial Transit District.** Sponsor: Wiener, Breed. Staff: None. Resolution imposing interim zoning controls for an 18-month period requiring Conditional Use authorization within the Upper Market Neighborhood Commercial Transit District for (1) any new or expanded use of a Medical Service or Institutional and Non-Retail Sales and Services use, or (2) the establishment or expansion of an Institutional Medical Facility after February 9, 2016, where on-site services are provided to a targeted population at a single San Francisco location through a contract entered into with a governmental agency.

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.

⁴ Currently 125
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SPEAKERS: Robin Bishop – 891 Carolina Street
 Corey Smith – AHBP support
 Judith – AHBP – Community meeting in District 9
 Fran Martin – Schlage Lock, 590 Leland Avenue, McLaren Park
 Peter Eckersley – AHBP support
 Jim Growden – Visitacion Valley
 Rob Walters – More housing
 Donald Dewsupp – AHBP
 Tim Colen – AHBP

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.

6. [2016-000568MAP](#) (K. BURNS: (415) 575-8732)
REZONING NOE VALLEY TOWN SQUARE - Planning Code Amendment to revise the Zoning Map to rezone Noe Valley Town Square, 3861 – 24th Street, Assessor’s Block No. 6509, Lot No. 040, from its current designation as 24th Street – Noe Valley Neighborhood Commercial District and 40-X to Public (P) and Open Space (OS); affirming the Planning Department’s determination under the California Environmental Quality Act; and making findings including findings of public necessity, convenience and welfare under the Planning Code Section 302, 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

SPEAKERS: = Kanishka Burns – Staff presentation
 + Jeff Creighton – Aid to Supervisor Weiner – Legislation introduction
 + Todd David – Public-private partnership
 + Caitlin – Non-controversial open space project
 + Jessica Claussen – Collaborative approach
 ACTION: Adopted a Recommendation for Approval
 AYES: Fong, Richards, Antonini, Hillis, Moore
 ABSENT: Johnson, Wu
 RESOLUTION: 19564

7. [2016-000613CRV](#) (T. DISANTO: (415) 575-9113)
FINALIZE FY 2016-18 DEPARTMENT BUDGET AND WORK PROGRAM – Review and recommendation of approval of a balanced Fiscal Year 2016-18 department **budget and work program** for submission to the Mayor’s Office.
Preliminary Recommendation: Adopt a Recommendation for Approval

SPEAKERS: John Rahaim – Introduction
 Tom DiSanto – Staff presentation
 ACTION: *Adopted a Recommendation for Approval*
 AYES: Fong, Richards, Antonini, Hillis, Moore
 ABSENT: Johnson, Wu

RESOLUTION: 19565

8. (R. SCHUETT: (415) 575-9030)

[TRANSPORTATION SUSTAINABILITY PROGRAM – UPDATE ON TRANSPORTATION DEMAND MANAGEMENT ORDINANCE AND LEVEL OF SERVICE REFORM](#) – **Informational Presentation**

by Planning Department staff to provide updates on the Transportation Sustainability Program. The focus of the presentation will be to obtain feedback on the main element of the Shift component of the Transportation Sustainability Program, a proposed Transportation Demand Management (TDM) Ordinance which would establish a framework of TDM requirements for new land use development projects, making sure these projects are designed to make it easier for new residents, visitors, and workers to get around by sustainable modes of travel such as transit, walking, and bicycling. Planning Department staff will provide a brief overview of the ordinance framework and provide an update on public outreach to date.

Staff will also provide a brief update on the Align component of the Transportation Sustainability Program related to Level of Service reform. The Align component will be the focus of a Planning Commission hearing in the near future.

