

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, December 8, 2016
12:00 p.m.
Regular Meeting

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

THE MEETING WAS CALLED TO ORDER BY PRESIDENT FONG AT 12:41 P.M.

STAFF IN ATTENDANCE: John Rahaim - Planning Director , Christopher May, Laura Ajello, Joshua Switzky, Mathew Snyder, Diego Sanchez, AnMarie Rodgers, Elizabeth Johnckeer, Marcelle Boudreaux, Claudine Asbagh, Carly Grob, Rich Sucre, Brittany Bendix, Jeffrey Speirs, 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. 2016-001313CUA (S. SKANGOS: (415) 575-8731)
2141 CHESTNUT STREET - west side between Steiner and Pierce Streets; Lot 045 of Assessor's Block 0490 (District 2) - Request for a **Conditional Use Authorization**, pursuant to Planning Code Sections 303(c) and 711.33A, to develop a Verizon Wireless Macro Wireless Telecommunications Services Facility consisting of up to twelve (12) 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 a NC-2 (Neighborhood Commercial, Small Scale) 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: Pending

(Proposed for Continuance to January 12, 2016)

SPEAKERS: None
 ACTION: Continued to January 12, 2017
 AYES: Fong, Hillis, Johnson, Melgar, Moore
 ABSENT: Koppel, Richards

2. 2016-005713CUA (C. ALEXANDER: (415) 575-8724)
224 TOWNSEND STREET - northwest side of Townsend Street between Clyde Street and Ritch Street; Lot 013 in Assessor's Block 3787 (District 6) - Request for **Conditional Use Authorization**, pursuant to Planning Code Sections 303 and 817.30, to establish the permanent status of an existing temporary public parking garage use within the SLI (SOMA Service-Light Industrial) 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 Section 31.04(h) of the San Francisco Administrative Code.

Preliminary Recommendation: Pending

(Continued from Regular Meeting of November 10, 2016)

(Proposed for Continuance to February 9, 2017)

SPEAKERS: None
 ACTION: Continued to February 9, 2017
 AYES: Fong, Hillis, Johnson, Melgar, Moore
 ABSENT: Koppel, Richards

- 3a. 2015-001277DRP (T. KENNEDY: (415) 575-9125)
3772 20TH STREET - north side between Dolores Street and Guerrero Street; Lot 138-141 in Assessor's Block 3598 (District 8) - Request for **Discretionary Review** of Building Permit Application No. 2015.06.16.9131, proposing to replace and modify an existing rear stair way and construct a roof deck over an existing garage in the rear yard of an existing four-unit residential 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 Section 31.04(h) of the San Francisco Administrative Code.

Staff Analysis: Full Discretionary Review

Preliminary Recommendation: Do Not Take Discretionary Review and Approve

(Continued from Regular Meeting of September 29, 2016)

(Proposed for Continuance to March 2, 2016)

SPEAKERS: None
 ACTION: Continued to March 2, 2017
 AYES: Fong, Hillis, Johnson, Melgar, Moore
 ABSENT: Koppel, Richards

- 3b. [2015-001277VAR](#) (T. KENNEDY: (415) 575-9125)
[3772 20TH STREET](#) - north side between Dolores Street and Guerrero Street; Lot 138-141 in Assessor's Block 3598 (District 8) - Request for **Rear Yard Variance** from the rear yard requirements, proposing to replace and modify an existing rear stair way and construct a roof deck over an existing garage in the rear yard of an existing four-unit residential building within a RH-3 (Residential House, Three-Family) Zoning District and 40-X Height and Bulk District.
 (Continued from Regular Meeting of September 29, 2016)
(Proposed for Continuance to March 2, 2016)

SPEAKERS: None
 ACTION: Continued to March 2, 2017
 AYES: Fong, Hillis, Johnson, Melgar, Moore
 ABSENT: Koppel, 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. [2016-010889CND](#) (L. AJELLO: (415) 575-9142)
[1353 9TH AVENUE](#) - west side of 9th Avenue between Irving and Judah Streets; Lot 010 in Assessor's Block 1764 - Request for **Condominium Conversion Subdivision** to convert a three-story, six-unit building into residential condominiums within the Inner Sunset 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

SPEAKERS: None
 ACTION: Approved
 AYES: Fong, Hillis, Johnson, Koppel, Melgar, Moore
 ABSENT: Richards
 MOTION: 19808

C. COMMISSION MATTERS

5. Commission Comments/Questions
- Inquiries/Announcements. Without discussion, at this time Commissioners may make announcements or inquiries of staff regarding various matters of interest to the Commissioner(s).
 - Future Meetings/Agendas. At this time, the Commission may discuss and take action to set the date of a Special Meeting and/or determine those items that could be placed on the agenda of the next meeting and other future meetings of the Planning Commission.

Commissioner Moore:

The tragic events of Oakland have brought back for me the serious question of how we're dealing with PDR, PDR protection and the amount of displacement we're seeing here in our City and while my heart goes out to Oakland that raises many questions of responsibility and oversight for us. I know the City will do everything to maintain the control over – so that those kinds of things cannot happen here, but if Director Rahaim has any comment on anything we're intending to do, I appreciate hearing about that.

D. DEPARTMENT MATTERS**6. Director's Announcements****Director Rahaim:**

Commissioners I was also going to suggest that we close the meeting today in honor of the victims of the Oakland disaster. Commissioner, there has been a lot of discussion in the City about this issue, how it affects properties here, and whether there are some measures we should take immediately to check for these types of buildings, obviously, it involves way much more than just the Planning Department, multiple City departments will be involved in this effort. We don't have a road map right now, but we are quickly working with the sister agencies to figure that out.

7. Review of Past Events at the Board of Supervisors, Board of Appeals and Historic Preservation Commission**LAND USE COMMITTEE:**

- **161285 Real Property Acquisition - Sidewalks Along Portions of Van Ness Avenue and South Van Ness Avenue.** Sponsor: Mayor. Staff: Rodgers.

