

# 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 27, 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 12:11P.M.

STAFF IN ATTENDANCE: John Rahaim – Planning Director, Stephanie Skangos, Esmeralda Jardines, Jacob Bintliff, Diego Sanchez, Dan Sirois, Linda Ajello-Hoagland, Elizabeth Gordon-Johnckeer, Ella Samonsky, Andrew Perry, Natalia Kwiatkowska, and Jonas P. Ionin – Commission Secretary

### SPEAKER KEY:

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

### A. CONSIDERATION OF ITEMS PROPOSED FOR CONTINUANCE

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

1. 2015-002653CUA (J. SPEIRS: (415) 575-9106)  
1016 DE HARO STREET - west side of De Haro Street, between 22<sup>nd</sup> and 23<sup>rd</sup> Streets, Lot 004 in Assessor's Block 4159 (District 10) - Request for **Conditional Use Authorization** pursuant to Planning Code Sections 303 and 317 to demolish an existing vacant & unsound one-story-over-basement single-family dwelling with a rear accessory structure, and to

construct a new four-story over-basement, 40 foot tall, two-family dwelling within a RH-2 (Residential – House, Two Family) District, 40-X Height and Bulk District. The proposed project provides a code-complying rear yard, three off-street parking spaces, and a 17 foot front setback at the 4<sup>th</sup> floor. 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 23, 2017)

**(Proposed for Continuance to June 22, 2017)**

SPEAKERS: None

ACTION: Continued to June 22, 2017

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

ABSENT: Richards

2. 2016-001190CUA (J. HORN: (415) 575-6925)  
4143-4145 24<sup>TH</sup> STREET - south side of 24th Street, between Diamond and Castro Streets, Lot 038 in Assessor's Block 6506 (District 8) - Request for **Conditional Use Authorization**, pursuant to Planning Code Sections 303 and 728.51 to authorize a Medical Service (Dentistry) use (d.b.a. Aesthetic Dentistry of Noe Valley), in a ground floor space currently occupied as the garage and lower residential unit of a two-family residence. The project also proposes a horizontal rear addition, two-story vertical addition, the relocation of the existing ground floor dwelling unit and the addition of a third unit. In total, the project proposes a 4-story structure with a ground floor dental office and three residential units within the 24th Street – Noe Valley 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: Approve with Conditions*

**(Proposed for Continuance to July 6, 2017)**

SPEAKERS: None

ACTION: Continued to July 6, 2017

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

ABSENT: Richards

3. 2013.0975ENX (R. SUCRE: (415) 575-9108)  
888 TENNESSEE STREET - located on the northwest corner of Tennessee & 20<sup>th</sup> Streets, Lot 001 in Assessor's Block 4060 (District 10) - Request for a **Large Project Authorization (LPA)**, pursuant to Planning Code Section 329, to demolish the existing two-story industrial building and construct a new four-story (45-feet tall) mixed-use building (measuring approximately 88,100 sq ft) with 110 dwelling units, 5,472 square feet of ground floor commercial use, 83 off-street parking spaces, and public and private open space. Under the LPA, the project is requesting exceptions to the Planning Code requirements for rear yard (Planning Code Section 134), permitted obstructions (Planning Code Section 136), dwelling unit exposure (Planning Code Section 140), street frontage (Planning Code Section 145.1), off-street loading (Planning Code Section 152.1), and measurement of height (Planning Code Section 260). The project site is located within the Dogpatch Landmark District, UMU (Urban Mixed-Use) Zoning District and 45-X Height and Bulk

District. This action constitutes the Approval Action for the project for the purposes of CEQA, pursuant to San Francisco Administrative Code Section [31.04\(h\)](#).

*Preliminary Recommendation: Pending*

**(Proposed for Indefinite Continuance)**

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

## 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. [2016-007225CUA](#) (S. SKANGOS: (415) 575-8731)  
1285 SUTTER STREET - west side between Polk Street and Van Ness Avenue; Lots 021-024 of Assessor's Block 0691 (District 3) - Request for a **Conditional Use Authorization**, pursuant to Planning Code Sections 303(c) and 209.3, to develop a Verizon Wireless Macro Telecommunications Services Facility consisting of twelve (12) rooftop mounted panel antennas with shrouds, one (1) GPS antenna and an associated screened rooftop equipment area as part of the Verizon Wireless Telecommunications Network. The subject property is located within a RC-4 (Residential – Commercial, High Density) Zoning District, Van Ness and Van Ness Automotive Special Use Districts and 130-V 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: None  
ACTION: Approved with Conditions  
AYES: Hillis, Fong, Johnson, Koppel, Melgar, Moore  
ABSENT: Richards  
MOTION: 19900