Preliminary Recommendation: None - Informational

SPEAKERS: = Sarah Jones – Staff introduction/presentation
+ Carly Payne – Transportation Sustainability Program
+ Wade Wietgreffe – Staff presentation

ACTION: None – Informational

9. [2013.1390IKA](#) (M. SNYDER: (415) 575-6891)

1532 HARRISON STREET - approving an **impact fee waiver** for 1532 Harrison Street in the amount of \$15,005,878 to create a plaza within the 12th Street Right-of-Way between Bernice Street and Harrison Street for its entire width (aka “Eagle Plaza”), and to recommend to the Board of Supervisors that they adopt an ordinance accepting streetscape and open space improvements above the value of the in-kind fee waiver amount.

Preliminary Recommendation: Approve

SPEAKERS: + April Ang, Aide to Supervisor Kim – Support
= Mathew Snyder – Staff presentation
+ Michael Yarne – Sponsor presentation
+ Ben Woosley – Largest open space is a parking lot
+ Lex Motille – Eagle owner support
+ Tom Taylor – Park during the week
+ Stephan Magdalinsky – Done right, it will improve the neighborhood
+ Brooke Ray-Smith – Support letters
+ (F) Speaker – Water use

ACTION: Approved as revised by staff and amended, moving Condition No. 2 to a Finding between Findings seven and eight

AYES: Fong, Richards, Antonini, Hillis, Moore

ABSENT: Johnson, Wu

RESOLUTION: 19566

10. [2015-000491CUA](#) (A. PERRY: (415) 575-9017)

4482 MISSION STREET - western side of Mission Street between Santa Rosa and Excelsior Avenues; Lot 008 in Assessor's Block 6796 - Request for **Conditional Use Authorization**, pursuant to Planning Code Sections 303, 303.1, and 703.4 to allow the establishment of a Formula Retail Limited Restaurant use (d.b.a. Quickly), which is already operating in the space. Limited Restaurants are permitted within the Excelsior Outer Mission NCD. This request seeks to abate Planning Enforcement Case No. 2014-000787ENF to legalize the use. Modified signage is proposed that will result in a reduction in signage compared with current site conditions, and no other work is proposed. Interior alterations were completed under Building Permit Application No. 2014.05.28.6926. The subject property is located within the Excelsior Outer Mission Neighborhood Commercial 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.

Preliminary Recommendation: Approve with Conditions

SPEAKERS: = Andrew Perry – Staff presentation
 + Leo – Project presentation
 ACTION: Approved with Conditions
 AYES: Fong, Richards, Hillis, Moore
 NAYES: Antonini
 ABSENT: Johnson, Wu
 MOTION: 19567

11. [2014.1510CUA](#) (M. BOUDREAUX: (415) 575-9140)
2238-2254 MARKET STREET, 2153 -2157 15th STREET - north side Market Street/south side of 15th Street between 15th and Noe Streets; Lot 005,006,007,008, 025,026 in Assessor's Block 3560 - Request for **Conditional Use Authorization**, pursuant to Planning Code Section 303 1) to approve a Planned Unit Development per Section 304 with specific modifications for rear yard, dwelling unit exposure and bay window separation requirements.; 2) to allow development on a lot exceeding 9,999 square feet per Section 121.1; and 3) to allow commercial use size in excess of 2,999 square feet per Section 121.2. To project is to demolish surface parking lots; to retain and incorporate a **commercial building at 2248-2254 Market St (an historic resource per CEQA, currently known as Sullivan's Funeral Home)** and a three-residential unit building at 2153-55 15th St; and to construct additions and new mixed-use residential and commercial building at Market Street with maximum height of 55 feet, per Section 263.20, and new three-story, two-unit residential townhome at 2157 15th Street. In total, the proposal would contain approximately 45 new residential units, retention of three rent-controlled residential units, 5,217 square feet ground floor commercial uses, an underground garage with up to 24 off-street residential parking spaces, 60 Class 1 and 6 Class 2 bicycle parking spaces, on a site proposing to merge six parcels with frontage on Market and 15th Streets within the Upper Market NCT (Neighborhood Commercial Transit) District and 40-50-X Height And Bulk District, and 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: = Marcelle Boudreaux – Staff presentation
 + Dan Safier – Project presentation
 + (M) Speaker – Design presentation

