

SAN FRANCISCO PLANNING COMMISSION

Meeting Minutes

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

Thursday, August 15, 2013

12:00 p.m.

Regular Meeting

COMMISSIONERS PRESENT: Fong, Wu, Antonini, Borden, Hillis, Moore, Sugaya

THE MEETING WAS CALLED TO ORDER BY PRESIDENT FONG AT 12: 15 PM.

STAFF IN ATTENDANCE: John Rahaim – Planning Director, Kevin Guy, Diego Sanchez, Michael E. Smith, Debra Dwyer, Rich Sucre, Kanishka Burns, Erika Jackson, and Jonas P. Ionin - Acting Commission Secretary.

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. 2012.0153EC (C. TEAGUE: (415) 575-9081)
200 PAUL STREET – north side between Bayshore Boulevard and Third Street, and opposite Exeter and Gould Streets; Lots 001F & 001G of Assessor's Block 5431A. **Request for Conditional Use Authorization**, pursuant to Planning Code Sections 227(r), 303, 303(h), and 304 to allow a Planned Unit Development (PUD) to alter the existing Internet Services Exchange (ISE) by reducing the size of an existing building and constructing a service yard that would include 18 additional diesel emergency, backup generators on the approximately seven acre site, and requesting an exception to the parking requirements of Planning Code Section 151, within a PDR-2 (Core Production, Distribution, and Repair) Zoning District and 65-J Height and Bulk District.
Preliminary Recommendation: Approve with conditions

(Proposed for Continuance to September 26, 2013)

SPEAKERS: None
 ACTION: Continued to September 26, 2013
 AYES: Fong, Wu, Antonini, Moore, Sugaya
 ABSENT: Borden, Hillis

2. 2009.1082C (E. OROPEZA: (415) 558-6381)
194-194(A) SWEENEY STREET - northeast corner of Sweeny and Merrill Streets; Lot 024 in Assessor's Block 5858 - **Request for Conditional Use Authorization** for the creation of a new lot of lesser width and lot area and for the new construction of a single family dwelling on the proposed lot per Planning Code Section 121 (f), all within a RH-1 (Residential House, One Family) District, and 40-X Height and Bulk District.
 Preliminary Recommendation: Approve with Conditions
(Proposed for Continuance to September 26, 2013)

SPEAKERS: None
 ACTION: Continued to September 26, 2013
 AYES: Fong, Wu, Antonini, Moore, Sugaya
 ABSENT: Borden, Hillis

B. CONSENT CALENDAR

All matters listed hereunder constitute a Consent Calendar, are considered to be routine by the Planning Commission, and will 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

3. [2013.0211C](#) (K. GUY: (415) 558-6163)
524 HOWARD STREET - north side between First and Second Streets; Lot 013 in Assessor's Block 3721 - **Request for Conditional Use Authorization**, pursuant to Planning Code Sections 156 and 303, to allow the continued operation of an existing temporary surface parking lot within a C-3-O (SD) District, the Transbay C-3 Special Use District, the Transit Center C-3-O(SD) Commercial Special Use District, and 450-S Height and Bulk District.
 Preliminary Recommendation: Approve with Conditions
 (Continued from Regular Meeting of July 11, 2013)

SPEAKERS: None
 ACTION: Approved with Conditions
 AYES: Fong, Wu, Antonini, Moore, Sugaya
 ABSENT: Borden, Hillis
 MOTION: 18948

4. [2013.0585B](#) (D. SÁNCHEZ: (415) 575-9082)
999 BRANNAN STREET - southeast corner of Brannan Street and 9th Street, Lot 003 in Assessor's Block 3782 - **Request for Office Development Authorization** pursuant to Planning Code Sections 179.1 and 321 to establish 143,292 gross square feet of office use, dba Dolby, under the Eastern Neighborhoods Legitimization Program in a PDR-1-G (Production, Distribution, Repair: General) District and 40-X Height and Bulk District.

