

# SAN FRANCISCO PLANNING COMMISSION



## DRAFT – Meeting Minutes

Commission Chambers, Room 400  
City Hall, 1 Dr. Carlton B. Goodlett Place  
San Francisco, CA 94102-4689

**Thursday, January 14, 2016**  
**12:00 p.m.**  
**Regular Meeting**

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

**THE MEETING WAS CALLED TO ORDER BY PRESIDENT FONG AT 12:17 P.M.**

**STAFF IN ATTENDANCE:** John Rahaim – Planning Director, Kimia Haddadan, Doug Vu, Marcelle Boudreaux, Claudia Flores, Veronica Flores, Nicholas Foster, Nancy Tran, 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. 2015-011144PCA (K. HADDADAN: (415) 575-9068)  
REQUIREMENTS FOR CERTAIN RESTRICTIONS ON ACCESSORY DWELLING UNITS IN DISTRICT 8 [BOARD FILE NO. 150365 & 150810] - **Planning Code Amendment** to allow the construction of Accessory Dwelling Units (ADU) (also known as Secondary or In-Law Units) within the boundaries of Board of Supervisors District 8, and prohibit a subdivision that would allow an ADU to be separately sold or financed; amending the Administrative Code

to correct section references; 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 directing the Clerk of the Board of Supervisors to send a copy of this Ordinance to the California Department of Housing and Community Development after adoption & Ordinance amending the San Francisco Planning Code to allow the construction of Accessory Dwelling Units (ADUs, also known as Secondary or In-Law Units) within the boundaries of Board of Supervisors District 8, prohibit approval of an application for construction of an ADU in any building where a tenant has been evicted under the Ellis Act within ten years prior to filing the application, and prohibit an ADU from being used for short-term rental; amending the Administrative Code to correct sections references; 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.

(Continued from Regular Meeting of October 22, 2015)

**WITHDRAWN**

2. 2015-011130PCA (K. HADDADAN: (415) 575-9068)  
REQUIREMENTS FOR CERTAIN RESTRICTIONS ON ACCESSORY DWELLING UNITS IN DISTRICT 3 [BOARD FILE NO. 150585 & 150811] - Planning Code Amendment to allow the construction of Accessory Dwelling Units (ADU) (also known as Secondary or In-Law Units) within the boundaries of Board of Supervisors District 3, and prohibit a subdivision that would allow an ADU to be separately sold or financed; amending the Administrative Code to correct section references; 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 directing the Clerk of the Board of Supervisors to send a copy of this Ordinance to the California Department of Housing and Community Development after adoption and Ordinance amending the Planning Code to allow the construction of Accessory Dwelling Units (ADUs, also known as Secondary or In-Law Units) within the boundaries of Board of Supervisors District 3, prohibit approval of an application for construction of an ADU in any building where a tenant has been evicted under the Ellis Act within ten years prior to filing the application, and prohibit an ADU from being used for short-term rental; amending the Administrative Code to correct section references; 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 directing the Clerk of the Board of Supervisors to send a copy of this Ordinance to the California Department of Housing and Community Development after adoption.

(Continued from Regular Meeting of October 22, 2015)

**WITHDRAWN**

## B. COMMISSION MATTERS

3. Commission Comments/Questions
  - Inquiries/Announcements. Without discussion, at this time Commissioners may make announcements or inquiries of staff regarding various matters of interest to the Commissioner(s).
  - Future Meetings/Agendas. At this time, the Commission may discuss and take action to set the date of a Special Meeting and/or determine those items that

could be placed on the agenda of the next meeting and other future meetings of the Planning Commission.

**Commissioner Antonini:**

I want to get a clarification from staff not necessarily today, but we've had a lot of discussion about UMU zoning in the Eastern Neighborhoods, and I just want to know, my understanding was UMU would allow housing, would allow PDR, would allow retail. There is a lot of things that are allowed, but I don't believe it specifies there have to be equal amounts of any use and it does not specify that any given building has to have both within it, at least as far as the Eastern Neighborhoods and it seems to me also that when we did this we had parts of the UMU Zoning that were more favorable to PDR uses and some that were more favorable to housing. I don't know that was spelled out in the Eastern Neighborhoods, but it is my feeling that I'm hearing that some of the areas are more inclined in one direction than another, I think, we need a clarification, because we get a lot of discussion on issues that come before us as well as general public comment about this, and I think it is important to clarify what really Eastern Neighborhoods says in regards to that zoning.

