

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, March 12, 2015
12:00 p.m.
Regular Meeting

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

THE MEETING WAS CALLED TO ORDER BY PRESIDENT FONG AT 12:15 p.m.

STAFF IN ATTENDANCE: John Rahaim – Planning Director, Carly Grob, Alexis Kirby, Tina Chang, Kate Conner, Laura Ajello, and Jonas P. Ionin – Commission Secretary

SPEAKER KEY:

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

A. CONSIDERATION OF ITEMS PROPOSED FOR CONTINUANCE

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

1. 2015-000180PCA (D. SANCHEZ: (415) 575-9082)
NOISE REGULATIONS RELATING TO RESIDENTIAL USES NEAR PLACES OF ENTERTAINMENT [BOARD FILE NO. 141298] - **Building, Administrative, Planning, and Police Code Amendments** introduced by Supervisor Breed to (1) require attenuation of exterior noise for new residential structures and acoustical analysis and field testing in some circumstances; (2) to provide that a Place of Entertainment (POE) permitted for 12 months

not become a public or private nuisance on the basis of noise for nearby residents of newly constructed or converted residential structures; (3) to authorize the Entertainment Commission to hold a hearing on a proposed residential use near a POE, and require the project sponsor's participation in the hearing; (4) to authorize the Entertainment Commission to measure noise conditions at such project sites and provide comments and recommendations regarding noise to the Planning Department and Department of Building Inspection; (5) to require lessors and sellers of residential property to disclose to lessees and purchasers potential noise and other inconveniences associated with nearby POE's and authorize civil penalties for not providing disclosure; (6) to require that such disclosure requirements be recorded against a residential property in a Notice of Special Restrictions; (7) to require the Planning Department and Commission to consider noise issues when reviewing proposed residential projects; (8) and to specify factors concerning noise for the Entertainment Commission to review when considering granting a POE permit; and adopting findings, including environmental findings, Planning Code Section 302 findings, and findings of consistency with the General Plan and the eight priority policies of Planning Code Section 101 and directing the Clerk of the Board of Supervisors to forward the Ordinance to specified state agencies upon final passage.

Preliminary Recommendation: Adopt a Recommendation for Approval with Modifications
(Proposed for Continuance to March 19, 2015)

SPEAKERS: None
ACTION: Continued to March 19, 2015
AYES: Fong, Antonini, Hillis, Johnson, Moore, Richards
ABSENT: Wu

2. 2014-002573CUA (A. BRASK: (415) 575-9078)
1008 LARKIN STREET – Northeast corner of Larkin and Post Streets, Lot 014 in Assessor's Block 0301. Request for **Conditional Use Authorization**, pursuant to Planning Code Sections 303, 723.44, and 790.91 to establish a restaurant (d.b.a The Saratoga) at the ground and basement floors in the currently vacant space, as well as Planning Code Section 121.2 for the use size of the restaurant, totaling 4,200 square-feet. The project is located within the Polk Street Neighborhood Commercial District (NCD) and a 130-E 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
(Proposed for Continuance to March 19, 2015)

SPEAKERS: None
ACTION: Continued to March 19, 2015
AYES: Fong, Antonini, Hillis, Johnson, Moore, Richards
ABSENT: Wu

- 3a. 2013.0973CVX (M. LUELLEN: (415) 558-6478)
150 VAN NESS AVENUE – southern side of Hayes Street between Van Ness Avenue and Polk Street; Lots 001, 014, 015, 016 and 021 in Assessor's Block 0814. Request for **Downtown Project Authorization** to demolish two existing office buildings, four parking lots and the pedestrian bridge over Hayes Street and construct a 120 foot 12-story mixed use building with 420 dwelling units and ground floor retail. Under the Downtown Project Authorization, the project is seeking a modification to certain Planning Code requirements,

including: 1) comfort level wind (Planning Code Section 148) and 2) off-street parking (Planning Code 151.1). The project is located within a C-3-G (Downtown- General) Zoning District and 120-R-2 Height and Bulk District.

