

# 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 22, 2016**  
**12:00 p.m.**  
**Regular Meeting**

COMMISSIONERS PRESENT: Fong, Richards, Hillis, Johnson, Koppel, Melgar, Moore

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

STAFF IN ATTENDANCE: John Rahaim - Planning Director - Todd Kennedy, Pedro Peterson, Menaka Mohan, Aaron Starr, Ella Samonsky, Kim Durandet, Rich Sucre, Christopher May, Erika Jackson, Nancy Trans, 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.

- 1a. [2016-007198PCA](#) (T. CHANG: (415) 575-9197)  
ACADEMY OF ART UNIVERSITY PLANNING CODE TEXT CHANGES – Consideration of **Planning Code Amendments** related to Academy of Art University (AAU) - The Planning Commission will consider the adoption of an Ordinance amending the Planning Code to allow a limited conversion of Existing Housing to Student Housing Use for two specific properties. The Ordinance recommended for Adoption would waive the applicability of

the prohibition on conversion of Residential Units to Student Housing set forth in Planning Code Section 317(e) to 2209 Van Ness Avenue (Lot 005 in Assessor's Block 0570) and 2211 Van Ness Avenue (Lot 029 in Assessor's Block 0570). The proposed Ordinance would also establish criteria for conditional use authorization applicable to conversions to Student Housing for 2209 Van Ness Avenue and 2211 Van Ness Avenue; make findings under the California Environmental Quality Act; make findings under Planning Code Section 302 of public necessity, convenience, and welfare; make findings of consistency with the General Plan and the eight priority policies of Planning Code Section 101.1; and provide for expiration of the provision by operation of law three years after its effective date.

*Preliminary Recommendation: Adopt a Recommendation for Approval*

**(Proposed for Continuance to November 17, 2016)**

SPEAKERS: Zaned Gresham - Continuance  
ACTION: Continued to November 17, 2016  
AYES: Fong, Richards, Hillis, Johnson, Koppel, Melgar, Moore

- 1b. [2016-000559PCA](#) (T. CHANG: (415) 575-9197)  
ACADEMY OF ART UNIVERSITY PLANNING CODE TEXT CHANGES – A Consideration of **Planning Code Amendments** related to Academy of Art University (AAU). The Planning Commission will consider the proposal from the Academy of Art University to adopt an Ordinance that includes a grandfathering provision applicable to former Planning Code Section 317(f) to enable the unauthorized conversion of Residential Units to Student Housing for the following properties: 1080 Bush Street (Lot 015 in Assessor's Block 0275); 1153 Bush Street (Lot 026 in Assessor's Block 0281); 1916 Octavia Street (Lot 011 in Assessor's Block 0640); 1055 Pine Street (Lot 009 in Assessor's Block 0275); 860 Sutter Street (Lot 006 in Assessor's Block 0275); 2209 Van Ness Avenue (Lot 005 in Assessor's Block 0570) and 2211 Van Ness Avenue (Lot 029 in Assessor's Block 0570). The proposed Ordinance incorporates the already established conditional use authorization criteria for Residential Conversion pursuant to former Planning Code Section 317(f)(2).  
*Preliminary Recommendation: Adopt a Recommendation for Disapproval*  
**(Proposed for Continuance to November 17, 2016)**

SPEAKERS: Same as Item 1a.  
ACTION: Continued to November 17, 2016  
AYES: Fong, Richards, Hillis, Johnson, Koppel, Melgar, Moore

- 1c. [2012.0646PCA](#) (T. CHANG: (415) 575-9197)  
ACADEMY OF ART UNIVERSITY PLANNING CODE TEXT CHANGES – A Consideration of **Planning Code Amendments** related to Academy of Art University (AAU). The Planning Commission will consider the proposal from the Academy of Art University to adopt an ordinance that expands the grandfathering provision to Section 175.5(b) to enable the legalization of the unauthorized conversion of Office space to Institutional use for 601 Brannan Street (Lot 132 in Assessor's Block 3785). If the Planning Commission chooses to adopt the subject Ordinance, the Ordinance will need to be revised to make findings under Planning Code Section 302 of public necessity, convenience, and welfare; make findings of consistency with the General Plan and the eight priority policies of Planning Code Section 101.1; and provide for expiration of the provision by operation of law three years after its effective date.  
*Preliminary Recommendation: Adopt a Recommendation for Disapproval*

**(Proposed for Continuance to November 17, 2016)**

SPEAKERS: Same as Item 1a.  
ACTION: Continued to November 17, 2016  
AYES: Fong, Richards, Hillis, Johnson, Koppel, Melgar, Moore

- 2a. [2007.1082C](#) (T. CHANG: (415) 575-9197)  
2209 VAN NESS AVENUE – located on the west side of Van Ness Avenue between Broadway and Vallejo Streets, Lot 029 in Assessor's Block 0318 (District 2) - Request for **Conditional Use Authorization**, pursuant to Planning Code Sections 317 and 303, for the conversion of Residential Units to Student Housing. The project proposes to legalize the conversion of one Residential Unit to 22 Student Housing rooms within a Residential-Commercial, Medium Density (RC-3) Zoning and 80-D 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 November 17, 2016)**

SPEAKERS: Zane Gresham – Continuance  
ACTION: Continued to November 17, 2016  
AYES: Fong, Richards, Hillis, Johnson, Koppel, Melgar, Moore

- 2b. [2007.1083C](#) (T. CHANG: (415) 575-9197)  
2211 VAN NESS AVENUE – located on the west side of Van Ness Avenue between Broadway and Vallejo Streets, Lot 029 in Assessor's Block 0318 (District 2) - Request for **Conditional Use Authorization**, pursuant to Planning Code Sections 317 and 303, for the conversion of Residential Units to Student Housing. The project proposes to legalize the conversion of two Residential Units and one Commercial Unit to three Dwelling Units and 8 Student Housing rooms within a Residential-Commercial, Medium Density (RC-3) Zoning and 80-D 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 November 17, 2016)**

