

# 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, January 22, 2015**  
**12:00 p.m.**  
**Regular Meeting**

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

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

STAFF IN ATTENDANCE: John Rahaim – Planning Director, Keith DeMartini, Kansai Uchida, Chelsea Fordham, Chris Townes, Delvin Washington, Alexandra Kirby, Sara Vellve, and Jonas P. Ionin – Commission Secretary

### 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. 2013.0862CE (M. WOODS: (415) 558-6315)  
1631-1639 OAK STREET AND 1520-1530 PAGE STREET - through lots between Masonic Avenue and Ashbury Street; Lots 002, 003, 008, 022, 023 and 024 in Assessor's Block 1223 - Request for **Conditional Use Authorization** for a Planned Unit Development (PUD) pursuant to Planning Code Sections 124, 134, 209.3(h), 303 and 304 to allow a two-phase expansion of the Urban School of San Francisco. Phase 1 proposes relocation of an existing single-family house and construction of a 40-foot tall, approximately 53,800 square foot athletic building (to contain a gymnasium, classrooms, offices and a ground floor and subterranean parking garage) on the Oak Street portion of the site. Phase 2 proposes the conversion of the two-story former St. Agnes gymnasium to a 315-seat theater for the Urban School on

the Page Street portion of the site. The proposed project would increase the school's enrollment by 40 for a total enrollment of up to 420 students. The project seeks modifications from the Planning Code's floor area ratio and rear yard requirements via the CU/PUD process. The project site is located in a RM-1 (Residential, Mixed, Low Density) 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: Pending

**(Proposed for Continuance to February 5, 2015)**

SPEAKERS: None  
 ACTION: Continued to February 5, 2015  
 AYES: Wu, Antonini, Hillis, Moore, Richards  
 ABSENT: Fong, Johnson

2. 2014.1047C (L. AJELLO: (415) 575-9142)  
919 CLEMENT STREET - south side between 10th and 11<sup>th</sup> Avenues; Lot 001 in Assessor's Block 1442 - Request for **Conditional Use Authorization**, pursuant to Planning Code Sections 303(c), 303.1, and 703.4 to legalize the establishment of a Formula Retail financial service (d.b.a Cathay Bank) within the Inner Clement NCD (Neighborhood Commercial District) and 40-X Height and Bulk District. The space was previously occupied by Gateway Bank. 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: Pending

**(Proposed for Continuance to February 12, 2015)**

SPEAKERS: None  
 ACTION: Continued to February 12, 2015  
 AYES: Wu, Antonini, Hillis, Moore, Richards  
 ABSENT: Fong, Johnson

## B. COMMISSION MATTERS

3. Consideration of Adoption:

- [Draft Minutes for January 8, 2015](#)

SPEAKERS: - Sue Hestor – Do not adopt  
 ACTION: Continued to February 5, 2015  
 AYES: Wu, Antonini, Hillis, Johnson, Moore, Richards  
 ABSENT: Fong

4. 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:**

Thank you, as a matter of the public record and available to the public in hardcopy as well as online is SPUR's white paper that answers, I think, or comments on many questions that have been raised both by Commissioners and the public concerning the vacancies in units in San Francisco and the percentage of full-time residents in our newer condominium units, and this was contributed to by a very prestigious group that includes many people who do these studies as their occupation and they did it in a very organized manner. They started with identifying, there are said to be 30,000 vacate units in San Francisco, and they started identifying where those unit are, and the biggest single category were units that are for rent or for sale, or are rented and not yet occupied, sold and not yet occupied, because even though we realize the housing market in San Francisco is extremely hot, there is still are units that are in the process, and that involves about 11,000 of the 30,000 units. And then, there was around 9,000 units that are seasonally and occasionally used, the so called pied-à-terre, and then they also found what I consider to be mystery units about 9,700, that they can't really attribute to, why they're vacant, and some conjecture has been put forth in the past, which I think has some validity, that a lot of owners of rental units keep them off the market for fear of what could happen if they can't get rid of a tenant and, also some realize units kept vacant, if they're thinking of selling them, they're much more valuable if they are vacant units than if they are already occupied, so that could be part of 9,700, but that's the part still to be discovered, but incidentally the pied-à-terres by their study composed 2.4% of all units in San Francisco, which is a small percentage, and it is, you know, lower than the mystery vacancies or certainly lower than the ones that are in process and their methodology did not use, whether homeownership, whether the homeowner files for a discount on their taxes because their occupants, many people don't do that, in fact, I don't think I have even done it in my residence, because you don't realize it's there and you look at the registered voters, only 61% of the registered voters in San Francisco are over 18 or registered to vote, those are not good sources. In any case, the answer they had to new condos, which is the issue that is most hot, is probably around 62% to 70% of these new condos are occupied full-time by the owners, another 15% to 25% percent are rented to full-time renters and only a small percentage of about 4% to 12% percent are been used as pied-à-terres and a largest number of these are predictability in the areas where you think they would be, in the Four Seasons, The Saint Regis, The Ritz Carlton, and The Fairmont, which are hotel and condo units, so therefore there's more of a tendency for people to use them for occasional use. In fact, The Fairmont and The Ritz Carlton are only timeshares, so that drives the number up a little higher. So when they compared this number to other counties in the Bay Area, it was found that 2.4%, we have less than Marin, 2.6%, a lot less than Napa, 4.4%, and Sonoma, 4.6%, which only makes sense because people who are working and have their jobs in the immediate Bay Area often have always have vacation homes in areas like Napa and Sonoma, even the Russian River, where historically people had their summer places, and compared with other cities they found we have a much lower percentage. Places like Miami almost 8%, Santa Fe 6%, Honolulu 5%, Manhattan 4.5%, even Charleston, Orlando and New Orleans have higher percentages. So it is a very interesting study, and the one other thing they came up with here, they seem to think in terms of short-term rentals, that by their calculations the vast majority of these are people who are in the residence, either renters or owners and are rent it, to help supplement their mortgage payment or their rent, rather than using them exclusively for short term rentals. And it is only one study, but it is certainly a good start and it has a lot of good documentations. I would encourage you to