Preliminary Recommendation: Approve with Conditions

(Proposed for Continuance to April 2, 2015)

SPEAKERS: None
 ACTION: Continued to April 2, 2015
 AYES: Fong, Antonini, Hillis, Johnson, Moore, Richards
 ABSENT: Wu

- 3b. 2013.0973CVX (M. LUELLEN: (415) 558-6478)
150 VAN NESS AVENUE – southern side of Hayes Street between Van Ness Avenue and Polk Street; Lots 001, 014, 015, 016 and 021 in Assessor's Block 0814. Request for **Conditional Use Authorization** to exempt the floor area attributed to the on-site Below Market Rate units from the Floor Area Ratio pursuant to Section 124 and authorize three guest suites as hotel rooms pursuant to Section 216. The project is located within a C-3-G (Downtown-General) Zoning District and 120-R-2 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

(Proposed for Continuance to April 2, 2015)

SPEAKERS: None
 ACTION: Continued to April 2, 2015
 AYES: Fong, Antonini, Hillis, Johnson, Moore, Richards
 ABSENT: Wu

- 3c. 2013.0973CVX (M. LUELLEN: (415) 558-6478)
150 VAN NESS AVENUE – southern side of Hayes Street between Van Ness Avenue and Polk Street; Lots 001, 014, 015, 016 and 021 in Assessor's Block 0814. Request for **Variance** from Planning Code Section 140 (dwelling unit exposure). The project is located within a C-3-G (Downtown- General) Zoning District and 120-R-2 Height and Bulk District.

(Proposed for Continuance to April 2, 2015)

SPEAKERS: None
 ACTION: Acting ZA Continued to April 2, 2015

4. 2014.001033PCA (A. STARR: (415) 558-6362)
ADMINISTRATIVE AND PLANNING CODE AMENDMENT – AMENDING REGULATION OF SHORT-TERM RESIDENTIAL RENTALS AND ESTABLISHING FEE [BOARD FILE 141036] - Amendment to the Administrative Code to provide an exception for permanent residents to the prohibition on short-term residential rentals under certain conditions; to create procedures, including a registry administered by the Planning Department, for tracking short-term residential rentals and compliance; to establish an application fee for the registry; amending the Planning Code to clarify that short-term residential rentals shall not change a unit's type as residential; affirming the Planning Department's determination under the California Environmental Quality Act; and making 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

(Continued from Regular Meeting of March 5, 2015)
 Preliminary Recommendation: Pending
(Proposed for Continuance to April 2, 2015)

SPEAKERS: None
 ACTION: Continued to April 2, 2015
 AYES: Fong, Antonini, Hillis, Johnson, Moore, Richards
 ABSENT: Wu

- 5a. [2013.1521DDV](#) (T. CHANG: (415) 575-9197)
22 ORD COURT - north side of Ord Court; Lot 067 in Assessor's Block 2619 - Request for **Discretionary Review** of 1) Building Permit Application 2013.1021.9832 proposing the vertical addition of an existing 3-story single-family-home, adding a 4th story and, 2) of Building Permit Application 2013.1021.9817 proposing the new construction of a 4-story single-family home in the required rear yard. The project is located within a RH-2 (Residential, Home, 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.
 Preliminary Recommendation: Do Not Take DR and Approve
 (Continued from Regular Meeting of February 12, 2015)
(Proposed for Continuance to May 14, 2015)

SPEAKERS: None
 ACTION: Continued to May 14, 2015
 AYES: Fong, Antonini, Hillis, Johnson, Moore, Richards
 ABSENT: Wu

- 5b. [2013.1521DDV](#) (T. CHANG: (415) 575-9197)
22 ORD COURT - north side of Ord Court; Lot 067 in Assessor's Block 2619 - Request for **Variance** from Planning Code Section 134 for the new construction of the single-family home in the required rear yard. The project is located within a RH-2 (Residential, Home, two-Family) Zoning District and 40-X Height and Bulk District.
 (Continued from Regular Meeting of February 12, 2015)
(Proposed for Continuance to May 14, 2015)