SPEAKERS: Same as Item 2a.  
ACTION: Continued to November 17, 2016  
AYES: Fong, Richards, Hillis, Johnson, Koppel, Melgar, Moore

- 2c. [2007.1073C](#) (C. CAMPBELL: (415) 575-8732)  
1916 OCTAVIA STREET – located on the east side of Octavia Street between Sacramento and California Streets, Lot 011 in Assessor's Block 0640 (District 2) – **Request for Conditional Use Authorization**, pursuant to Planning Code Sections 317 and 303, for the conversion of Residential Units to Student Housing. The project proposes to legalize the conversion of 20 Residential Hotel rooms to 22 Student Housing rooms within a Residential-House, Two-Family (RH-2) Zoning 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: Disapprove*  
**(Proposed for Continuance to November 17, 2016)**

SPEAKERS: Same as Item 2a.  
ACTION: Continued to November 17, 2016  
AYES: Fong, Richards, Hillis, Johnson, Koppel, Melgar, Moore

- 2d. [2007.1074C](#) (C. GROB: (415) 575-9138)  
1055 PINE STREET – located on the south side of Pine Street between Jones and Taylor Streets, Lot 009 in Assessor's Block 0275 (District 3) - Request for **Conditional Use Authorization**, pursuant to Planning Code Sections 317 and 303, for the conversion of 59 Residential Hotel rooms to Student Housing. The project proposes to legalize the conversion of 59 Residential Hotel rooms to 81 Student Housing rooms within a Residential-Mixed, High Density (RM-4) Zoning District, Nob Hill Special Use District and 65-A 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: Disapprove*  
**(Proposed for Continuance to November 17, 2016)**

SPEAKERS: Same as Item 2a.  
ACTION: Continued to November 17, 2016  
AYES: Fong, Richards, Hillis, Johnson, Koppel, Melgar, Moore

- 2e. [2007.1077C](#) (C. GROB: (415) 575-9138)  
860 SUTTER STREET – located on the north side of Sutter Street between Leavenworth and Jones Streets, Lot 006 in Assessor's Block 0281 (District 3) - Request for **Conditional Use Authorization**, pursuant to Planning Code Sections 317 and 303, for the conversion of 50 Residential Hotel Rooms to Student Housing. The project proposes to legalize the conversion of 50 Residential Hotel rooms and 39 Tourist Hotel rooms to 89 Student Housing rooms within a Residential-Commercial, High Density (RC-4) Zoning and 80-A 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: Disapprove*  
**(Proposed for Continuance to November 17, 2016)**

SPEAKERS: Same as Item 2a.  
ACTION: Continued to November 17, 2016  
AYES: Fong, Richards, Hillis, Johnson, Koppel, Melgar, Moore

- 2f. [2007.1070C](#) (S. ADINA: (415) 575-8722)  
1080 BUSH STREET – located on the north side of Bush Street between Leavenworth and Jones Streets, Lot 015 in Assessor's Block 0276 (District 3) - Request for **Conditional Use Authorization**, pursuant to Planning Code Sections 317 and 303, for the conversion of 15 Residential Hotel Rooms to Student Housing. The project proposes to legalize the conversion of 15 Residential Hotel rooms to 15 Student Housing rooms within a Residential-Commercial, High Density (RC-4) Zoning and 65-A 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: Disapprove*  
**(Proposed for Continuance to November 17, 2016)**

SPEAKERS: Same as Item 2a.  
ACTION: Continued to November 17, 2016  
AYES: Fong, Richards, Hillis, Johnson, Koppel, Melgar, Moore

- 2g. [2007.1071C](#) (S. ADINA: (415) 575-8722)  
1153 BUSH STREET – located on the south side of Bush Street between Leavenworth and Hyde Streets, Lot 026 in Assessor's Block 0280 (District 3) - Request for **Conditional Use Authorization**, pursuant to Planning Code Sections 317 and 303, for the conversion of 15 Residential Hotel Rooms to Student Housing. The project proposes to legalize the conversion of 15 Residential and Residential Hotel rooms to 15 Student Housing rooms within a Residential-Commercial, High Density (RC-4) Zoning and 65-A 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: Disapprove*  
**(Proposed for Continuance to November 17, 2016)**

SPEAKERS: Same as Item 2a.  
ACTION: Continued to November 17, 2016  
AYES: Fong, Richards, Hillis, Johnson, Koppel, Melgar, Moore

3. 2016-008126MAP (A. STARR: (415) 558-6362)  
UPPER MARKET STREET – **Planning Code and Zoning Map Amendment** - Ordinance amending the Planning Code to revise Section Map ZN07 of the Zoning Map to delete the Upper Market Street Neighborhood Commercial (NC) District and reclassify Block 2623, Lot 006 at 376 Castro Street and Block 2623, Lot 091 at 2416-2420 Market Street from Upper Market Street NC District to the Upper Market Street Neighborhood Commercial Transit (NCT) District; affirming the Planning Commission's determination under the California Environmental Quality Act; making findings of public convenience, necessity, and welfare under Planning Code, Section 302; 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*  
**(Proposed for Continuance to November 17, 2016)**

SPEAKERS: None  
ACTION: Continued to November 17, 2016  
AYES: Fong, Richards, Hillis, Johnson, Koppel, Melgar, Moore

## 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

4. [2015-000904CUA](#) (T. KENNEDY: (415) 575-9125)  
2201 MARKET STREET – south side of Market Street and Sanchez Street, located in the Castro District, Lot 001 in Assessor's Block 3559 (District 8) - Request for **Conditional Use Authorization** to change a use from a retail to Business or Professional Service (Catarrá Real

Estate) pursuant Planning Code Sections 303, 733.53 and 790.108. The Zoning Classification of the subject site is the Upper Market Neighborhood Commercial Transit (NCT) with a Height and Bulk District of 60/65-X. This proposed use will occupy an existing tenant space on the ground level and is 3,788. 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*  
(Continued from regular hearing September 8, 2016)