read the study, draw your own conclusions, contact SPUR, or the other people who were responsible for this and see what they have to say and my only other comment, that I had today is I did have a meeting with some group of residents and people from Live Oak School which will be coming up later on in a discussion on the project at 1601 Mariposa. I met with them on Tuesday night.

**Commissioner Moore:**

I'm interested for the public and the Commissioners to read the study I would be very interested in the Planning Department, Steve Wertheim apparently participated in this group, to come back and perhaps present to the Commission, how these numbers feather into things like the Housing Element, how we account for units, etc. There's a deeper science by which this Commission needs to hear it from, the Planning Department itself, which is very strong and accurate data collection and numbers. I'll be very appreciative as the Director or Steve, or somebody, Steve Wertheim that is, would give us an update regarding their perspective on this particular paper. What is the essence of what this paper tries to address?

**Commissioner Wu:**

I think that there is a lot of interest. I would just ask that we try to strategically incorporate it into our quarterly housing update, so it can come separately, but it is just that we are thinking about all these housing information items together.

**Commissioner Richards:**

I also was delighted to see something, at least a big first step on this, more hard analysis versus conjunctural, so I was glad to see that Mr. Wertheim participated. I, too, I am interested in having more to hear on this. The numbers themselves, especially the other vacant, as I actually had a conversation with Calvin Welsh about the other vacant type units, his understanding of it, it's pretty much right on line with this as well, so initially this passes the sniff test with me, however; you know, in the market that we're in, 20,000 units that are off the market either for seasonal recreation or other vacant, that's a lot of units, and the people that are trying to find a place to live and they are extraordinarily expensive, even the San Francisco Business Times this past week, I think, I read one of their reporters that lives in Hayes Valley was quoting some of the rents there, to these people still looking for places to have vacant places for recreational use or just because they are held off the market also does affect prices and does affect peoples' lives. Thank you.

**Commissioner Wu:**

I wanted to add a comment. I was able to attend the Sunnysdale Environmental hearing on Tuesday that was on location in Sunnysdale. I want to thank the staff for their efforts in being out there, but I think in some ways it was a tough hearing because I find that people just want to talk about the project and the EIR process can be very technical and very complicated, and you know, by no means it's not our fault necessarily, but I think that there should be more consideration to just maybe more outreach based meetings that are on location. We can think about what the role of having an EIR hearing on location is, but when staff opened up the consideration for EIR comments it was kind of silent, but really the audience had so many questions about the project itself so, those are just some reflections from that meeting.