At this week's Land Use & Transportation hearing, the Committee considered an ordinance that would authorize City acquisition and acceptance of the sidewalks along Van Ness Avenue between Lombard and Market Streets, at no cost. Caltrans currently controls the ROW and is the review body for encroachment permits on the sidewalk, which is part of Highway 101. Acquisition of the sidewalk ROW would not increase costs to the City as the city currently maintains the walks. While Caltrans is required to reimburse the City for this expense, reimbursement does not happen. This acquisition of sidewalk space will result in better designs of private property. As staff explained at the Committee hearing, currently the Planning Commission will approve buildings with awnings and bay windows over the Van Ness sidewalk. After Commission entitlement, Caltrans has not always approved such features. The costly and time-consuming review by the state has at times led to poor design outcomes that can be akin to a cheese grater stripping all such projecting features off the façade. With transfer of the sidewalks to the City, DPW will become the reviewing body for encroachment permits and will be able to regulate such permits along Van Ness as they do the rest of the City. All public comment was in support of the Ordinance. The Land Use Committee recommended approval of the ordinance and sent it to the full Board as a Committee Report. On Tuesday, the BOS approved the ordinance on first reading.

- **161241 Interim Zoning Controls - Indoor Agriculture.** Sponsor: Mayor. Staff: Not Staffed.

The Mayor's proposed interim controls to require Conditional Use for indoor agriculture was continued to January 9, 2017. The interim controls were introduced to give the Board of Supervisors more time to consider how to regulate commercial cannabis cultivation

- **161157 Planning Code - Inclusionary Housing Small Sites Program.** Sponsor: Mayor; Campos. Staff: D. Sanchez.

This Ordinance sponsored by the Mayor and Supervisor Campos proposes to amend Section 415 to allow project sponsors of smaller market rate projects to direct their affordable housing fee to the Small Sites Program. This program allows the City acquire and rehabilitate small, renter occupied buildings.

You heard this item on November 17 of this year. At that time you voted to recommend the Ordinance with two modifications-

- (1) to lower the size of eligible projects from 25 to 24 units and
- (2) to require fees to be spent on acquiring new sites be allowed both within the same neighborhood as the market rate project.

Supervisor Campos proposed two amendments. The first, was to accept your modification to project size. The second amendment differed from your modification slightly. The Commission modification allowed discretion to the Department and MOHCD in determining the definition of "neighborhood". Supervisor Campos's modification restricts the definition of "neighborhood" to exactly those on the Planning Department's 37-neighborhood notification map. This means, if a neighborhood boundary is across the street from the proposed project, the acquisition funds could not be used.

Public comment was in complete support of the Ordinance and the proposed amendments. All speakers believed that the Ordinance would help increase affordable housing in a cost effective manner while addressing displacement issues. At the end of public comment the Committee then voted to accept the Supervisor's modifications and recommend approval to the full board.

- **160925 Planning Code - Transportation Demand Management Program Requirement.** Sponsor: Avalos. Staff: Rodgers, Wietgreffe, Schuett.

This ordinance developed through interagency coordination is now Sponsored by Supervisor Avalos. It would establish a citywide Transportation Demand Management Program. You unanimously recommended approval on August 4th.

Since that time, the Land Use and Transportation Committee heard the ordinance on November 28th and this week. At both hearings, various members of the public spoke in support of the Ordinance, while seeking specific amendments primarily to the TDM Program Standards. Some amendments were made by the

Committee. The most significant amendments related to the phasing in of the TDM requirements.

Staff will be working with stakeholders and elected officials regarding additional amendments over the next month. We will present any changes to the this body at your January 19th hearing. Potential changes mostly relate to projects at the margins that will be subject to the program: small projects, very large projects, and projects with family sized units.

The item was continued for the Committee until after your hearing to be at the Board's committee on Monday, January 23rd.

- **161044 Urging City Agencies to Monitor and Review Any Development Proposal for the Brisbane Baylands Area and Urging the City of Brisbane to Prepare a Complete EIR and Approve a Responsible Land Use Plan.** Sponsor: Kim; Peskin, Campos, Mar. Cont without hearing to the call of the chair.

FULL BOARD:

- **160510 Student Housing Exemption from Inclusionary Housing Requirements.** Sponsor: Wiener. Staff: Starr. PASSED Second Read
- **161067 Planning Code, Zoning Map - Mission and 9th Street Special Use District.** Sponsor: Kim; Peskin. Staff: Chang. Passed First Read
- **161184 General Plan - Downtown Area Plan Map 5.** Passed First Read
- **161216 Hearing - Appeal of CEQA & CU 203 Cotter Street.** Withdrawn
- **161277 Rescinding Motion Reversing the Community Plan Exemption Determination and Requesting Additional Information - Proposed Project at 1515 South Van Ness Avenue.** Staff: Rodgers. Approved

INTRODUCTIONS:

- 161291 Supervisor Peskin introduced an ordinance to update the **Hotel Conversion Ordinance**. The changes are described as adding or refining definitions of tourist and transit use, comparable unit, conversion, and low-income household; revising procedures for permits to convert residential units; harmonizing fees and penalty provisions with the Building Code; eliminating seasonal short-term rentals for residential hotels that have violated provisions of the Hotel Conversion Ordinance in the previous year; authorizing the Department of Building Inspection to issue administrative subpoenas; and adding an operative date.

