

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, April 6, 2017
12:00 p.m.
Regular Meeting

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

THE MEETING WAS CALLED TO ORDER BY PRESIDENT HILLIS AT 12:13 P.M.

STAFF IN ATTENDANCE: John Rahaim – Planning Director, Andrew Perry, Colin Clarke, Michael Christensen, Ella Samonsky, Silvia Jimenez, 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. 2016-001528CUA (N. KWIATKOWSKA: (415) 575-9185)
2645 OCEAN AVENUE – at 19th Avenue, Lot 023 in Assessor's Block 7226 (District 7) - Request for **Conditional Use Authorization** pursuant to Planning Code Sections 303 and 710.21 to convert the existing individual medical uses into one large medical service of 26,181 gross square feet in an existing three-story structure within a NC-1 (Neighborhood

Commercial Cluster) District, 26-X Height and Bulk District. The proposal includes interior alterations and new signage. The proposed use size requires CUA pursuant to Planning Code Section 710.21 since it is greater than 2,999 square feet. 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

(Continued from Regular Meeting of February 2, 2017)

NOTE: On November 10, 2016, after hearing and closing public comment, the Commission adopted a motion of intent to Disapprove and continued the item to December 1, 2016 by a vote of +6 -1 (Hillis against).

On December 1, 2016, without hearing, the Commission continued the item to February 2, 2017.

(Proposed for Continuance to April 13, 2017)

SPEAKERS: None
 ACTION: Continued to April 13, 2017
 AYES: Hillis, Richards, Fong, Koppel, Melgar, Moore
 ABSENT: Johnson

2. 2016-005411CUA (E. JARDINES: (415) 575-9144)
400 BEALE STREET (UNITS #2301 AND 2303) - west side of Beale Street, between Harrison and Bryant Streets; Lots 238 and 240 of Assessor's Block 3766 (District 6) - Request for a Conditional Use Authorization, pursuant to Planning Code Sections 303 and 317, to merge two dwelling units within an existing 26-story, 245-unit residential building into one 2,297 square foot, three-bedroom, four-bathroom dwelling unit. The project would merge a 1,074 square foot, two-bedroom, two-bathroom dwelling unit (#2303) with a 1,223 square foot, two-bedroom, two-bathroom dwelling unit (#2301) within the RH-DTR (Rincon Hill Downtown Residential Mixed Use) Zoning District and 65-X Height and Bulk District. This action constitutes the Approval Action for the project for the purposes of CEQA, pursuant to San Francisco Administrative Code Section [31.04\(h\)](#).

Preliminary Recommendation: Denial

(Proposed for Continuance to April 13, 2017)

SPEAKERS: None
 ACTION: Continued to April 13, 2017
 AYES: Hillis, Richards, Fong, Koppel, Melgar, Moore
 ABSENT: Johnson

3. 2016-003791CUA (L. AJELLO: (415) 575-9142)
524A CLEMENT STREET - Request for **Conditional Use Authorization**, pursuant to Planning Code Sections 303, 303.1, and 703.4 to legalize an 818 square-foot Formula Retail Sales and Service use (electronics store d.b.a. Cricket Wireless, a subsidiary of AT&T, that sells mobility products and services, including mobile telecommunication devices, plans, accessories, and technical services), established without Conditional Use Authorization in a space previously occupied by a Retail Sales and Service use (d.b.a. Pacific Books and Arts), on the ground floor of the four-story mixed-use building within an Inner Clement Street NCD (Neighborhood Commercial District) 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 San Francisco Administrative Code Section [31.04\(h\)](#).

