

# 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 11, 2014**  
**12:00 p.m.**  
**Regular Meeting**

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

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

**STAFF IN ATTENDANCE:** John Rahaim – Planning Director, Kanishka Burns, Omar Masry, Laura Ajello, Rachel Schuett, Elizabeth Watty, Rich Sucre, Glenn Cabrerros, Carly Grob, Marcelle Boudreaux, and Jonas P. Ionin – Commission Secretary

**SPEAKER KEY:**

- + indicates a speaker in support of an item;
- indicates a speaker in opposition to an item; and
- = indicates a neutral speaker or a speaker who did not indicate support or opposition.

**A. CONSIDERATION OF ITEMS PROPOSED FOR CONTINUANCE**

The Commission will consider a request for continuance to a later date. The Commission may choose to continue the item to the date proposed below, to continue the item to another date, or to hear the item on this calendar.

1. 2013.1340D (J. LOOK: (415) 575-6812)  
1423 OCEAN AVENUE - south side between Granada Avenue and Miramar Avenue; Lot 063 in Assessor's Block 6941 - **Request for a Mandatory Discretionary Review**, pursuant to Planning Code Section 737.84 and 790.141 in association with Building Permit Application

No. 2013.04.23.5179, proposing to establish a Medical Cannabis Dispensary (d.b.a. "Bay Area Compassionate Health Center") on the ground floor of an existing building, this project lies within the Ocean Avenue NCT (Neighborhood Commercial Transit ) Zoning District and 45-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: Take Discretionary Review and Approve the MCD with Conditions

(Continued from Regular Meeting of May 22, 2014)

**NOTE: On May 22, 2014, following public testimony, the Commission continued the matter to July 17, 2014 by a vote of +6 -0 (Commissioner Antonini was recused).**

(Continued from Regular Meeting of July 17, 2014)

**(Proposed for Continuance to November 20, 2014)**

SPEAKERS: None  
 ACTION: Continued to November 20, 2014  
 AYES: Wu, Fong, Antonini, Hillis, Moore, Richards  
 ABSENT: Johnson

## 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

2. [2013.0001C](#) (O. MASRY: (415) 575-9115)  
766 VALLEJO STREET - at the northwest corner of Vallejo Street and Emery Lane, Lot 043 in Assessor's Block 0130 - **Request for Conditional Use Authorization** under Planning Code Sections 722.83 and 303 to modify a wireless telecommunications services (WTS) facility operated by AT&T Mobility. The existing macro WTS facility was approved (Case Number 2004.0858C) for up to six (6) panel antennas, however nine (9) panel antennas were later installed. The proposed modification would legalize the existing facility and replace all nine (9) antennas, with minor antenna relocations in order to reduce visibility. Related electronic equipment would be located on the roof and within an existing enclosed equipment room within the parking structure. The facility is proposed on a Location Preference 1 Site (Publicly-Used Structure, Central Police Station and SFMTA-owned public parking structure) within the North Beach Neighborhood Commercial District, North Beach Limited Financial Services Subdistrict, North Beach 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: None  
 ACTION: Approved with Conditions  
 AYES: Wu, Fong, Antonini, Hillis, Johnson, Moore, Richards  
 MOTION: 19230

3. [2014.0270C](#) (K. BURNS: (415) 575-9112)  
2206 POLK STREET - east side, between Vallejo Street and Green Street; Lot 014 in Assessor's Block 0549 - **Request for Conditional Use Authorization** pursuant to Planning Code Section 303 723.44 and 790.91 to establish a Restaurant (d.b.a. Kinjo) which will operate as a Bona Fide Eating Place in a vacant commercial space. The property is located within the Polk Street 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: Continued to September 18, 2014  
 AYES: Wu, Fong, Antonini, Hillis, Moore, Richards  
 ABSENT: Johnson

4. [2014.0613Q](#) (L. AJELLO: (415) 575-9142)  
1955-1963 BEACH STREET - southwest corner of Beach and Avila Streets; Lot 001 in Assessor's Block 0441A - **Request for Condominium Conversion Subdivision** to convert a two-story-over-garage, six-unit building into residential condominiums 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.  
 Preliminary Recommendation: Approve

SPEAKERS: None  
 ACTION: Approved  
 AYES: Wu, Fong, Antonini, Hillis, Johnson, Moore, Richards  
 MOTION: 19231