BOARD OF APPEALS:

The Board of Appeals met last night, one item that may be of interest is 461 27th Street, it was brought before you as discretionary review in 2014 and you took DR and removed a proposed roof deck that was on the building and made other changes as well. During the

course of construction, it was pointed out to us by the public through a complaint that they were constructing a full set of stairs to the roof; these were photos that were shown to you during hearings. We suspended that permit. The project sponsor stated that that was access for mechanical equipment; they were proposing to put air conditioning units up on the roof. We said that was not part of Commissions approval and we didn't see the need for having full set of stairs to access two AC units and another fan that was up there. They submitted revised plans to remove the unpermitted stairs and had screening for the proposed HVAC units that were on the roof. It was appealed to the Board of Appeals last night. The Board unanimously granted the appeal and made additional changes removing the AC units from the roof and related screening, and having that be located at the rear. When we initially were reviewing the project we asked the sponsor whether or not it was feasible and he said that was not feasible, but it was feasible, last night during their testimony at the hearing and they also adopted a condition saying that should be no stair to the roof and that was all. I'm available for any questions.

HISTORIC PRESERVATION COMMISSION:

Good afternoon Commissioners, Tim Frye, Department staff, here to share with you three items from yesterday's Historic Preservation Commission hearing. This is the last hearing for the HPC this year. The HPC unanimously approved a new construction project at 950 Tennessee in the Dogpatch Landmark District, this is for 100 units within the district, 86 off-street parking spaces, and a mid-block pedestrian passage way. You will be seeing this project at next week's Planning Commission hearing. The Commission – the HPC unanimously supported the design stating that they were very pleased that the revisions that were made since the project had been review by the Architectural Review Committee, and approved it with some standard conditions that the project sponsor continues working with staff to refine some elements of the design. The Commission then heard two proposed landmark designations, the first for 1970 Ocean Avenue the El Rey Theatre, this is a Timothy Flueger designed Theater down on Ocean Avenue. The project sponsor is – the property owner is supportive of the designation, however, as a group of property owners that all were not able to attend the hearing they asked for a continuance to January 18th, the next HPC hearing, which was granted. So, the HPC allowed the Department to present and heard public comment which was all in favor of the designation and they'll take up that item at next year at their first hearing, of note the designation does include interior and exterior character defining features. The Commission also heard the proposed designation for 2117-2123 Market Street. This is New Era Hall, currently occupied by the Crossroad Trading Company and ballet school on the upper floor. This has been a project that has been on the Department and the HPC landmark designation work program for a number of years. The Commission unanimously approved initiating the landmark designation process and instructed staff to continue working with the project sponsor, so they fully understand the benefits and responsibilities of local landmark designation. That item will also be taken up lightly at the end of January or beginning of February for the final recommendations to the Board of Supervisors. That concludes my comments unless you have any questions.

E. GENERAL PUBLIC COMMENT – 15 MINUTES

At this time, members of the public may address the Commission on items of interest to the public that are within the subject matter jurisdiction of the Commission except agenda items. With respect to agenda items, your opportunity to address the Commission will be afforded when the

item is reached in the meeting. Each member of the public may address the Commission for up to three minutes.

SPEAKERS: Georgia Schuttish – Former DR project on sale
Sue Hestor – Department website

F. REGULAR CALENDAR

The Commission Hearing Procedures provide for presentations by staff; followed by the project sponsor team; followed by public comment for and against the proposal. Please be advised that the project sponsor team includes: the sponsor(s) or their designee, lawyers, architects, engineers, expeditors, and/or other advisors.

8. 2013.0208GEN (J. SWITZKY: (415) 575-6815; M. SNYDER: (415) 575-6891)
MISSION ROCK (SWL 337+ PIER 48) - Assessor's Block and Lots: 8719/002,006,007, and 062 and 9900/048. **Informational Presentation** of the proposed Mission Rock project which proposes to construct (1) between 750,000 and 1.3 million square feet of residential use (40% of units affordable); (2) between 1.3 million and 1.7 million square feet of commercial/office/research and development use; (3) approximately 200,000 square feet of retail use; and (4) and a 2,800 space parking garage on the existing parking lot. The Project also includes the rehabilitation Pier 48 (approximately 212,000 square feet) for light industrial, retail, and restaurant use and the establishment of new streets, and eight acres of open space.

Preliminary Recommendation: None - Informational

SPEAKERS: = Joshua Switzky – Staff Report
+ Jack Bair – SF Giants proposal/plan
+ Fran Weld – Design presentation
= Phil Williamson, SF Port – Response to questions

ACTION: None – Informational

9. (M. SANDLER: (415) 575-6835)
COMMUNITY DEVELOPMENT PRACTICE GROUP - **Informational Presentation** - Over the past year the Planning Department has deepened its commitment to partnering with communities of color and low income communities who are most severely impacted by gentrification and displacement. The Community Equity and Opportunity team was formed within the Citywide Division, with the mission to identify opportunities that advance equity, inclusivity and engagement in San Francisco's most vulnerable communities.

Preliminary Recommendation: None - Informational

SPEAKERS: = Marlo Sandler – Staff Report
= Andi Nelson – Staff Report
= Claudia Flores – Staff Report
= Danielle Deruiter-Williams – Staff Report

ACTION: None – Informational

10. [2016-013035PCA](#) (D. SANCHEZ: (415) 575-9082)

EXEMPTING CERTAIN LANDMARKS FROM NOV 2016 BALLOT MEASURE PROP X - Planning Code Amendment - Ordinance introduced by Supervisor Kim amending Planning Code Section 202.8, included in the November 8, 2016, General Election as Proposition X, to exempt certain designated historic landmarks from obtaining conditional use authorization to remove certain Production, Distribution, and Repair, Institutional Community, and Arts Activities Uses, and providing replace space for such uses; affirming the Planning Department's determination under the California Environmental Quality Act; and making findings of consistency with the General Plan, and the eight priority policies of Planning Code Section 101.1.