**Director Rahaim:**

I'll be happy to do that Commissioner. This question has come up lately and I think it is probably a good reminder to all us, what the intent of the UMU and what it allows and what it doesn't allow. The one thing I do recall while it doesn't, it allows all of those uses and there are some SUDs that are specific, have specific requirements or encouragement for retail like 16<sup>th</sup> Street, but we can give you that in more detail. I'll put a memo together.

**Commissioner Antonini:**

That will be great, I appreciate it.

**Commissioner Richards:**

Interestingly enough, on Monday the 11<sup>th</sup>, there was an article on autonomous vehicles and what the impact would be on future taxes, fees, and fines, but one of the startling statistics that I saw here is, in twenty years, the amount of car ownership should decline about 43% and if we keep building all these buildings with all this parking, I think, we need to keep in mind, after the age of car passes or at least the individual ownership passes, what we are going to do with all the parking spaces. Another – I was talking to a couple of folks, you know – this whole – some of the density bonus and some of the other things that we've been dealing with lately, has caused a lot of anxiety and I've started talking some folks and I said, you know, what is the anxiety around this? They said we have a long memory and I said, what do you mean? We kind of have to regain a bit more trust in some these new big ideas that are coming our way because they said they brought up the fact, that we had the freeways running through San Francisco at one time was a good idea, not to – last Sunday we had – last Sunday we had the Fillmore back in the front page and still struggling along 50 something years after redevelopment and swaths of blocks being bulldozed all in the name of urban renewal and getting rid of blight. Somebody else brought up that live-work lofts at one point was kind of a big loophole; people were using to try to get housing in industrial areas. I think, when you add that all up, the memory stays long and it keeps getting refreshed by these kind of articles and I think we as an organization, as the commission, really try to work on getting that trust in the public and make sure that we do have good outreach, we do present facts, fact based solutions and

we listen to all points of view and make sure we try to balance those views and create a complete city, so, I just wanted to remind everyone that came up this week.

**Commissioner Moore:**

I'd like to tee off on Commissioner Antonini's reminder on UMU and without starting a discussion, I'd like to ask that we expand your discussion, perhaps by a presentation of Mr. Wertheim regarding the policy and notion of complete neighborhoods, which was one of the driving, overriding principles of rezoning the Eastern Neighborhoods particularly in the Central Waterfront, South Beach, Potrero Hill and on and on and on. And as these kinds of neighborhoods where we are getting questions to make the judgements of our buildings and uses, I think, an update on the policy and that overlay to decision making, which would help us perhaps to be more on target.

4. Commission Rules & Regulations - Suspension

SPEAKERS: None  
 ACTION: Suspended to hold Election of Officers one day early  
 AYES: Wu, Fong, Antonini, Hillis, Johnson, Moore, Richards

5. Election of Officers

SPEAKERS: None  
 ACTION: Rodney Fong, President; Dennis Richards, Vice-President  
 AYES: Wu, Fong, Antonini, Hillis, Johnson, Moore, Richards

**C. DEPARTMENT MATTERS**

6. Director's Announcements

**Director Rahaim:**

Good afternoon Commissioners, and my congratulations to President Fong and Vice President Richards, and thank Commissioner Wu. We will miss working with you, but hopefully you will be here for a while for us to continue to work together. The only other announcements I had Commissioners, I wanted to let you know that today will be Susan Cleveland-Knowles last hearing with the Planning Commission. Susan has been working with us from the City's Attorney's Office for, I think 12 years. Susan has become our go-to person on housing issues, in particular, has really been wonderful to work with staff and great working relationship with her. I also would like to take the opportunity to congratulate her. She'll be heading up the Transportation Team at the City Attorney's Office, she is receiving a promotion, but that promotion requires her to leave our fair room for this new job. So, we really just want to thank her for her work and wish her well in her new position. That concludes my presentation. Thank you.