SPEAKERS: None  
ACTION: Approved with Conditions  
AYES: Fong, Richards, Hillis, Johnson, Moore  
RECUSED: Koppel, Melgar  
MOTION: 19740

## 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 Richards:

I have one question maybe yes or no answer to the director, if a settlement we reached with AAU, will it came back before this Commission for approval? A couple of things, first, we have some DR's today that seem kind of complicated, because of the terrain and height and all of that, and one specific, I know on not full analysis, but abbreviated analysis to DRs, I believe that the Plan Submittal Guidelines don't call for a 3D rendering, but in the one that was really complicated, there was a 3D rendering, by the time I got to it, it was like, Aha!, that's it. I'd like to take a look at, making sure that on some of thes complicated ones we should have 3D renderings, even for abbreviated analysis that's something we can discuss, when we have a Commission Matters session. The other one, this morning, I picked up a paper, on Chronicle and I saw Brisbane pushes housing for redevelopment, I don't know if anybody hear this, or saw this -- they are trying to put 6.9 million square feet of commercial space, and no housing, and the quote that actually made me cough my coffee up this morning was, the mayor Clifford Lence, said we'll provide or Brisbane will provide the commercial space, but San Francisco will provide the housing, and think that is absolutely atrocious.

#### Commissioner Fong:

Commissioners, I want to take the opportunity to officially welcome Commissioner Melgar to this Commission and we know her through other work in the City, and other commissions, and look forward to have you share your thoughts and experiences with this great City and welcome.

**Commissioner Melgar:**

Thank you very much, I've worked with many of the Commissioners in other areas of City government, so, I'm really happy to be here, and also bring the recent lens of the Building Inspection Commission that works so closely with Planning. Thank you for having me.

**Commissioner Johnson:**

Thank you very much and welcome Commissioner Melgar, very exciting, to have seven, full gang back up here, it is fantastic. So, just real quick, because I was tardy to the last hearing, I don't know if anyone had talked about the Controller's report on the Inclusionary Housing working group that came out this month. I sit on the Board of SPUR and a couple of the working group members are also SPUR Board members. There was a presentation last night, and it was fascinating, I think a lot of the findings, this is the report that was required as part of Prop C, in June, recently passing, the original deadline in the measure was July, but they have now issued it in September, and among other findings first of all, the whole thing is backed up by a housing simulation, which I think, is fantastic. I don't know if the Planning Department worked with that, I know the Controller's Office had a consultant, but they did a really good sensitivity analysis on residual land values from increasing inclusionary housing requirements, not able to really draw this bright line, saying if you increase requirements to this level you will – all projects will be infeasible for areas that are zoned for residential, but really showing, you know, showing from a green to red sort of color scheme where you start to have a loss of effectiveness and being able to extract the residual land value based on the inclusionary housing requirements that you have. In addition, there were some pretty, I wouldn't say eye opening, because they are not surprising, but impactful seeing the numbers of findings on increasing the inclusionary housing requirements does get you more BMR units, but it also gets you less market rate units, to the tune of a rapid increase in value of the remaining market-rate units, so you get more BMR units, but what's left of the market becomes much more expensive. That was among a few of the findings, they also had some recommendations around the State Density Bonus Program, in terms of continuing to look at the State Density Bonus Program and its impact on housing with increasing inclusionary housing requirements, and they also had a recommendation to do a step up of inclusionary housing requirements of 0.5 percent per year, sort of stepping until you to the 20-25% level. I encourage everyone to read the report, those were sort of two of around eight findings, that the working group had, and I think it'll be really informative to both the Board and the Planning Department and Commission.

**Commissioner Moore:**

Commissioner Johnson reminded me last week about the idea of us attending the Market Street Festival together, is there any progress on doing that?

**Director Rahaim:**

Don't think so at this point, but we'll try to get that to happen.

**Commissioner Moore:**

Could we just remind you, to see if that is possible, that will be great.

**Commissioner Richards:**

Just one more question piggy back on Commissioner Johnson's, I'd love to have an informational on that report here to the Commission.

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



**Director Rahaim:**

Commissioners again I'll provide my welcome on behalf of staff, to both Commissioner Koppel and Melgar, it's great to have you, thank you for joining us, thank you for the work that is coming, in advance and we really look forward to working with you, and please feel free to call on me or staff, when you have questions, or need some basic planning one on one training, we'll try get you up to speed as quickly as possible. Secondly, the Planning Department was very much involved in the Controllers study, and helping to scope that study, and helping to do the modeling, we were pleased to be part of that important piece of work, and we are happy to bring that back to the Commission at some point, with an informational, obviously it affects all of our work very, very closely. Thirdly, I just say, in respect with the Brisbane proposal that I received a lot of e-mails and questions from both this building and outside of this building on that proposal, there's a lot of regional concern about the decision that Brisbane has made to not include housing on that site. I'll say that from my perspective it's a little disappointing, being given that other communities in the Peninsula are stepping up, and there has been a lot of discussion about this, both within the City and outside of the City on this issue right now. I will keep you informed whether those discussions go any further, but certainly there's a lot of people that share your concern, share all the concerns about having the site of that size without any housing whatsoever. We'll keep you informed on its progress.

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

**LAND USE COMMITTEE:**

- **160426 Planning Code, Zoning Map - Rezoning Midtown Terrace Neighborhood. Sponsor: Yee. Staff: Starr.**

The land Use Committee heard the rezoning for Midtown Terrace neighborhood this week. This ordinance would rezone the Midtown Terrace neighborhood from RH-1, single-family, to RH-1 D, single-family detached. This Commission heard this item on August 11 of this year and voted to recommend approval.