Preliminary Recommendation: Approval with Conditions

(Proposed for Continuance to April 13, 2017)

SPEAKERS: None
 ACTION: Continued to April 13, 2017
 AYES: Hillis, Richards, Fong, Koppel, Melgar, Moore
 ABSENT: Johnson

4. 2014.0086DRP-02 (B.BENDIX: (415) 575-9114)
2855 FILBERT STREET - south side of Filbert Street between Lyon and Baker Streets; Lot 029 in Assessor's Block 0948 (District 2) - Requests for **Discretionary Review** of Building Permit Application No. 2013.10.04.8576, proposing the new construction of a four-story single-family dwelling. The project also includes the demolition of the existing three-story single-family house (Building Permit Application 2013.10.04.8579). The subject property is within the RH-1 (Residential, House, One-Family) Zoning District and the 40-X Height and Bulk District. This action constitutes the Approval Action for the project for the purposes of CEQA, pursuant to Section 31.04(h) of the San Francisco Administrative Code.
 Staff Analysis: Full Discretionary Review
Preliminary Recommendation: Do not take Discretionary Review and approve as proposed
 (Continued from Regular Meeting of March 23, 2017)
(Proposed for Continuance to April 13, 2017)

SPEAKERS: None
 ACTION: Continued to April 13, 2017
 AYES: Hillis, Richards, Fong, Koppel, Melgar, Moore
 ABSENT: Johnson

- 5a. 2017-001061PCA (J. BINTLIFF: (415) 575-9170)
INCLUSIONARY AFFORDABLE HOUSING FEE AND REQUIREMENTS [BOARD FILE NO. 161351V2] - **Planning Code Amendment** to revise the amount of the Inclusionary Affordable Housing Fee, the On-Site and Off-Site Affordable Housing Alternatives and other Inclusionary Housing requirements; adding reporting requirements for density bonus projects; affirming the Planning Department's determination under the California Environmental Quality Act; making findings 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: Pending
 (Continued from Regular Meeting of March 9, 2017)
(Proposed for Continuance to April 27, 2017)

SPEAKERS: None
 ACTION: Continued to April 27, 2017
 AYES: Hillis, Richards, Fong, Koppel, Melgar, Moore
 ABSENT: Johnson

- 5b. 2017-001061PCA (J. BINTLIFF: (415) 575-9170)
INCLUSIONARY AFFORDABLE HOUSING FEE AND DWELLING UNIT MIX REQUIREMENTS [BOARD FILE NO. PENDING] - **Planning Code Amendment** to revise the amount of the Inclusionary Affordable Housing Fee, the On-Site and Off-Site Affordable Housing Alternatives and other Inclusionary Housing requirements; to require minimum dwelling unit mix in all residential districts; affirming the Planning Department's determination under the California Environmental Quality Act; making findings 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: Pending

(Continued from Regular Meeting of March 9, 2017)

(Proposed for Continuance to April 27, 2017)

SPEAKERS: None
 ACTION: Continued to April 27, 2017
 AYES: Hillis, Richards, Fong, Koppel, Melgar, Moore
 ABSENT: Johnson

6. 2017-000475PCA (A. BUTKUS: (415) 575-9129)
SCOOTER PARKING - **Planning Code Amendment** to allow scooter parking in certain designated parking spaces; affirming the Planning Department's determination under the California Environmental Quality Act; making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and making findings under Planning Code, Section 302.

(Proposed for Continuance to May 4, 2017)

SPEAKERS: None
 ACTION: Continued to May 4, 2017
 AYES: Hillis, Richards, Fong, Koppel, Melgar, Moore
 ABSENT: Johnson

7. 2016-003791CUA (S. SKANGOS: (415) 575-8731)
401 3RD STREET - east side between Harrison and Perry Streets; Lot 116 of Assessor's Block 3763 (District 9) - Request for a **Conditional Use Authorization**, pursuant to Planning Code Sections 303(c) and 842, to develop a Verizon Wireless Macro Telecommunications Services Facility consisting of nine (9) screened rooftop mounted panel antennas, two (2) GPS antennas and an associated screened rooftop equipment area as part of the Verizon Wireless Telecommunications Network. The subject property is located within the MUO (Mixed Use-Office) Zoning District and 65-X and 85-X Height and Bulk Districts. 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: Approval with Conditions

(Proposed for Continuance to May 18, 2017)