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

**BOARD OF SUPERVISORS:**

**LAND USE COMMITTEE:**

• **151245 Hearing - Short-Term Residential Rentals Enforcement. Sponsor: Wiener. Staff: Guy.** At this week's the Land Use hearing, the Committee held an informational hearing on

the City's enforcement efforts on Short Term Rentals at the request of Supervisor Wiener. Kevin Guy, Director of the Office of Short-Term Rentals presented an overview of the current status of registration and enforcement efforts. Committee members Wiener and Kim were in attendance, and Supervisor Campos sat on the committee in Supervisor Cohen's place. Public testimony was presented by various individuals and groups, including tenant advocacy groups and members of a local collaborative of short-term rental hosts. Staff presentation included an update on the City's enforcement efforts as well as recent registration numbers, and I have some of those numbers for you today: • The Office has received approximately 1,300 applications for short-term rental certificates. 879 certificates have been issued, while 170 applications were rejected as ineligible or incomplete. 269 applications are currently under review.

- In terms of enforcement, 264 cases have been opened since the program launched in February of last year. 951 cases have been fully closed. 155 cases are under investigation.
- The Office has assessed approximately \$475,000 in penalties in the last four months, in cases involving 64 dwelling units.

1 This includes cases that were investigated, but no violation was found, as well as violations that have been fully abated with penalties paid. 14 cases have been issued Notices of Violation, but are pending closure (13 have not paid outstanding penalties, and one case is scheduled for an upcoming Administrative Hearing).

The Land Use Committee plans to hold hearings on the City's enforcement efforts on short-term rentals on a quarterly basis for the foreseeable future. **Summary of Board Activities January 11-15, 2016** Planning Commission Report: January 14, 2015

#### **FULL BOARD OF SUPERVISORS:**

- **150793 Planning Code - Child Care Requirements for Office and Residential Projects and Associated Fees.** Sponsor: Yee; Avalos, Kim, Mar, Campos and Cohen. Staff: Mohan. At the Full Board hearing, this ordinance was duplicated and the duplicated file was referred back to the Land Use Committee. No changes were made to the duplicated ordinance; however, the ordinance was duplicated because Supervisor Yee may want to revisit this legislation at a later date. The original file passed its second read and is now awaiting the Mayor's signature.

#### **INTRODUCTIONS:**

- **160026 Planning Code, Zoning Map - Rezoning Noe Valley Town Square.** Sponsor: Wiener. Staff: Burns. Ordinance amending the Planning Code by revising the Zoning Map to rezone Noe Valley Town Square, 3861-24th Street, from its current designation as 24th Street - Noe Valley Neighborhood Commercial District and 40-X to Public (P) and Open Space (OS).

- **160019 DUPLICATED FILE Planning Code - Child Care Requirements for Office and Residential Projects and Associated Fees.** Sponsor: Yee. Staff: Mohan. Ordinance amending the Planning Code to increase the Child Care In Lieu Fee for office and hotel development projects of up to \$1.57 per gross square foot and apply the fee to projects of 25,000 or more gross square feet; to impose a tiered Child Care Fee for residential development projects of up to \$1.83 per gross square foot; to allow developers the option to provide onsite Small Family Daycare Homes in lieu of the fee.

- **150969 REINTRODUCTION Planning Code - Affordable Housing Bonus Programs.** Ordinance amending the Planning Code to create the Affordable Housing Bonus Programs,

consisting of the Local Affordable Housing Bonus Program, the 100 Percent Affordable Housing Bonus Program, the Analyzed State Density Bonus Program, and the Individually Requested State Density Bonus Program, to provide for development bonuses and zoning modifications

**Summary of Board Activities January 11-15, 2016** Planning Commission Report: January 14, 2015

for affordable housing, in compliance with, and above those required by the State Density Bonus Law, Government Code, Section 65915, et seq.; to establish the procedures in which the Local Affordable Housing Bonus Program and the 100 Percent Affordable Housing Bonus Program shall be reviewed and approved; adding a fee for applications under the Program; and amending the Planning Code to exempt projects from the height limits specified in the Planning Code and the Zoning Maps.