Preliminary Recommendation: Adopt a Recommendation of Approval

SPEAKERS: = Diego Sanchez – Staff Report
 + April Ng, Aide to Supervisor Kim
 = Spike Khan – PDR
 + Peter Ackwerth – Support
 = Peter Papadapolous – Slowing the loss of PDR
 ACTION: After hearing and closing public comment; Continued to January 19, 2017
 AYES: Fong, Richards, Hillis, Johnson, Koppel, Melgar, Moore

11. [2016-013415PCA](#) (A. STARR: (415) 558-6362)

TERRACE INFILL NONCOMPLYING STRUCTURE DESIGNATED AS A SIGNIFICANT BUILDING IN C-3 DISTRICT - Planning Code Amendment - Ordinance amending the Planning Code to permit Terrace Infill on a noncomplying structure that is designated as a Significant Building under Planning Code, Article 11, and located in a C-3 Zoning District; affirming the Planning Department's determination under the California Environmental Quality Act; and making findings, including findings of public necessity, convenience, and welfare under Planning Code, Section 302, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

Preliminary Recommendation: Adopt a Recommendation of Approval

SPEAKERS: = Diego Sanchez – Staff Report
 ACTION: Adopted a Recommendation for Approval
 AYES: Fong, Richards, Hillis, Johnson, Koppel, Moore
 ABSENT: Melgar
 RESOLUTION: 19809

12. [2016-008418CUA](#) (E. JOHNCKEER: (415) 575-8728)

3554 TARAVAL STREET - northeast corner of Taraval Street and 46th Avenue; Lot 021 in Assessor's Block 2374 (District 15) - Request for **Conditional Use Authorization** pursuant to Planning Code Sections 303, 710.44 and 781.1, to merge the existing Limited Restaurant tenant space at 3560 Taraval Street (previously d.b.a. Beach N' Boba Café) with the adjacent business and professional service tenant space located at 3554 Taraval Street (previously d.b.a. Karen Loo Insurance Services), and to change the use to a 1,270 sq. ft. Restaurant (d.b.a. Streamline Café) with on-site beer and wine sales. This project is related to Enforcement Case Nos. 2016.000216ENF and 2016.000217ENF. The project site is located within a NC-1 (Neighborhood Commercial, Cluster) Zoning District and 40-X Height and Bulk District, and the Taraval Street Restaurant Subdistrict.

Preliminary Recommendation: Approve with Conditions

SPEAKERS: = Elizabeth Johnckeer – Staff Report
 + Dion Garcia – Sponsor presentation
 + Suheil Shatara – Project presentation
 + Ryan White – Support
 + Sean Cavanaugh – Support
 + Daria Elan – Support

ACTION: Approved with Conditions
 AYES: Fong, Hillis, Johnson, Koppel, Melgar
 ABSENT: Moore, Richards
 MOTION: 19810

- 13a. [2015-000878DNX](#) (M. BOUDREAUX: (415) 575-9140)
300 GRANT AVENUE (AKA 290 SUTTER STREET)/ 272 SUTTER STREET - (Assessor Block 0287/Lots 013, 014) (District 3) - Request for **Determination of Compliance** pursuant to Planning Code Section 309 with exceptions including “Off-Street Freight Loading”, “Height Limits in the 80-130-F District”, and “Bulk”. The project proposes demolition of two existing buildings (Category V – Unrated) and construction of an approximately 69,290-square-foot, six-story with basement, mixed-use commercial building. Floors basement through 3 are proposed for retail use, and floors 4 through 6 are proposed for office use. The property is within a C-3-R (Downtown-Retail) Zoning District and 80-130-F Height and Bulk District. On November 2, 2016, the Historic Preservation Commission approved a Permit to Alter (Motion No. 0291) for demolition and new construction within the Kearny-Market-Mason Sutter Conservation District (Case No. 2015-000878PTA).
Preliminary Recommendation: Approve with Conditions
 (Continued from Regular hearing of November 17, 2016)

SPEAKERS: = Marcelle Boudreaux – Staff Presentation
 + Steve Atkinson – Project presentation
 + David de la Santos – Design presentation
 - Katherin Petrin - Opposition
 + John Love – Response to question

ACTION: Approved with Conditions
 AYES: Fong, Richards, Hillis, Johnson, Koppel, Melgar
 NAYES: Moore
 MOTION: 19811

- 13b. [2015-000878CUA](#) (M. BOUDREAUX: (415) 575-9140)
300 GRANT AVENUE (AKA 290 SUTTER STREET)/ 272 SUTTER STREET- (Assessor Block 0287/Lots 013, 014) (District 3) - Request for **Conditional Use Authorization** pursuant to Planning Code Sections 210.2 and 303 for approving office use on floors four through 6. The project proposes demolition of two existing buildings (Category V – Unrated) and construction of an approximately 69,290-square-foot, six-story with basement, mixed-use commercial building. Floors basement through 3 are proposed for retail use, and floors 4 through 6 are proposed for office use. The property is within a C-3-R (Downtown-Retail) Zoning District and 80-130-F Height and Bulk District. On November 2, 2016, the Historic Preservation Commission approved a Permit to Alter (Motion No. 0291) for demolition and new construction within the Kearny-Market-Mason Sutter Conservation District (Case No. 2015-000878PTA).
Preliminary Recommendation: Approve with Conditions

(Continued from Regular hearing of November 17, 2016)

SPEAKERS: Same as Item 13a.
 ACTION: Approved with Conditions
 AYES: Fong, Richards, Hillis, Johnson, Koppel, Melgar
 NAYES: Moore
 MOTION: 19812

- 13c. [2015-000878OFA](#) (M. BOUDREAUX: (415) 575-9140)
300 GRANT AVENUE (AKA 290 SUTTER STREET)/ 272 SUTTER STREET - (Assessor Block 0287/Lots 013, 014) (District 3) - Request for **Office Development Authorization** pursuant to Planning Code Sections 321 and 322 (the Annual Office Development Limitation Program) to authorize approximately 29,703 gross square feet net new office space to the Project. The project proposes demolition of two existing buildings (Category V – Unrated) and construction of an approximately 69,290-square-foot, six-story with basement, mixed-use commercial building. Floors basement through 3 are proposed for retail use, and floors 4 through 6 are proposed for office use. The property is within a C-3-R (Downtown-Retail) Zoning District and 80-130-F Height and Bulk District. On November 2, 2016, the Historic Preservation Commission approved a Permit to Alter (Motion No. 0291) for demolition and new construction within the Kearny-Market-Mason Sutter Conservation District (Case No. 2015-000878PTA).