SPEAKERS: None
 ACTION: Continued to May 18, 2017
 AYES: Hillis, Richards, Fong, Koppel, Melgar, Moore

ABSENT: Johnson

B. CONSENT CALENDAR

All matters listed hereunder constitute a Consent Calendar, are considered to be routine by the Planning Commission, and may be acted upon by a single roll call vote of the Commission. There will be no separate discussion of these items unless a member of the Commission, the public, or staff so requests, in which event the matter shall be removed from the Consent Calendar and considered as a separate item at this or a future hearing

8. [2017-001263CND](#) (A. PERRY: (415) 575-9017)
1900-1908 LEAVENWORTH STREET - northeast corner of Leavenworth and Green Streets, Lot 011 in Assessor's Block 0121 (District 3) - Request for **Condominium Conversion Subdivision** to convert a three-story over garage, five-unit building into residential condominiums within a RM-2 (Residential Mixed, Moderate 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 San Francisco Administrative Code Section [31.04\(h\)](#).
Preliminary Recommendation: Approve

SPEAKERS: None
 ACTION: Approved
 AYES: Hillis, Richards, Fong, Koppel, Melgar, Moore
 ABSENT: Johnson
 MOTION: 19892

9. [2017-000728CUA](#) (C. CLARKE: (415) 575-9184)
1342 IRVING STREET – between 15th & 14th Avenues, Lot 018A in Assessor's Block 1736 (District 5) - Request for **Conditional Use Authorization** pursuant to Planning Code Sections [303](#) and [730.44](#) to authorize a Restaurant use (d.b.a. Taqueria Dos Amigos) in the existing 2,650 square-foot tenant space at the ground floor of the existing one-story commercial building, previously occupied by a Limited-Restaurant within a general Retail Grocery Store (d.b.a. Taqueria Dos Amigos & Mercado), within the [Inner Sunset NCD](#) (Neighborhood Commercial District) Zoning District and 40-X Height and Bulk District. This project was reviewed under the Community Business Priority Processing Program ([CB3P](#)). 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: None
 ACTION: Approved with Conditions
 AYES: Hillis, Richards, Fong, Koppel, Melgar, Moore
 ABSENT: Johnson
 MOTION: 19893

10. [2016-008105CUA](#) (M. CHRISTENSEN: (415) 575-8742)
880 PENNSYLVANIA AVENUE - west side of Pennsylvania Avenue, between 22nd Street and 23rd Street; Lot 012 in Assessor's Block 4167 (District 10) - Request for **Conditional Use**

Authorization, pursuant to Planning Code Sections 303, and 210.3 to operate a private parking lot for commuter bus services (d.b.a. Storer Coachways), previously occupied by a public storage facility (d.b.a. California Mini-Storage), on a vacant lot within a Production, Distribution & Repair – 1 - General (PDR-1-G) Zoning District and 40-X Height and Bulk District. The project would include removal of pavement from approximately 20% of the site and replacement with landscaping, as well as the replacement of the existing chain link fence with an ornamental iron fence. 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: None
 ACTION: Approved with Conditions
 AYES: Hillis, Richards, Fong, Koppel, Melgar, Moore
 ABSENT: Johnson
 MOTION: 19894

C. COMMISSION MATTERS

11. Consideration of Adoption:

- [Draft Minutes for March 16, 2017](#)

SPEAKERS: None
 ACTION: Adopted
 AYES: Hillis, Richards, Fong, Koppel, Melgar, Moore
 ABSENT: Johnson

- [Draft Minutes for March 23, 2017](#)

SPEAKERS: None
 ACTION: Adopted
 AYES: Hillis, Richards, Fong, Koppel, Melgar, Moore
 ABSENT: Johnson

12. [2016-004115CUA](#) (A. PERRY: (415) 575-9017)
644 BROADWAY – north side between Grant Avenue and Stockton Street; Lot 006 in Assessor's Block 0146 (District 3) – **Informational Hearing**, as requested by the Planning Commission on February 9, 2017 upon receipt of the Written Performance Update. On July 28, 2016, the Planning Commission approved Motion No. 19706 and the request for Conditional Use Authorization pursuant to Planning Code Sections 303, 803.2(b)(1)(B)(iii), and 810.41, to authorize a change in use from a Movie Theater to an Other Entertainment use (d.b.a. Boxcar Theatre), and to establish a Bar use for the sale of alcohol during performances, at the basement level of the existing 4-story over basement building located within the CCB (Chinatown Community Business) District and 65-N Height and Bulk District.