**C. DEPARTMENT MATTERS****5. [Director's Announcements](#)****Director Rahaim:**

Good afternoon, again, Commissioners. I wanted to just let you know, and I think you've probably read this in the paper that we have on our website, established all the procedures and protocols and applications for implementing the short-term rental legislation. We are set up with the appropriate applications online. Those interested in actually participating in short-term rentals must register. As a reminder, they must have a registration number with the Department and there is detailed information online as to how to prove residency, because that's one of the core elements of the legislation is that the owner or renter of a unit must be the occupant of the unit, in order to participate in the program. We are accepting applications now and starting - the legislation is effective as of February 1<sup>st</sup> which is a Sunday, so on Monday, February 2<sup>nd</sup> we will be having in-take appointments at the Department. You must register in person, because we must document that the individual is actually a resident of the Department. I just wanted to take a moment to thank the team involved. There was a lot of work in getting set up to do this, Scott Sanchez our Zoning Administrator, Christine Haw in the Department, Audrey Butkus, and Adrian Putra, were all involved in establishing the applications, the information, and will be taking the in-take appointments to register tenants and residents to participate in that program. Again, it's effective on February 1<sup>st</sup> and we will have in- take appointment February 2<sup>nd</sup>. Thank you.

**6. Review of Past Events at the Board of Supervisors, Board of Appeals and Historic Preservation Commission****BOARD OF SUPERVISORS:**

No Report

**BOARD OF APPEALS:****Scott Sanchez:**

The Board of Appeals did meet last night, but they didn't take action on anything that I think would be of interest to the Commission.

**HISTORIC PRESERVATION COMMISSION:**

The Historic Preservation Commission did meet yesterday. It was there first hearing of the new year, they continued their Election of Officers until such time that three of the expired Commissioners are either reappointed or new commissioners are appointed. There were a couple of items that might of interest to the commissions; one is the City Hall mid-block, crosswalk in front of this building here, was before the Historic Preservation Commission for findings of compliance. They did find, or adopted findings of compliance with the Secretary of Interior Standards; however, they recommended the eight foot extension of the traffic signal mid-block versus the 20 that the MTA was requesting, with keeping of the warning lights at grade, so you'll notice the flashing warning lights at grade, were proposed to be removed by SFMTA and a 20 foot arm, so that the signal will be, sort of right in the middle of the street, front and center of drivers. The Historic Preservation Commission recommended keeping the lights at grade and then an eight foot arm. There was a Certificate of Appropriateness at 3751-3753 20th Street, where they referred the

matter to the Architectural Review Committee and continued the matter to March 4, 2015, to consider the sort of massive excavation and the pit that was created as a result of that, at the mid-block open space, so there were huge retaining walls, proposed at the rear of this addition, that the Architectural Review Committee, excuse me, Historic Preservation Commission had concerns with. And then they also adopted a recommendation for approval to landmark 149 -155 9<sup>th</sup> Street.

#### D. 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: Georgia Schuttish – Demolition and affordability  
Judith – UCSF Hospital helopad

#### E. 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.

7. (K. DEMARTINI: (415) 575-9118)  
[FY 2015-2017 PROPOSED DEPARTMENT BUDGET AND WORK PROGRAM](#) – An **Informational Presentation** of the Department's revenue and expenditure budget in FY 2015-2016 and FY2016-2017, including grants, capital budget requests, and proposed staffing changes; high-level work program activities for the department in FY 2015-2016 and FY2016-2017; department performance measures; and proposed dates where budget items will be discussed during the budget process.  
 Preliminary Recommendation: None - Informational

SPEAKERS: - Sue Hestor – The law, Prop M, Prop K  
+ Ron Miguel – Backlog for small projects  
= Judith – Electronic version of documents  
ACTION: None - Informational

8. [2010.0305E](#) (K. UCHIDA: (415) 575-9048)  
[SUNNYDALE-VELASCO HOPE SF MASTER PLAN PROJECT](#) - 48.8-acre site in Visitacion Valley bounded by Hahn Street to the east, Velasco Avenue to the south, and McLaren Park to the north and west; Assessor's Blocks/Lots: 6310/001, 6311/001, 6312/001, 6313/001, 6314/001, and 6315/001. – **Public Hearing on the Draft Environmental Impact Report**. The proposed project includes demolition of all 785 existing family and senior public housing units at the Sunnydale and Velasco public housing complexes, and construction of: up to 1,700 housing units, including one-for-one public housing replacement units, affordable rental units, and market rate and affordable for-sale units; up to 72,500 sf of community service, recreational, and educational facilities; 11.5 acres of new parks and open spaces; a

new and reconfigured street network; and up to 16,200 sf of neighborhood-serving retail. The project site is located in a Residential-Mixed Low Density (RM-1) Use District. The proposed project would require rezoning the project site to create a Special Use District to allow certain non-residential uses, such as community services, retail, and recreational and educational facilities. The environmental document for this project is a joint document (Environmental Impact Report/Environmental Impact Statement), which satisfies both the California Environmental Quality Act and the National Environmental Policy Act.