(Continued from Regular hearing of November 17, 2016)

Preliminary Recommendation: Approve with Conditions

SPEAKERS: Same as Item 13a.
 ACTION: Approved with Conditions
 AYES: Fong, Richards, Hillis, Johnson, Koppel, Melgar
 NAYES: Moore
 MOTION: 19813

- 14a. [2014.1063DNX](#) (C. ASBAGH: 415/575-9165)
633 FOLSOM STREET - south side of Folsom Street, at the intersection of Folsom and Hawthorne Streets; lot 079 of Assessor's Block 3750 (District 6) - Request for a **Downtown Project Authorization** per Planning Code Section 309, including requests for exceptions to the bulk requirements in the 200-S Height and Bulk District (Section 270), ground-Level wind current requirements in C-3 Districts (Section 148), and off-street loading space requirements (Section 152.1). The proposal would construct a five-story, 90,102 square foot addition to the existing, seven-story 174,252 square foot office building. In addition the proposal would re-clad the existing façade with a new metal and glass curtain wall system, reconfigure the ground floor to move and expand the retail space and construct a new corner lobby. The result will be a 12-story, 165.5-foot tall building with 264,354 square feet of office space and 5,000 square feet of ground floor retail space. The project site is located in the Downtown Commercial, Support (C-3-S) Zoning District and 200-S 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 October 20, 2016)

NOTE: On September 8, 2016, after hearing and closing public comment, continued the item to October 20, 2016 by a vote of +5 -0 (Koppel, Melgar were not yet seated). On October 20, 2016, without hearing, continued to December 8, 2016 by a vote of +7 -0.

SPEAKERS: = Claudine Asbagh – Staff Report
 + Deborah Boyer – Project presentation
 + Speaker – Design presentation
 + Javier Flores – Support, labor
 + Mellissa Vancrom – Support
 + Adrian Simi – Carpenter’s Union support
 - Margarita – Direct light
 ACTION: Approved with Conditions
 AYES: Richards, Hillis, Johnson, Koppel, Melgar, Moore
 ABSENT: Fong
 MOTION: 19814

- 14b. [2014.1063OFA](#) (C. ASBAGH: 415/575-9165)
633 FOLSOM STREET - south side of Folsom Street, at the intersection of Folsom and Hawthorne Streets; lot 079 of Assessor’s Block 3750 (District 6) - Request for an **Office Development Authorization** pursuant to Planning Code Sections 321 and 322 to authorize up to 90,102 square feet from the Office Development Annual Limit. The proposal would construct a five-story, 90,102 square foot addition to the existing, seven-story 174,252 square foot office building. In addition the proposal would re-clad the existing façade with a new metal and glass curtain wall system, reconfigure the ground floor to move and expand the retail space and construct a new corner lobby. The result will be a 12-story, 165.5-foot tall building with 264,354 square feet of office space and 5,000 square feet of ground floor retail space. The project is located within the Downtown Commercial, Support (C-3-S) Zoning District and 200-S Height and Bulk District.
Preliminary Recommendation: Approve with Conditions
 (Continued from Regular Meeting of October 20, 2016)
NOTE: On September 8, 2016, after hearing and closing public comment, continued the item to October 20, 2016 by a vote of +5 -0 (Koppel, Melgar were not yet seated). On October 20, 2016, without hearing, continued to December 8, 2016 by a vote of +7 -0.

SPEAKERS: Same as Item 14a.
 ACTION: Approved with Conditions
 AYES: Richards, Hillis, Johnson, Koppel, Melgar, Moore
 ABSENT: Fong
 MOTION: 19815

- 15a. [2014.0401CUA](#) (C. GROB: (415) 575-9138)
827 KEARNY STREET - along the west side of Kearny Street between Washington Street and Jackson Street, Lot 004 in Assessor’s Block 0194 (District 3) - Request for a **Conditional Use Authorization**, pursuant to Planning Code Sections 121.4, 254, 270 and 303 to construct a building exceeding 35 feet in height, to establish a use size exceeding 5,000 square feet, and to exceed the permitted bulk length dimension. The proposal is to demolish a vacant, two-story commercial structure and construct a four-story mixed use building with 1,635 square feet of ground floor commercial space, 7,520 square feet of Institutional use at the basement, first, second and third floors (d.b.a. Buddha’s Universal Church), and one 2,319 square foot dwelling unit at the top floor. The proposed institutional uses would connect to the adjacent property at 825 Kearny by a pedestrian bridge at the second floor, which would also provide access to the primary church building at 720 Washington. The project

site is located within the Chinatown Community Business (CCB) District and 65-N 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: = Carly Grob – Staff Report
 + Stan Tang – Project presentation
 ACTION: Approved with Conditions
 AYES: Fong, Richards, Johnson, Koppel, Moore
 ABSENT: Hillis, Melgar
 MOTION: 19816

- 15b. [2014.0401VAR](#) (C. GROB: (415) 575-9138)
827 KEARNY STREET - along the west side of Kearny Street between Washington Street and Jackson Street, Lot 004 in Assessor's Block 0194 (District 3) - Request for **Site Coverage Modification** pursuant to Planning Code Section 134.1, and Request for **Variances** from the requirements for permitted obstructions over streets and alleys pursuant to Planning Code Section 136, and from the active ground floor uses requirements of Section 145.1. The proposal is to demolish a vacant, two-story commercial structure and construct a four-story mixed use building with 1,635 square feet of ground floor commercial space, 7,520 square feet of Institutional use at the basement, first, second and third floors (d.b.a. Buddha's Universal Church), and one 2,319 square foot dwelling unit at the top floor. The proposed institutional uses would connect to the adjacent property at 825 Kearny by a pedestrian bridge at the second floor, which would also provide access to the primary church building at 720 Washington. The project site is located within the Chinatown Community Business (CCB) District and 65-N Height and Bulk District.