Preliminary Recommendation: Approve with Conditions

SPEAKERS: + Reuben Junius – Project Sponsor Rep.
 - Sue Hestor – PC rules regarding complicated cases
 ACTION: After being pulled off of Consent, Approved with Conditions
 AYES: Fong, Wu, Antonini, Moore, Sugaya
 ABSENT: Borden, Hillis
 MOTION: 18950

5. [2012.1528C](#) (D. SÁNCHEZ: (415) 575-9082)
 1097 HOWARD STREET #101 - southeast corner of 7th and Mission Streets, Lot 128 in Assessor's Block 3731 - **Request for Conditional Use Authorization** under Planning Code Sections 249.40A, 840.47 and 303 to establish a retail wine shop, dba The San Francisco Champagne Society, with tasting area, classified as a bar under Planning Code Section 790.22, within the Mixed Use – General District (MUG), the SOMA Youth and Family Special Use District and 65-X Height and Bulk District.

Preliminary Recommendation: Approve with Conditions

SPEAKERS: None
 ACTION: Approved with Conditions
 AYES: Fong, Wu, Antonini, Moore, Sugaya
 ABSENT: Borden, Hillis
 MOTION: 18949

C. COMMISSION MATTERS

6. Consideration of Adoption:
 • [Draft Minutes for August 1, 2013](#)

SPEAKERS: None
 ACTION: Adopted as Corrected
 AYES: Fong, Wu, Antonini, Moore, Sugaya
 ABSENT: Borden, Hillis

Adoption of Commission Minutes – Charter Section 4.104 requires all commissioners to vote yes or no on all matters unless that commissioner is excused by a vote of the Commission. Commissioners may not be automatically excluded from a vote on the minutes because they did not attend the meeting.

7. 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

8. Director's Announcements

Director Rahaim:

I also have nothing to report today, except to say have a pleasant break.

(K. GUY: (415) 558-6163)

9. [Public Art Proposal for Foundry Square III Project \(505-525 Howard Street\)](#) - **Informational Only**

SPEAKERS: + Project Sponsor
ACTION: None - Informational

10. [2012.0206C](#) (M. SMITH: (415) 558-6322)
[2299 MARKET STREET](#) - south side of the intersection of Market, Noe, and 16th Streets, Lot 091 in Assessor's Block 3564 - **Informational Update** - pursuant to Planning Commission Motion No. 18713 which required the Department to share the final signage program for a formula retail, bank (d.b.a. "Bank of the West") with the Commission as an informational item prior to approval. The subject property is located within the Upper Market Street Neighborhood Commercial District, the Upper Market Special Sign District, and 50-X Height and Bulk District.

SPEAKERS: + Tom Tunney, Ruben, Junius & Rose, Project Sponsor Rep., - Signage
+ Mike Greer – Sign specification
- Eric Honda, DTNA Vice-President – Bank of the West has not engaged with neighbors
- Alex Walker – Sign needs work, although code compliant
ACTION: None – Informational

11. Review of Past Week's Events at the Board of Supervisors, Board of Appeals and Historic Preservation Commission

BOARD OF SUPERVISORS:

No Report

BOARD OF APPEALS:

The Board of Appeals met yesterday there were several items that they might of interest to the Commission, and I'd like to brief details of those. The first was a jurisdiction request for a letter of legitimation for 435-437 Potrero Avenue, you heard this item as a conditional use authorization last month, and in this case, the jurisdiction requesters were claiming they didn't have timely notice of the letter of legitimation the Board unanimously denied that request. I will note that the CU authorization and the environmental review have been appealed to the Board of Supervisors, we waiting to hear from the City Attorney's Office and the Department of Public Works, whether or not they were valid appeals, the second item was another jurisdiction request for a letter of determination that I issued for the property at 3166 16th Street this is regards to Jack Spade, which was seeking to locate at this location, this was issued on September of last year, found that they were not inform of the retail issue, I would note that there is not notification requirement for letters of determination, however, as a matter of policy I have been sending them to neighborhood