SPEAKERS: None
 ACTION: Acting ZA Continued to May 14, 2015

- 6a. [2013.1522DDV](#) (T. CHANG: (415) 575-9197)
24 ORD COURT - north side of Ord Court; Lot 066 in Assessor's Block 2619 - Request for **Discretionary Review** of Building Permit Application 2013.1021.9830 proposing the new construction of a 3-story single-family home in the required rear yard. The project is located within a RH-2 (Residential, Home, 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.
 Preliminary Recommendation: Do Not Take DR and Approve
 (Continued from Regular Meeting of February 12, 2015)
(Proposed for Continuance to May 14, 2015)

SPEAKERS: None
 ACTION: Continued to May 14, 2015
 AYES: Fong, Antonini, Hillis, Johnson, Moore, Richards
 ABSENT: Wu

- 6b. [2013.1522DDV](#) (T. CHANG: (415) 575-9197)
24 ORD COURT - north side of Ord Court; Lot 066 in Assessor's Block 2619 - Request for **Variance** from Planning Code Section 134 for the new construction of the single-family home in the required rear yard. The project is located within a RH-2 (Residential, Home, two-Family) Zoning District and 40-X Height and Bulk District.
 (Continued from Regular Meeting of February 12, 2015)
(Proposed for Continuance to May 14, 2015)

SPEAKERS: None
 ACTION: Acting ZA Continued to May 14, 2015

7. 2013.1223D (T. CHANG: (415) 575-9197)
2139 TARAVAL STREET - south side of Taraval Street between 31st and 32nd Ave.; Lot 2394 in Assessor's Block 042 - Request for **Discretionary Review** of an application to operate a Medicinal Cannabis Dispensary. The project includes tenant improvements proposed under Building Permit Application 2013.0723.2598. The project is located within the Taraval Street NCD (Neighborhood Commercial District) and a 50-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.
(Proposed for Indefinite Continuance)

SPEAKERS: - Paul Hansbury – Opposed to indefinite continuance
 - Susan Tibbon – Indefinite continuance concerns
 ACTION: Continued Indefinitely
 AYES: Fong, Antonini, Hillis, Johnson, Moore, Richards
 ABSENT: Wu

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

8. [2015-000074CND](#) (A. KIRBY: (415) 575-9133)
3124 LAGUNA STREET - east side of Laguna Street between Lombard and Greenwich Streets; Lot 038 in Assessor's Block 0506 - Request for **Condominium Conversion Subdivision** to convert a three-story, six-unit front building into residential condominiums within a RH-2 (Residential – House, Two-Family) Zoning District and a 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: Fong, Antonini, Hillis, Johnson, Moore, Richards
 ABSENT: Wu
 MOTION: 19331

9. [2014.1222Q](#) (C. GROB: (415) 575-9138)
1267 CHESTNUT STREET - south side of Chestnut Street between Van Ness Avenue and Polk Street, Lot 001D in Assessor's Block 0499 - Request for **Condominium Conversion Subdivision** to convert a three-story-over-garage, six unit building into residential condominiums within an RM-1 (Residential, 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.
 Preliminary Recommendation: Approve

SPEAKERS: None
 ACTION: Approved
 AYES: Fong, Antonini, Hillis, Johnson, Moore, Richards
 ABSENT: Wu
 MOTION: 19332

C. COMMISSION MATTERS

10. Consideration of Adoption:
 • [Draft Minutes for February 26, 2015](#)

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

11. 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. I was absent last week and I was actually at spring training and it was very enjoyable. It was sort of like a frat party that included seniors and families with children, a little bit of baseball and a lot of eating and drinking. But, what was kind of instructive, I think and refreshing was what I did not see when I was there, I didn't see broken glass from auto break-ins, I didn't see one tag of graffiti, I didn't see trash or litter on the ground, I didn't see people digging through garbage cans, I didn't see a single panhandler, a single homeless person passed out on the street or in parks, and didn't see or hear a lot of sirens. I heard one siren and you would think with all the brittle seniors were there, you'd have