5. [2016-007474CUA](#) (E. JARDINES: (415) 575-9144)  
814 BRYANT STREET - northeast side of Bryant Street, east side of Harriet Street and west side of 6<sup>th</sup> street, Lots 009, 012, and 014 in Assessor's Block 3759 (District 6) - Request for **Conditional Use Authorization** pursuant to Planning Code Sections 142, 156, 157.1, 303 and 846.40 to allow the temporary conversion of an existing parking lot (formerly accessory to a vacant retail space previously (DBA McDonald's) into a commercial parking lot open to the general public (DBA United SF Parking), within the SALI (Service/Arts/Light Industrial) Zoning District, 30-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: None  
 ACTION: Approved with Conditions  
 AYES: Hillis, Fong, Johnson, Koppel, Melgar, Moore  
 ABSENT: Richards  
 MOTION: 19901

6. [2016-005702CUA](#) (L. AJELLO: (415) 575-9142)  
524A CLEMENT STREET - north side of Clement Street between 6<sup>th</sup> and 7<sup>th</sup> Avenues; Lot 017 in Assessor's Block 1427 (District 1) - 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 the 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 Section 31.04(h) of the San Francisco Administrative Code.  
*Preliminary Recommendation: Approve with Conditions*  
 (Continued from Regular Meeting of April 13, 2017)  
**NOTE: On April 13, 2017, after hearing and closing public comment, the Commission Adopted a Motion of Intent to Disapprove by a vote of +5 -0 (Johnson and Moore absent) and continued the matter to April 27, 2017.**

SPEAKERS: = Laura Ajello – Staff Report  
 - Michael Busk – Should not be delayed  
 ACTION: After being pulled off of Consent; Disapproved  
 AYES: Hillis, Richards, Fong, Johnson, Koppel, Melgar, Moore  
 MOTION: 19902

## C. COMMISSION MATTERS

7. Consideration of Adoption:
- [Draft Minutes for March 16, 2017](#)

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

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

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

8. 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.

None

#### D. DEPARTMENT MATTERS

##### 9. Director's Announcements

None

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

#### LAND USE COMMITTEE:

- **170206 Planning Code - Off-Street Parking and Loading Requirements.** Sponsor: Farrell. Staff: D. Sanchez.

First on the Land Use Committee's agenda was the Off-Street Parking and Loading Ordinance, sponsored by Supervisor Farrell. This Ordinance proposes to clarify, consolidate and update the off-street parking and loading requirements in the Planning Code with the changes made under Phase One of the Planning Code Reorganization project. The Planning Commission initiated the Ordinance on June 30, 2016 and then on September 8, 2016 recommended approval of the Ordinance.

At the Land Use Hearing, Supervisor Farrell introduced an amendment of the whole, which included fixing typographical errors that arose due to changes in the Planning Code since the September adoption.

During deliberation, Supervisor Peskin asked Staff to clarify the minor substantive changes in the Ordinance, commenting that he felt the term "minor substantive changes" was an oxymoron. Satisfied with Staff's answer, Supervisor Peskin made a motion to recommend the ordinance to the full board of supervisors.

The only speaker during public comment was staff from MTA, who spoke in favor of the Ordinance. The land use committee then recommended the Ordinance as amended to the full Board of Supervisors.

- **160281 Planning Code - Dwelling Unit Mix Requirements.** Sponsors: Yee; Farrell. Staff: Starr.

Next on the agenda was Supervisor Yee's Dwelling Unit Mix ordinance that adds an additional option for the dwelling unit mix requirement for large buildings in specified zoning districts. The proposal would allow developers to have a mix of two- and three-bedroom units that result in no less than 35% of the total number

of proposed units having two or three bedrooms, with at least 10% of the total number of proposed units having three bedrooms. Commissioners, you heard this item on June 16, 2016 and recommended approval with modifications. Your proposed modifications included:

1. To Provide the Dwelling Unit Mix Option for Bedrooms in RTO, Hayes Gough NCT, Upper Market NCT, and NCT-3 Districts
2. To include a minimum percentage floor for three bedroom units in the new option; and
3. To Monitor Projects that choose the new bedroom option and include the data in the annual Housing Inventory starting in 2019.