At the land use hearing there was significant public comment. Most commenters who are residents of the neighborhood were in support of the rezoning; however there was some opposition to the rezoning. Those opposed generally felt that this was a down zoning and was taking the city in the wrong direction by not up zoning the district to RH-2 or RH-3.

There was significant discussion about the zoning change excluding the neighborhood from the City's ADU program, since RH-1(D) neighborhoods are not allowed to participate in the City's ADU program. However, RH-1(D) districts are still eligible for the State ADU program, which is generally more permissive.

Supervisor Wiener felt that this neighborhood should be subject to the city's ADU program and offered an amendment to achieve that. He felt that the state program had been in effect for over 30 years but never used, and while he initially supported the RH-1(D) carve-out in the ordinance he sponsored, he did not think the carve out should be expanded to more neighborhoods.

Supervisor Yee was at the hearing and said that he would like more time to reach out to his constituents on the matter and asked that the file be split and one file be amended with Supervisor Wiener's proposed amendment, and one not be amended and allowed to move forward to the Full Board.



Supervisor Peskin for his part thought that Supervisor Wiener was being inconsistent in his reversal on subjecting RH-1(D) to the City's ADU program, and also wanted to show deference to the Sponsor Supervisor by allowing him time to reach out to his constituents.

In the end the amendment was made to the ordinance and forwarded to the Full Board without a recommendation. This will signal to the Board that there was not consensus on the amendment, and will also provide Supervisor Yee with a week to reach out to his constituency.

- **160894 Zoning - Interim Moratorium on First Story Business or Professional Service Uses in West Portal Avenue Neighborhood Commercial District. Sponsor: Yee. Staff: Not Staffed.**

Also at land use was an interim moratorium on Business or Professional Service Uses located on the First Story in West Portal Avenue NCD. This Interim control was intended to prevent a financial advisor's office from being able to legalize its operation in the West Portal NCD, which had originally been approved in error. After much public comment on this item, mainly from those who opposed the temporary moratorium, this item was continued indefinitely.

- **160321 Planning Code - Housing Balance Report. Sponsor: Kim. Staff: D. Sanchez.**

The Committee also heard a proposed ordinance, introduced by Supervisor Kim that proposes to amend the Planning Code to explicitly require the inclusion in the bi-annual Housing Balance Report data regarding the withdrawal of protected units from rent control as a result of an Owner Move-In eviction. While it has been the practice of the Planning Department to include this information in the Housing Balance Report, the Planning Code does not explicitly call for its inclusion.

This ordinance was brought before the Planning Commission on July 7, 2016. At that hearing you adopted a recommendation of approval with modification. The modifications included:

1. Amend the Planning Code Definition of Housing Balance to include explicit reference to the loss of units as a result of Owner Move-In, Condo Conversion, Demolition and Ellis Act eviction; and
2. Amend the dates for publishing the Bi-annual Housing Balance Reports from March 1 and September 1 to April 1 and October 1 of each year. And also to amend the date for the annual hearing from April 1 to April 15 of each year.

After hearing from Supervisor Kim's office, and after seeing no one from the public providing testimony, the Land Use committee made two motions. First it adopted amendments to the Ordinance to incorporate the two Planning Commission recommended modifications and second it moved to provide a positive recommendation of the Ordinance to the full BOS.

- **160807 [Hearing - Transit Center District Plan Area - Interim Sign Controls - Six Month Report. Sponsor: Kim. Staff: Rodgers.**

This week the Department presented the BOS with the 6-month report on Supervisor Kim's Interim Controls for signage in the Transbay Area. Per the Planning Code, the Department is required to conduct a study of interim controls six months after enactment. On November 10, 2015, Board of Supervisors imposed interim zoning controls that regulated two features:

1. regulated the size and height of new signs and
2. regulated illumination near proposed or existing parks.

The Interim Controls generally apply to the Transit Center District Plan Area for 18-months or until permanent controls are adopted.

In the report, the Department found that the signage controls for the neighborhood are artifacts from an era before high-density housing was encouraged for the neighborhood.

The effects of light pollution are well documented. For this reason, the Department believes that the Interim Controls place appropriate limits to nighttime lighting. Further, the City has long regulated signage near parks. The Interim Controls effectively protect the aesthetics of planned parks by limiting the interferences of excessive signage.

The Department's conclusion was that the Interim Controls have provided the public, stakeholders, and the Department with a trial period to review the controls. It is the Department's position that the controls are appropriate and should be adopted as permanent amendments to the Planning Code. Supervisor Kim indicated that she intended to make the interim controls permanent and asked the City attorney to prepare an ordinance doing as much.

#### **FULL BOARD:**

- **160918 Hearing - Appeal of Conditional Use Authorization - 2785 San Bruno Avenue. Staff: Rodgers.**

At the Full Board this week, the Board considered the Appeal of the CU Authorization for 2785 San Bruno Avenue.

The proposed project included a CU to demolish a 1-story residential Dwelling Unit and an unauthorized unit in order to construct a new 4-story, mixed-use building with 3 dwelling units and 2 commercial units.

This was a tricky task for staff because it's been difficult to establish the facts of the case, and because City law on this issue has literally turned a 180° since this application was filed. When the entitlement application was filed in 2014, City law required the demolition of unauthorized units. Now the City encourages these units to be retained. City law doesn't prohibit the removal of unauthorized units; however it does require any proposed removal to be considered through CU. That's what this Commission did.

The Commission found the rear-structure to be unauthorized and, as such, approved its proposed demo through conditional use authorization. That said, the project sponsor had conflicting information. Most concerning to the Board, they labeled the rear-structure as a workshop. Upon further investigation the Planner found it to be a living space, hence the "unauthorized" unit determination. The project sponsor had a signed affidavit saying "no unauthorized units" and did not revise the affidavit prior to the PC hearing, despite the Planner's request—more conflicting info. Different facts, but still the Commission provided the most rigorous review by considering the space to be an unauthorized unit.