## C. COMMISSION MATTERS

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 noticed in yesterday's Examiner, I guess either the State or Federal government had released the latest population figures and revealed that San Francisco had grown to the highest number ever, over 837,000, which was an increase of 11,000-12,000, which represent about 1.4 percent in the last year and I think, as we move to build more housing and densification, I think that's a good thing. However, the one part of it that was a little bit alarming and it would be good for us to try to delve a little deeper is that, while we did have a net increase in terms of Bay Area counties, if you take all of the adjoining counties aggregately, more people left San Francisco for those counties than came from those counties to San Francisco. There were couple counties that were the other way around, but aggregately they were more. So, it would be - - there

is no real way to find out, but it would be very instructional if we had a way to find people who had left San Francisco for housing in an adjoining county, obviously are not transferred across the country, it's a move that other factors are involved, many are economic, of course, but there are probably a lot of them that have to do with quality of life, perceived issues around crime, or the quality of schools, or traffic or other things that people may object to and also, one thing that we are short on is, units have that have three or more bedrooms. I think we only have about 20 percent of our housing stock, and obviously, there are cases that are hybrids where someone probably could afford a one bedroom, but the couple has two children, it's pretty unrealistic to stay in San Francisco, and have to buy or rent a one bedroom apartment. Anyway, it would be very instructive, if there is a way to find out what the breakdown of the number of bedrooms per unit is in the other large cities in America. I would expect, since they have a lot more single-family homes in other cities, probably they have a lot more than 20 percent, three bedroom units, it's something that we seriously have to look at, if we can increase the number relative to our housing stock.

**Commissioner Richards:**

A couple of things, last week I was struck a little bit, by folks that were coming up during public comment and saying, especially on the large project at 490 South Van Ness, you don't really understand, you're approving this project, this is a project, but there other projects in the neighborhood, there is a cumulative effect that is happening, please try to understand that. I went back; I served on the Market-Octavia CAC until I came here, on the Commission. I went back and I actually found maps that staff had presented to us, because we have the same questions, and I would think that maybe on the large projects, Alexis was able to pull this together for us, we can maybe have that information as well, because it actually points where the location is of the project and how many market rate units there are, so it puts really the project in context, rather than just have, we're dealing with the project, but also can see contextually what it's doing. I'd really ask that maybe we can add that for the larger projects, it seems fairly easy to do. The second one came up last week, I asked a question around what was the car ownership rate and it was the 26<sup>th</sup> and Clement project and nobody knew. I actually went back and asked Director Rahaim and he pointed me to Aksel Olson, was able to go into the Community Survey Census, and he said it was fairly easy because I went back to ask him about it. I guess to Commissioner Antonini's point, it's an incredibly rich trove of data, not only talks about percent of renters, percent of renters with cars, percent of owners, percent of owners with cars, it talks about the number of bedrooms, how people commute to work, incredibly contextual for some of these projects, for what we are asking for, asking for increased entitlements. I asked Jonas to actually copy the report for the Telegraph Hill project, that was my example, and want him to pass it out to the Commissioners, that would be great. So, those are a couple of things that really help me to make better decisions because there's more data, I don't want to get bogged down in data, but I'd like to get the context of what we're approving these projects in.

**D. DEPARTMENT MATTERS**

**6. Director's Announcements**

**Director Rahaim:**

Thank you. Just if I may, just to respond briefly to Commissioner Richards, we were happy to provide that, absolutely, that would be fine. And the one thing, the American Community Survey, is something that is a relatively new process, that the Census Bureau conducts, in-lieu of the old long form, if you remember historically there was short form and a certain percentage of people, I can't remember, 10 percent, I think got the long form, they replaced that with a survey, which is not directly a census itself, but it is based on other factors, like moving vans and also sorts of other information that they collect. My only word of caution is, it's good information, my only word of caution is, that staff sometimes believe that the accuracy is not as good as it should be.

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

**LAND USE COMMITTEE: No Land Use Committee this week.**

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**FULL BOARD OF SUPERVISORS:**

- **140283 Planning Code - Rezoning McCoppin Plaza to Public Use/Open Space<sup>1</sup>.** Passed its FINAL read.