- **151083 REINTRODUCTION Planning Code - Affordable Housing Review Process. Sponsor: Wiener. Staff: Mohan.** Ordinance amending the Planning Code to permit affordable housing as a principal use in the Public zoning district.

- **151274 REINTRODUCTION Charter Amendment - Authorizing Board of Supervisors to Update Inclusionary or Affordable Housing Requirements and Providing Increased Interim Requirements.** Sponsor: Kim, Peskin, Mar, and Campos. Staff: TBD. Charter Amendment (First Draft) to amend the Charter of the City and County of San Francisco to authorize the Board of Supervisors to update the inclusionary or affordable housing obligations for housing development projects, and setting forth increased interim requirements;

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

Commissioners the Board of Appeals did meet last night. They heard one item that may be of interest. The Board heard an appeal of the Historic Preservation Commission's granting a Certificate of Appropriateness for the Van Ness BRT project within the Civic Center Historic District. The appeal raised concerns of the alternative to retain the historical trolley poles and trees were not sufficiently considered. The Board votes 3-1 to deny the appeal.

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

No Report

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

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

**SPEAKERS:** Spike Kahn – Pre-application meetings, monster homes  
 Georgia Schuttish – Story poles, rear yards, competing meetings  
 Donald Dewsnup – Reduce the rents

### **E. REGULAR CALENDAR**

The Commission Hearing Procedures provide for presentations by staff; followed by the project sponsor team; followed by public comment for and against the proposal. Please be advised that

the project sponsor team includes: the sponsor(s) or their designee, lawyers, architects, engineers, expeditors, and/or other advisors.

8. [2006.1523DNXOFACUAVAR](#) (M. BOUDREAUX: (415) 575-9140)  
50 1ST STREET/78 1ST STREET/88 1ST STREET/526 MISSION STREET - **Informational presentation** - (Assessor Block 3708/Lots 003, 006, 007, 009, 010, 011, 012 and 055) - The project proposes demolition of surface parking lot and three buildings, construction of two new towers with occupied building heights of 850 feet (50 1st Street) and 605 feet (526 Mission Street) and retention, or partial retention, of two existing buildings. In total, the project proposes 2.1 million gross square feet of office, residential, hotel, and retail uses. The project site is located within Transit Center District and Downtown Plan Areas, and C-3-O (SD) (Downtown Office – Special Development) Zoning District and 550-S and 850-S-2 Height and Bulk Districts.  
 Preliminary Recommendation: None - Informational

SPEAKERS = Marcelle Boudreaux – Staff presentation  
 + Jim Reuben – Project introduction  
 + (M) Speaker – Design presentation  
 = Amanda Graham – Issues and concerns  
 = Sue Hestor – Golden Gate Law School  
 + Dan Fratten – Response to questions, Jessie Street

ACTION: None – Informational; Scheduled second informational hearing for March 17, 2016

9. [2015-000988CWP](#) (C. FLORES: (415) 558-6473)  
PROPOSED COMMISSION-SPONSORED INTERIM CONTROLS RELATED TO THE MISSION ACTION PLAN (MAP) 2020 - Pursuant to Planning Code Section 306.7(e), on July 9, 2015 the Planning Commission initiated **Interim Controls** in the Mission District. The interim controls are intended to make explicit the Commission's expectation for a dialogue about affordability; allow time for analysis of affordable housing needs; assess sites for affordable housing production; and stem the loss of existing income protected units while maintaining production, distribution, and repair (PDR) capacity in PDR zoned lands and preserving vital community resources. The proposed controls would require a Conditional Use or Large Project authorization for certain projects which result in any of the following: 1) the loss of one or more rent-controlled dwelling units; or 2) is a project with more than 25,000 square feet of non-residential use; or 3) is a project with more than 25 residential Units. The area proposed for interim controls is generally defined by the following boundaries: 13th and Division Streets to Mission Street, to Cesar Chavez Street, to Potrero Avenue, and back to 13th and Division Streets—except that the Mission Street boundary would include any parcel with a property line on either side of Mission Street. The interim controls would be proposed for a period of nine months. At this hearing the Commission may amend and adopt the interim controls.  
 Preliminary Recommendation: Adopt with Modifications  
 (Continued from Regular Meeting of November 19, 2015)