- Eric Honda – DTNA concerns, affordable housing, design
- Gary Weiss – 20% BMR housing
- + Ted Olsen – Support, bicycles
- + Tim Jones – Community partner
- + Andrea Ajello – Oddly shaped lot
- + Rob Poole – Good contributor to the neighborhood
- + Donald Dewsup – Support
- = (F) Speaker – Noe Street, dirt and rats
- (F) Speaker – changes affecting my life style, dust, debris, rats
- + Laura Clarke – Replacing parking w/people is a good thing
- + Enrique Lam – Incredible project, setbacks
- = Louis Legnas – Construction impacts

ACTION: Approved with Conditions
 AYES: Fong, Antonini, Hillis, Moore
 RECUSED: Richards
 ABSENT: Johnson, Wu
 MOTION: 19568

12. [2013.1671C](#) (C. TOWNES: (415) 575-9195)
580 DE HARO STREET- northwest corner of 18th Street and De Haro Street; Lot 003 in Assessor's Block 4008 - Request for a **Conditional Use Authorization** , pursuant to Planning Code Section 303, to demolish all existing vacant buildings on a 15,000 sf (100'x150') lot, including eight dwelling units and a 1,744 sf commercial office building, and to subdivide the lot into (3) 25' x 100' lots and (4) 25' x 75' lots and construct (2) single-family dwellings and (5) two-family dwellings for a total of twelve dwelling units, each up to 40-foot tall. Per Planning Code Section 317, any application for a permit that would result in the loss or Removal of three or more Residential Units shall require a Conditional Use Authorization for the Removal and replacement of the units. The subject property is located within a RH-2 (Residential-House, 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 with Conditions

SPEAKERS: = Chris Townes – Staff presentation
 + Kevin Dill – Project presentation
 = Stanley Johnson – Negative impacts
 + Boe Rightson – Support
 + Barbara Prescott – Support
 + Guy Bristol – Support
 + Ron Miguel – Support
 = Judy Dawson – Mitigate negative impacts
 = Eric Johnson – Negative impacts

ACTION: Approved with Conditions
 AYES: Fong, Richards, Antonini, Hillis, Moore
 ABSENT: Johnson, Wu
 MOTION: 19569

- 13a. [2015-000473CUA](#) (K. DURANDET: (415) 575-6816)

495 CHAPMAN STREET - located on the southeast corner of Chapman and Folsom Streets; Lot 042 in Assessor's Block 5627 - Request for **Conditional Use Authorization**, pursuant to Planning Code Sections 121 and 303 for construction of a three story, 1,286 sf single family dwelling on a substandard lot of 1,522 sf and less than 25 ft width at Folsom Street, where a minimum of 1,750 sf and 25 ft are required, respectively. The subject property is located within a RH-1 (Residential House-One Family), Bernal Heights Special Use 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: = Kimberly Durandet – Staff presentation
 + Mason Kriby – Project presentation
 + Brandon Powell – Support
 + Christian Divas – Support
 + Jamie Pratt – Support
 + Vernon Marshall – Support
 - Barbara Underberger – Life safety concerns
 + (M) Speaker – Support
 - Herb Fellsenfeld – Safety concerns, parking
 + Tom Kim – Accommodations, safety
 - Geraline – Past site development history
 - Lawrence Montgomery – Lot is too small
 + James Maxwell - Support
 - Steve Pikas – Safety
 - Edrick – Safety
 + Gabriel Guerrero – Support
 - Terry Milne – No CU
 + Andrew Bennett – Support
 - Patricia Hughes – Not necessary

ACTION: Approved with Conditions
 AYES: Fong, Richards, Antonini, Hillis, Moore
 ABSENT: Johnson, Wu
 MOTION: 19570