more medical responses, but I think, that you know, we've a different situation existing here as we often spoke about it. I'm not naive enough to think that the area I was in, was typical, the entire Valley of the Sun. In fact, 1.5 million people now live in Phoenix alone, which makes it the sixth largest city in the United States, and obviously they have areas with challenges that I did not see, but what was instructive, was the fact that I was mostly in Scottsdale, and Scottsdale is the equivalent to our Union Square, South of Market, perhaps North Beach and parts of the Mission District, because is there area where everyone goes, if they are going for shopping, if they are going for hotels, if they're going for entertainment they don't do anything in Phoenix. It's not much in downtown Phoenix. Everything is in Scottsdale and that's the area by which people derive their impressions of what that city, generally speaking, of what the Phoenix area is and what they derive their impressions of us. So hopefully, we can work on some of the items of what I'd like to not see in San Francisco as they have been able to do for one reason or another in Scottsdale and presumably in other parts of that general metropolitan area. I was encouraged, very encouraged, to read while I was away, Mayor Lee had a press conference and spoke about the treatment center for homeless, triage center with supportive housing which I think is a great first step, we've talked about for years, and I think, if we can provide enough and begin to have rules, but also to have treatment that you know will begin to solve some of the problems we have because no one is benefiting, most importantly the people who themselves are the victims of this situation and I think this is really a step in the right direction. One other thing that came to mind while I was in that area, I read in the paper that was this talk somewhat facetious talk about putting affordable housing in Oakland for San Francisco, but I think there is some merit in that, because the reason why housing costs are a lot less in an area like Phoenix, is the same reason, why we were able to grow in 1915, 100 years ago, we had land available, and they just continue to build further and further out and in 1915 we could built western San Francisco and we don't have enough land left, very little, certainly not enough to meet all the housing needs. So I think we should take into consideration all the land that san Francisco owns in Alameda and San Mateo Counties which or has control over, because this would be an ideal place to look into, at not just affordable housing but even market rate housing, all types of housing to help build fulfill our needs because to try to think we can build all within the 46 square miles of San Francisco is probably unrealistic and there could be a case made that the housing that was built on this lands should count towards the quotes or the numbers that ABAG suggest that San Francisco should build as part of meeting the housing demand, because Alameda County gets credit for housing been built east of Livermore, 50 miles away from Oakland. It is technically part of Alameda County, but it is actually one of the reasons why they are satisfying their affordable housing goals because even the market rate housing built out there it is low enough to qualify for the 120th percentile and this could be and we knew, we learned long ago we couldn't put an airport in San Francisco, we couldn't put our water system here, we couldn't put the jail, there is only so much land, I think one of the solutions for the housing problem are, is to look at some of the area we have control over. Obviously, we would have to have their consent of other counties, which they are located. I know that San Francisco land has been used for housing, out in the Pleasanton area in the past, I am not sure who controls that housing, it was privately built, but the land I think the land was sold to the developer by the City and they developed it I'm sure something like that could be worked out. Anyway, I am happy to be back and looking forward to today's meeting.

Commissioner Fong:
Happy to have you back!

Commissioner Richards:

I second that, good to have you back as well. On Saturday, I've been invited by the community leadership team in the Mission to do a walk around to hear issues of concern to them, as well as to get I guess the first-hand look at, kind of what these concerns have translated into from a housing point of view. Actually, it kind of coincided; I let you know next week what I've learned. We've had this thing back and forth last couple weeks, of stop market rate housing in the Mission, because we need more affordable housing, and it doesn't – it seems like mutual exclusively goals, but I came across an article yesterday in the Examiner by Joe Fitzgerald Rodriguez, I don't know if anybody read this guy, but actually he is a pretty smart guy, and actually he really opened my eyes to the fact that both of those sides actually have some kind of truth, because we have a short-term problem trying to be addressed by a long-term solution and I think each side is trying to figure out how they are going to bring the opposing sides together to actually solve the problem and I think it is really something that we need to think about a little more in depth, about how we are going to solve this kinds of problem because by time the solution is actually at hand, the problem has gone away because there is nobody left, so I think is a really interesting article. Please try to check it out, Joe Fitzgerald Rodriguez yesterday in the Examiner.

Commissioner Moore:

Updating the Commission on the subcommittee on rules, we met today and we are making progress. It was really our first meeting in which we were discussing items; the first meeting we had, just had to organize ourselves around issues. Today we substantively discussed the amendments of the submittal guidelines. Mr. Joslin made a very good presentation and we will come back to the full Commission within the next month, I would say, to report and submit a number of findings.