**INTRODUCTIONS:**

- **140962 Kim. Hearing requesting** presentations from the San Francisco Unified School District, Planning Department, and Controller's Office on residential development pipeline projections, enrollment projections, and related educational and school infrastructure needed to accommodate new student enrollment due to increased residential development. City and School District Select Committee.
- **140954 Wiener. Exceptions from Dwelling Unit Density Limits and from Other Specified Code Requirements.** Ordinance amending the Planning Code to permit exceptions from dwelling unit density limits and other requirements of the Code when adding Dwelling Units to existing buildings undergoing seismic retrofitting; deleting the requirement that a new In-Law Unit constructed in and near the Castro Street Neighborhood Commercial District be limited to 750 square feet; correcting outdated cross-references and Code language.
- **140951 Kim, Avalos, Campos, Chiu, and Mar. Interim Moratorium on Production, Distribution, and Repair Conversion in the Proposed Central South of Market Plan Area.** Ordinance approving an interim zoning moratorium to prohibit the conversion or replacement of Production, Distribution, and Repair uses in the proposed Central South of Market Plan Area bounded by Market Street on the north, Townsend Street on the south, 2nd Street on the east, and 6th Street on the west, for 45 days

**BOARD OF APPEALS:**

**Zoning Administrator Scott Sanchez:**

The Board of Appeals did meet last night. There are two items that might be of interest to the Commission. The first was an appeal of a rear yard variance that I had granted for 132 Corbett Avenue. This is a through lot, between Corbett and 17<sup>th</sup>. The proposal was to build a new single-family dwelling at the rear of the lot facing 17<sup>th</sup> Street. The appeal was from a neighboring property. The Board ultimately upheld the variance that was granted, no building permit has been filed yet, but I would assume that once the neighborhood notification goes out for that, it will be before you as a discretionary review. The second item is 280 Union Street. This was replacing in-kind a roof deck, which had existed at least, since 1988, but was removed to do roof repairs. The property is somewhat unique in that there is a history of complaints on this property between this and the adjacent property. Over the past three or four years the Department of Building Inspection, between complaints made by one neighbor against the other, and the other neighbor against the other, there have been 26 complaints probably about 200 hours of DBI staff time, also probably close to 100 hours of Planning Department staff time and the nature of the complaints have been legalization of property line windows that have been in place for probably some 20 years, also, the replacing of the roof. I

think there was even a complaint that the form board for the foundation had not been removed from one building. When the property owner tried to get access to the site, to remove that, the neighboring property owner who made the complaint, refused access to remove that form board, so, I think that NOV remains unresolved. The Board expressed some frustration and concern about the staff resources that have been spent over the years on a case like this and I think this Commission may share those kinds of concerns. I don't think it's been before this Commission, but it had been before the HPC, which heard an appeal of an administrative C of A, but otherwise, hopefully we won't have any other cases related to this property and I am available for any questions.

#### 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: Dino Adelfio – Mrs. Schneider writings, Vision Zero

#### 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. [2011.1374E](#) (R. SCHUETT: (415) 575-9030)  
800 INDIANA STREET PROJECT DRAFT EIR - West side of Indiana Street between 20<sup>th</sup> and 22<sup>nd</sup> Streets; Assessor's Block 4105 Lot 009 - **Public Hearing on the Draft Environmental Impact Report**. The proposed project includes demolition of the existing 78,240 gross-square-foot (gsf), historic steel frame industrial warehouse and construction of a five-story, approximately 58-foot-tall, multi-family residential development, composed of three separate buildings with a maximum of 338 residential units, ground-floor residential amenities, and a one-level underground parking garage. The project site is located in the Urban Mixed Use (UMU) Zoning District, and 58-X Height and Bulk District, within the Central Waterfront Subarea of the Eastern Neighborhoods Rezoning and Area Plan.

**NOTE: Written comments will be accepted at the Planning Department until 5:00 p.m. on Monday, September 29, 2014.**

Preliminary Recommendation: Review and Comment

SPEAKERS: = Sue Mortenson – Mitigation measures

ACTION: Reviewed and Commented

9. [2013.1375CE](#) (E. WATTY: (415) 558-6820)  
115 TELEGRAPH HILL (AKA 363 FILBERT STREET) - south side of Filbert Street between Kearny and Montgomery Streets; Lot 065 in Assessor's Block 0105 - **Request for Conditional**

**Use Authorization**, pursuant to Planning Code Sections 151, 151.1, 209.1(h), 249.49, and 303, to allow the construction of a new three-unit residential building with four off-street parking spaces on a lot with an existing rear cottage within a RH-3 Zoning District, the Telegraph Hill/North Beach Residential SUD, and 40-X Height and Bulk District. This action constitutes the Approval Action for the project for the purposes of CEQA, pursuant to Section 31.04(h) of the San Francisco Administrative Code.