groups in the vicinity, this was mailed to 36 neighborhood groups in our Department mailing list, and there were no appeals filed at that time, and this was a jurisdiction request, for an organization to reopen the 15 day appeal period, there are variety of concerns about whether or not this use was actually a formula retail and note that are appeals of two buildings permit related to the use that the Board is calendar for next -- appearing next week, so at this hearing I'll advise the Board that they do have full discussion on those permits, they could make a determination that the permits were improperly issues, because they believed that is formula retail and so they full discussion on that, they didn't take jurisdiction or granted jurisdiction request on this case and they will hear the matter fully next week on the two building permit applications that on appeals for the Jack Spades Store. Another item was a re-hearing request for 70 Crestline Drive. This is the project that the Department has recommend disapproval of the Planning Commission approved under DR, at the hearing the Board of Appeals denied the permit, overturning the Planning Commissions decision. There was recent information that was brought to our attention, yesterday we received a letter from the County Surveyor who stated, that the subdivision request which they're reviewing it and they received it in July, was when the subdivision was actually submitted after this Commission have taken its action on the building permit, they reviewed the subdivision and found that the 1962 subdivision established building setback lines, that would prohibited construction in the area on the lot that is to be subdivided, so this is actually new information, we did not have time at the hearing. The Board continued the re-hearing request to the call of the Chair and is going to see what happened with this subdivision application. Because it is my understanding that the subdivision approved with this conditions could be appealed to the Board of Supervisors, and the Board of Supervisors may have the final word, whether or not there are any conditions that would prohibit some construction on this area of the lot and depending on that, the matter might be brought back to the Board of Appeals for their consideration, so, this is kind of last minute news, that we heard yesterday but we'll keep you updated on that. The final items was a variance for 225 Clipper Street I denied a variance for front setback the proposal was to establish a parking pad in front of the building and they would allow the parking that would be on screen from view so in the variance for the setback and also variance from now having parking on screen from view, I denied the variance because it would result of the removal one on-street-off space on such privatization of the parking space, and also, because the parking pad that was going to be created was not very substandard, was only 10' feet deep, I would note that 2013 Toyota Prius depth is about 14-/12 feet so most car that would park in that area, unless it's something like a smart car would overhang into the public right away, so then I denied this variance request and the Board of Appeals unanimously upheld my denial. They're meeting again next week and I'll report on that and the Jack Spade item when the Commission reconvenes.

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. However, for items where public comment is closed this is your opportunity to address the Commission. With respect to all other 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: Linda Chapman – 1601 Larkin Street

F. REGULAR CALENDAR

12. [2011.0558E](#) (D. DWYER: (415) 575-9031)
TRANSIT EFFECTIVENESS PROJECT (TEP) - Citywide - **Public Hearing on the Draft Environmental Impact Report** - The San Francisco Municipal Transportation Agency (SFMTA) and the San Francisco Office of the Controller have launched the TEP, a comprehensive review and analysis of existing travel patterns and service options to make Muni service more convenient, reliable and attractive to existing and potential customers. The TEP is comprised of individual projects for the Muni System and includes service improvements, service-related capital projects, and transit travel time reduction proposals. These are designed to improve safety and service reliability, and to reduce travel time. The SFMTA has also developed a Policy Framework, which establishes transit service delivery objectives and identifies actions that will be taken to fulfill these objectives throughout the City.
 Preliminary Recommendation: None - No Action Required
NOTE: Written comments will be accepted at the Planning Department until 5:00 p.m. on September 17, 2013.

SPEAKERS:

- Mark Christensen – Effectiveness at the expense of ridership
- Herbert Weiner – Physical impact evaluation by medical professionals
- Alex Long – Environmental Impact
- Barbara Bochy – Environmental Impact
- Anne Long – Environmental Impact
- Jeane Kelly – Encourage more transit
- Adam bosnia Chekovick – Hazardous environment to bicyclists
- Mary Clyde – Neighborhood Impact
- William Kelly – Longer walks
- Wayne Hu Lung – Public transit for seniors
- Sue Ying Jao – Low income impact families and seniors
- Pai Jo Jian - Service cuts impact on the community
- Ron Hou Lan – Bus line changes
- Phil Chin – Chinatown service
- Michael Kroenbach – Service changes
- Daniella Kirschenbaum – Service changes environmental effect
- Paul Wermer – DEIR is deficient and in need of additional work
- Sue Hestor – Environmental review
- Peter Cohen – Transportation effectiveness

ACTION: Accepted public comments on the DEIR

13. [2013.0586C](#) (D. SÁNCHEZ: (415) 575-9082)
1050 SOUTH VAN NESS AVENUE - west side between 21st and 22nd Streets, Lot 053 in Assessor's Block 3615 – **Request for Conditional Use Authorization** under Planning Code Sections 209.2, 178 and 303 to legalize and intensify a group housing use to allow up to 81 beds and to seek exceptions from the rear yard requirement and the bicycle parking requirement, pursuant to Planning Code Sections 134, 155.5, 303 and 304, within the RTO-M (Residential, Transit Oriented, Mission Neighborhood) Zoning District and 50-X Height and Bulk district.
 Preliminary Recommendation: Approve with Conditions