Preliminary Recommendation: None – Informational

SPEAKERS: = Andrew Perry – Staff Report
+ David Gloke – Project Report
- Trisha Yu – Alley entrance
- Speaker – Alley entrance
= Rae Owen – Alley entrance

ACTION: Reviewed and Commented; Requested a second informational hearing in six months

13. 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:

Two quick items, I've spoken the last couple of weeks about, we struggle up here with rent-controlled units, and you know whether we want to demolish one or not, the big elephant in the room has been fraudulent evictions and I guess, I would put this under when that rains, it pours. I laud Supervisors Farrell, Peskin and Kim for introducing legislation to crack down on fraudulent move-in evictions, as recently found in the last two weeks, that one in four of them, there were 1400 – 1400 since 2013. One in four have been fraudulent and now finally we have some teeth in the process and this hopefully will keep people in the City that are here and should enjoy the peaceful use of their home and not be fraudulently evicted. One other thing, on Sunday's Chronicle in the inside section page E5, Jerry Nickelsburg, an economist of UCLA-Anderson School of Management, wrote an article about affordability, and he said, he started the article and he said, San Francisco, Cleveland, Hong Kong, Sidney or Vancouver, which one is not like the others?, and the answer is Cleveland. He started to go through and analyzed the fact that Cleveland got a lot of cheap housing, and he went through and analyzed, and said the issue, the elephant in the room on all these discussions is, I want to preface what I am saying, by not saying keep housing -- supply restricted, but we often make mistakes to suggest that housing is expensive, because of its demography incorrectly puts it. Studies do not leave the slightest doubt that affordable housing is almost everywhere and every time, it's always caused by the same factor, restricting housing supply. Well, these studies, some of which are very thoughtful – from thoughtful people, leave plenty of doubt, and some of the authors should go back to Economic 101, the reason -- the lack of -- the crisis is not just the supply phenomenon, but rather an interaction between both supply and demand. So, I think what I'm saying is, when people get up and advocate supply and demand works and that's why we have high prices I agree with you, we have restricted supply, but also in cities like Cleveland, we have a lot of demand, so there is an interaction between both, and I think, this is the discussion really lends to having both of those things talk about and not just one or the other.

Commissioner Johnson:

Thank you very much, I don't often make comments in Commissioners' Questions and Comments, but had a couple of articles that were sent to me as well that resonated with me, so I appreciated Commissioner Richards and the article he pointed out today. There was one other one in the San Francisco magazine that actually talked about a startup, that what they do -- is they -- I believe they rent, but they can also be buying condos in these new buildings, and their business model is to use them essentially as a corporate housing, and they split these condos into -- they do not split them physically, but they have four to eight people usually younger, newer residents to San Francisco living together and the insinuation is that businesses like these and other developers are actually taken this on as a side revenue stream, are propping up sales prices in the housing market because they're creating a demand where otherwise there wouldn't be any because the prices for market-rate units are getting too high, it is not sustainable, and so they're -- the steam is starting to come out in different ways. So, I want to highlight that, so the other side of it, when you look at these plastic towers, you wonder who lives there, it's not all wealthy people just buying them, there are other avenues under which these units are making their way onto the market, some which are unintended. Another one was, an article that was sent about, sort of highlighting a survey about a percent of Millennials who were thinking to move away from San Francisco, within the next -- I believe that was the next two to three years, and that percentage is really high, and that is something should be of concern to all of us because if don't have new blood and turn over our neighborhoods, whether is from the young people or people of new any age, creed or nationality, that portends for stagnation, stagnation leads to disinvestment, and disinvestment leads to a downward cycle for our City, and that is not something that anyone wants to see, even if they maybe concerned about some other consequences of having new residents. I just want to highlight those two points and those really resonated with me and some of the information I read over the past couple weeks.