Preliminary Recommendation: Approve with Conditions

(Continued from Regular Meeting of July 17, 2014)

- SPEAKERS:**
- + Jeremy Ricks – Project description
  - + Lous Butter – Project design
  - Stan Hayes – Missed the mark to reduce bulk and \_\_\_\_
  - Opposition Architect – Alternative design and density
  - Mary Lipian – Notification
  - Eric Bryse – Excavation issues
  - Jim Yasso – Inappropriate project
  - Nan Roth – Noise, dust, security
  - + Wales Whitney – Views, disingenuous opposition
  - + Augusta Stewart – Garages, Improvement to the neighborhood
  - + John Stewart – City deficit, aesthetics
  - + Olivia Ware – Good project for the neighborhood and City
  - Ken Maly – Traffic, emergency access
  - = Stewart Morten – Design, bulk
  - + Louis Sulkoks – Family and/or ADA housing
  - + (F) Speaker – Impact to public realm
  - + Henry Hunt – Blighted site
  - + Dan Fratin – Response to questions
- ACTION:** Approved with Conditions as amended to reflect the most recently submitted plans:
1. With the separation of units;
  2. Follow the construction plan, as presented;
  3. Replace roof access penthouses with roof access hatches;
  4. Provide a good faith effort with DBI & DPW on Park stewardship and Filbert Street stair maintenance;
  5. Continue working with staff on design;
  6. Provide a 7'-6" setback from the front property line at the garage level for pedestrian safety;
  7. Acknowledged the Sponsor's withdrawal of the off-street parking CU.
- AYES:** Fong, Antonini, Hillis, Johnson, Richards
- NAYES:** Wu, Moore
- MOTION:** 19232

10. [2014.0633C](#) (O. MASRY: (415) 575-9115)  
1098 JACKSON STREET - at the northeast corner of Jackson and Taylor Streets, Lot 022 in Assessor's Block 0181 - **Request for Conditional Use Authorization** under Planning Code Sections 209.6(b) and 303 to allow a macro wireless telecommunications services (WTS) facility operated by AT&T Mobility. The proposed macro WTS facility would feature six (6) panel antennas mounted within individual faux vent pipes, on the roof of an existing three-story mixed-use building. Related electronic equipment would be located

on the roof and in the basement. The facility is proposed on a Location Preference 7 Site (Disfavored Location) within a RM-3 (Residential, Mixed Moderate-Density) Zoning 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: + Tedi Vriheas – Project presentation  
 - Ar. Redstone – RF safety inadequate  
 - Kirsty – Project small business  
 - Tony Rasnetter – Design, clutter, compatibility  
 - Bill Nothman – Opposed  
 - Marsha Heinbecker – Views, EMF  
 - Victor – Potential harmful effects, property values  
 - George – Opposed

ACTION: Adopted a Motion of Intent to Disapprove by a vote of +4 -3 (Wu, Fong, Antonini against); Continued the matter to October 10, 2014

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

11. [2014.0846C](#) (O. MASRY: (415) 575-9115)  
 444 PRESIDIO AVENUE - at the northeast corner of California Street and Presidio Avenue, Lot 026 in Assessor's Block 1022 - **Request for Conditional Use Authorization** under Planning Code Sections 711.83 and 303, to allow a wireless telecommunications services (WTS) facility operated by AT&T Mobility. The proposed macro WTS facility would feature twelve (12) panel antennas screened by faux roof-mounted chimneys, at an existing four-story hotel. Related electronic equipment would be located on the roof and in the garage. The facility is proposed on a Location Preference 2 Site (Co-Location with Sprint) within a NC-2 (Neighborhood Commercial, Small-Scale) 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: + Tedi Vriheas – Project presentation  
 - Zinaida Rabinovich – Do not allow AT&T to install 12 antennas, EFM  
 - (F) Speaker – Emission, health dangers.