Since you heard this legislation, the proposed new option was amended from one that required a unit mix that resulted in *"at least 50% of the bedrooms in units that have more than one bedroom"* to *"no less than 35% of the total number of proposed units having two or three bedrooms with at least 10% of the total number of proposed units having three bedrooms."* While markedly different than the original proposal, this change fulfilled the Commission's second recommendation by providing a floor for 3-bedroom units. The other two recommendations were also added to the Ordinance.

After closing public comment, the Committee voted to recommend this item to the Full Board.

- **160019 Administrative Code, Planning Code - Designated Child Care Units.** Sponsors: Yee; Peskin. Staff: Starr.

Next on the agenda was Supervisor Yee's ordinance that would allow developers to meet their childcare fee obligations by dedicating an inclusionary unit as a childcare facility. Commissioner's you heard this item way back in October of 2015 when the ordinance's main goal was to establish a citywide child care impact fee. At the time, you voted to recommend approval with modifications. The proposed modifications were to:

1. Remove the Designated Child Care Unit (DCCU) from this ordinance and consider the DCCU section as a separate piece of legislation. This recommendation was intended as an add-on to Staff's recommendation that a separate program be created for this purpose, rather than using the Inclusionary program and creating a new de facto preference for the inclusionary program; and
2. Clarify Child Care Fees levied in Area Plans remain in Area Plans.

When this went to the Board in 2015, Supervisor Yee did duplicate the file. He also took the dedicated child care unit piece out of the ordinance, and he amended the ordinance to clarify Child Care Fees levied in Area Plans remain in Area Plans. However, in the duplicated file he did not create a separate program for the dedicated child care unit. Instead this program would allow a developer of a project with 10 or more affordable units to provide one or more Designated Child

Care Units in lieu of paying the Residential Child Care Impact Fee; such designated Child Care Unit(s) may be an inclusionary unit.

At the hearing there were about a half dozen public commenters, mainly in support of the ordinance and expressing the need for more child care options in the City. The item was ultimately continued to the call of the chair so that Supervisor Yee could work more closely with the Mayor's Office of Housing on the plan's details.

- **170203 Planning Code - Article 7 Reorganization; Technical and Other Amendments.** Sponsor: Mayor. Staff: Starr.
- **170204 Planning Code - Deletion of Duplicate Definitions and Outdated Article 7 Zoning Control Tables.** Sponsor: Mayor. Staff: Starr

Last on the Land Use agenda was the Article 7 Reorganization ordinance. Commissioner's you heard this item on February 2 of this year and voted to recommend approval, with the direction to allow amendments if they preserve existing code requirements.

At the land use hearing, staff gave a full presentation of the proposed ordinance and the public outreach to date. Staff also proposed an amendment of the whole, which better clarify MCD and Formula Retail requirements. These amendments were approved by the Committee. Public comment included only a few speakers, mostly in opposition. The commenters appeared to be misinformed about what the ordinance actually does, and staff was afforded the opportunity by Supervisor Tang to correct some of those misconceptions.

At the request of Supervisor Peskin, the item was then continued to the call of the chair so that he could continue to evaluate the proposal. Staff has requested a meeting with his office to discuss his issues, and is currently awaiting a response. This item is likely coming back to the Land Use Committee on May 15.

#### **FULL BOARD:**

- **170125 Planning Code - Construction of Accessory Dwelling Units.** Sponsor: Peskin. Staff: Haddadan. Passed First Read
- **170313 Hearing - Appeal of Determination of Exemption From Environmental Review - Proposed Project at 953 Treat Avenue.** Staff: Greving, Tam, Navarrete.

Last on the agenda was the appeal hearing on the environmental determination for the project at 953 Treat Avenue. On March 25, 2016, the Department issued a Categorical Exemption for the demolition of the existing one-story, single-family residence and the construction of 6 new dwelling units. The project also required Conditional Use authorization, which was approved by the Planning Commission on February 16, 2017.

The appellants of the Categorical Exemption contested the Planning Department finding that the 1887 Italianate cottage was not a historic resource under CEQA. The appellant's argument focused on three issues related to the subject property:

1) that survey findings from 2010 were contradictory, 2) that it was eligible under criterion 1 (events) as a good example of this property type, and 3) that it was also eligible under criterion 2 (individuals), for its association with John Center.