SPEAKERS: = Claudia Flores – Staff presentation  
 = Spike Kahn – 25 unit cut-off, recommendations  
 - Rob Poole – Cannot support

- Scott Weaver – Impact of market rate development, under produced affordable housing in the Mission
- = Susan Cientat – Mission is being decimated
- + Peter Papadopoulos – Need for affordable housing
- Donald Dewsnup – Make it more difficult to build affordable housing in the Mission
- + Marie Sorensen – The Mission is in crisis
- + Lou Dematteis – Support, extend controls to 18 months
- + Andy Blue – Need more than 9 months
- + Steve Vettel – Good distinction between project size
- = Sean Kiegran – No winners, no loser, timing
- + (M) Speaker – Not building housing for the neighborhood
- + Jesus Gomez – Domino effect, defacto demolition
- = Sue Hestor – Look at the original plan description of the Mission

## ACTION:

Adopted Interim Controls as amended to include:

1. 15 mos. Duration;
2. PDR definition to include a 3 year non-active displacement period from date of entitlement;
3. Land dedication provision would result in a minimum of 33% (or higher whenever applicable) affordable housing;
4. A study on Ellis/OMI displacement within a quarter mile, for both medium and large projects;
5. Staff amendment re: staff vetting of submitted reports/information;
6. Deletion of Section VI; and
7. A finding, encouraging staff to attend large project pre-application meetings.

## AYES:

Fong, Wu, Antonini, Hillis, Johnson, Moore, Richards

RESOLUTION: 19548

10. [2016-00003GPA](#) (K. HADDADAN: (415) 575-9068)  
DOWNTOWN AREA PLAN MAP 5 RELATED TO TRANSBAY REDEVELOPMENT PLAN BLOCK 1 – General Plan Amendment - Initiation, Map 5 of the Downtown Area Plan to include a note stating that the proposed height and bulk districts on assessor's block 5 3740, lots 027, 029, 030, 031, and 032 (Transbay block 1) and Assessor's block 3739, lot 004 within the Transbay Redevelopment Project Area shall be consistent with those provided in the Transbay Redevelopment Plan Development Controls; and making findings, including findings under the California Environmental Quality Act, and findings of consistency with the general plan and the eight priority policies of Planning Code Section 1 01.1.  
 Preliminary Recommendation - Initiate

## SPEAKERS:

- = Kimia Haddadan – Staff presentation
- Jerry Dodson – Opening the door for a 400 tower
- (M) Speaker – Spot zoning
- Lallyse Frazier – Shadowing on neighboring parks
- + Donald Dewsup – Support
- + Star Child – Support, housing over shadows
- Sue Hestor – Information missing from staff report

## ACTION:

Adopted a Resolution to Initiate

## AYES:

Fong, Antonini, Hillis, Johnson, Richards



NAYES: Wu, Moore  
RESOLUTION: 19549

11. [2013.0784X](#) (D. VU: (415) 575-9120)  
2177 3<sup>RD</sup> STREET - east side between 18<sup>th</sup> and 19<sup>th</sup> Streets – Lots 003 & 003B in Assessor's Block 4045 - Request for **Large Project Authorization** pursuant to Planning Code Section 329, including rear yard, exposure and horizontal mass reduction exceptions for the proposed demolition of two existing buildings and new construction of two seven-story, 68-foot tall buildings totaling 135,577 sq. ft., consisting of approximately 3,298 sq. ft. of commercial space at the ground floor, up to 109 dwelling units at all levels, and 9,519 sq. ft. of open space at the ground and roof levels. The proposed project also includes 89 residential and 2 commercial automobile, and 102 Class 1 bicycle parking spaces at two basement levels accessed from 19<sup>th</sup> Street. The subject property is located within the UMU (Urban Mixed Use) District with a 68-X Height and Bulk Designation. This action constitutes the Approval Action for the project for purposes of CEQA, pursuant to Section 31.04(h) of the San Francisco Administrative Code.  
Preliminary Recommendation: Approve with Conditions