Commissioner Fong:
Thank you for all you efforts.

D. DEPARTMENT MATTERS

12. Director's Announcements

Director Rahaim:

Good afternoon, Commissioners. Just one announcement today, I just wanted to let you and actually members of the public to know that in response to the high demand for registration for short-term rentals, the Department is holding an evening hours session to accommodate folks who might want to come in that will be next Wednesday, March 18 from 4:00 to 7:00 pm, that will be walk-in only, for that particular time period we're asking people not to make an appointment just to walk in. During normal business hours we are asking folks to make appointment, but next Wednesday from 4:00 to 7:00 pm in the Department at 1650 Mission we will be taking walk-in appointments for short term housing registration, short-term rentals registration. I will also let you know we received at this point 1,000 phone calls from folks trying to register and the numbers are fairly overwhelming, so we are trying to register people as fast as we can and just to remind folks that I said two weeks ago it is important and the legislation does require that you

have a business license in hand before coming to the Department to actually register for short-term rental.

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

BOARD OF SUPERVISORS:

LAND USE COMMITTEE:

- **150192 Interim Zoning Controls - Large Residential Projects in RH-1, RH-2, and RH-3 Zoning Districts. Sponsor: Wiener.** This resolution creates interim controls intended address the issue of overly large homes, or Monster Homes, in the City's Corona Heights neighborhood. It would require Conditional Use authorization for any residential development, either as an addition to an existing building or as a new building, which results in greater than 55% lot coverage. It would require Conditional Use authorization for any residential development that will result in total residential square footage exceeding 3,000 gross square feet on a parcel if the residential development will occur on a vacant parcel; and it would also require Conditional Use authorization for any residential development that will increase the total existing gross square footage on a developed parcel in excess of 3,000 square feet and by (a) more than 75% without increasing the existing legal unit count or (b) more than 100% if increasing the existing legal unit count. At the hearing a lot of neighbors from the Corona Heights neighborhood came out and spoke in favor of these interim controls as a way to help protect the character and affordability of their neighborhood. A few people also came out and spoke in oppositions claiming that this would hamper the production of housing in the City. In his remarks, Supervisor Wiener spoke to the need to allow reasonable additions to existing housing and infill housing in this neighborhood, but also the need to preserve neighborhood character. Supervisor Wiener made a motion to move the item to the Full Board with a positive recommendation and the motion was passed unanimously.

FULL BOARD OF SUPERVISORS:

- **140954 Planning Code - Exceptions from Dwelling Unit Density Limits and from Other Specified Code Requirements. Sponsor: Wiener, Breed.** This Ordinance was heard by this commission on February 12 of this year, and was recommended unanimously to the Full Board. The ordinance would allow accessory dwelling units in excess of the allowed density in buildings that are undergoing a seismic retrofit. This item passed its first read at the Board.
- **150121 Agreement to Rent Units - AGI-TMG Housing Partners I, LLC – Eastern Neighborhoods Rental Incentive Option - 1201-1225 Tennessee Street.** Sponsor: Cohen. Staff: Connor. Passed First Read
- **150122 Agreement to Rent Units - Raintree 2051 Third Street, LLC – Eastern Neighborhoods Rental Incentive Option - 2051 Third Street.** Sponsor: Cohen. Staff: Connor. Passed First Read
- **150192 Interim Zoning Controls - Large Residential Projects in RH-1, RH-2, and RH-3 Zoning Districts. Sponsor: Wiener. Staff: Starr.** This resolution was adopted; these interim controls will become effective on March 20.

INTRODUCTIONS:

- 150247 Administrative Code - Ordinance amending the Administrative Code to establish the Balboa Reservoir Community Advisory Committee
- 150246 Planning Code - Landmark Designation - 2178-2174 Market Street (aka Swedish American Hall Building) Sponsor: Wiener

Last week:

- 150221 Planning and Public Works Codes - Required Street Trees. Sponsor: Wiener. Ordinance amending Planning Code, Section 138.1, and Public Works Code, Section 806, to shift the authority to require street trees in the case of certain types of development projects from the Planning Department to Public Works.