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

- 16a. [2016-014590CRV](#) (C. GROB: (415) 575-9138)
1412 MARKET STREET – north side of Market Street, at the west side of the intersection of Fell Street and Market Street; Lot 001 in Assessor's Block 0835 (District 6); 140 ELLIS STREET – north side of Ellis Street, between Cyril Magnin and Powell Streets; Lot 023 in Assessor's Block 0326 (District 3); 54 4th STREET – southwest side of 4th Street, between Market and Jessie Streets; Lot 004 in Assessor's Block 3705 (District 6); 447 BUSH STREET – South side of Bush Street, between Grant Avenue and Mark Lane; Lot 020 in Assessor's Block 0287 (District 3); 432 GEARY STREET– North side of Geary Street, between Mason Street and Taylor Street; Lot 006 in Assessor's Block 0306 (District 3); 972 SUTTER STREET – North side of Sutter Street, between Hyde Street and Leavenworth Street; Lot 012 in Assessor's Block 0280 (District 3) – Request for **Adoption of Findings** recommending to the Department of Building Inspection if replacement Residential Hotel Rooms at 361 Turk and 145 Leavenworth are "comparable units" pursuant to Section 41.12(d) of the Administrative Code. The overall project proposes the conversion of a total of 214 Residential Hotel Rooms to Tourist Hotel Rooms among six hotels, with 214 proposed replacement units at 361 Turk and 145 Leavenworth project (Case No. 2012.1531ECK) which was approved by the Planning Commission on July 9, 2015 per Motion Nos. 19411 and 19412 and involves the new construction of two residential buildings with 238 group housing rooms. The Planning Commission will also make a determination if the replacement residential units provided

in the 361 Turk Street and 145 Leavenworth Street are “comparable units,” per Section 41.12(d) of San Francisco Administrative Code Chapter 41.

Preliminary Recommendation: Adopt Findings

WITHDRAWN

- 16b. [2012.1531C 3](#) (C. GROB: (415) 575-9138)
54 4th STREET - southwest side of 4th Street, between Market and Jessie Streets; Lot 004 in Assessor’s Block 3705 (District 6) - Request for **Conditional Use Authorization**, pursuant to Planning Code Sections 178, 210.2 and 303, as well as Chapter 41 of the Administrative Code, for the intensification of a hotel use, d.b.a. The Mosser Hotel, within the C-3-R (Downtown Retail) District and the 160-S Height and Bulk District. There are currently 201 total rooms at the subject property, 120 of which are Tourist Hotel Rooms and 81 Residential Hotel Rooms. The project proposes the conversion of 77 Residential Hotel Rooms to 77 Tourist Hotel Rooms, and the replacement of the 77 Residential Hotel Rooms off-site at 361 Turk and 145 Leavenworth pursuant to the Permit to Convert provisions of Chapter 41 of the Administrative Code. The conversion would result in a total of 197 Tourist Hotel Rooms and four Residential Hotel Rooms at 54 4th Street. There are no permanent tenants residing in the 77 Residential Hotel Rooms proposed for conversion, and no physical expansion or alterations are proposed. This action constitutes the Approval Action for the project for the purposes of CEQA, pursuant to San Francisco Administrative Code Section 31.04(h). The Planning Commission will also make a determination that the replacement residential units provided in the 361 Turk Street and 145 Leavenworth Street are “comparable units,” per Section 41.12(d) of San Francisco Administrative Code Chapter 41 (2016-014590CRV). The overall project proposes the conversion of a total of 214 Residential Hotel Rooms to Tourist Hotel Rooms among six hotels, with proposed replacement units at 361 Turk and 145 Leavenworth project (Case No. 2012.1531ECK) which was approved by the Planning Commission on July 9, 2015 per Motion Nos. 19411 and 19412 and involves the new construction of two residential buildings with 238 group housing rooms.
Preliminary Recommendation: Disapprove
WITHDRAWN
- 16c. [2015-010755CUA](#) (C. GROB: (415) 575-9138)
447 BUSH STREET - south side of Bush Street, between Grant Avenue and Mark Lane; Lot 020 in Assessor’s Block 0287 (District 3) - Request for **Conditional Use Authorization**, pursuant to Planning Code Sections 178, 210.2 and 303, as well as Chapter 41 of the Administrative Code, for the intensification of a hotel use, d.b.a. Hotel Des Arts, within the C-3-R (Downtown Retail) District and the 80-130-F Height and Bulk District. There are currently 51 total rooms at the subject property, 13 of which are Tourist Hotel Rooms and 38 Residential Hotel Rooms. The project proposes the conversion of 37 Residential Hotel Rooms to 37 Tourist Hotel Rooms, and the replacement of the 37 Residential Hotel Rooms off-site at 361 Turk and 145 Leavenworth pursuant to the Permit to Convert provisions of Chapter 41 of the Administrative Code. The project also includes the construction of one additional Tourist Hotel Room within existing second floor lobby space. The conversion would result in a total of 51 Tourist Hotel Rooms and one Residential Hotel Rooms at 447 Bush Street. There are no permanent tenants residing in the 37 Residential Hotel Rooms proposed for conversion, and no physical expansion or exterior alterations are proposed. This action constitutes the Approval Action for the project for the purposes of CEQA,

pursuant to San Francisco Administrative Code Section 31.04(h). The Planning Commission will also make a determination that the replacement residential units provided in the 361 Turk Street and 145 Leavenworth Street are “comparable units,” per Section 41.12(d) of San Francisco Administrative Code Chapter 41 (2016-014590CRV). The overall project proposes the conversion of a total of 214 Residential Hotel Rooms to Tourist Hotel Rooms among six hotels, with proposed replacement units at 361 Turk and 145 Leavenworth project (Case No. 2012.1531ECK) which was approved by the Planning Commission on July 9, 2015 per Motion Nos. 19411 and 19412 and involves the new construction of two residential buildings with 238 group housing rooms.