SPEAKERS: = Doug Vu – Staff presentation  
+ Gary Gee – Project presentation  
+ John Britton – Design presentation  
+ Star Child – More housing  
ACTION: Approved with Conditions  
AYES: Fong, Wu, Antonini, Hillis, Johnson, Moore, Richards  
MOTION: 19550

12. [2015-006317CUA](#) (V. FLORES: (415) 575-9173)  
518 CASTRO STREET - west side of Castro Street, between 18<sup>th</sup> and 19<sup>th</sup> Streets; Lot 002 in Assessor's Block 2695 - Request for **Conditional Use Authorization** pursuant to Planning Code Sections 303, 703.3, and 703.4 to relocate an existing formula retail pharmacy (d.b.a. Aids Health Foundation Pharmacy) from its present location at 4071 18<sup>th</sup> Street to the project site at 518 Castro Street. The project also includes interior tenant improvements and minor alterations to the existing awning. The project is located within the Castro Street Neighborhood Commercial District and a 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: Approve with Conditions

SPEAKERS: = Veronica Flores – Staff presentation  
+ Tom Myers – Project presentation  
- Donald Dewsup – Incomplete application and notice  
- Bear Hoffman – More and relocate, issues  
- (M) Speaker – Not necessary nor desirable  
- Race Berman – Opposed, AHF ads are inappropriate  
- Peter Berman – Wrong messages  
+ Stephanie Hernandez – Staying healthy  
- Stepehan Ferris – Protect the community  
- Daniel – Deny the project  
+ Jessie Brooks – Only moving the pharmacy to the clinic

- James Laducca – Profit opportunity for the Walmart of HIV care
- Dan Van Garden – Care provider
- Lane Bourn – Tis is about money
- Andrea Aiello – Not good fit for the neighborhood
- + (M) Speaker – AHF vital in keeping us healthy
- Doug Brogan – Our neighborhood is opposed, supporters do not live here
- + (F) Speaker – Stigma alive and well in CA
- + Rosie – Pharmacy and clinic together
- + Von Lewis – One stop shop
- + Shana – Support
- + Angelica Sporos – Improving the quality of life for individuals
- Star Child – Intruding into the personal lives
- + Michael Nulte - Support

ACTION: Adopted a Motion of Intent to Disapprove and Continued to January 28, 2016

AYES: Wu, Hillis, Moore, Richards

NAYES: Antonini, Johnson

ABSENT: Fong

13a. [2012.1445CV](#) (N. FOSTER: (415) 575-9167)

824 HYDE STREET - east side of Hyde Street, between Bush and Sutter Streets, Lot 017 in Assessor's Block 0280 - Request for **Conditional Use Authorization** pursuant to Planning Code Section 253 and 303 to permit a building exceeding 50 feet within a RC Zoning District. The Project site is located within the RC-4 (Residential-Commercial, High Density) Zoning District and 80-A Height and Bulk District. The project proposes to construct a five story (over basement) building with 15 dwelling units on a vacant lot. The resulting height of the building would exceed 50 feet in height. Even though the underlying Bulk and Height District (80-A) would allow for a taller structure, the Code requires approval by the Planning Commission according to the procedures for conditional use approval in Section 303 of this Code. This action constitutes the Approval Action for the project for purposes of CEQA, pursuant to Section 31.04(h) of the San Francisco Administrative Code.

Preliminary Recommendation: Approve with Conditions

SPEAKERS: = Nick Foster – Staff presentation  
+ Joseph Chance – Project presentation  
- Bill Quan – Neighborhood character

ACTION: After hearing and closing public comment; Continued to March 3, 2016

AYES: Wu, Antonini, Hillis, Johnson, Moore, Richards

ABSENT: Fong

13b. [2012.1445CV](#) (N. FOSTER: (415) 575-9167)

824 HYDE STREET - east side of Hyde Street, between Bush and Sutter Streets, Lot 017 in Assessor's Block 0280 - Request for **Variance** pursuant to Planning Code Sections 136 and 145.1 to allow for permitted obstructions (bay windows) and relief from the Code regarding required active street frontages for residential developments. A Planning Commission approval at the public hearing would constitute the Approval Action for the project for the purposes of CEQA, pursuant to San Francisco Administrative Code Section 31.04(h).