ACTION: Approved with Conditions

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

ABSENT: Fong

MOTION: 19233

- 12a. [2013.0627BC](#) (R. SUCRÉ: (415) 575-9108)  
 660 3<sup>RD</sup> STREET - located between Brannan and Townsend Streets, Lot 008 in Assessor's Block 3788 - **Request for an Office Development Authorization** under Planning Code Section 321 to establish up to 80,000 gsf of office space within the South End Landmark District, SLI (Service/Light Industrial) Zoning District and 65-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

**NOTE: On May 1, 2014, After being pulled off of Consent, holding a public hearing and closing public comment; the matter was Continued to June 12, 2014 by a vote of +6 -1 (Sugaya against).**

(Continued from Regular Meeting of August 14, 2014)

SPEAKERS: - Jim Meko – PDR to office conversion has become routine  
 - Sue Hestor – Created illegally  
 + John Elberling – Importance of PDR in SOMA, 2 floors of office and 2 floors of PDR

ACTION: Approved with Conditions as amended, legalizing up to 40,000 square feet of office, on the upper two floors

AYES: Wu, Antonini, Hillis, Johnson, Richards

NAYES: Moore

ABSENT: Fong

MOTION: 19234

- 12b. [2013.0627BC](#) (R. SUCRÉ: (415) 575-9108)  
660 3<sup>RD</sup> STREET - located between Brannan and Townsend Streets, Lot 008 in Assessor's Block 3788 - **Request for a Conditional Use Authorization**, pursuant to Planning Code Sections 303, 803.9(a), and 817.48, for a change in use of 80,000 gsf from PDR (Production, Distribution and Repair) to office use. 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. The subject property is located within the South End Landmark District, SLI (Service/Light Industrial) Zoning District, and 65-X Height and Bulk District.  
 Preliminary Recommendation: Approve with Conditions  
**NOTE: On May 1, 2014, After being pulled off of Consent, holding a public hearing and closing public comment; the matter was Continued to June 12, 2014 by a vote of +6 -1 (Sugaya against).**  
 (Continued from Regular Meeting of August 14, 2014)

SPEAKERS: Same as Item 12a.

ACTION: Approved with Conditions

AYES: Wu, Antonini, Hillis, Johnson, Richards

NAYES: Moore

ABSENT: Fong

MOTION: 19235

13. [2011.0408C](#) (R. SUCRÉ: (415) 575-9108)  
320-400 PAUL AVENUE - located at the north side of Paul Avenue between San Bruno Avenue and 3<sup>rd</sup> Street, Lots 014 & 015 in Assessor's Block 5431A - **Request for Conditional Use Authorization and Planned Unit Development (PUD)**, pursuant to Planning Code Section 151, 152, 209.6(c), 227(r), 270, 271, 303 and 304, to establish an Internet Services Exchange (ISE). Pursuant to the Conditional Use Authorization and Planned Unit Development, the project is seeking a bulk exception and modifications to the requirements for off-street parking and off-street freight loading. The proposal would rehabilitate the historic office building and industrial building at 320 and 350 Paul Avenue (measuring together approximately 55,760 gsf) and construct a new two- to three-story rear addition (approximately 187,246 gross square feet). The proposal also includes up to 80 off-street parking spaces, as well as public realm improvements. The subject property is

located within a PDR-2 (Core Production, Distribution and Repair - Bayview) Zoning District and 65-J 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 August 14, 2014)

SPEAKERS: + John Wilson – Project presentation  
+ Keith Dines – Data hightliths  
+ Robert Lacy – Cornerstone Baptist Church support  
+ Elloy Martinez – Support  
+ Terry McGill – Security, jobs  
+ Patrick Ryan – Employment opportunities for SF residents  
+ John Larson – Jobs  
+ Joel Koppel – Support

ACTION: Approved with Conditions as amended by staff and:  
1. Including the Improvement Measures with the Mitigation Measures;  
2. An annual report to the ERO of future efficiencies for reducing greenhouse gasses.

AYES: Wu, Antonini, Hillis, Johnson, Moore, Richards  
ABSENT: Fong  
MOTION: 19236

## 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.

- 14a. [2013.0771DV](#) (G. CABREROS: (415) 558-6169)  
1055 ASHBURY STREET - west side at the intersection of Ashbury and Downey Streets; Lot 167 in Assessor's Block 1269 - **Request for Discretionary Review** of Building Permit Application No. 2013.07.31.3282 proposing new construction of a three-story, single-family residential building on a vacant lot 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.  
Staff Analysis: Full Discretionary Review  
Preliminary Recommendation: Do Not Take Discretionary Review and Approve  
(Continued from Regular Meeting of August 7, 2014)