HISTORIC PRESERVATION COMMISSION:

No Report

BOARD OF APPEALS:

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: Katherine Howard – Toxic substances on playing fields
 Jim Meko – No minimum density provisions
 Amy Farrow-Weis – Celebrate past and present developer’s cultural heritage
 Harding Theater

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.

14. [2014.1225C](#) (L. AJELLO: (415) 575-9142)
1244 SUTTER STREET - north side between Van Ness Avenue and Polk Street; Lot 012 of Assessor’s Block 0670 - Request for **Conditional Use Authorization**, pursuant to Planning Code Sections 303, 209.8(b), 712.70, and 790.106 to establish an Administrative Service use (d.b.a. Argonaut) on the first and second floors, mezzanine level and a portion of the basement of a building within a RC-4 (Residential Commercial District, high density), the Van Ness Special Use District and 130-V 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: + Jodie Knight – Project presentation

+ Jordan Warren – Argonaut – local advertisement company
 ACTION: Approved with Conditions
 AYES: Fong, Antonini, Hillis, Johnson, Moore, Richards
 ABSENT: Wu
 MOTION: 19333

15. [2014-001933CUA](#) (T. CHANG: (415) 575-9197)
1830 OCEAN AVENUE - North side of Ocean Ave between Keystone Way and Dorado Ter.; Lot 087 in Assessor's Block 3283 - Request for **Conditional Use Authorization** pursuant to Planning Code Sections 303.1, 703.3 and 703.4 to establish a formula retail sales and services establishment (d.b.a. Target Express). The project includes tenant improvements proposed under Building Permit Application 2014.1125.2527. The project is located within the Ocean Avenue NCT (Neighborhood Commercial Transit) 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: Approve with Conditions

SPEAKERS: + John Dews – Project presentation
 + (M) Speaker – Support for Target Express
 = Dan Weaver – Formula retail, community activity
 = David Bloomenfeld - Quality of life concern, deliveries
 David Kurzh-Brown – Negative impact, noise, loitering, crime
 ACTION: Approved with Conditions as amended:
 1. 7 am – 9 pm delivery window;
 2. Work with SFMTA & DPWA on traffic calming and pedestrian safety measures
 AYES: Fong, Wu, Antonini, Hillis, Johnson, Moore, Richards
 MOTION: 19334

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.

16. [2014-001042DRP](#) (K. CONNER: (415) 575-6914)
26 HODGES ALLEY - east side, north of the intersection with Vallejo Street, Lot 012 in Assessor's Block 0134 - Request for **Discretionary Review** of Building Permit Application Number 2013.03.21.2735, proposing a side addition to the northern property line at the first and second floors which encroaches into the rear yard setback. The rear yard requirement is 28'-4" and the existing building is non-conforming as it maintains a 9" rear yard. The proposed third floor addition complies with the rear yard requirement. The proposed 3'-0" deep side addition encloses an existing stairway and extends approximately 5'-6" beyond the adjacent neighbor to the north and spans approximately 16'-0" but does not increase the overall building depth. A rear yard variance (2013.0783V) was granted by the Zoning Administrator on December 4, 2014 after a public hearing held on September 24, 2014. The Variance was appealed and will be heard at the Board of

Appeals on February 18, 2015. The property is located within a RH-3 (Residential House, Three Family) District, the Telegraph Hill North Beach Residential 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: Do Not Take Discretionary Review and Approve
(Continued from Regular Meeting of February 12, 2015)

SPEAKERS: - Melody Mar – DR requestor
 - Lisa Lim – Threaten the alley character
 - Barry Robenik – Roof deck expansion, noise issues
 - Raymond Lin – Opposed, misrepresentation
 + Jody Knight – Project presentation
 + Karen Ezekeal – Support
 + Heidi Levis – Architect response to question
 + Owner – Response to questions

ACTION: Took DR and Approved as Modified:
 1. Increasing the front setback at the third level equal to the width of the closet space (approximately four feet);
 2. Increasing the depth of the third level addition to the required rear yard line (approximately three feet); and
 3. Reducing the third level roof deck at the north west corner to align with the adjacent building depth.

AYES: Fong, Wu, Antonini, Hillis, Johnson, Moore, Richards
 DRA No: 0410

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 – 3:12 P.M.