SPEAKERS: Same as Item 13a.  
ACTION: After hearing and closing public comment; ZA Continued to March 3, 2016

## F. DISCRETIONARY REVIEW CALENDAR

The Commission Discretionary Review Hearing Procedures provide for presentations by staff; followed by the DR requestor team; followed by public comment opposed to the project; followed by the project sponsor team; followed by public comment in support of the project. Please be advised that the DR requestor and project sponsor teams include: the DR requestor and sponsor or their designee, lawyers, architects, engineers, expeditors, and/or other advisors.

- 14a. [2014-001639DRP](#) (N. FOSTER: (415) 575-9167)  
160 BERNARD STREET - north side of Bernard Street, between Jones and Leavenworth Streets, Lot 036 in Assessor's Block 0156 - Request for **Discretionary Review** of Building Permit Application No. 2014.08.13.3730 proposing to demolish an existing one-story-over-basement, one-car garage structure and construct a new four-story-over-basement, two-unit residential building within the RH-3 (Residential, House, Three-Family) Zoning District and a 65-A Height and Bulk District. The proposed 40-foot tall building would contain a two-car garage (stacked parking), and the existing curb cut would be relocated to provide access to the new garage. 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.  
Staff Analysis: Full Discretionary Review  
Preliminary Recommendation: Do Not Take Discretionary Review and Approve  
**WITHDRAWN**
- 14b. [2014-001646DRP](#) (N. FOSTER: (415) 575-9167)  
162-164 BERNARD STREET - north side of Bernard Street, between Jones and Leavenworth Streets, Lot 037 in Assessor's Block 0156 - Request for **Discretionary Review** of Building Permit Application No. 2014.08.11.3471 proposing a two-story vertical and horizontal addition to an existing one-story-over-basement, two-unit residential structure, resulting in a three-story-over-basement, two-unit residential building within the RH-3 (Residential, House, Three-Family) Zoning District and a 65-A Height and Bulk District. The proposed 40-foot tall building would contain a two-car garage (stacked parking), and a new curb cut would be created to provide access to the new garage. 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.  
Staff Analysis: Full Discretionary Review  
Preliminary Recommendation: Do Not Take Discretionary Review and Approve  
**WITHDRAWN**
15. [2015-004434DRP](#) (N. TRAN: (415) 575-9174)  
3790-3792 21<sup>ST</sup> STREET - northeast corner of 21<sup>st</sup> and Noe Streets; Lot 026A in Assessor's Block 3604 - Request for **Discretionary Review** of Building Permit Application No. 2015.04.10.3305, proposing a third story addition with roof deck, lightwell infill, basement excavation and exterior changes on the existing two-family dwelling which 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 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 presentation  
- Carolyn Kennedy – DR presentation  
- Christen Grant – Over scaled residence in relation to the existing street  
- Bruce Bowen – Redesign of first floor flat  
- Tamara Marshall – More architectural interest  
+ Billy – Project presentation  
+ Michael Nyland - Rebuttal

**ACTION:** After hearing and closing public comment; Continued to April 14, 2016

**AYES:** Wu, Antonini, Hillis, Moore, Richards

**ABSENT:** Fong, Johnson

## **G. PUBLIC COMMENT**

At this time, members of the public may address the Commission on items of interest to the public that are within the subject matter jurisdiction of the Commission except agenda items. With respect to agenda items, your opportunity to address the Commission will be afforded when the item is reached in the meeting with one exception. When the agenda item has already been reviewed in a public hearing at which members of the public were allowed to testify and the Commission has closed the public hearing, your opportunity to address the Commission must be exercised during the Public Comment portion of the Calendar. Each member of the public may address the Commission for up to three minutes.

The Brown Act forbids a commission from taking action or discussing any item not appearing on the posted agenda, including those items raised at public comment. In response to public comment, the commission is limited to:

- (1) responding to statements made or questions posed by members of the public; or
- (2) requesting staff to report back on a matter at a subsequent meeting; or
- (3) directing staff to place the item on a future agenda. (Government Code Section 54954.2(a))

ADJOURNMENT – 7:34 P.M.