The more challenging call was whether the property was subject to rent-control. In the Commission's 317 findings and in the 101 findings, the Commission concluded that the project was not subject to rent-control.

As we know, Planning staff & the Commission are in the awkward position of having to make findings about rent-control while the Rent Ordinance only gives this authority to the Rent Board. Further, the Rent Board will only opine on Rent Control status after a tenancy investigation requested by either a tenant of the property or the owner.

Here, the Board disagreed with the finding that the unit was not subject to rent control. At the hearing, the Rent Board staff said that they consider every building in SF to be subject to the Rent Ordinance, unless facts are presented otherwise. This finding was the primary reason the BOS gave for overturning the Commission's CU authorization. The vote was unanimous.

#### **INTRODUCTIONS:**

- No New introductions

#### **BOARD OR APPEALS:**

Board of Appeals did meet last night; two items that I think may be of interest to this Commission. First is, 5435 Anza Street, the Commission heard this as Discretionary Review last November, and unanimously denied the DR and the permit was approved. It was appealed by the neighbor; the main issue was that the project was initially submitted in 2012. During the course of our review, it was revised, the project was reduced in scope and the plans reflect that, the plans that we approved and issued – or the Building Department issued. However, the actual written project description, and the permit system did not change. They appealed, arguing that there was too much confusion, on what was to be built, even when the plans were very clear, this was explained to them during the course of the appeal, the Board unanimously denied the appeal, but they did modify the project description, so, they took an action to modify the project description and approved it. The other item, that may be of interest is 381 Magellan Avenue, it's the Forest Hill Club House, it's a notice of violation and penalty, that I issued for the subject facility. This historically been used as accessory use for the residents and members of the Forest Hill Association. Historically has been used for social events and for membership meetings based on evidence that we had in the last couple of decades, there had been about 60 events there every year, in 2012-2013, the association underwent a project of about a half million dollar to renovate and upgrade the facility. After that began to rent it out at a much more intense rate, but also to people who were not residents of the Association, became essentially a venue, and the number of events last year was 110, almost double that we they have previously done. We started our investigation last August working with the Association and with the neighbors, that came to us with their complaint through the Entertainment Commission, trying to resolve the matter, the Association came up with conditions about how the users of the facility should operate, but we found repeatedly that those conditions, that they put in place, were not upheld, were not enforced. We had a Zoning Administrator hearing on the enforcement matter earlier this year, after the hearing, at the time, there was still substantial scrutiny on this, the Entertainment Commission, went out to investigate and found they were violating the noise ordinance. So, we issued our decision, saying that they could no longer rent to non-members, which is their argument, they had some historic right to do that. The Board of Appeals last night unanimously upheld the notice of violation and penalty, I think, it was actually noting that enforcement still can be problematic, because we did just limit it to non-members, there still is the very serious question about how the impacts could be reduced for the neighbors, that's really up to the Forest Hill Association to work with the neighborhoods and the Board gave a very clear message to them, that is not met satisfactorily, it could come to more restrictive conditions, limiting the number of events, limiting the hours of events, whatever it takes to insure that it is not a public nuisance. It was unanimously upheld for now and how that will be resolved in the future.

**HISTORIC PRESERVATION COMMISSION:**

Good afternoon Commissioners, Tim Frye, Department staff, here to share with you a few items from yesterday's Historic Preservation Commission hearing. The Commission heard five applications for the Legacy Business Register, three book sellers, The Book Smith, Dog Eared Books, and Green Apple Books. The Commission also heard an application for the Brew Pub and Beer Garden Zeitgeist, and The Coffee Roster, and Cafe Henry's House of Coffee on Noriega. All applications were supported unanimously, and will now make their way to the Small Business Commission for final deliberations. The Commission also, in the most recent hearing and their last hearing in August, have -- were considering a much expanded Landmark Designation Work Program, most of this work is supported through a National Park Service grant, in under-represented communities grant. The majority of the properties that will be added to the Landmark Designation Work Program, were previously identified and most of social and cultural historic context statements that had been adopted recently, the LGBTQ Context Statement, the African-American Context Statement, the Latino Context Statement and the Filipino Context Statement. The majority of the properties are also they're related not only social and cultural heritage, but the Civil Rights Movement in San Francisco's role in the Civil Rights Movement in the 60s and 70s. The Commission reviewed the list of properties and prioritized them accordingly and has directed staff now to reach out to those owners and prepare those designation reports. The Architectural Review Committee, also, met earlier in the day, they were reviewed two, provided design advice on two projects. One, alterations and replacement to the Golden Triangle light standards around Union Square, and the Teatro Zinzani related to the Port parking lot along the waterfront across from Pier 29, they provided design advice, and those projects will come before them at a future date. That concludes my comments, unless you have questions.

**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:** Georgia Schuttish - Please watch the January 21, 2016 hearing on the UDG. Please include the chart presented by Ms. Small detailing the overlap of various guidelines when the packet is prepared for the October 20, 2106 informational hearing on UDGs. There have now been 2 drafts of the UDGs. Put them aside and please begin to work on the revisions of the RDGs with public involvement and then bring them together. Example of Oakland Street.

Bruce Bowen – Urban Design guidelines  
 Anastasia Yononopolous – Residential design guidelines  
 Kathleen Courtney – UDG/RDG  
 Corey Smith – Brisbane, housing

Rose Hillson - In the Article 7 NCD tables, change "Subject to the Urban Design Guidelines" in the "Controls" column to "subject to the Commerce and Industry Element Urban Design Guidelines, to be reviewed." The phrase "Urban Design Guidelines" never appeared in prior Article 7 tables/text but appears in the Commerce & Industry Element, the Urban Design Element maps & is the title of DRAFT UDGs. For clarity, the text change is requested. The DRAFT "Urban Design Guidelines" clones the "AHBP Design Guidelines." Both must comply with DRAFT "Ground Floor Residential Design Guidelines (GFRDGs)". The "AHBP DGs were to interface with the "forthcoming Urban Design Guidelines." The DRAFT UDGs mirror the AHBP DGs which states the "general principles and the related policies of these

documents shall apply to AHBP Projects.” Passing UDGs & GFRDGs essentially makes AHBP DGs apply citywide. Don’t pass the UDGs, GFRDGs, and RDGs piecemeal.