**NOTE: Written comments will be accepted at the Planning Department until 5:00 p.m. on February 17, 2015.**

SPEAKERS: None  
ACTION: Reviewed and Commented

9. [2012.1398E](#) (C. FORDHAM: (415) 575-9071)  
1601 MARIPOSA STREET – 3.36-acre project site on portions of two blocks (Assessor's Block 4005 and 4006) located in the Showplace Square/Potrero Subarea of the Eastern Neighborhoods Rezoning and Area Plan bounded by Mariposa Street to the north, Arkansas Street to the east, 18th Street to the south, and Carolina Street to the west. - **Public Hearing on the Draft Environmental Impact Report.** The proposed project would demolish three existing one- and two-story commercial, office, and warehouse buildings and associated surface parking lots and construct two four-story mixed-use buildings. Approximately 320 residential units and 10,000 square feet of ground floor commercial space would be distributed throughout both buildings. A two-level below-grade parking garage would contain approximately 265 to 275 parking spaces and be accessible from Arkansas Street and 18th Street. The proposed buildings would have heights ranging from 31 feet to 40 feet. A total of approximately 39,195 gsf of publicly accessible and private open space would be developed throughout the project site. The project site is located in an Urban Mixed-Use (UMU) Use District.
- NOTE: Written comments will be accepted at the Planning Department until 5:00 p.m. on February 17, 2015.**

SPEAKERS: + David Steuart – Good project  
= Debra Carswell – Traffic impact, pedestrian safety  
- Judith – Live Oak area rich in resources  
- Sean Ingalls – Neighborhood congestion  
- Allison Heath – Cumulative impact  
- Kasha Mosneau – Negative impact  
- Stephanie Hurog – Live Oak, daylight  
- Jim Deal – Pedestrian safety  
- Steve Sacks – Traffic study inadequate  
+ Rob Poole – Accurate and adequate  
+ (F) Speaker – Traffic, social effects  
- Kate Stenburg – Too big, traffic impacts  
= Nick Nayse – Impacts, neighborhood character  
- Sharon Daniel – Quality of air and sound  
- Darlene Horton – Increased density, hazardous materials toxicity  
- Scott McDean – EIR plans and procedures deficiencies  
- Gee Dekenbach – Toxicity emissions  
- Wendy Vanderhoover – Loss of PDR workers, land use objectives

- (M) Speaker – Traffic safety
- Debra Zwarner – Air quality
- Craig Stewart – Negative impacts
- Jay Upland – Negative impacts
- Sarah Glicken – Air, noise impacts
- = Carol Sundel – Reduce alternative plan
- = Sarah Bajat – Project improvements, community resources
- Virginia Pack – Recreational facilities, Live Oak
- Mark Smallton – Keep treasured communities like Potrero Hill, proposal out of character
- Joyce Book – Flawed EIR statistics
- Holly Friedman – Parking
- Andy Blue – “Monster in the Mission”
- Stephanie Fillbrant – Improvements
- + Ron Miguel – Complete and adequate
- Greg Branch – Neighborhood character and scale

ACTION: Reviewed and Commented

- 10a. [2012.0203BC](#) (C. TOWNES: (415) 575-9195)  
100 HOOPER STREET - located in the northeastern portion of San Francisco on the block bounded by Channel, Carolina Eighth, Hooper and Seventh Streets, Lot 003 in Assessor’s Block 3808 - Request for **Conditional Use Authorization and Planned Unit Development (PUD)**, pursuant to Planning Code Section 219.1, 303, and 304 for the construction of three new, up to 58-foot tall, four-story buildings, including a 56,402 gsf Production, Distribution and Repair (PDR) “Workshop Building”, a 171,797 gsf PDR/office “North Building, and a 199,056 gsf PDR/office “South Building” (totaling 427,255 gsf), 86 off-street parking spaces, 152 Class 1 bicycle parking spaces, and 31 Class 2 bicycle parking spaces. Under the PUD, the project is seeking a modification to certain Planning Code requirements, including: 1) obstructions (Planning Code Section 136), 2) off-street loading (Planning Code Section 152), and 3) off-street car-sharing (Planning Code Section 166). The subject property is located within the PDR-1-D (Production, Distribution and Repair-Design) Zoning District and 58-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: + Todd Ruko, OEWD, PDR businesses  
 + Dan Murphy, Project presentation  
 + Kate – Project description  
 + Peter Pfan – Project design  
 + Ron Miguel – EN Plan conformance  
 - Chris Lavage – Storage facility function  
 + Tim Colen – EN Plan vision  
 + Ross Bordenaise – Creative, innovative and diverse  
 + J.R. Eppart - Support