SPEAKERS: + Sup. David Campos – Homelessness and housing

- + Bevan Duffy – Homelessness and LGBT
- + Ilene Dick, Project Sponsor Rep. – Project description
- + Marlin Mindietto – Homelessness and LGBT, Program operation
- + Scott Walton – Homelessness community services
- + Mathew Steen – Expanded services
- + Tony Mecca – Change people’s lives for the better
- + Jennifer Friedenbach – Homelessness health/safety
- + Brian Bassinger – LGBT
- + Brianna Forte – Queer community
- + Charles Stevens – LGBT access
- + Alou Grigenes – In support
- + Enrique – In support
- + Francis Montgomery – In support
- + Estrella Marina – In support
- + Jesus Paragon – In support

ACTION: Approved with Conditions
 AYES: Fong, Wu, Antonini, Borden, Hillis, Moore, Sugaya
 MOTION: 18951

14a. [2012.0906BX](#) (R. SUCRE: (415) 575-9108)
333 BRANNAN STREET –located on the southwest corner of Brannan and Stanford Streets, Lot 042 in Assessor’s Block 3788 – **Request for a Large Project Authorization**, pursuant to Planning Code Sections 329, for the new construction of a six-story, office building (approximately 178,500 gsf) with ground floor retail space, forty-five (45) off-street parking spaces, and twelve (12) bicycle parking spaces. Under the Large Project Authorization, the project is seeking modifications from the Planning Code requirements for permitted street encroachments (corner bay window; Planning Code Section 136), garage width (Planning Code Section 145.1), and horizontal mass reduction (Planning Code Section 270.1). The subject property is located within the MUO (Mixed-Use Office) Zoning District and 65-X Height and Bulk District.
 Preliminary Recommendation: Approve with Conditions

- SPEAKERS:
- + Jim Ruben, Ruben, Junius & Rose – Project description
 - + Dave Johnson – Project design
 - Monte Argula – Garage variance, neighborhood parking
 - John Elberling, TODCO – Micro retail
 - Sonja Kos, TODCO – Formula retail, open space
 - Sue Hestor – Eastern SOMA plan amendments

ACTION: Approved with Conditions as amended to include:

1. Project Sponsor to extend the ground floor retail to Stanford St.;
2. Divide the retail space into smaller units;
3. Make best effort with 345 Brannan to consolidate vehicular access;
4. Look into providing a parklet;
5. Discourage formula retail; and to
6. Establish a preference for tenants that operate seven days a week, all day.

AYES: Fong, Antonini, Borden, Hillis Moore, Sugaya
 ABSENT: Wu
 MOTION: 18952

14b. [2012.0906BX](#) (R. SUCRE: 415/575-9108)

333 BRANNAN STREET - located on the southwest corner of Brannan and Stanford Streets, Lot 042 in Assessor's Block 3788 - **Request for an Office Development Authorization** under Planning Code Sections 321 and 842.66 to construct approximately 175,450 gsf of office space within the MUO (Mixed-Use Office) Zoning District and 65-X Height and Bulk District. Preliminary Recommendation: Approve with Conditions

SPEAKERS: + Jim Ruben, Ruben, Junius & Rose – Project description
 + Dave Johnson – Project design
 - Monte Argula – Garage variance, neighborhood parking
 - John Elberling, TODCO – Micro retail
 - Sonja Kos, TODCO – Formula retail, open space
 - Sue Hestor – Eastern SOMA plan amendments

ACTION: Approved with Conditions
 AYES: Fong, Antonini, Borden, Hillis, Moore, Sugaya
 ABSENT: Wu
 MOTION: 18953

15a. [2013.0180CX](#) (K. GUY: (415) 558-6163)
72 ELLIS STREET - north side between Powell and Stockton Streets, Lot 011 of Assessor's Block 0327 - **Request to extend the performance period for an additional three years for a previously-approved Conditional Use Authorization** to demolish an existing surface parking lot and construct an 11-story, 125-foot tall hotel consisting of approximately 156 rooms, a lobby, small accessory meeting rooms, and a restaurant. The amendment proposes no changes to the design or intensity of the project as originally approved. The subject property is located within a C-3-R (Downtown, Retail) Zoning District, 80-130-F Height and Bulk District, and Kearny-Market-Mason-Sutter Conservation District. Preliminary Recommendation: Approve with Conditions