Paul Webber - Article & Reorganization should be delayed until the Public is adequately informed, which they are not, and substantive definitional changes should be eliminated.

This was not supposed to be substantive in nature, and yet that is what has been done.

Explanatory opposition letter will amplify on this position.

Urban Design Guidelines currently being proposed should be combined for concurrent consideration with those of Commerce and Industry Element, Ground Floor Residential Guidelines and Residential Guidelines. And all must give consideration to current urban form of the City, existing neighborhood diversity and architectural character. Also they must relate the Priority Policies of Proposition M. Their applications must not create silos of design among various categories of controls/uses/elements. As has been mentioned already and will be noted in explanatory Article 7 reorganization opposition letter, current proposals are one size fits all.

Mary Gallagher - In the 60 Russell Street DR hearing the staff misrepresented what the RDT had directed and misrepresented what the Residential Design Guidelines say about light wells. The RD directed the sponsor in writing to carry the existing offset light well up thru the new addition and the RDG support both off set and matched light wells. RDT Memo and transcript of staff misstatements were provided.

The “waiver” process included in the UDG would institutionalize arbitrary and capricious reversals of RDT/UDAT direction and let projects out of design guidelines behaving-the-scenes and on whim. The reference to “waiver” should be removed from the UDG and Mr. Joslin should return to the 3-decade practice of requiring staff initiated DR to any projects seeking an exemption from design guidelines

J.R. Epplar - UDG’s

Silvia Johnson – Inaudible

Sue Hestor – Design guidelines

Donald Dewsnap – Downzoning is a bad precedent

Speaker – A new goal

## 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. [2010.1182CWP](#) (P. PETERSON: (415) 575-9163)  
**EASTERN NEIGHBORHOOD MONITORING REPORT – Informational Presentation** - The *Eastern Neighborhoods Plans Monitoring Reports* describe commercial and residential development activities in all five neighborhoods between 2011 and 2016. These are the second five-year time series monitoring reports for the Central Waterfront, East SoMa, Mission, and Showplace Square/Potrero Hill since their plans adoption in 2009 and the first for Western SoMa, which was adopted in 2013. The reports account for new construction, demolitions and alterations completed in the last five years as well as provide near term development trends in the pipeline. The *Reports* also discuss implementation of proposed programming, including affordable housing construction, fees collected, historic preservation, and first source hiring. There is a monitoring report for each Eastern Neighborhood Area Plan and these are available for public review at the Planning

Department or downloaded through the department website. Reference copies will also be available at the Government Information Center at the San Francisco Main Public Library.

*Preliminary Recommendation: None - Informational*

**SPEAKERS:** Pedro Peterson – Staff Report  
 Walter Bass – CAC comments  
 Marc Salomon – Plan serves everyone, but residents  
 Tim Collen – Integrity of EM plan  
 J.R. Epplar – EM plan  
 Alison Heath – UMU Zoning  
 Rick Hall – Unmitigated disaster  
 Silvia Johnson – Waiver  
 June Deckenbach – Infrastructure, open space  
 Sean Engalls – Overdevelopment around Potrero Hill  
 Peter Papadapolous – Policy measures  
 Sue Hestor – 20 years process, transit  
 Tom Gilberti – EN Plan  
 Dan Murphy – EN Plan

**ACTION:** None – Informational

9. 2016-003658GEN (M. MOHAN: (415) 575-9141)  
RESIDENTIAL EXPANSION REVIEW – A clear process for alterations and demolitions. An **Informational Presentation** on the Department's proposal to eliminate tantamount to demolition controls with a new "residential expansion review." This threshold would identify proposed residential projects with policy issues which would necessitate review by the Planning Commission. For more information, please visit our website at <http://sf-planning.org/legislative-affairs>.  
*Preliminary Recommendation: None - Informational*

**SPEAKERS:** Elizabeth Watty – Staff Report  
 Menaka Mohan – Staff Report  
 + Jennifer Jones – AIA SF support  
 = Mary Gallagher – Make meaningful rules  
 = Brian Beat – Logs of the machine  
 = Bor Aster – Unintended consequences  
 = Speaker – Process, DR reform  
 = Maurice Casey – 3,000 thresholds  
 = Irene Valaskes – Arduous process  
 = Speaker – Multi-generational families  
 = John O'Conner – Smaller houses, family housing  
 = Steven Madroy – Family sized housing  
 = Chavonne – Keep families in SF  
 = Anastasia Yovanopolous – Building Code demolition  
 = Sean Kiegran – Size threshold, no automatic hearing  
 = Pat Buskovich – Current rules don't work  
 = Georgia Schuttish – Thanks to Commission and staff, particularly Com. Richards  
 Here are some questions  
 1. Is preservation of affordable housing the goal of this new proposal as it was when section 3M legislation was devised and debated?

2. What is the logical threshold number for single family and shouldn't there be another for units?
3. What is impact on public involvement if administrative approvals are increased and what is the impact on our neighborhood?
4. Should different neighborhoods have different thresholds?
5. What happens to the MOH affordability level and soundness criteria in Section 317 (3) (a) (b)?
6. What happens to the criteria currently in Section 317(3) (c)?
7. What about raising the threshold for tantamount to demolition and adding reporting requirements from project sponsors? (During construction)
8. If facades are removed is this no longer considered a demo?
9. What about the loophole of Section 317 (b) (7)?
10. Does mass = density and can you have density without mass?