- 13b. [2015-000473VAR](#) (K. DURANDET: (415) 575-6816)
495 CHAPMAN STREET - located on the southeast corner of Chapman and Folsom Streets; Lot 042 in Assessor's Block 5627 - Request for **Rear Yard Variance**, pursuant to Planning Code Sections 134 and 306 - The project will be providing the required minimum rear yard, 35% lot depth or 24.5 feet in an alternative location fronting on Folsom Street, to allow for greater visibility at the corner of Folsom and Chapman and will be subject to a Variance. The subject property is located within a RH-1 (Residential House-One Family), Bernal Heights Special Use District and 40-X Height and Bulk District.

SPEAKERS: Same as Item 13a.
 ACTION: After hearing and closing public comment; ZA indicated an intent to grant

- 14a. [2013.1005EXVAR](#) (C. GROB: (415) 575-9138)
22 FRANKLIN STREET - along the east side of Franklin street between Oak Street and Page Street, Lots 011, 012 and 031 in Assessor's Block 0836 - Request for a **Downtown Project**

Authorization, pursuant to Section 309 with exceptions to the requirements for ground level wind currents pursuant to Section 148, and lot coverage pursuant to Section 249.33(b)(5). In addition, the Zoning Administrator will consider a Variance from the Dwelling Unit Exposure requirements pursuant to Planning Code Section 140. The proposed project includes demolition of the existing commercial building on lot 012, and construct an 8-story, 85-foot tall mixed-use building at the site. The proposed new building would include 35 dwelling units and 2,100 gross square feet of retail space along Franklin Street. The project site is located within a C-3-G (Downtown Commercial, General) Zoning District and 85-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 December 17, 2015)

SPEAKERS: = Carly Grob – Staff presentation
 + (F) Speaker – Project presentation
 + Brad Terrell – Design presentation
 ACTION: After hearing and closing public comment; Continued to March 31, 2016
 AYES: Fong, Richards, Antonini, Hillis, Moore
 ABSENT: Johnson, Wu

- 14b. [2013.1005EXVAR](#) (C. GROB: (415) 575-9138)
22 FRANKLIN STREET - East side of Franklin Street between Oak Street and Page Street, Lots 011, 012, and 031 in Assessor's Block 0836 - Request for **Variance** from exposure (Planning Code Section 140) requirements. The project proposes to demolish the existing commercial building and to establish an 85'-0" tall, eight-story, mixed-use building containing 35 residential units, approximately 2,100 square feet of retail space at the ground floor. The project site is located within a C-3-G (Downtown Commercial, General) Zoning District and 85-X Height and Bulk District.
 (Continued from Regular Meeting of December 17, 2015)

SPEAKERS: Same as Item 14a.
 ACTION: After hearing and closing public comment; Continued to March 31, 2016
 AYES: Fong, Richards, Antonini, Hillis, Moore
 ABSENT: Johnson, Wu

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.

- 15a. [2013.0915DRPVAR](#) (C. GROB: (415) 575-9138)
1469 PACIFIC AVENUE - south side of Pacific Avenue between Larkin Street and McCormick Street; Lot 029 in Assessor's Block 0185 - Request for **Discretionary Review** of Building Permit Application No. 2012.10.31.3210, proposing the conversion of a two-story warehouse building and a two-story vertical addition to create a mixed-use building with

nine residential units, ten off-street parking spaces, and 1,962 square feet of ground floor commercial space within the Pacific Avenue Neighborhood Commercial Zoning District (NCD) 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: = Carly Grob – Staff presentation
 - Robyn Tucker – DR presentation
 - Andrew Madden – Light and air
 - Norma Cho – Larkin Street opposition
 - (M) Speaker – 45% rear yard
 - Michelle Murray – Non-conforming buildings
 - Bettsie Burrell – Precedent setting development
 - Kathleen Courtney – Light and air
 - Ralph Canitsko – Height and density
 - Nicole Thompson – Parking
 + Tuija Cattalano – Project presentation
 + James Kline – Design presentation
 + Andres Wiler – Night time activity
 + Dan Veech – Illegal activity, project will improve the neighborhood
 + Gary Nelson – Support, scale and massing
 + Chris Upsick – Existing site not conducive to industrial use
 + Robert Pryor – Support
 + Kari and Mari Glazer - Support