SPEAKERS: - DR Requestor – Falsification of facts  
+ Tom Tunny – No falsification  
+ Eric Dunnican – Project design  
- Liz Blanchard – Negative impacts  
= Kirk Scott – Variance  
- Narasn Epogratta – Take DR, deny the variance

- Michelle Myer – Take DR, deny the variance
- Hugh Diamond – Out of character
- + Howard Epstein – Support, view bared objection
- + (M) Speaker – Support

ACTION: Took DR establishing a 15' rear yard with no obstructions  
 AYES: Wu, Antonini, Hillis, Johnson, Moore, Richards  
 ABSENT: Fong  
 DRA: 0376

- 14b. [2013.0771DV](#) (G. CABREROS: (415) 558-6169)  
1055 ASHBURY STREET - west side at the intersection of Ashbury and Downey Streets; Lot 167 in Assessor's Block 1269 - **Request for Variance**, pursuant to Planning Code Section 134, to allow the project to extend into the required rear yard. The project proposes new construction of a three-story, single-family residence on a vacant lot. Per Planning Code Section 134, the required rear yard for the subject property based on rear yard averaging is approximately 22 feet. The project, including elevator bay and deck projections, is proposed to be constructed 10 feet into the required rear yard. The project site is located within a RH-2 (Residential, House, Two-Family) Zoning District and 40-X Height and Bulk District.  
 (Continued from Regular Meeting of August 7, 2014)

SPEAKERS: Same as Item 14a.  
 ACTION: ZA closed the PH and indicated an intent to Grant with 15' rear yard with no obstructions

15. [2014.0973D](#) (C. GROB: (415) 575-9138)  
458 GROVE STREET - north side between Octavia Street and Gough Street; Lot 0793 in Assessor's Block 014 - **Request for Discretionary Review** of Building Permit Application No. 2014.03.25.1658 proposing a change of use from retail to restaurant (d.b.a. Birba) with interior tenant improvements in the Hayes-Gough Neighborhood Commercial Transit (Hayes NCT) Zoning District and 40-X Height and Bulk District. This action constitutes the Approval Action for the project for the purposes of CEQA, pursuant to Section 31.04(h) of the San Francisco Administrative Code.  
 Staff Analysis: Full Discretionary Review  
 Preliminary Recommendation: Do Not Take Discretionary Review and Approve

SPEAKERS: - Michael Welch – Noise issues, wine bar not a restaurant  
 - Hiroshi Fukuda – Proximity to residential  
 - Alan Beats – Not big enough for a real restaurant  
 - (M) Speaker – Space is too small  
 - Katherin Lopez – Take DR  
 - Carrie Heater – Noise  
 - Christina Olague – Quality of life, condition of approval  
 - Jim Worshel – 42 Type ABC  
 + John Kennedy – Sponsor presentation  
 + John Hood – Project Architect  
 + Wilmar Balmasetta – Support  
 + Rachell Rosatta – Support  
 + Charles Alonis – Business a part of the neighborhood

- + Craig Hamberg – Support
- + Stella Davies – Profesional, community minded
- + Keefa Hunter – Support
- + Joseph Clifton – Support
- + Nora El Samahi – Support
- + Ken McCoy – Angela is already a part of the community
- + Eleanor – Support
- + Matt Conway – Hayes Valley energy
- Sue Hestor - Rebuttal
- Angela - Rebuttal

**ACTION:** Took DR approving the project with the following conditions:

1. Lock the patio door during business hours;
2. Six month update report after commencing operation, in the form of a presentation;
3. Provide a Community Liaison;
4. No CU hearing, until the six month update report.

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

**DRA:** 0377

16. [2014.0937D](#) (M. BOUDREAUX: (415) 575-9140)  
250 ROOSEVELT WAY - northwest side between Museum Way and 15<sup>th</sup> Street; Lot 028 in Assessor's Block 2607 **Request for Discretionary Review** of Building Permit Application No. 2013.09.04.5934 proposing a vertical addition on an existing three-story, three-unit residential building on 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.  
 Staff Analysis: Abbreviated Discretionary Review  
 Preliminary Recommendation: Do Not Take Discretionary Review and Approve

**SPEAKERS:** - Richard Curly – DR presentation  
 + Andrew Privus – Project presentation  
 + Mark – Neighborhood outreach

**ACTION:** No DR; Approved as proposed

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

**DRA:** 0378

## 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 – 8:01 P.M.