Dave Sterburg – Enough process

ACTION: None – Informational

10. [2016-011082PCA](#) (A. STARR: (415) 558-6362)  
TEMPORARY HOMELESS SHELTERS IN PDR, WMUO, AND SALI DISTRICTS [BF 160960] – **Planning Code Amendment** - Ordinance amending the Planning Code to allow temporary Homeless Shelters in the Production, Distribution, and Repair, the WSoMa Mixed Use-Office, and the Service/Arts/Light Industrial zoning districts, subject to conditional use authorization; affirming the Planning Commission's determination under the California Environmental Quality Act; making findings of public convenience, necessity, and welfare under Planning Code, Section 302; 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*

SPEAKERS: = AnMarie Rodgers – Staff Report  
 + Henry Karnilowicz – Support  
 + Marie Sorenson – Spread equally across the City  
 = Silvia Johnson – Clearer policies

ACTION: Adopted a Recommendation for Approval as amended

AYES: Fong, Hillis, Koppel, Melgar

ABSENT: Johnson, Moore, Richards

MOTION: 19741

11. [2016-010665CUA](#) (E. SAMONSKY: (415) 575-9112)  
25<sup>TH</sup> STREET NAVIGATION CENTER – terminus of 25th Street, east of Michigan Street;(District 10) - Request for **Conditional Use Authorization**, pursuant to Planning Code Sections 210.3 and 303 to establish an approximately 9,200 square foot temporary Homeless Shelter use, with accessory Social Service Facility use, in a temporarily vacated right-of-way within the Production, Distribution & Repair -1-General (PDR-1-G) and Heavy Manufacturing (M-2) Zoning Districts, and the 40-X Height and Bulk District. This action constitutes the Approval Action for the project for the purposes of CEQA, pursuant to San Francisco Administrative Code Section 31.04(h).  
*Preliminary Recommendation: Approve with Conditions*

SPEAKERS: = Ella Samonsky – Staff report  
 + Speaker – Project presentation



ACTION: = Silvia Johnson – Inaudible  
 Approved with Conditions  
 AYES: Fong, Richards, Hillis, Johnson, Koppel, Melgar, Moore  
 MOTION: 19742

12. [2013.0517X](#) (K. DURANDET: (415) 575-6816)  
98 PENNSYLVANIA STREET - located on the north side of 17<sup>th</sup> Street bounded by Pennsylvania Avenue to the east, Mississippi Street to the west and 7<sup>th</sup> Street to the north, Lot 002 in Assessor's Block 3948 (District 10) - Request for **Large Project Authorization**, pursuant to Planning Code Section 329, for the construction of a five-story (48-ft. tall) over basement residential buildings (measuring approximately 48,000 gross square feet) with 46 dwelling units, 31 below-grade off-street parking spaces, 46 Class 1 bicycle parking spaces, and approximately 2 Class 2 bicycle parking spaces. The project includes private and common open space. The subject property is located within the UMU (Urban Mixed Use) Zoning District, and 48-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*  
 (Continued from Regular Meeting of May 19, 2016)

SPEAKERS: = Kimberly Durandet – Staff report  
 + John Kevlin – Project presentation  
 = Silvia Johnson – Inaudible  
 + Jude Dekenbach – Open space  
 + John O'Conner – Support  
 + Sean Kiegran – Support, affordable units on-site  
 - Peter Papadopolous – Classic concerns  
 ACTION: Approved with Conditions  
 AYES: Fong, Richards, Hillis, Johnson, Koppel, Melgar, Moore  
 MOTION: 19743

- 13a. [2014-000601ENX](#) (R. SUCRE: (415) 575-9108)  
2675 FOLSOM STREET – located along the east side of Folsom Street between 22<sup>nd</sup> and 23<sup>rd</sup> Streets, Lots 006, 007, and 024 in Assessor's Block 3639 (District 9) – Request for a **Large Project Authorization**, pursuant to Planning Code Section 329, for the demolition of the three existing buildings, and the new construction of a four-story residential building (measuring approximately 109,917 gross square feet; approximately 40-ft tall) with 117 dwelling units, approximately 5,291 square feet of PDR use, 66 off-street parking spaces, 160 Class 1 bicycle parking spaces, 14 Class 2 bicycle parking spaces, and a publically-accessible mid-block alley. Under the LPA, the project is seeking an exception to certain Planning Code requirements, including: 1) rear yard (Planning Code Section 134); 2) dwelling unit exposure (Planning Code Section 140); 3) street frontage (Planning Code Section 145.1); 4) off-street freight loading (Planning Code Section 152.1); and, 5) horizontal mass reduction (Planning Code Section 270.1). The project site is located within the UMU (Urban Mixed-Use), RH-2 (Residential, House, Two-Family), RH-3 (Residential, House, Three-Family) Zoning District, and 40-X Height and Bulk District. This action constitutes the Approval Action for the project for the purposes of CEQA, pursuant to Section 31.04(h) of the San Francisco Administrative Code.  
*Preliminary Recommendation: Approve with Conditions*

(Continued from Regular Meeting of August 4, 2016)

**SPEAKERS:** = Rich Sucre – Staff Report  
 + Alexis Pelosi – Project presentation  
 - Org. Oppo. Speaker – Latino Cultural District  
 - Peter Papadopolous – Org. oppo.  
 - Rich Hall – Org. oppo.  
 + Corey Smith – Desperately need housing  
 + David Steinweld – Support  
 + Donald Dewsnap – Support  
 + Adrian Simi, Local Carpenter’s 22 – Support  
 + Michelle Belle – Support  
 + William Dorsey – City build benefits  
 + Tim Colen – Coded compliant project  
 + Tom Solucca – Support  
 + Morris Brooker – Support, PDR space  
 - Thomas Ray – Opposed  
 - Marie Sorenson – Opposed  
 - Dairo Romero – Tired of the crumbs we are getting from the developers  
 + Pat Delgado - Support

**ACTION:** Approved with Conditions  
**AYES:** Fong, Richards, Hillis, Johnson, Koppel  
**NAYES:** Melgar, Moore  
**MOTION:** 19744