SPEAKERS: + Jim Ruben – Project description
 + Dam Saphir, Prada Group
 + Kevin Varroll – Hotels positive economic activity

ACTION: Approved with Conditions as amended:
 1. Limiting the extension to a 2-Year period; and
 2. An informational presentation to the Planning Commission after the design has been reviewed by Preservation Staff, with a request that the HPC's ARC also provide design review comments.
 .AYES: Fong, Wu, Antonini, Borden, Hillis, Moore, Sugaya
 MOTION: 18954

15b. [2013.0180CX](#) (K. GUY: (415) 558-6163)
72 ELLIS STREET - north side between Powell and Stockton Streets, Lot 011 of Assessor's Block 0327 - **Request to extend the performance period for an additional three years for a previously-approved and Downtown Project Authorization** and Requests for exceptions to demolish an existing surface parking lot and construct an 11-story, 125-foot tall hotel consisting of approximately 156 rooms, a lobby, small accessory meeting rooms, and a restaurant. The amendment proposes no changes to the design or intensity of the project as originally approved. The subject property is located within a C-3-R (Downtown, Retail) Zoning District, 80-130-F Height and Bulk District, and Kearny-Market-Mason-Sutter Conservation District.

Preliminary Recommendation: Approve with Conditions

SPEAKERS: + Jim Ruben – Project description
 + Dam Saphir, Prada Group
 + Kevin Varroll – Hotels positive economic activity
 ACTION: Approved with Conditions as amended:
 1. Limiting the extension to a 2-Year period
 AYES: Fong, Wu, Antonini, Borden, Hillis, Moore, Sugaya
 MOTION: 18955

16a. [2013.0276BX](#) (K. GUY: (415) 558-6163)
350 MISSION STREET - northeast corner at Fremont Street, Lot 017 of Assessor's Block 3710
 - **Request for an Allocation of Square Footage** pursuant to Planning Code Sections 321 and 322 (the Annual Office Development Limitation Program). On February 10, 2011, the Planning Commission approved a project for the subject property to demolish an existing four story building containing office space and retail uses, and construct a new 24-story, 350-foot tall building containing approximately 340,000 square feet of office uses, approximately 6,500 square feet of retail space, approximately 23,500 square feet of subterranean parking area, and approximately 7,000 square feet of publicly-accessible interior open space (Case No. 2006.1524EBKXV). This previously-approved project is currently under construction. The current proposal would amend the previous entitlements to add up to six additional floors, containing up to 80,000 square feet of office uses, for a maximum height for the project of up to 431 feet to the top of the roof, and up to 455 feet to the top of the mechanical parapet. The project site is located within a C-3-O(SD) (Downtown Office-Special Development) District, Transit Center C-3-0 (SD) Commercial Special Use District, and 700-S-2 Height and Bulk District.
 Preliminary Recommendation: Approve with Conditions

SPEAKERS: + Jim Ruben – Project description
 + Steve Solel, SOM – Project design
 - Rita Choi Adler – Effect on new __ neighborhood
 - Daria Denise – Shadow, tunnel effect
 - Sue Hestor – Fees, hearing procedures, discretionary actions, affordable housing
 = Bob Herr – 45 Fremont Rep. – No notice, request continuance
 = Tom Hart, Shorenstein Properties – Process, request continuance
 = Peter Cohen – Job Housing Linkage/Affordable - housing fees
 ACTION: Approved with Conditions, recognizing that the Project Sponsor has voluntarily agreed to not seek fee deferrals for the additional floors.
 AYES: Fong, Wu, Antonini, Borden, Hillis, Sugaya
 RECUSED: Moore
 MOTION: 18956