Commissioner Moore:

Housing supply, a question for Director Rahaim, and that may not be able to be answered, perhaps somebody could research it. I read a very short note in the paper that PG&E is buying up larger number of residences in the Marina, the reason being that they were many, many years ago, an environmental contamination, which was not at that time properly remedied, but it would potentially, giving that it is still in place, I'm getting vaguer and vaguer because I don't fully understand it, have consequences relative to the ability to resell or even live in those homes. What that though says to me is, that there is all of a sudden even the six of eight or ten homes being bought by a large corporation, an elimination of potential resources I like to understand better, how the City feels about it and what needs to be done, in order to prevent that if there should be similar instances like that occurring in that part of the City. Thank you.

Director Rahaim:

Not heard that Commissioners, so we will try to find any information about that.

Commissioner Moore:

I saw the Zoning Administrator Sanchez kind of raising his eyebrows. I'll ask you both of you to perhaps to get back with us.

Commissioner Hills:

It was in the Examiner, it was the old Safeway site, which there was a gas plant.

Commissioner Moore:

It would be interesting, I think for all of us.

Commissioner Richards:

Just one follow-up comment to Commissioner Johnson, I couldn't agree with more, living and growing up in Pittsburgh during the 70s and 80s, I saw what hollowing out of a city is like, where there is disinvestment, everybody leaves like I did I wouldn't want to wish that on any city so anyways, just wanted to acknowledge that.

D. DEPARTMENT MATTERS14. [Director's Announcements](#)**Director Rahaim:**

Thank you, Jonas. I just thought I might comment briefly about the article that was in the Chronicle about – John King's article, and just to mention that the comments made by the architect in question were unfortunate. I believe they were inappropriate, but I do believe the Department not only has, unlike the authors unlike the architect's statement, the Department not only has the ability to review great buildings and to help to produce great buildings, but has every right we do so. We do live in a very special city that I think we are diligent in our design review on what is built in the city I think there are many great example of great contemporary architecture all over the City, that are result of a great collaboration within the Department and the architectural community. So, I just want to put that on record that the staff does a great job in making that happen.

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

LAND USE COMMITTEE:

- **151258 Planning Code - Affordable Housing Requirement and Fee in Divisadero and Fillmore Neighborhood Commercial Transit Districts.** Sponsor: Breed. Staff: Starr.

At this week's land use hearing, the Committee considered an ordinance, sponsored by Supervisor Breed that would set specific inclusionary housing requirements for the Divisadero and Fillmore NCTs. Commissioners you heard this item on June 30 of last year and voted to recommend approval with modifications.

Your recommendations included: (1) To conduct further financial analysis on development potential for soft-sites before and after the zoning change, adding the value to inclusionary requirement for future projects, at the baseline or current inclusionary rates; (2) to use the same methodology as Proposition C, passed by voters on June 7, 2016 to determine an increase in the inclusionary rates; (3) and to delete the reference to fee

deferral. These recommendations were not taken up by the Supervisor or included in the proposed ordinance.

Since you heard this item last year, the Supervisor has revised the ordinance to change the AMI percentages for on-site housing, and the percentages for in-lieu and off-site options.

For the on-site option, housing projects would be required to have 23% of all units as inclusionary. 6% would be available to those earning 55% of the AMI, 8% would be available to those earning 120% of the AMI, and 9% would be available to those making 140% of the AMI. For the off-site and in-lieu option the percentages would be 30%.