Preliminary Recommendation: Disapprove

WITHDRAWN

- 16d. [2014.0910C](#) (C. GROB: (415) 575-9138)
432 GEARY STREET - north side of Geary Street, between Mason Street and Taylor Street; Lot 006 in Assessor’s Block 0306 (District 3) - Request for **Conditional Use Authorization**, pursuant to Planning Code Sections 178, 210.2 and 303, as well as Chapter 41 of the Administrative Code, for the intensification of a hotel use, d.b.a. Union Square Plaza Hotel, within the C-3-G (Downtown - General) District and the 80-130-F Height and Bulk District. There are currently 69 total rooms at the subject property, eight of which are Tourist Hotel Rooms and 61 Residential Hotel Rooms. The project proposes the conversion of 55 Residential Hotel Rooms to 55 Tourist Hotel Rooms, and the replacement of the 55 Residential Hotel Rooms off-site at 361 Turk and 145 Leavenworth pursuant to the Permit to Convert provisions of Chapter 41 of the Administrative Code. The conversion would result in a total of 63 Tourist Hotel Rooms and six Residential Hotel Rooms at 432 Geary Street. There are no permanent tenants residing in the 55 Residential Hotel Rooms proposed for conversion, and no physical expansion or alterations are proposed. This action constitutes the Approval Action for the project for the purposes of CEQA, pursuant to San Francisco Administrative Code Section 31.04(h). The Planning Commission will also make a determination that the replacement residential units provided in the 361 Turk Street and 145 Leavenworth Street are “comparable units,” per Section 41.12(d) of San Francisco Administrative Code Chapter 41(2016-014590CRV). The overall project proposes the conversion of a total of 214 Residential Hotel Rooms to Tourist Hotel Rooms among six hotels, with proposed replacement units at 361 Turk and 145 Leavenworth project (Case No. 2012.1531ECK) which was approved by the Planning Commission on July 9, 2015 per Motion Nos. 19411 and 19412 and involves the new construction of two residential buildings with 238 group housing rooms.
- Preliminary Recommendation: Disapprove*
- WITHDRAWN**
- 16e. [2015-010747CUA](#) (C. GROB: (415) 575-9138)
972 SUTTER STREET- north side of Sutter Street, between Hyde Street and Leavenworth Street; Lot 012 in Assessor’s Block 0280 (District 3) - Request for **Conditional Use Authorization**, pursuant to Planning Code Sections 178, 210.2 and 303, as well as Chapter 41 of the Administrative Code, for the intensification of a hotel use, d.b.a. Mithila Hotel, within the RC-4 (Residential-Commercial-High Density) District and the 80-A Height and Bulk District. There are currently 30 total rooms at the subject property, 11 of which are Tourist Hotel Rooms and 19 Residential Hotel Rooms. The project proposes the conversion of 18 Residential Hotel Rooms to 18 Tourist Hotel Rooms, and the replacement of the 18 Residential Hotel Rooms off-site at 361 Turk and 145 Leavenworth pursuant to the Permit

to Convert provisions of Chapter 41 of the Administrative Code. The conversion would result in a total of 29 Tourist Hotel Rooms and one Residential Hotel Room at 972 Sutter Street. There are no permanent tenants residing in the 18 Residential Hotel Rooms proposed for conversion, and no physical expansion or alterations are proposed. This action constitutes the Approval Action for the project for the purposes of CEQA, pursuant to San Francisco Administrative Code Section 31.04(h). The Planning Commission will also make a determination that the replacement residential units provided in the 361 Turk Street and 145 Leavenworth Street are "comparable units," per Section 41.12(d) of San Francisco Administrative Code Chapter 41(2016-014590CRV). The overall project proposes the conversion of a total of 214 Residential Hotel Rooms to Tourist Hotel Rooms among six hotels, with proposed replacement units at 361 Turk and 145 Leavenworth project (Case No. 2012.1531ECK) which was approved by the Planning Commission on July 9, 2015 per Motion Nos. 19411 and 19412 and involves the new construction of two residential buildings with 238 group housing rooms.

Preliminary Recommendation: Disapprove

WITHDRAWN

17. [2015-002135CUA](#) (C. TOWNES: (415) 575-9195)
854 CAPP STREET - west side of Capp Street between 23rd and 24th Streets; Lot 041 in Assessor's Block 3642 (District 9) - Request for a **Conditional Use Authorization (CUA)**, pursuant to Planning Code Section 303 and 317, to demolish the existing 2,020 square foot, one-story-over-basement, single family residence (with detached rear accessory building) on a 3,062 sf (25'x122.5') lot, and construct a new 40-foot tall, four-story, 7,815 square foot, residential building with four dwelling units. Pursuant to Planning Code Section 317(c), an application for a permit that would result in the loss of one or more Residential Units is required to obtain Conditional Use Authorization and the application for a replacement building shall be subject to Conditional Use requirements. The subject property is located within the RTO-M (Residential Transit Oriented- Mission) 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 hearing of October 13, 2016)

NOTE: On September 29, 2016, after hearing and closing public comment, continued the item to October 13, 2016 by a vote of +6 -1 (Fong against). On October 13, 2016, without hearing, continued to December 8, 2016 by a vote of +4 -0 (Hillis, Johnson, Melgar absent).