Planning Staff explained that survey findings were not contradictory. The confusion over the survey findings was a result of an error in the Planning Department's database. Planning Staff explained that the subject property was not eligible under Criterion 1, as there were better more intact examples of this property type in the Mission. Staff also showed that there were insufficient ties with John Center to establish significance under Criterion 2.

Supervisors' questions focused on getting a better understanding of the survey process and history of evaluations for the subject property. Supervisors also sought additional information regarding the methodology for evaluating the property.

There was significant public comment both for and against the appeal. Comments included differences in professional opinions among qualified historic preservation professionals, as well as individuals expressing support for the proposed project that would add new housing units to the neighborhood.

The Board ultimately ended up upholding the Planning Department's categorically exempt and denying the appeal. The final vote was 7 to 3, with Supervisors Kim, Peskin, and Ronen dissenting.

#### **INTRODUCTIONS:**

- **170296 Planning Code, Zoning Map - Corona Heights Large Residence Special Use District.** Sponsor: Sheehy. Staff: Butkus

#### **BOARD OF APPEALS:**

No Report

#### **HISTORIC PRESERVATION COMMISSION:**

No Report

### **E. GENERAL PUBLIC COMMENT – 15 MINUTES**

At this time, members of the public may address the Commission on items of interest to the public that are within the subject matter jurisdiction of the Commission except agenda items. With respect to agenda items, your opportunity to address the Commission will be afforded when the item is reached in the meeting. Each member of the public may address the Commission for up to three minutes.

**SPEAKERS:** Laura Clark – Commissioner Christine Johnson, bias  
Ace Washington – Black outmigration, Commissioner Christine Johnson, corruption  
Richard Ivanhoe – Appearance of bias

### **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.

11. [2017-001061PCA-03](#) (J. BINTLIFF: (415) 575-9170)  
INCLUSIONARY AFFORDABLE HOUSING PROGRAM ORDINANCES - The Planning Commission will consider making recommendations to the Board of Supervisors about two proposed Ordinances that would amend the Inclusionary Affordable Housing Program and make associated findings.
- a. Planning Code Amendment titled, "Inclusionary Affordable Housing Fee and Requirements" [Board File No. 161351v2]. This proposed Ordinance would amend the Planning Code to revise the amount of the Inclusionary Affordable Housing Fee and the On-Site and Off-Site Affordable Housing Alternatives and other Inclusionary Housing requirements; adding reporting requirements for density bonus projects.
  - b. Planning Code Amendment titled, "Inclusionary Affordable Housing Fee and Dwelling Unit Mix Requirements" [Board File No. 170208]. This proposed Ordinance would amend the Planning Code to revise the amount of the Inclusionary Affordable Housing Fee and the On-Site and Off-Site Affordable Housing Alternatives and other Inclusionary Housing requirements; to require minimum dwelling unit mix in all residential districts.
  - c. Findings. Affirming the Planning Department's determinations under the California Environmental Quality Act; making findings under Planning Code Section 302; and making findings of consistency of the proposed ordinances [Board Files 161351v2; 170208] and the associated HOME-SF Program [Board File Number 150969v6], with the General Plan and the eight priority policies of Planning Code Section 101.1
- Preliminary Recommendation: Adopt a Recommendation of Approval with Modifications and Adopt Findings of Consistency*

SPEAKERS:

- = John Givner, Deputy City Attorney – Response to question re: Conflict of Interest
- = Jacob Bintliff – Staff Report
- = Kate Hartley, MOH – Income levels and eligibility
- + Supervisor Kim – Points of clarification
- = Ace Washington – What about the blacks?
- + George Wooding – Peskin/Kim amendments
- + Paul Webber – Recommendations
- + Ozzie Rohm – Kim/Peskin proposal
- = Anastasia Yovanapolous – Outmigration
- = Corey Smith – Recommendations
- + Richard Ivanhoe – Kim/Peskin amendments
- + T. J. Basa – Proposition C, Kim/Peskin proposal
- = Ruiyi Li – SRO living
- = July D'Allono – Family housing
- Laura Clark – Density bonuts units
- + Marla Knight – Kim/Peskin proposal is consistent with Prop C
- Sonja Transs – Market rate housing, continue for more study
- + Maria Emorote – I cannot afford rent, do not cut the affordable units or BMR units