At the hearing there was significant public comment in opposition to the proposed ordinance, primarily from people who felt the new AMI levels were too high and would not serve those most in need of affordable housing. Supervisor Peskin had several questions about how the AMI numbers were reached. The rest of the conversation seemed to focus on whether or not these numbers reflected the existing population in these districts. Staff was only able to provide AMI numbers for the Haight and Western Addition neighborhoods, which overlap with these districts but do not encompass them entirely.

Sensing that district specific AMI numbers for the Fillmore and Divisadero Street NCTs would help facilitate a more productive conversation, Supervisor Breed proposed to continue the item for one week so that Planning Staff could generate the requested data. The Committee did vote to continue the item for one week, and Planning has since generated that data and sent it to the Committee for their review.

	Fillmore NCT	Divisadero NCT	San Francisco
Median Household Income	\$ 52,294	\$ 97,717	\$ 81,953
Median Family Income	\$ 63,609	\$ 114,697	\$ 96,730
Per Capita Income	\$ 48,210	\$ 62,777	\$ 52,220
Percent in Poverty	21%	13%	13%

FULL BOARD:

- **140877 Planning Code - Downtown Support Special Use District; Fees in Lieu of On-Site Open Space; Gift Acceptance.** Sponsor: Kim. Staff: Rodgers. Passed First Read

INTRODUCTIONS:

So far, no introductions have shown up in the system.

BOARD OR APPEALS:

The Board of Appeals did meet last night, one item that may be of interest to the Commission, were appeals related to 1049 Market Street. This is the building that was converted to residential use and the property owners now seeking to evict the tenants and convert back to commercial use, also note there are illegal live-work units in the building, which we found have been illegally converted to commercial use in violation of Section 317. The appeal last time was related to the notice of violation penalty, that we had issued for the unlawful conservation of these units, as well

as revocation requests that we had going back to a permit from 2013 that the appellant was relying on to do this activity. The Board of Appeals unanimously upheld those decisions that we had. This has been in the courts for several years and we assume these decisions will head back to courts as well.

HISTORIC PRESERVATION COMMISSION:

Good afternoon Commissioners, Shannon Ferguson, Planning Department staff, I'm here to report the results Historic Preservation Commission hearing yesterday. Yesterday was the final hearing for the El Rey Theater landmark designation. The Commission sent a positive recommendation for designation to the Board of Supervisors. The El Rey Theatre it is significant as one of the only remaining movie theatres originally designed in the Arch-Deco Style by Master Architect Timothy Pflueger and I have the photo here.

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: Dorgi Roberts – MCD Continuance
Peter Cohen – AB915

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.

16. [2015-009997CUA](#) (C. ASBAGH: 415/575-9165)
222 SUTTER STREET, 3RD FLOOR - north side of Sutter Street, between Kearney Street and Grant Avenue; lot 009 of Assessor's Block 0287 (District 3) - Request for a **Conditional Use Authorization**, pursuant to Planning Code Section 303 and 210.2 to allow the use of 11,958 square feet at the third floor from retail to general office use within the C-3-R (Downtown Retail) Zoning District and 80-130-F Height and Bulk District.
Preliminary Recommendation: Disapprove
 (Continued from Regular Meeting of March 9, 2017)
Note: On November 3, 2016, after hearing and closing public comment the Commission continued the item to March 9, 2017 by a vote of +4 -3 (Commissioners Moore, Melgar and Richards against).
On March 9, 2017, without hearing the Commission continued the item to April 6, 2017 by a vote of +5 -0 (Commissioners Johnson and Melgar absent).

SPEAKERS: None
 ACTION: Withdrawn
 AYES: Hillis, Richards, Fong, Koppel, Melgar, Moore

ABSENT: Johnson

- 17a. [2013.1037C](#) (C. MAY: (415) 575-9087)
650 DIVISADERO STREET - southeast corner of Divisadero and Grove Streets; Lot 002B in Assessor's Block 1202 (District 5) - Request for **Conditional Use Authorization** pursuant to Planning Code Sections 121.1, 271, 303, 746.10 and 746.11 to permit the development of a 6-story mixed-use building containing 66 residential dwelling units above 26 ground floor parking spaces and 3,528 square feet of commercial uses within the Divisadero Street Neighborhood Commercial Transit (NCT) District, the Fringe Financial Services Restricted Use District and 65-A 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
 (Continued from Regular Hearing of January 26, 2017)