ACTION: Approved with Conditions

AYES: Wu, Antonini, Johnson, Moore, Richards

ABSENT: Fong, Hillis

MOTION: 19314



- 10b. [2012.0203BC](#) (C. TOWNES: (415) 575-9195)  
100 HOOPER STREET - located in the northeastern portion of San Francisco on the block bounded by Channel, Carolina Eighth, Hooper and Seventh Streets, Lot 003 in Assessor's Block 3808 - Request for an **Office Development Authorization**, pursuant to Planning Code Section 321 that would authorize the construction of 284,471 gross square feet of office use from the Office Development Annual Limit Program. The subject property is located within the PDR-1-D (Production, Distribution and Repair- Design) Zoning District and 58-X Height and Bulk District.  
 Preliminary Recommendation: Approve with Conditions

SPEAKERS: Same as Item 10a.  
 ACTION: Approved with Conditions  
 AYES: Wu, Antonini, Johnson, Moore, Richards  
 ABSENT: Fong, Hillis  
 MOTION: 19315

## F. 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.

11. [2014.0728DDD](#) (M. BOUDREAUX: (415) 575-9140)  
130 RANDALL STREET – north side between Church and Chenery Streets; Lot 022 in Assessor's Block 6656 - Request for **Discretionary Review** of Building Permit Application No. 201404113060 proposing a one-story vertical addition, three-story rear addition, roof deck at the fourth level, and façade modifications on an existing two-story single-family dwelling 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: - Barbara Drye – DR Requestor presentation  
 - Doug Harr – DR Requestor presentation  
 - Jan Hammock – DR Requestor presentation  
 - Blair Kruger – Reduce bulk, height, mass  
 - Laurie Stasikelous – Opposition  
 - Diane Sidchampion – Opposition  
 - Paul Travis – Sunlight, sloped roof  
 + David Silverman – Sponsor presentation  
 + Julie Kim – Owner presentation  
 + Christian Daner – Architect presentation  
 + Amy Meyer – Support letters  
 + Doyle Breverman - Support

ACTION: Took DR, Approved as Amended: requiring a roof hatch to access the deck. If a hatch is not possible, the roof deck shall be eliminated.  
 AYES: Wu, Antonini, Hillis, Johnson, Moore, Richards  
 ABSENT: Fong  
 DRA No: 0400

12. [2014.0797D](#) (A. KIRBY: (415) 575-9133)  
435 10<sup>th</sup> AVENUE - west side between Geary Boulevard and Anza Street; Lot 006 in Assessor's Block 1534 - Request for **Discretionary Review** of Building Permit Application No. 2014.03.07.0225 proposing to construct a three-story horizontal addition at the rear of a single-family dwelling located within a RH-2 (Residential House, Two-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 as Modified (Continued from Regular Meeting of September 4, 2014)

SPEAKERS: - David Cincotta – Support continuance  
 + Nick Holsman – Opposed to continuance  
 - Christopher Willow – Support for continuance  
 + Ryan Brooks – Opposed to continuance  
 + (M) Speaker – Opposed to continuance  
 - David Cincotta – DR presentation  
 - Tracy West – DR presentation continuance  
 - Christopher Willow – Opposed  
 - Kristen Short – Opposed  
 - Ally Short – Opposed  
 + Sidney Hollsman – Sponsor presentation  
 + Todd Parrott – Support  
 + Ryan Brooks – Support

ACTION: No DR and Approved as Modified  
 AYES: Wu, Antonini, Hillis, Johnson, Moore  
 ABSENT: Fong, Richards  
 DRA No: 0401

13. [2014-000050DRP](#) (S. VELLVE: (415) 558-6263)  
238 PRESIDIO AVENUE - east side between Clay and Washington Streets, Lot 014B in Assessor's Block 0998 – Request for **Discretionary Review** of Building Permit Application No. 2014.04.24.4103 proposing to construct a one-story vertical addition and a three-story horizontal addition at the rear of the three-story, single-family dwelling within a RM-1 (Mixed, Low Density) 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 as Modified

SPEAKERS: - Angel Ogden – DR Presentation  
 - John Marco Martinelli – Light and air

+ Craig Nikitas – Project presentation  
- Allan Toma - Rebuttal  
ACTION: No DR and Approved as Modified  
AYES: Wu, Antonini, Hillis, Johnson, Moore  
ABSENT: Fong, Richards  
DRA No: 0402

## G. 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 – 7:23 P.M.