ACTION: After hearing and closing public comment; Continued to May 12, 2016
 AYES: Fong, Richards, Antonini, Hillis, Moore
 ABSENT: Johnson, Wu

- 15b. [2013.0915DRPVAR](#) (C. GROB: (415) 575-9138)
1469 PACIFIC AVENUE - south side of Pacific Avenue between Larkin Street and McCormick Street; Lot 029 in Assessor's Block 0185 - Request for **Variance** from rear yard requirements (Section 134) - The project proposes the conversion of a two-story warehouse building and a two-story vertical addition to create a mixed-use building with nine residential units, ten off-street parking spaces, and 1,962 square feet of ground floor commercial space within the Pacific Avenue Neighborhood Commercial Zoning District (NCD) and 40-X Height and Bulk District.

SPEAKERS: Same as Item 15a.

ACTION: After hearing and closing public comment; ZA Continued to May 12, 2016

16. [2014-001088DRP](#) (T. KENNEDY: (415) 575-9125)
1430 36TH AVENUE - east side between Judah Street and Kirkham Street; Lot 033 in Assessor's Block 1818 - Request for **Discretionary Review** of Building Permit Application No. 2014.10.10.8615, proposing a horizontal addition in the rear of an existing one unit residential building 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: Abbreviated Discretionary Review**Preliminary Recommendation: Do Not Take Discretionary Review and Approve*

(Continued from Regular Meeting of December 3, 2015)

SPEAKERS: = Delvin Washington – Staff presentation
 - Steve Atkinson – DR presentation
 + Daniel Silverman – Project presentation
 + Jason Chan – Design
 + Hayden Lee – Owner comments

ACTION: Took DR and required an NSR to be recorded, acknowledging that the proposal is for a single-family dwelling, and that the site must conform to the underlying zoning

AYES: Fong, Richards, Antonini, Hillis, Moore

ABSENT: Johnson, Wu

DRA No: 0450

17. [2014.1096DRP](#) (V. FLORES: (415) 575-9173)

17 TEMPLE STREET - east side of Temple Street between Saturn and 17th Streets; Lot 031 in Assessor's Block 2646 - Request for **Discretionary Review** of Building Permit Application No. 2014.04.22.3783 proposing to construct vertical and horizontal addition (at rear and front of existing structure) to an existing two-story single family residence. The existing unit will change from a two-bedroom unit to a three-bedroom unit, which will occupy the second and third floors of the structure. This unit will also include a new rear deck. Additionally, the project will add a one-bedroom unit on the first floor of the property. The subject property is within a RH-2 (Residential, House, Two-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

(Continued from Regular Meeting of February 4, 2016)

WITHDRAWN

18. [2015-003411DRP](#) (N. TRAN: (415) 575-9174)

21 ROSEMONT PLACE - northeast end of Rosemont Place, between 14th Street and Clinton Park; Lot 020 in Assessor's Block 3534 - Request for **Discretionary Review** of Building Permit Application No. 2014.07.03.0471, proposing to demolish a detached accessory garage structure, construct horizontal and vertical additions (new third floor) and increase the dwelling count on-site from one to three units. Other modifications include: interior remodeling, façade alterations, new roof decks, stair penthouse, partial building removal for a ground floor patio and creation of a second off-street parking space. The subject property is located within a RTO (Residential, Transit Oriented) 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

(Continued from Regular Meeting of February 4, 2016)

WITHDRAWN

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 - 8:37 P.M.