- + Theresa Imperial – Kim/Peskin proposal
  - + Chris Dorazo – Kim/Peskin proposal
  - = Andrew Devotti – Housing for all
  - Speaker – Low income Filipino living conditions. Respect SF voter decisions
  - + Michael Ng – Low income housing
  - + Tim Killikelly – Gentrification, Kim/Peskin proposal
  - = Marco Mojica – Affordable housing
  - = Tony Robles – Senior housing
  - Curtis Bradford – Affordable housing
  - = C. W. Johnson – More affordable housing
  - + Speaker – Kim/Peskin, low income housing
  - = Peter Papadapolous – Peskin/Kim proposal
  - + Kathy Lispkon – Low income housing
  - + Theresa Flandrich – Low income housing
  - = Elisa Lipkins – Low income wait list
  - = Michele Houston – Mental health issue
  - = Shannon Way – Undeserved population
  - + Speaker – Support low income, SF voters
  - + Fernando Marti – Affordable housing production
  - + Speaker – Kim/Peskins legislation, don't put us against each other
  - Speaker – Income affordability levels
  - Speaker – Homelessness, percentage of affordable housing
  - Shanti Tsing – Affordable housing
  - + Jennifer Taper – Kim/Peskin legislation
  - + Ken Fujoka – Existing need
  - + Mathias Morimo – Middle income housing comes at the expense of low income households
  - + Jesenia Munoz – High rents unattainable by low income families
  - + Speaker – We need housing
  - + Eric Marco – Kim/Peskin
  - + Erik Arguello – Kim/Peskin
  - + Gabriel Medina – Kim/Peskin proposal
  - + Jim Salinas, Sr. – Low income housing
  - Bob Tillman – Litigation
  - = Otto Duffy – Highest inclusionary for lowest incomes
  - = Tess Welborn – Middle income household subsidies
  - + Dennis Mosgofian – Kim/Peskin legislation
  - + Loro Lederman – Kim/Peskin legislation and 2 and 3 bedroom percentages
  - + Laura Sinai – Kim/Peskin proposal
  - = Sue Hestor – Go down to Peninsula
  - + Speaker – Housing do not reduce percentage of affordability
  - = Alan Loveitz – Serve the public, help the people that need help
- ACTION: Adopted a Recommendation for Approval with modifications, as voted on individually, allowing any necessary amendments throughout the Resolution to reflect the Commission's individual votes on: items A-H, the Kim/Peskin late amendment, and/or additional recommendations:  
(A) +7 -0;

- (B) + 5 -2 (Melgar, Moore against);
- (C) +6 -1 (Moore against);
- (D) +5 -2 (Melgar, Moore against);
- (E) +4 -3 (Fong, Koppel, Hillis against);
- (F) +5 -2 (Melgar, Moore against);
- (G) +7 -0 recommending a 40% allocation to large bedrooms and a minimum of 10 % of the total number allocated to three bedroom units;
- (H) +7 -0;
- (Add'l) +7 -0 recommending the BoS Consider HOA and other ancillary ownership cost subsidies; and
- (Late Amnd) +4 -3 (Johnson, Koppel, Moore against).

AYES: Hillis, Richards, Fong, Johnson, Koppel, Melgar  
 NAYES: Moore  
 RESOLUTION: 19903

### 3:00 p.m.

Items listed here may not be considered prior to the time indicated above. It is provided as a courtesy to limit unnecessary wait times. Generally, the Commission adheres to the order of the Agenda. Therefore, the following item(s) will be considered at or after the time indicated.

12. [2017-002161PCA](#) (D. SANCHEZ: (415) 575-9082)  
ESTABLISH FEE FOR MONITORING OF STUDENT HOUSING [BOARD FILE NO. 170093]. Ordinance introduced by Mayor Lee for a Planning Code Amendment to establish a fee for the Mayor's Office of Housing and Community Development to monitor Student Housing; affirming the Planning Department's determination under the California Environmental Quality Act; and making findings of public convenience, necessity, and welfare under Planning Code Section 302.