16b. [2013.0276BX](#) (K. GUY: (415) 558-6163)
350 MISSION STREET - northeast corner at Fremont Street, Lot 017 of Assessor's Block 3710
 - **Request for a Determination of Compliance** pursuant to Planning Code Section 309, with exceptions to the requirements for "Separation of Towers", "Reduction of Ground-Level Wind Currents in C-3 Districts", "General Standards for Off-Street Parking and Loading" regarding the number of freight loading spaces, and "Bulk Limits". On February 10, 2011, the Planning Commission approved a project for the subject property to demolish an existing four story building containing office space and retail uses, and construct a new 24-

story, 350-foot tall building containing approximately 340,000 square feet of office uses, approximately 6,500 square feet of retail space, approximately 23,500 square feet of subterranean parking area, and approximately 7,000 square feet of publicly-accessible interior open space (Case No. 2006.1524EBKXV). This previously-approved project is currently under construction. The current proposal would amend the previous entitlements to add up to six additional floors, containing up to 80,000 square feet of office uses, for a maximum height for the project of up to 431 feet to the top of the roof, and up to 455 feet to the top of the mechanical parapet. The project site is located within a C-3-O(SD) (Downtown Office-Special Development) District, Transit Center C-3-0 (SD) Commercial Special Use District, and 700-S-2 Height and Bulk District.

Preliminary Recommendation: Approve with Conditions

SPEAKERS: + Jim Ruben – Project description
 + Steve Solel, SOM – Project design
 - Rita Choi Adler – Effect on new ___ neighborhood
 - Daria Denise – Shadow, tunnel effect
 - Sue Hestor – Fees, hearing procedures, discretionary actions, affordable housing
 = Bob Herr – 45 Fremont Rep. – No notice, request continuance
 = Tom Hart, Shorestein Properties – Process, request continuance
 = Peter Cohen – Job Housing Linkage/Affordable - housing fees

ACTION: Approved with Conditions, recognizing that the Project Sponsor has voluntarily agreed to not seek fee deferrals for the additional floors.

AYES: Fong, Wu, Antonini, Borden, Hillis, Sugaya

RECUSED: Moore

MOTION: 18957

17. [2013.0707DD](#) (K. BURNS: (415) 575-9112)
133 17TH AVENUE - west side, between Lake and California Streets; Lot 008 in Assessor's Block 1377 - **Requests for Discretionary Review** of Building Permit Application No. 2013.02.06.9626 proposing construction of a horizontal addition at the rear of the existing two-story over basement single-family dwelling. The horizontal addition consists of a two-story over basement component that extends approximately 10'-5" beyond the building's main rear wall and a one-story over basement component with bay windows that extends approximately 14' further. The property is located in a RH-2 (Residential-House, Two Family) Zoning District and 40-X Height and Bulk District.
 Staff Analysis: Abbreviated Discretionary Review
 Preliminary Recommendation: Do not take Discretionary Review and Approve

SPEAKERS: + Jeremy Paul – Project Sponsor Rep.
 + Project Sponsor –
 - May Seto – DR Requestor
 - Michael Zucker – 2nd DR Requestor
 - Melinda Burgeher – DR Requestor
 - Evelyn

ACTION: No DR Approved as Proposed

AYES: Wu, Antonini, Borden, Hillis, Moore, Sugaya

ABSENT: Fong

DRA-No: 0332

18. [2013.0757D](#) (E. JACKSON: (415) 558-6363)

300 WINFIELD STREET - northwest side, on the corner of Eugenia Avenue and Winfield Street; Lot 001 in Assessor's Block 5671 - **Request for Discretionary Review** of Building Permit Application No. 2013.0322.2868 proposing to construct a new roof deck on top of a 2 story addition at the rear of the single family dwelling. The proposed roof deck would measure approximately 21.5 by 12 feet with a 42 inch open wood railing. The existing single family dwelling is partially located within the required rear yard and is therefore considered a legal noncomplying structure. No expansion of the building envelope is proposed under this permit. The property is located in a RH-2 (Residential-House, Two Family) Zoning District, 40-X Height and Bulk District, and Bernal Heights Special Use District.

Staff Analysis: Abbreviated Discretionary Review

Preliminary Recommendation: Do not take Discretionary Review and Approve

SPEAKERS: + Mason Kirby – Architect for Project Sponsor
 + Lee Horer – Owner
 + Jilliam Glass –
 - Arnold Burgoner – Privacy

ACTION: Took DR and Approved as Modified: requiring a two-foot reduction in the depth of the deck

AYES: Wu, Antonini, Borden, Hillis, Moore

NAYES: Sugaya

ABSENT: Fong

DRA-No: 0333

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))

None

ADJOURNMENT - 7:02 PM