SPEAKERS: Speaker – Request for continuance to mid June
 John Kevlin – June 8th
 Roberto Duran – Not in support
 ACTION: Continued to June 15, 2017
 AYES: Hillis, Richards, Fong, Koppel, Melgar, Moore
 ABSENT: Johnson

- 17b. [2013.1037V](#) (C. MAY: (415) 575-9087)
650 DIVISADERO STREET - southeast corner of Divisadero and Grove Streets; Lot 002B in Assessor's Block 1202 (District 5) - Request for **Rear Yard Modification** pursuant to Planning Code Section 134 to permit the development of a 6-story mixed-use building containing 66 residential dwelling units above 26 ground floor parking spaces and 3,528 square feet of commercial uses within the Divisadero Street Neighborhood Commercial Transit (NCT) District, the Fringe Financial Services Restricted Use District and 65-A Height and Bulk District.

(Continued from Regular Meeting of January 26, 2017)

SPEAKERS: Same as Item 17a.
 ACTION: Continued to June 15, 2017
 AYES: Hillis, Richards, Fong, Koppel, Melgar, Moore
 ABSENT: Johnson

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.

18. [2016-000017DRP](#) (E. SAMONSKY: (415) 575-9112)

43 EVERSON STREET - south side approximately 150 feet east of the intersection with Beacon Street, Lot 024 in Assessor's Block 7542, (District 8) - Request for **Discretionary Review** of Building Permit Application No. 2016.01.27.8097 proposing construction of a three-story horizontal rear addition and remodel the front facade and interior of a single family dwelling 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 San Francisco Administrative Code Section [31.04\(h\)](#).

Staff Analysis: Abbreviated Discretionary Review

Preliminary Recommendation: Do Not Take Discretionary Review and Approve

(Continued from Regular Meeting of March 16, 2017)

SPEAKERS: = Elizabeth Watty – Staff Report
 - Dave Cowfer – DR presentation
 - Yan Patteson – DR presentation
 - Mark Brennan – Basketball court conversion
 - Sheri Matsa – Open space impacts
 - Joe O'Donahue – Driving prices up
 + Andy Rogers – Project presentation

ACTION: After hearing and closing public comment; Continued to May 18, 2017

AYES: Hillis, Richards, Fong, Koppel, Melgar, Moore

NAYES: Johnson

19. [2015-018164DRP-06](#) (S. JIMENEZ: (415) 575-9187)

2226 GREEN STREET - north side between Fillmore and Steiner Streets; Lot 039 in Assessor's Block 0539 (District 2) - Requests for **Discretionary Review** of Building Permit Application No. 2015.12.08.4465, proposing to construct a 30-square foot kitchen expansion, cantilevered deck, and a private roof deck for the upper unit of an existing four-story, two-family building within a 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 San Francisco Administrative Code Section [31.04\(h\)](#).

Staff Analysis: Abbreviated Discretionary Review

Preliminary Recommendation: Do Not Take Discretionary Review and Approve

(Continued from Regular Meeting of March 2, 2017)

Note: On March 2, 2017, after hearing and closing public comment the Commission Continued the item to April 6, 2017 with direction, by a vote of +4 -0 (Commissioners Fong, Johnson and Melgar were absent).

SPEAKERS: = Elizabeth Watty - Staff Report
 - Michael Donner – DR presentation
 - Barbara Lawrence – Private open space
 - Janine Shay – Opposition
 + John Stadler – Project presentation

ACTION: Took DR and Approved as modified by the Project Sponsor, conditioning any future expansion to be brought back to the Commission as a Staff initiated DR

AYES: Hillis, Richards, Fong, Koppel, Johnson, Melgar

ABSENT: Moore

DRA No: 0517

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 – 2:30 P.M.