*Preliminary Recommendation: Adopt a Recommendation of Approval with Modifications*

SPEAKERS: = Diego Sanchez – Staff Report  
 + Maria Benjamin – MOHCD presentation  
 = Sue Hestor – Request for continuance  
 = Dan Gershwin – Proposed amendment  
 ACTION: Adopted a Recommendation for Approval with staff Modifications and clarifying language that the fee is per building, not per unit.  
 AYES: Hillis, Richards, Johnson, Koppel, Melgar, Moore  
 ABSENT: Fong  
 RESOLUTION: 19904

13. [2016-016525CUA](#) (L. HOAGLAND: (415) 575- 6823)  
332 8<sup>TH</sup> STREET - south side of 8<sup>th</sup> Street between Folsom and Harrison Streets, Lot 003 in Assessor's Block 3756 (District 9) - Request for a **Conditional Use Authorization** pursuant to Planning Code Sections 303, 303.1, 823(c)(10) and 844.46 to authorize a 4,480 square foot Formula Retail Sales use (furniture and home accessories store d.b.a. Camerich) on the ground floor of a newly constructed, six-story, mixed-use building within the Western SoMa Mixed Use-General (WMUG) District, Western SoMa Special Use District, and 55/65-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: Approve with Conditions*

SPEAKERS: = Linda Hoagland – Staff Report  
+ Speaker – Project presentation  
ACTION: Approved with Conditions  
AYES: Hillis, Richards, Koppel, Moore  
ABSENT: Fong, Johnson, Melgar  
MOTION: 19905

- 14a. [2015-015831CUA](#) (D. SIROIS: 415-575-8714)  
106 BACHE STREET - at Benton Avenue; Lot 003 in Assessor's Block 5826 - Request for **Conditional Use Authorization**, pursuant to Planning Code Sections 242(f)(3) and 303, to allow the construction of a new three-story (30-ft tall) single-family dwelling on a vacant lot located in Bernal South Slope in the Bernal Heights Special Use District, 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.  
*Preliminary Recommendation: Approve with Conditions*

SPEAKERS: = Dan Sirois – Staff Report  
Speaker  
ACTION: Approved with Conditions  
AYES: Hillis, Richards, Johnson, Koppel, Moore  
ABSENT: Fong, Melgar  
MOTION: 19906

- 14b. [2015-015831VAR](#) (D. SIROIS: 415-575-8714)  
106 BACHE STREET - at Benton Avenue; Lot 003 in Assessor's Block 5826 – Request for a **Variance** from the Zoning Administrator, pursuant to Planning Code Section 132, to allow an encroachment of 10 feet 6-inches into the required front setback. The proposed project includes the construction of a new three-story (30-ft tall) single-family dwelling on a vacant lot. The project site is located in Bernal South Slope in the Bernal Heights Special Use District, RH-2 (Residential House, Two-Family) Zoning District and 40-X Height and Bulk District.

SPEAKERS: Same as Item 14a.  
ACTION: ZA, closed the public hearing and indicated an intent to Grant

## 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.

- 15a. [2015-009511DRP](#) (A. PERRY: (415) 575-9017)

2650 HYDE STREET - east side of Hyde Street between North Point and Bay Streets; Lot 019 in Assessor's Block 0027 (District 2) - Request for **Discretionary Review** of Building Permit Application No. 2015.07.08.0940 proposing removal of the existing gable roof at the rear of the building, starting at a point 26'-4" back from the front building wall, to construct a new flat roof with roof deck above. The deck would be accessed by an external stair along the side property line. Additionally, the project consists of the removal of a portion of the existing gable roof along the north side to create a deck at the third floor, the addition of a shed dormer along the southern side of the existing gable roof, the replacement of a railing at the rear third floor deck, and interior remodel. The site is within a RH-3 (Residential House, Three-Family) Zoning District, 40-X Height and Bulk District and the Waterfront SUD No. 2. 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: Full Discretionary Review

*Preliminary Recommendation: Take Discretionary Review and Approve with Modifications*

SPEAKERS: = Andrew Perry – Staff Report  
 - Speaker – DR presentation  
 - Ellen Tsang – DR presentation  
 + John Kevlin – Project presentation  
 + Sandy Walker – Support  
 + Ted Elms – Support  
 + Dean Martel – Response to question  
 ACTION: Took DR and Approved with staff Modifications  
 AYES: Richards, Koppel, Melgar, Moore  
 NAYES: Hillis  
 ABSENT: Fong, Johnson  
 DRA No: 0520

- 15b. [2015-009511VAR](#) (A. PERRY: (415) 575-9017)  
2650 HYDE STREET - east side of Hyde Street between North Point and Bay Streets; Lot 019 in Assessor's Block 0027 (District 2) - Request for **Variance** from rear yard requirements of Section 134. Specifically, the subject lot is required to maintain a rear yard of approximately 21'-1.5", with the last 10 feet of the building envelope limited to 30 feet in height. As proposed, the change from a gable roof to flat roof form will increase the height of the non-complying structure within the rear yard, and the last 2'-6.5" of depth in the area of work exceeds 30 feet in height. The site is within a RH-3 (Residential House, Three-Family) Zoning District, 40-X Height and Bulk District and the Waterfront SUD No. 2.