- 13b. [2014-000601CUA](#) (R. SUCRE: (415) 575-9108)  
2675 FOLSOM STREET – located along the east side of Folsom Street between 22<sup>nd</sup> and 23<sup>rd</sup> Streets, Lots 006, 007, and 024 in Assessor’s Block 3639 (District 9) – Request for a **Conditional Use Authorization**, pursuant to Planning Code Sections 209.1 and 303, and Planning Commission Resolution No. 19548, allow the dwelling unit density at a ratio of one dwelling unit per 1,000 square feet of lot area in the RH-3 Zoning District, and allow new construction of more than 75 dwelling units per the Mission 2016 Interim Zoning Controls. The proposed project includes the new construction of a four-story, 40-ft tall, residential building with 117 dwelling units, approximately 5,291 square feet of PDR space, and 66 off-street parking spaces. The project site is located within the UMU (Urban Mixed-Use), RH-2 (Residential, House, Two-Family), RH-3 (Residential, House, Three-Family) Zoning District, and 40-X Height and Bulk District.  
*Preliminary Recommendation: Approve with Conditions*  
 (Continued from Regular Meeting of August 4, 2016)

**SPEAKERS:** Same as Item 13a.  
**ACTION:** Approved with Conditions  
**AYES:** Fong, Richards, Hillis, Johnson, Koppel  
**NAYES:** Melgar, Moore,  
**MOTION:** 19745

## 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.

14. [2015-015814DRP](#) (S. JIMENEZ: (415) 575-9187)  
150 2<sup>ND</sup> AVENUE – Located on the east side of 2<sup>nd</sup> Avenue between Lake Street and California Street; Lots 101 and 102 in Assessor's Block 1361 (District 2) - Request for **Discretionary Review** of Building Permit Application No. 2015.10.28.1088, proposing the construction of a two-story horizontal addition with roof deck atop at the rear of the existing three-story, two-family dwelling which is located within the 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: = Rich Sucre – Staff Report  
 - Enrico Dell'Osso – Noise issue, DR presentation  
 - Silvia Johnson – Inaudible  
 + Anne Bassie – Project presentation  
 + Ted Ross – Support  
 + Speaker – Support  
 + Ernie Selam – Rebuttal  
 + Henry Karnilowicz – Family housing  
 ACTION: Did Not Take DR, Approved as proposed  
 AYES: Fong, Richards, Hillis, Johnson, Koppel, Melgar, Moore  
 DRA No: 0482

15. [2015-014114DRP](#) (C. MAY: (415) 575-9087)  
245 EUCLID AVENUE – southeast corner of Euclid Avenue and Collins Street; Lot 035 in Assessor's Block 1069 (District 2) - Request for **Discretionary Review** of Building Permit Application No. 2015.10.02.8734, proposing the construction of a third floor vertical addition and horizontal infill additions at the ground floor, as well as the expansion of the existing rear yard terraced patio within a RH-1 (Residential, House, One-Family) Zoning District and 40-X Height and Bulk District. This action constitutes the Approval Action for the project for the purposes of CEQA, pursuant to Section 31.04(h) of the San Francisco Administrative Code.  
 Staff Analysis: Abbreviated Discretionary Review  
*Preliminary Recommendation: Do Not Take Discretionary Review and Approve*

SPEAKERS: = David Lindsay – Staff Report  
 - Kathryn DeVincenzi – DR presentation  
 - Silvia Johnson – Inaudible  
 + Speaker – Project presentation  
 + Speaker – Architect rebuttal  
 ACTION: Did Not Take DR, Approved as proposed  
 AYES: Fong, Richards, Hillis, Johnson, Koppel, Melgar, Moore,

DRA No: 0483

16. [2015-006856DRP](#) (E. JACKSON: (415) 558-6363)  
4320 24<sup>TH</sup> STREET – Located on the north side of 24<sup>th</sup> Street, between Hoffman Avenue and Douglass Street; Lot 30 in Assessor's Block 2829 (District 8) - Request for **Discretionary Review** of Building Permit Application No. 2015.05.14.6375, proposing the construction of a new vertical third floor addition to the existing two-story single-family dwelling. The Project is located within a RH-2 (Residential, House, Two-Family) Zoning District and 40-X Height and Bulk District. This action constitutes the Approval Action for the project for the purposes of CEQA, pursuant to Section 31.04(h) of the San Francisco Administrative Code.  
Staff Analysis: Abbreviated Discretionary Review  
*Preliminary Recommendation: Do Not Take Discretionary Review and Approve*

SPEAKERS: = Delvin Washington – Staff report  
- Larry King – Shadow impacts to the park  
+ Rosi Levy – Project presentation  
ACTION: After hearing and closing public comment; Continued to November 3, 2016  
AYES: Fong, Richards, Hillis, Johnson, Koppel, Melgar, Moore,

17. [2015-000487DRP](#) (N. TRAN: (415) 575-9174)  
2438 30<sup>TH</sup> AVENUE – Located on the east side of 30<sup>th</sup> Avenue, between Taraval and Ulloa Avenues; Lot 31 in Assessor's Block 2396 (District 4) - Request for **Discretionary Review** of Building Permit Application No. 2015.01.08.5238, proposing the construction of a horizontal and vertical addition with rear excavation to expand the basement, ground and 2nd levels. No work is proposed at the front façade. The Project is located within a RH-1 (Residential, House, One-Family) Zoning District and 40-X Height and Bulk District. This action constitutes the Approval Action for the project for the purposes of CEQA, pursuant to Section 31.04(h) of the San Francisco Administrative Code.  
Staff Analysis: Abbreviated Discretionary Review  
*Preliminary Recommendation: Do Not Take Discretionary Review and Approve*

SPEAKERS: None  
ACTION: Continued to January 5, 2017  
AYES: Fong, Richards, Hillis, Johnson, Koppel, Melgar, Moore

## 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 - 8:17 P.M.