SPEAKERS: = Chris Townes – Staff Report

+ Speaker – Project presentation

ACTION: Approved with Conditions

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

MOTION: 19817

18. [2015-004109CUA](#) (R. SUCRE: (415) 575-9108)
333 12TH STREET - located on the north side of 12th Street between Folsom and Harrison Streets, Lot 022 & 055 in Assessor's Block 3521 - Request for a **Conditional Use Authorization**, pursuant to Planning Code Sections 303 and 823(c)(11), for major developments requesting a height bonus for the project involving new construction of a seven-story-over-basement (80-ft tall), residential building with 200 dwelling units and

125 Class 1 bicycle parking spaces. The proposed project would utilize the State Density Bonus Law (California Government Code Sections 65915-65918), and proposes waivers for lot merger, rear yard, open space, dwelling unit exposure, height limit, and off-street freight loading. The project site is located within the WMUG (Western SoMa Mixed-Use General) Zoning District, Western SoMa Special Use District, and 55-X and 55/65-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:

- = Rich Sucre – Staff Report
- + Pattroke Kennedy – Project presentation
- + Mark Macy – Design presentation
- + Speaker – Student housing
- + Luigi Luccaccini – Support
- + Bab Illy – Support
- + Johnny Rodriguez – Support
- + Bob Tillman – Support
- + Bob Klantz – Parking
- + Ru Han Ki – Housing
- + Alex Witt – Support
- + Devin Brady – Support
- + David Backett – Support
- + Ken Callman – Support
- + Erica Ruffitti – Support
- + Mike Hardcastle – Support
- + Wally Mealer – Support
- + Mark Weltz – Support
- + Speaker – Support
- + Terrance Allen – Support
- + Nina Rizzo – Support
- + Michael Olson – Support
- + Latisha Luna – Support
- + Josh Peterson – Support
- + Mike Rapunsky – Support
- + Speaker – Support
- + Sonja Transs – Support
- + Josh York – Support
- + Laura Clarke – Support
- + Mark Hogan – Support
- + Danielle Howard – Support
- + Daniel Camp – Support
- Joseph Smoot – Questions
- Speaker – Opposition
- Theresa Imperial – Continuance
- Angelica Bodasipe – Continuance
- = Peter Cohen – Continuance
- + Corey Smith – State Density Bonus
- + Donald Dewsnup – Reground housing crisis
- = Sue Hestor – MUNI

ACTION: Approved with Conditions As Amended
 AYES: Fong, Richards, Hillis, Johnson, Koppel
 NAYES: Melgar
 ABSENT: Moore
 MOTION: 19818

19. [2015-009460CUA](#) (B. BENDIX: (415) 575-9114)
830 EDDY STREET & 815 VAN NESS AVENUE - located on the southwest corner of Van Ness Avenue and Willow Street; Lots 018, 022-044 in Assessor's Block 0738 (District 5) - Request for **Conditional Use Authorization**, pursuant to Planning Code Sections 253, 253.2, 303, and 304 to demolish an approximately 9,370 square foot two-story parking garage containing 62 off-street parking spaces and to construct a 120-foot tall residential building of approximately 119,050 gross square feet containing 126 dwelling units and up to 105 off-street parking spaces. The project is seeking exceptions as a Planned Unit Development to the Planning Code's requirements for rear yard (Section 134), architectural obstructions over the public right-of-way (Section 136), dwelling unit exposure (Section 140), street frontage (Section 145.1), off-street loading (Section 152) and bulk (Section 270). The subject property is located within a RC-4 (Residential-Commercial, High Density) Zoning District, the Van Ness Special Use District, and 130-V 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: = Brittany Bendix – Staff Report
 + Michael Yarne – Project presentation
 + Moe Jamil – 80 parking spaces max
 + Adam Mayer – Support
 = Sue Hestor – Transit Van Ness Avenue
 ACTION: Approved with Conditions
 AYES: Fong, Richards, Hillis, Koppel Melgar
 ABSENT: Johnson, Moore
 MOTION: 19819

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.

20. [2015-015904DRP](#) (C. MAY: (415) 575-9087)
1825 WEBSTER STREET - southwest corner of Webster and Wilmot Streets; Lot 060 in Assessor's Block 0660 (District 5) - Request for **Discretionary Review** of Building Permit Application No. 2015.11.12.2215, proposing the construction of a three-story horizontal addition at the rear, three- and four-story horizontal additions on the north side, and a two-story vertical addition to the two-story single-family house within a RH-2 (Residential, House, Two-Family) Zoning District and 40-X Height and Bulk District. This action

constitutes the Approval Action for the project for the purposes of CEQA, pursuant to Section 31.04(h) of the San Francisco Administrative Code.

Staff Analysis: Abbreviated Discretionary Review

Preliminary Recommendation: Do Not Take Discretionary Review and Approve as Amended

SPEAKERS: None

ACTION: Continued to January 19, 2017

AYES: Fong, Hillis, Johnson, Melgar, Moore

ABSENT: Koppel, Richards

21. [2016-005475DRM](#) (J. SPIERS: (415) 575-9106)
739 BRYANT STREET - southeast side of Bryant Street, between 5th and Morris Streets; Lot 046A in Assessor's Block 3778 (District 6) - Request is for a **Mandatory Discretionary Review** of an application for a change of use from Office to a Medical Cannabis Dispensary (MCD) at the second story, within the SALI (Service, Arts, Light Industrial) Zoning District and 40/55-X Height and Bulk District. The MCD is proposed for delivery only, and will not be open to the public. The associated Building Permit Application 2016.05.09.6943 is for change of use only. No interior or exterior alterations are proposed. 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 Analysis

Preliminary Recommendation: Take Discretionary Review and Approve with Conditions

SPEAKERS: = Jeff Speirs – Staff Report

+ Speaker – Project presentation

ACTION: Took DR and Approved with Conditions

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

ABSENT: Moore

DRA No: 0495

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 – 9:03 P.M.