SPEAKERS: Same as Item 15a.  
 ACTION: ZA, closed the public hearing and indicated an intent to Grant

16. [2016-000814DRP](#) (E. SAMONSKY: (415) 575-9112)  
1058 MISSISSIPPI STREET- west side, approximately 150 feet north of the intersection with 25th Street, Lot 022 in Assessor's Block 4224 (District 9) - Request for **Discretionary Review** of Building Permit Application No. No. 2015.1231.6217 proposing new construction of a four-story, 3,360 square-foot, two-family residence on an existing vacant lot that includes two vehicle parking spaces, a roof deck and decks at the second, third and fourth floors 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: Full Discretionary Review

*Preliminary Recommendation: Do Not Take Discretionary Review and Approve*

(Continued from Regular Meeting of March 16, 2017)

**NOTE: On February 16, 2017, after hearing and closing public comment, the Commission continued the matter to March 16, 2017 by a vote of +7 -0.**

**On March 16, 2017, without hearing the Commission continued the matter to April 27, 2017 by a vote of +5 -0 (Johnson and Richards were absent).**

SPEAKERS: = Ella Samonsky – Staff Report

+ Elen Meyer –

+ Speaker – Breaking contract

ACTION: After hearing closing public comments, Continued to July 13, 2017

AYES: Hillis, Richards, Melgar, Moore

NAYES: Koppel

ABSENT: Fong, Johnson

17. [2015-007765DRP](#) (E. GORDON-JONCKHEER: (415) 575-8728)

1369 SANCHEZ STREET - east side between Cesar Chavez and 27<sup>th</sup> Streets, Lot 027 in Assessor's Block 027 (District 8) - Request for **Discretionary Review** of Building Permit Application No. 2015.0819.47.09 proposing the remodel of the front elevation, a horizontal addition and the reconfiguration of the existing two-unit residence by relocating Unit 1 from the second floor to the ground floor and combining habitable space on second and third floors into one residential unit – Unit 2, within a RH-2 (Residential, House, Two-Family) Zoning District and 40-X Height and Bulk District. The project would also fill in alley space/ side yard at the south front of the building on all floors. 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*

SPEAKERS: = Delvin Washington – Staff Report

- Sue Hestor – DR presentation

- Georgia Schuttish – Opposition

+ William Pashlinsky – Project presentation

ACTION: After hearing closing public comment, Continued to June 1, 2017

AYES: Hillis, Richards, Koppel, Melgar, Moore

ABSENT: Fong, Johnson

18. [2016-015248DRP](#) (N. KWIATKOWSKA: (415) 575-9185)

407A 30<sup>TH</sup> STREET - south side between Harper and Sanchez Streets; Lot 038 in Assessor's Block 6653 - Request for **Discretionary Review** of Building Permit Application No. 2016.11.15.2813, proposing replacement of siding on three elevations of the existing building and the installation of posts to support the previously permitted deck to a two-story, single-family building 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 San Francisco Administrative Code Section [31.04\(h\)](#).

**Staff Analysis: Abbreviated Discretionary Review*****Preliminary Recommendation: Do not take Discretionary Review and Approve***

**SPEAKERS:** = Delvin Washington – Staff Report  
- Rene Saunders – DR presentation  
- Pat Buscovitch – Permitting  
- Mike Gerryville – DR presentation  
- Denise Ledbetter – DR presentation  
- Margo Baron – Opposition  
- John Sullivan –  
- Speaker – Construction  
+ Speaker – Project presentation

**ACTION:** Did Not Take DR

**AYES:** Hillis, Koppel, Melgar, Moore

**NAYES:** Richards,

**ABSENT:** Fong, Johnson

**DRA No:** 0521

**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))

**SPEAKERS:** Jim Salinas – Union member action  
Speaker – No notice on Item 18

**ADJOURNMENT - 10:33 PM**